



CIVILITY PLEDGE

The way we govern ourselves is often as important as the positions we take. Our collective decisions will be better when differing views have had the opportunity to be fully vetted and considered. All people have the right to be treated with respect, courtesy and openness. We value all input. We commit to conduct ourselves at all times with civility and courtesy to each other.

Brian Wismer, Chairman
Lucy Dolan, V. Chairman
G. Leah Davis
Rob Hall
Miller Radford
Jeanne Rast
Cliff Thomas

Planning Commission Meeting

700 Doug Davis Drive
Hapeville, GA 30354

July 11, 2023 6:00 PM

AGENDA

1. Call to Order

2. Roll Call

Brian Wismer, Chairman
Lucy Dolan, V. Chairman
G. Leah Davis
Rob Hall
Miller Radford
Jeanne Rast
Cliff Thomas

3. Approval of Minutes

3.I. Minutes of June 13, 2023

4. New Business

4.I. 459 Oak Drive Final Plat Review

Background:

Benedict Fons is requesting final plat review for the property located at 459 Oak Drive (Parcel ID: 14-0094-0008-010-9). The property is zoned R-SF, Residential Single Family.

Documents:

1. Application - 459 Oak Drive_Subdivision_Redacted
2. Plans - 459 Oak Drive_Subdivision
3. Planner's Report - 459 Oak Drive_Subdivision

4.II. 3165 & 3167 Dogwood Drive Final Plat Review (Phase I)

Background:

IHD Investments is requesting final plat review for the properties located at 3165 & 3167 Dogwood Drive (Parcel ID's: 14-0099-0003-042-2, 14-0099-0003-112-3, 14-0099-0003-113-1). The properties are zoned V, Village.

Documents:

1. Application - 3165 Dogwood Drive_final plat_Redacted
2. Plans - 3165, 3167 Dogwood Drive_Final Plat
3. Engineer's Report - 3165 Dogwood Drive Final Plat Review -1
4. Planners Report - 3165 Dogwood Drive Subdivision (002)

5. Next Meeting Date - August 15, 2023 at 6:00 PM

6. Adjourn



Brian Wismer, Chairman
Lucy Dolan, Vice Chairman
G. Leah Davis
Rob Hall
Miller Radford
Jeanne Rast
Cliff Thomas

**Called Planning Commission Meeting
700 Doug Davis Drive
Hapeville, Georgia 30354**

June 13, 2023 6:00 PM

MINUTES

1. Called to Order at 6:03 PM.

2. Roll Call

Brian Wismer, Chairman
Lucy Dolan, Vice Chairman
G. Leah Davis
Rob Hall - Absent
Miller Radford
Jeanne Rast
Cliff Thomas

3. Approval of Minutes

3.I. Minutes of May 9, 2023

MOTION ITEM: Cliff Thomas made a motion to approve the minutes of May 9, 2023, as submitted. Leah Davis seconded the motion. Motion carried: 5-0.

4. New Business

4.I. Zoning Procedures

Text Amendment

Background:

An amendment in accordance with House Bill 1405 (2021), amendments to the City of Hapeville Code of Ordinances regarding public notices, hearings, and procedures for making (and appealing to superior court) zoning decisions, quasi-judicial land-use related decisions, and changes to single-family zoning provisions of the code.

Findings

In 2021, the Georgia General Assembly passed House Bill 1405. This bill revised Georgia's Zoning Procedures Law in Title 36 of the Official Code of Georgia Annotated. In accordance with House Bill 1405 and such that the City may comply with the new law on or before July 1, 2023, the Staff and the City Attorney are presenting the text amendment of its Code of Ordinances which governs zoning procedures regarding public notices, hearings, and procedures for making (and

appealing to superior court) zoning decisions, quasi-judicial land-use related decisions, and single-family zoning provisions.

In broad summary, the text amendments address two major components of the City's zoning hearings. The text amendments increase the notification and advertising period for quasi-judicial zoning decisions (conditional use permits, zoning variances, rezonings, and text amendments) to 30 days instead of 15 days. The zoning procedures for City-initiated rezonings of properties from single-family residential to multi-family residential include posting of properties, 2 public hearings, 2 Council meetings for consideration and longer periods between public hearings and meetings for consideration and action.

RECOMMENDATION

Staff recommends approval of the text amendments for compliance with State Law.

MOTION ITEM: Miller Radford made a motion recommending approval of the zoning procedures text amendment. Cliff Thomas seconded the motion. Motion carried: 5-0.

5. Next Meeting Date – July 11, 2023 at 6:00 p.m.

6. Adjourn

MOTION ITEM: Lucy Dolan made a motion to adjourn the meeting at 6:11 p.m. Cliff Thomas seconded the motion. Motion carried: 5-0.

Respectfully submitted by,

Brian Wismer, Chairman

Adrienne Senter, Secretary

23-PC-07-13

**CITY OF HAPEVILLE
ECONOMIC DEVELOPMENT DEPARTMENT
SUBDIVISION APPLICATION**

Name of Applicant Benedict Fons

Mailing Address P.O. Box 81252 Atlanta, GA 30366

Telephone [REDACTED] Mobile [REDACTED]

Email [REDACTED]

Property Owner (s) Benedict & JoAnn Living Trust

Mailing Address 1347 Hearst Drive NE Brookhaven, GA 30319

Telephone [REDACTED] Mobile [REDACTED]

Address/Location of Property:

459 Oak Drive, Hapeville, GA 30354

Present Zoning Classification: RSF

Present Land Use: [REDACTED]

Parcel ID #: 14 0094 0008 010 9

I hereby make application to the City of Hapeville, Georgia for the above referenced property. I hereby affirm that the information provided here and above is true, complete and accurate, and I understand that any inaccuracies may be considered just cause for invalidation of this application and any action taken on this application. I understand that the City of Hapeville, Georgia, reserves the right to enforce any and all ordinances regardless of any action or approval on this application. I further understand that it is my/our responsibility to fully comply with all City of Hapeville Codes and Ordinances. I hereby acknowledge that all requirements of the City of Hapeville shall be met. I am able to read and write in English or this document has been read and explained to me and I have fully and voluntarily completed this application. I also understand that false statements or writings made to the City of Hapeville, Georgia are deemed a felony pursuant to O.C.G.A. 16-10-20 and I/we may be prosecuted for a violation thereof.

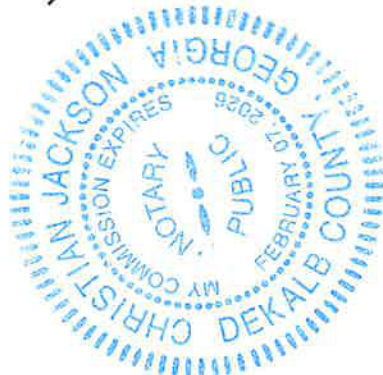
Benedict Fons
Applicant's signature

Date: 4/09/2023

Sworn to and subscribed before me

This 9th day of June, 20 23.

[Signature]
Notary Public



Written Summary

459 Oak Drive is a lot or parcel which contains (2) two separate houses, known as 459 and 461 Oak Drive. Each house has always had separate utilities except for a joint/shared sewer line to the city main. This has just been separated by cutting the connection to the joint line from 459 and installing a new sewer line from 459 along the house, the driveway, and making a new sewer tap to the city main, all permitted and approved by Watershed Management. A copy of the permit is attached.

461 Oak Drive is a newly renovated (2) bed room, 1 bath, living room, dining room, kitchen including new SS appliances, and a two vehicle parking area in the back. The property is about ready for sale.

459 Oak Drive is in need of upgrading; a (3) bed room, 1 bath, living room, dining area, kitchen/cooking area, with space for a two vehicle parking area in the back. Plans include a facelift, ie. installation of the (3) new vinyl insulated windows, previously purchased but never installed, new soffit, siding, fascia, trim, re-screening the porch then priming and painting the exterior. The interior will be cleaned up, flooring replaced, and add a half bath and an area for a stackable washer/dryer. Required permits will be obtained before work commences.

The driveway will remain a jointly owned/shared with a cross easement providing ingress and egress to the parking in the rear of the respective houses.

The sale of 461 will provide the needed funds for the following: the work to be done on 459, which when completed and sold should cover the remainder of JoAnn's and my retirement needs. Additionally, it will create two separate single family properties and increase the tax base.

**CITY OF HAPEVILLE
ECONOMIC DEVELOPMENT DEPARTMENT
SUBDIVISION APPLICATION**

AUTHORIZATION OF PROPERTY OWNER

I CERTIFY THAT I AM THE OWNER OF THE PROPERTY LOCATED AT:

Benedict Fons
459 & 461 Oak Drive, Hapeville, GA 30354

City of Hapeville, County of Fulton, State of Georgia

WHICH IS THE SUBJECT MATTER OF THIS APPLICATION. I AUTHORIZE THE APPLICANT NAMED BELOW TO ACT AS THE APPLICANT IN THE PURSUIT OF THIS APPLICATION FOR PLANNING COMMISSION REVIEW.

Name of Applicant: Benedict Fons

Address of Applicant: 1347 Hearst Drive NE
Brookhaven, GA. 30319

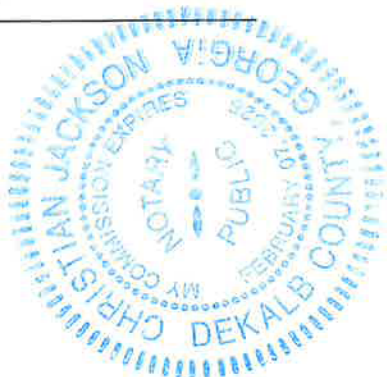
Telephone of Applicant: [REDACTED]

Benedict Fons Benedict Fons
Signature of Owner

Benedict Fons
Print Name of Owner

Personally Appeared Before Me this 9th day of June, 2023.

[Signature]
Notary Public



A Preliminary Plat is a document used to determine the practical ability to subdivide a particular property within the City of Hapeville. Information relating to environmental condition, zoning, development impact, consistency with the Hapeville Comprehensive Plan and relevant town master plans will be considered in the decision process. Submittal of the plat does not guarantee the approval of a Final Plat, a legal document, once recorded with the County, finalizes the subdivision of the land. To be considered, a Preliminary Plat must contain the following information:

- ☒ The proposed subdivision name and location, the name and address of the owner or owners, and the name of the designer of the plat who shall be a state-registered engineer or surveyor.
- ☒ Date, approximate north point and graphic scale.
- ☐ The location of existing and platted property lines, streets, buildings, watercourses, railroads, sewers, bridges, culverts, drain pipes, water mains and any public utility easements, the present zoning classification, if any, both on the land to be subdivided and on the adjoining land; and the names of adjoining property owners or subdivisions.
- ☐ Plans of proposed underground utility layouts (including sewers, water and electricity) showing feasible connections to the existing or any proposed utility systems.
- ☐ The names, locations, widths and other dimensions of proposed streets, alleys, easements, parks and other open spaces, reservations, lot lines and utilities.
- ☐ Contours at vertical intervals of not more than five feet when specifically not required by the planning commission.
- ☐ The acreage of the land to be subdivided.
- ☐ Location sketch map or city map showing relationship of subdivision site to area.

Please initial each item on the list above certifying that all required information has been included on the preliminary plat. Sign and submit this form with your Preliminary Plat application. Failure to include this form and information required herein may result in additional delays for the consideration of your application.

Applicant Signature: Benedict Fournier Date 6/09/2023

Final Plat Checklist

A Final Plat is a legal document, once approved and signed by the Hapeville Planning Commission, can be recorded with Fulton County Superior Court. Only a final plat legally subdivides a parcel. Filing with the County will establish the new deed for the property and assign tax parcel identification information. To be considered, a Final Plat must contain the following information:

- _____ The lines of all streets and roads, alley lines, lot lines, building setback lines, lots numbered in numerical order, house numbers, reservations, easements and any areas to be dedicated to public use or sites for other than residential use with notes stating their purpose and any limitations.
- _____ Sufficient data to determine readily and reproduce on the ground the location, bearing and length of every street line, lot line, boundary line, block line and building line, whether curved or straight, and including true north point. This shall include the radius, central angle and tangent distance for the centerline of curved streets and curved property lines that are not the boundary of curved streets.
- _____ All dimensions to the nearest 100th of a foot and angles to the nearest minutes.
- _____ Location and description of monuments.
- _____ The names and locations of adjoining subdivisions and streets and the location and ownership of adjoining unsubdivided property.
- _____ Date, title, name and location of subdivision, graphic scale and true north point.

Please initial each item on the list above certifying that all required information has been included on the plat. Sign and submit this form with your Final Plat application. Failure to include this form and information required herein may result in additional delays for the consideration of your application.

Supplemental Documents for Final Plat:

- Certification showing that the applicant is the landowner or legally authorized representative and dedicates streets, rights-of-way and any sites for public use.
- Certification by surveyor or engineer to accuracy of survey and plat and placement of monuments.
- Certification by the City Engineer that the subdivider has complied with one of the following alternatives:
 1. All improvements have been installed in accord with the requirements of the regulations; or
 2. A security bond has been posted in sufficient amount to ensure the completion of all required improvements.
- Certification of approval to be signed by the secretary of the Planning Commission following the approval of the final plat.

Once a Final Plat has been approved and signed by the Chair of the Hapeville Planning Commission, the applicant may pick up copies of the plat for filing with Fulton County Superior Court at 136 Pryor Street, Atlanta, GA 30303. Once filed and stamped by the recorder's office, a copy should be returned to the Hapeville Department of Economic Development to be held on file.

Applicant Signature: Credit Four Date 6/09/2023

Cross Reference:
Deed Book 14668, Page 3;
Deed Book 14668, Page 5;

Record and Return to:

Ryan McLemore, Esq.
Thrift & McLemore
1000 Parkwood Circle SE, Suite 900
Atlanta, Georgia 30339

STATE OF GEORGIA
COUNTY OF FULTON

DECLARATION OF DRIVEWAY ACCESS EASEMENT

This Declaration of Driveway Access Easement (this “**Agreement**”) is made and entered into as of this _____ day of August, 2021 (the “**Effective Date**”), by BENEDICT FONS (hereinafter “**Owner**”).

WITNESSETH

WHEREAS, Owner is the owner of certain real property commonly known as 459 Oak Drive, Hapeville, Fulton County, Georgia, 30354 (“**Lot 459**”), as described in that Quitclaim Deed dated October 8, 1991 and recorded in Deed Book 14668, Page 3, Fulton County Georgia Records, and more particularly described on **Exhibit A** attached hereto and incorporated herein.

WHEREAS, Owner is also the owner of certain real property commonly known as 461 Oak Drive, Hapeville, Fulton County, Georgia, 30354 (“**Lot 461**”), as described in that Quitclaim Deed dated October 8, 1991 and recorded in Deed Book 14668, Page 5, Fulton County Georgia Records, and more particularly described on **Exhibit B** attached hereto and incorporated herein.

WHEREAS, Owner is also the owner of certain real property commonly known as 463 Oak Drive, Hapeville, Fulton County, Georgia, 30354 (“**Lot 463**”) as described in that Quitclaim Deed dated October 8, 1991 and recorded in Deed Book 14668, Page 5, Fulton County Georgia Records, and more particularly described on **Exhibit C** attached hereto and incorporated herein. (Lot 459, Lot 461 and Lot 463 collectively referred to herein as the “**Lots**”).

WHEREAS, heretofore Owner has installed a gravel drive over and across Lot 461 and Lot 459, as shown cross hatched on **Exhibit D** attached hereto and incorporated herein, in order to provide ingress and egress access for the Lots (the “**Driveway**”), and an approximately 10 ft by 30 ft gravel parking pad located at the rear of Lot 461 (the “**Parking Pad**”), as shown cross hatched on **Exhibit D**, in order to provide parking for Lot 463.

WHEREAS, to effectuate and allow for the use of the Driveway by the Lots and the use of the Parking Pad by Lot 463, the Owner hereby has executed and recorded this Agreement.

WHEREAS, Owner intends that the easements established by this Agreement shall be covenants running with the land and shall be binding upon and inure to the benefit and burden of the future owners of Lot 459 ("**Lot 459 Owner**"), the future owners of Lot 461 ("**Lot 461 Owner**"), and the future owners of Lot 463 ("**Lot 463 Owner**"), and their respective heirs, successors and assigns.

NOW, THEREFORE, for and in consideration of the premises and the benefits to be derived by the Owner and each and every subsequent owner, Owner hereby creates, establishes, sets up and declares the easements set forth herein.

1. Recitals. All of the terms, conditions and provisions set forth in the foregoing recitals are hereby restated and affirmed to be part of this Agreement.
2. Driveway Easement. Owner does hereby grant and establish for the benefit of Lot 459 Owner, Lot 461 Owner, and Lot 463 Owner, their heirs, successors, successors-in-title and assigns, and guests and invitees of each owner, a non-exclusive, perpetual and appurtenant easement for vehicular and pedestrian traffic, in, upon and over the Driveway.
3. Use of Driveway. The Driveway shall solely be used for ingress and egress to each respective Lot. It shall be kept clear and unobstructed at all times and shall not be used for parking of any vehicles, trailers, or other equipment. Any party violating this section is subject to towing at said party's expense.
4. Parking Pad. Owner does hereby grant and establish for the benefit of Lot 463 Owner, its heirs, successors, successors-in-title and assigns, a non-exclusive, perpetual and appurtenant easement, in, upon and over the Parking Pad for the purposes of maintaining, using, driving on, parking on, and repairing the Parking Pad as needed.
5. Maintenance and Repair of Driveway. All costs and responsibilities associated with the maintenance and repair of the Driveway shall be agreed upon in a commercially reasonable fashion and divided and shared equally between the Lots.
6. Maintenance and Repair of Parking Pad. The maintenance and repair of the Parking Pad shall be performed by Lot 463 Owner, their contractors and other designees, in accordance with all applicable governmental regulations, at Lot 463 Owner sole cost and expense. Lot 463 Owner shall maintain the Parking Pad is good and sightly condition at all times, to a commercially reasonable standard. After providing Lot 463 Owner a seven (7)-day notice of breach of the above duty, if such breach is not cured, then Lot 461 Owner shall have all remedies at law to enforce that duty and/or shall have the right to cure the breach itself in a commercially reasonable fashion, at Lot 463 Owner's sole and reasonable expense.
7. Enforcement and Lien. This Agreement shall be binding upon and shall inure to the benefit of the 459 Lot Owner, 461 Lot Owner, 463 Lot Owner, and their respective heirs, successors and assigns, by any means available at law or in equity. If any sums due from any owner are not paid when owed, then such sums shall be considered delinquent and together with interest, attorney fees and cost of collection, shall become a continuing lien on the delinquent owners' property. The lienor shall be the owner(s) who advances the

sums unpaid by the delinquent party. Such lien shall cloud the title of the property of the owners his/her heirs, successors, devisees, personal representatives and assigns.

8. Severability. Whenever possible, each provision of this Agreement shall be interpreted in such manner as to be effective and valid, but if the application of any provision of this Agreement to any person or to any property shall be prohibited or held, invalid, such prohibition or invalidity shall not affect any other provision or the application of any provision which can be given effect without the invalid provision or application, and, to this end, the provisions of this Agreement are declared to be severable.
9. Arbitration. All disputes and claims arising out of or relating to this Agreement shall, on the request of any party involved, be settled by arbitration administered by the American Arbitration Association pursuant to its commercial arbitration rules then in effect, in Atlanta, Georgia (or at any other time or place or under any other form of arbitration mutually acceptable to the parties involved). The decision of the arbitrator will be final and binding and judgment thereon may be entered in any court having jurisdiction. The parties to the arbitration shall bear the expenses of the arbitration equally; provided, that each party shall bear the cost of its own experts, evidence, and counsel's fees, except that in the discretion of the arbitrator, any award may include the cost of a party's counsel if the arbitrator expressly determines that the party against whom the award is entered has caused the matter to be submitted to arbitration as a dilatory tactic.
10. Governing Law. The laws of the State of Georgia shall govern this Agreement. Any provisions of this Agreement that shall prove to be invalid, void or illegal, shall in no way affect, impair or invalidate any other provisions hereof.

[Signature on the following page]

IN WITNESS WHEREOF, the parties hereunto have caused this Agreement to be executed and sealed, as of the date and year first above set forth.

Sign: _____
Print Name: _____

BENEDICT FONS

Sign: _____
Print Name: _____

STATE OF _____
COUNTY OF _____

The foregoing instrument was acknowledged before me, by means of ☐ physical presence or ☐ online notarization, this ____ day of _____, 2021, by Benedict Fons. He ☐ is personally known to me or ☐ has produced _____ as identification.

(Signature of Notary Public)

(Print Name of Notary Public)
NOTARY PUBLIC in and for the State
and County aforesaid
My Commission expires:
Commission No.:

Exhibit A
(Legal Description of 459 Oak Drive)

to wit: All that Tract or Parcel of land known as 459 Oak Drive, Fulton County, Georgia, and being in land lot 94 of the 14th District Fulton County, Georgia, and being parts of lots 27 and 28 of Block 22 of Forest Hill Park Subdivision and being more particularly described per Exhibit "A" a survey for B.T. Fons by Joseph C. King, Land Surveyor, dated 4/29/86 copy attached.

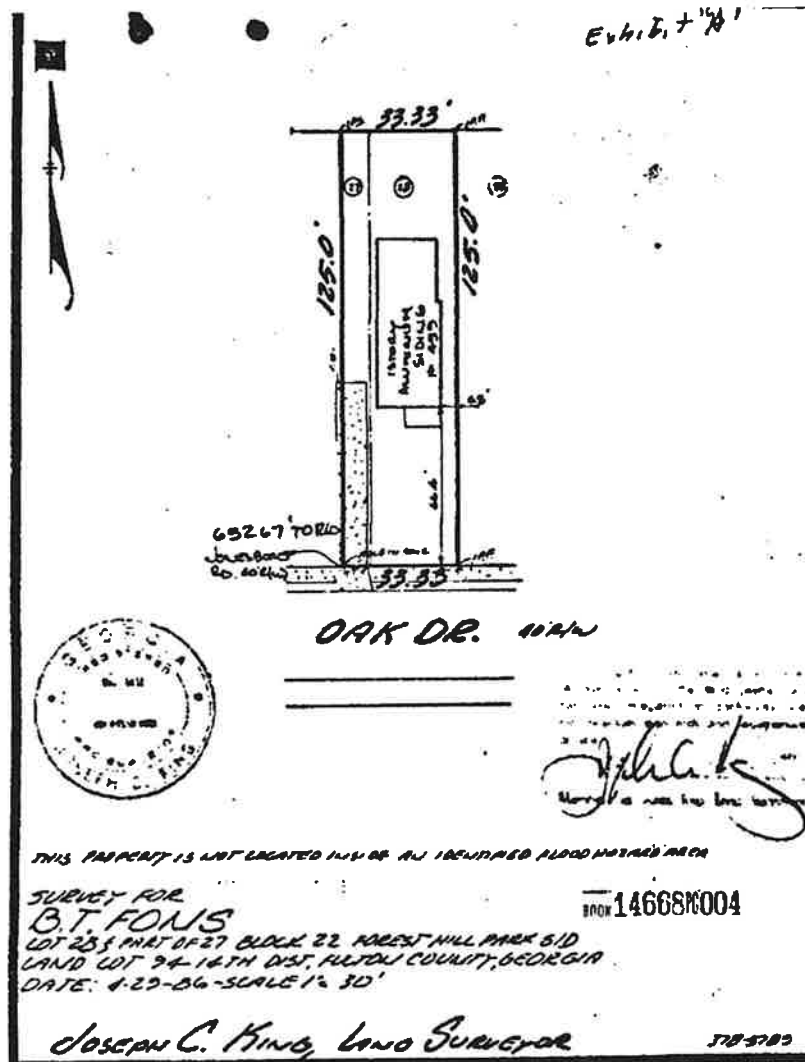


Exhibit B
(Legal Description of 461 Oak Drive)

461 OAK DRIVE PROPERTY

All that tract or parcel of land lying and being in Land Lot 94 of the 14th District of Fulton County, Georgia, and being parts of Lots 26 and 27 of Block 22 of the Forest Hill Park Subdivision and being more particularly described as follows:

BEGINNING at an iron pin on the northerly right-of-way of Oak Drive which iron pin is 619.34' east of the northeasterly intersection of the right-of-way of Oak Drive and the 40-foot right-of-way of Jonesboro Road; run thence in an easterly direction a distance of 33.33' along the northerly right-of-way of Oak Drive, having a 40-foot right-of-way, to a hole in the concrete; run thence in a northerly direction a distance of 125.0' to an iron pin, run thence in a westerly direction a distance of 33.33' and following the rear boundary of parts of Lots 26 and 27 to an iron pin; run thence in a southerly direction 125.0' to an iron pin on the northerly right-of-way on Oak Drive and the point of beginning, being an improved property with a one-story building located thereon, and known as Number 461 Oak Drive, according to the present system of numbering houses in Fulton County, Georgia, according to a survey for B. T. Fons by Joseph C. King, Land Surveyor, dated 4/29/86.

Exhibit C
(Legal Description of 463 Oak Drive)

463 OAK DRIVE PROPERTY

All that tract or parcel of land lying and being in Land Lot 94 of the 14th District of Fulton County, Georgia, and being Lot 25 and part of Lot 26 of Block 22 of the Forest Hill Park Subdivision and being more particularly described as follows:

BEGINNING at an iron pin on the northerly right-of-way of Oak Drive which iron pin is 586.0' east of the northeasterly intersection of the right-of-way of Oak Drive and the 40-foot right-of-way of Jonesboro Road; run thence in an easterly direction a distance of 33.34' along the northerly right-of-way of Oak Drive, having a 40-foot right-of-way, to an iron pin; run thence in a northerly direction a distance of 125.0' to an iron pin, run thence in a westerly direction a distance of 33.34' and following the rear boundary of Lot 25 and a portion of Lot 26 to an iron pin; run thence in a southerly direction 125.0' to an iron pin on the northerly right-of-way on Oak Drive and the point of beginning, being an improved property with a one-story building located thereon, and known as Number 463 Oak Drive, according to the present system of numbering houses in Fulton County, Georgia, according to a survey for B. T. Fons by Joseph C. King, Land Surveyor, dated 4/29/86.

(Driveway and Parking Pad)



LEGAL DESCRIPTION

#459 Oak Drive Hapeville 30354

All that tract or parcel of land lying and being in Land Lot 94 of the 14th Land District, of Fulton County, Georgia, being part of Lot 27 and Lot 28, The Forest Hill Park Subdivision, according to Plat thereof, as recorded in Plat Book 7, Pages 58, of the Public Records of Fulton County, Georgia, described as follows:

Beginning at the corner formed by the intersection of the eastern Right of Way line of Jonesboro Road with the northern Right of Way line of Oak Drive, thence running easterly a distance of 652.67' to a Punch Hole, the True Point of Beginning;

Thence leaving the northern Right of Way line of Oak Drive run North 00 Degrees 37 Minutes 14 Seconds East a distance of 125.34 feet to a 0.5" RBS;

Thence run South 89 Degrees 36 Minutes 16 Seconds East a distance of 33.33 feet to a 1" OTP;

Thence run South 00 Degrees 38 Minutes 25 Seconds East a distance of 125.65 feet to a 1" OTP located on the northern Right of Way line of Oak Drive;

Thence run along said Right of Way North 89 Degrees 04 Minutes 34 Seconds West a distance of 33.33 feet to a Punch Hole, said point being the True Point of Beginning.

Land Area = 0.096 AC

The End

I HAVE THIS DATE, EXAMINED THE "FIA FLOOD HAZARD MAP" AND FOUND IN MY OPINION REFERENCED PARCEL IS NOT IN AN AREA HAVING SPECIAL FLOOD HAZARDS, WITHOUT AN ELEVATION CERTIFICATION SURVEYOR IS NOT RESPONSIBLE FOR ANY DAMAGE DUE ITS OPINION FOR SAID PARCEL MAP ID 13121C0387F EFFECTIVE DATE: 09/18/2013 ZONE: X

N/F
Parcel ID: 14 009400091312
Owner: KOZISEK PROPERTIES LLC

N/F
Parcel ID: 14 009400091320
Owner: NORTON WILLIAM E JR

N/F
Parcel ID: 14 009400091338
Owner: TELLEZ JUANA & TAPIA MARIANO

* LINE INDICATORS *

* SYMBOLS *

☐ ELECTRIC PANEL/METER
☒ WATER METER
☐ AIR CONDITIONER
☐ GAS METER
☒ WATER VALVE
☒ SANITARY SEWER MANHOLE
☒ FIRE HYDRANT

* L E G E N D *

APD	AS PER DEED
ACE	ACCESS EASEMENT
APP	AS PER FELD
AF	ANGLE IRON FOUND
AN	ANGLE IRON FOUND
APR	AS PER PLAT
APR	AS PER RECORD
B	BOLLARD
BC	BACK OF CURB
BLK	BLOCK
BW	BUILDING LINE SETBACK
BR	BRICK
CB	CATCH BASIN
CB	CABLE BOX
CL	CENTER LINE
CLF	CHAIN LINK FENCE
CA	CADASTRAL
CMF	COMBUSTIBLE METAL PIPE
C.O.A.	CITY OF ATLANTA
CS	SEWER CLEANKUT
CA	CALCULATED POINT
CPT	CARPOT
CTP	CRIMP TOP PIPE FOUND
DE	DEED
DM	DRAINAGE EASEMENT
DI	DRAINAGE INLET
EM	ELECTRIC METER BOX
ED	ELECTRIC METER
EP	EDGE OF PAVEMENT
F	FIELD
FC	FENCE CORNER
FR	FIRE HYDRANT
FR	FENCE POST
FT	FRAME
GL	GAS LINE
GN	GAS METER
G	GAS VALVE
GW	GUY WIRE
HDW	HEAD WALL
H	HARDWOOD TREE
IFS	IRON PIN SET
IPF	IRON PIN FOUND
IR	IRON ROD FOUND
IRF	IRON FENCE
IR	IRRIGATION METER
N	IRRIGATION VALVE
LV	LUNCTION BOX
L	LIGHT POLE
LLN	LAND LOT LINE
LN	MAGNETIC READING
WGN	MANGROVE TREE
MT	MAN HOLE
MFI	METAL FENCE
F	FIBERS
OT	OVERSHANG
OT	OPEN TOP PIPE FOUND
OW	OWNSHIP LINEAR
P	PORCH
PC	PROPERTY CORNER
PI	PINE TREE
PB	POINT OF BEGINNING
PO	POINT OF COMMENCEMENT
PP	POWER POLE
PW	POWER COMPANY
P	PLAT
R	RECORD
RBF	REINFORCING BAR FOUND
R	REINFORCING BAR SET
R/S	REINFORCED CONG. PIPE
NW	RIGHT-OF-WAY
SS	SIGN
SS	SANITARY SINKER LINE
SSE	SANITARY SINKER EASEMENT
SP	SCREENED PORCH
ST	TOP OF BANK
TP	TRAFFIC POLE
UE	UTILITY EASEMENT
W	WOOD
W	WOOD FENCE
WOK	WOOD DECK
WL	WATER LINE
W	WATER METER
W	WIRE FENCE
WF	WATER VALVE
W	WET WEATHER
W	YARD INLET
-X-X-	FENCE
	INDICATES STAIRS
	INDICATES BUSHES

EMAIL: FONSBOBELLSOUTH.NET

24 LENOX POINTE
ATLANTA, GA 30324
FAX 404-801-0941
TEL 404-252-5747
INFO@SURVEYLANDEXPRESS.COM



PLANNER'S REPORT

DATE: June 27, 2023
TO: Adrienne Senter
FROM: Lynn Patterson
RE: 459 Oak Drive, Subdivision

BACKGROUND

The City of Hapeville received a subdivision application from Benedict Fons on behalf of Benedict & JoAnn Living Trust to subdivide one parcel Tax ID 14 009400080109, 459 Oak Drive into two parcels (4,171.3 SF, 461 Oak Drive and 4181.58 SF, 459 Oak Drive) within the R-SF, Single Family Residential zoning district. The use of the properties are single family residential lots.

The lot had been developed in 1920 with two structures. The properties share a driveway and an easement has been shown on the plat. The easement also includes a sewer line service easement. The proposed subdivision of the lots would bring the properties into conformance regarding number of buildings on each lot and setback requirements. The existing buildings (912 sf and 836 sf), however, do not meet the City's minimum square footage of 1000 sf for a single family dwelling.

CODE REQUIREMENTS

Sec. 90-1-1. - Purpose, authority and jurisdiction.

(g) Short-cut procedure. Subdivisions that do not involve the creation of new streets or installation or dedication of infrastructure may be submitted as final plats without the necessity of preliminary plat approval.

(h) Variances. Where the subdivider can show that a provision of these standards would cause unnecessary hardship if strictly adhered to, and where, because of topographical or other conditions peculiar to the site, in the opinion of the planning commission, a departure may be made without destroying the intent of these provisions, the planning commission may authorize a variance. Any variance thus authorized is to be stated in writing in the minutes of the planning commission with the reasoning on which the departure was justified set forth.

Sec. 90-1-2. - Procedure for plat approval.

(f) Final plat.

- (4) Approval of the final plat by the planning commission shall not constitute acceptance by the city of dedication of any streets, easements or other public way, ground or improvements.

The final plat shall show:

- a. The lines of all streets, roads, and allies, lot lines, building setback lines, lots numbered in numerical order, house numbers, reservations, easements and any areas to be dedicated to public use or sites for other than residential use

with notes stating their purpose and any limitations.

Compliant

- b. Sufficient data to readily determine and reproduce on the ground the location, bearing and length of every street line, lot line, boundary line, block line and building line, whether curved or straight, and including the true north point. This shall include the radius, central angle and tangent distance for the centerline of curved streets and curved property lines that are not the boundary of curved streets.

Compliant

- c. All dimensions to the nearest 100th of a foot and angles to the nearest minute.

Compliant

- d. Location and description of monuments.

Monument not shown

- e. The names and locations of adjoining subdivisions and streets and the location and ownership of adjoining property.

Compliant

- f. Date, title, name and location of subdivision, graphic scale and true north point.

Compliant

- g. Location map showing site in relation to area.

Compliant

- h. Certification showing that the applicant is the landowner or legally authorized representative and dedicates streets, rights-of-way, improvements and any sites for public use.

Compliant

Short-cut procedure. Subdivisions that do not involve the creation of new streets or installation or dedication of infrastructure may be submitted as final plats without the necessity of preliminary plat approval.

Sec. 90-1-3. - General requirements and minimum standards of design.

- (a) Streets.

- (1) Conformity to the major street plan. The location and width of all streets and roads shall conform to the official major street plan.

- ***No changes proposed.***

- (2) Relation to adjoining street systems. The proposed street system shall extend existing streets or projects at the same or greater width, but in no case less than the required minimum width.

- ***No changes proposed.***

- (3) Street widths. The minimum width of right-of-way, measured from lot line to lot line,

shall be as shown on the major street plan, or if not shown on that plan, shall be not less than as follows:

- a. For major streets, 70 feet as may be required. Major streets are those regional roads to be used primarily for fast or heavy traffic and will be located on the major street plan.
- b. For arterial streets, 60 feet. Arterial streets are those which carry traffic from minor streets to the major streets and include the principal streets utilized for local circulation.
- c. For minor and collector residential streets, 50 feet. Minor streets are those which are used primarily for access to the abutting residential properties and designed to discourage their use by through traffic. Collector residential streets are those which carry traffic from residential streets to arterial streets.
- d. For dead-end streets (culs-de-sac), 50 feet. Cul-de-sac are permanent dead-end streets or courts designed so that they cannot be extended in the future. "Hammerhead" turnarounds are also permitted on dead-end streets accessing low density neighborhoods.
- e. For alleys, ten feet to 16 feet. Alleys are minor public ways used primarily for service access to the back or side of properties otherwise abutting on a street. In cases where topography or other typical physical conditions make a street of the required minimum width impracticable, the planning commission may modify the above requirements. Through proposed business areas the street widths shall be increased ten feet on each side if needed to provide parking without interference of normal passing traffic.

(4) Additional width on existing streets. Subdivisions that adjoin existing streets shall dedicate additional right-of-way to meet the above minimum street width requirements.

- a. The entire right-of-way shall be provided where any part of the subdivision is on both sides of the existing street.
- b. When the subdivision is located on only one side of an existing street, one-half of the required right-of-way, measured from the centerline of the existing roadway, shall be provided.

- **The minimum right of way is 50' on Oak Drive. The plat shows 40' existing R/W. The Planning Commission should consider waiving the requirement for the additional right of way.**

(5) Restriction of access. When a tract fronts on an arterial street or highway, the planning commission may require those lots to be provided with frontage on an access street.

- **Not applicable.**

(6) Street grades. Grades on major streets shall not exceed seven percent. Grades on other streets may exceed seven percent but not ten percent.

- **Not applicable.**

(7) Horizontal curves. Where a deflection angle of more than ten degrees in the alignment of a street occurs, a curve of reasonably long radius shall be introduced. On streets 60 feet or more in width, the centerline radius of curvature shall be not less than 300 feet; on other streets not less than 100 feet.

- **Not applicable.**

- (8) Vertical curves. All changes in grade shall be connected by vertical curves of minimum length in feet equal to 15 times the algebraic difference in rates of grade for major streets and one-half this minimum length for other streets. Profiles of all streets showing natural and finished grades drawn to a scale of not less than one-inch equals 100 feet horizontal, and one-inch equals 20 feet vertical, may be required by the planning commission.
- **Not applicable.**
- (9) Intersections.
- a. Street intersections shall be as nearly at right angles as is possible, and no intersection shall be at an angle of less than 60 degrees.
- **Not applicable.**
- b. Property line radii at street intersections shall not be less than 20 feet and where the angle of street intersection is less than 75 degrees, the planning commission may require a greater curb radius. Wherever necessary to permit the construction of a curb having a desirable radius without curtailing the sidewalk at a street corner to less than normal width, the property line at such street corner shall be rounded or otherwise set back sufficiently to permit such construction.
- **Not applicable.**
- (10) Tangents. A tangent of at least 100 feet long shall be introduced between reverse curves on arterial and collector streets.
- **Not applicable.**
- (11) Street jogs. Street jogs with centerline offsets of less than 125 feet shall be prohibited.
- **Not applicable.**
- (12) Dead-end streets.
- a. Minor terminal streets or courts designed to have one end permanently closed shall be no more than 400 feet long unless necessitated by topography. They shall be provided at the closed end with a turnaround having an outside roadway diameter of at least 80 feet and a street right-of-way diameter of at least 100 feet. "Hammerhead" turnarounds are also permitted on dead-end streets accessing low density neighborhoods.
- b. Where, in the opinion of the planning commission, it is desirable to provide for street access to adjoining property, proposed streets shall be extended by dedication to the boundary of the property. These dead-end streets shall be provided with a temporary turnaround having a roadway diameter of at least 80 feet.
- **Not applicable.**
- (13) Private streets and reserve strips. There shall be no private streets platted in any subdivision. Every subdivided property shall be served from a publicly dedicated street. There shall be no reserve strips controlling access to streets, except where the control of such strips is definitely placed with the community under conditions

approved by the planning commission.

- **Not applicable.**

- (14) Street names. Proposed streets in obvious alignment with others already existing and named shall bear the names of existing streets. In no case shall the name for proposed streets duplicate existing street names, irrespective of the use of the suffix street, avenue, boulevard, driveway, place or court.

- **Not applicable.**

- (15) Alleys. Alleys shall be provided to the rear of lots used for business purposes and shall not be provided in residential blocks except where the subdivider produces evidence satisfactory to the planning commission of the need for alleys.

- **Not applicable.**

(b) Blocks.

- (1) Length. Blocks shall not be less than 400 feet or more than 1,200 feet in length, except as the planning commission considers necessary to secure efficient use of land or desired features of street pattern. In blocks over 800 feet in length, the planning commission may require one or more public cross walks of not less than ten feet in width to extend entirely across the block and at locations deemed necessary.

- **Not applicable.**

- (2) Width. Blocks shall be wide enough to allow two tiers of lots of minimum depth, except where fronting on major streets or prevented by topographical conditions or size of the property, in which case the planning commission will approve a single tier of lots of minimum depth.

- **Not applicable.**

(c) Lots.

- (1) Arrangement. Insofar as practical, side lot lines shall be at right angles to straight street lines or radial to curved street lines. Each lot shall have frontage on a public street.

- **Compliant**

- (2) Minimum size. The size, shape and orientation of lots shall be such as the planning commission deems appropriate for the type of development and use contemplated. Remnant lots, that is, parcels of land that would not comply with the minimum lot area or width following subdividing shall be prohibited. Such remnant parcels shall be added to adjacent lots rather than be platted as unusable parcels.

- a. The size and widths of lots shall in no case be less than the minimum requirements of the zoning ordinance. No lot shall have a width greater than six times the lot depth at the building setback line without specific approval by the planning commission.

- **Parcels in R-SF must have a minimum of 40' of street frontage. Tracts are shown with 33.33' each. This would require a waiver from Planning Commission.**

- **Parcels in R-SF must be a minimum of 4,000 sf. All lots are compliant.**

- b. Size of properties reserved or laid out for commercial or industrial properties

shall be adequate to provide for the off-street service and parking facilities required by the type of use and development contemplated. Platting of individual lots should be avoided in favor of an overall design of the land to be used for such purposes.

- ***Not applicable.***

- (3) Minimum depth. The minimum depth of building setback lines from the right-of-way shall not be less than 30 feet and in the case of corner lots 15 feet from the side street right-of-way unless a lower standard is allowed by an existing zoning ordinance.

- ***Setback lines will be compliant with R-SF zoning, with a front setback of 15' and side setback of 5'.***

- (4) Corner lot dimension. Corner lots shall be sufficiently wider and larger to permit the additional side yard requirements of the zoning ordinance or building setback lines outlined above.

- ***Not applicable.***

- (5) Lots on a curved street or cul-de-sac. All such lots shall comply with the minimum lot frontage at the building setback line. No lot shall have a lot width less than 35 feet at the street right-of-way.

- ***Not applicable.***

- (6) Lots in more than one municipality. No new lot created subsequent to the effective date of this chapter shall be divided by a city boundary line.

- ***Not applicable.***

- (7) Double frontage lots. No lot, other than a corner lot, shall have frontage on more than one street unless a reserve strip that would prohibit vehicle access is created.

- ***Not applicable***

- (d) Public use and service areas. Due consideration shall be given to the allocation of areas suitably located and of adequate size for playgrounds and parks for local or neighborhood use as well as public service areas. Plats indicating dedication of park and playground areas to the city shall be approved conditionally subject to the written acceptance of the land by mayor and council.

- (1) Public open spaces. Where a school, neighborhood park or recreation area or public access to water frontage, shown on an official map or in a plan made and adopted by the planning commission, is located in whole or in part in the applicant's subdivision, the planning commission may require the dedication or reservation of such open space within the subdivision up to a total of ten percent of the gross area or water frontage of the lot, for park, school or recreation purposes.

- ***Not applicable.***

- (2) Easements for utilities. Except where alleys are permitted for the purpose, the planning commission may require easements, not less than ten feet in width, for wires, conduits, storm and sanitary sewers, gas, water and heat mains or other utility lines, along all rear lot lines, alongside lot lines if necessary, or if, in the opinion of the planning commission,

advisable. Easements of the same or greater width may be required along the lines of or across lots, where necessary for the extension of existing or planned utilities. Easements greater than ten feet in width may be required where additional utilities, utilities larger in size or utilities greater than five feet in depth below grade are proposed in the easement.

- ***Easement shown including a shared driveway easement.***
- (3) Community assets. In all subdivisions, due regard shall be shown for all-natural features such as large trees, watercourses, historical resources and similar community assets which, if preserved, will add attractiveness and value to the property.
- ***Not applicable.***
- (e) Suitability of the land.
 - (1) The planning commission shall not approve the subdivision of land if, from adequate investigations conducted by all public agencies concerned, it has been determined that in the best interest of the public the site is not suitable for platting and development purposes of the kind proposed.
- ***No objection is present to prevent platting and development.***
 - (2) Land subject to flooding and land deemed to be topographically unsuitable shall not be platted for residential occupancy, or for any other uses as may increase danger to health, life or property or aggravate erosion or flood hazard. Such land within the plat shall be set aside for those uses as shall not be endangered by periodic or occasional inundation or shall not produce unsatisfactory living conditions.
- ***The subject tracts are not located in a Flood Hazard Zone.***
- (f) Large tracts or parcels. When land is subdivided into larger parcels than ordinary building lots, those parcels shall be arranged so as to allow for the opening of future streets and logical further re-subdivision.
- ***Not applicable.***
- (g) Group housing developments. A comprehensive group housing development, including single-family attached developments and the large-scale construction of housing units together with necessary drives and ways of access, may be approved by the planning commission although the design of the project does not include standard street, lot and subdivision arrangements, if departure from the foregoing standards can be made without destroying their intent.
- ***Not applicable.***
- (h) Variances. Where the subdivider can show that a provision of these standards would cause unnecessary hardship if strictly adhered to, and where, because of topographical or other conditions peculiar to the site, in the opinion of the planning commission, a departure may be made without destroying the intent of these provisions, the planning commission may authorize a variance. Any variance thus authorized is to be stated in writing in the minutes of the planning commission with the reasoning on which the departure was justified set forth.
- ***A waiver from Planning Commission for the additional 5' ROW for Oak Drive is requested.***

Community Services Director is in agreement.

- (i) Zoning or other regulations.
 - (1) No final plat of land within the force and effect of an existing zoning ordinance will be approved unless it conforms to that ordinance.
 - (2) Whenever there is a discrepancy between minimum standards or dimensions noted herein and those contained in zoning regulations, the building code or other official regulations, the highest standard shall apply.

Sec. 90-1-4. - Development prerequisite to final approval.

- (a) Required improvements. Every subdivision developer shall be required to grade and improve streets and alleys, install curbs and sidewalks, monuments, sewers, stormwater inlets and water mains in accordance with specifications established by the city.

- ***There is a sidewalk along Oak Drive.***

- (1) Monuments.

a. Concrete monuments three inches in diameter or square, 18 inches long, with a flat top, shall be set at all street corners, at all points where the street lines intersect the exterior boundaries of the subdivision, and at angle points and points of curve in each street. The top of the monument shall have an indented cross to identify properly the location and shall be set flush with the finished grade.

b. All other lot corners shall be marked with an iron rod with a minimum cross section of 0.2 inches, 18 inches long, and driven so as to be flush with the finished grade.

- **Monuments should be provided and shown on the plat.**

- (2) Grading. All streets, roads and alleys shall be graded to their full width by the subdivider so that pavements and sidewalks can be constructed on the same level plane. Due to special topographical conditions, deviation to the above will be allowed only with special approval of planning commission.

- a. Preparation. Before grading is started, the entire right-of-way area shall be first cleared of all stumps, roots, brush and other objectionable materials and all trees not intended for preservation.
- b. Cuts. All tree stumps, boulders and other obstructions shall be removed to a depth of two feet below the subgrade. Rock, when encountered, shall be scarified to a depth of 12 inches below the subgrade.
- c. Fill. All suitable material from roadway cuts may be used in the construction of fills, approaches, or at other places as needed. Excess materials, including organic materials, soft clays, etc., shall be removed from the development site. The fill shall be spread in layers not to exceed 12 inches loose and compacted by a sheep's foot roller. The filling of utility trenches and other places not accessible to a roller shall be mechanically tamped, but where water is used to assist compaction the water content shall not exceed the optimum of moisture.

- ***Not applicable.***

- (3) Storm drainage. An adequate drainage system, including necessary open ditches, pipes, culverts, intersectional drains, drop inlets, bridges, etc., shall be provided for the proper drainage of all surface water. Cross drains shall be provided to accommodate all-natural water flow, and shall be of sufficient length to permit full width roadway and the required slopes. The size openings to be provided shall be determined by Talbot's formula, but in no case shall the pipe be less than 12 inches. Cross drains shall be built on straight lines and grade, and shall be laid on a firm base but not on rock. Pipes shall be laid with the spigot end pointing in the direction of the flow and with the ends fitted and matched to provide tight joints and a smooth uniform invert. They shall be placed at a sufficient depth below the roadbed to avoid dangerous pressure of impact, and in no case shall the top of the pipe be less than one foot below the roadbed. In all cases, drainage improvement plans and the improvements themselves shall be approved by the city engineer.

Drainage system design shall be in accordance with the Georgia Stormwater Management Manual published by ARC, latest update, unless approved otherwise. Drainage systems shall also comply with all other applicable city ordinances and regulations, including the floodplain management ordinance, post development stormwater management regulations and the erosion and sediment control ordinance. Drainage construction shall comply with the state department of transportation standard specifications unless approved otherwise. Storm drain pipe material within city street rights-of-way shall be reinforced concrete pipe in accordance with state department of transportation specifications.

- ***Not applicable.***

- (4) Roadway surfacing. After preparation of the subgrade, the roadbed shall be surfaced with material required by local standards, but of no lower classification than crushed rock, stone or gravel. The size of the crushed rock or stone shall be that generally known as crushed rock stone from two and one-half inches down including dust. Spreading of the stone shall be done uniformly over the area to be covered by means of appropriate spreading devices and shall not be dumped in piles. After spreading, the stone shall be rolled until thoroughly compacted. The compacted thickness of the stone roadway shall be no less than six inches.

Following application of a crushed stone base having a minimum thickness of six inches, contractor shall provide surface paving of local and minor residential streets consisting of two inches of 19 mm Superpave asphalt. Upon issuance of a certificate of occupancy for 90 percent of the dwellings served by the street have been built, or prior to the end of the one-year maintenance period (but after the 11th month), whichever occurs first, contractor shall provide a final wearing course of one and one-half inch of 12.5 mm Superpave asphalt paving. All paving materials shall meet the requirements of the state department of transportation standard specifications.

- ***Not applicable.***

- (5) Minimum pavement widths. Due to the diversity of development in the city, required pavement widths will necessarily vary with the character of building development and the amount of traffic encountered. Minimum pavement widths between curbs shall be as follows:

- a. For minor residential streets, 30 feet. Most minor streets in residential developments.
 - b. For collector streets, 36 feet. Including minor streets which in the opinion of the planning commission will involve sufficient traffic and/or parking to justify the width.
 - c. For arterial streets and highways, as may be required.
- ***Not applicable.***
- (6) Curbs and gutters. Except on rural streets, the subdivider shall provide permanent six-inch concrete curbs with 24-inch integral concrete gutters or standard rolled curb and gutters.
- ***Not applicable.***
- (7) Sidewalks.
 - a. For the safety of pedestrians and of children at play, installation by the developer of sidewalks on both sides of streets will normally be required. The commission may waive the requirements of sidewalks along streets where a park, railroad or other use on one side of a street makes a sidewalk nonessential.
 - b. Sidewalks shall be located not less than one foot from the property line to prevent interference or encroachment by fencing, walls, hedges or other planting or structures placed on the property line at a later date. In single-family residential areas and multifamily or group housing developments, concrete sidewalks shall be five feet wide and four inches thick. Sidewalks in commercial areas shall be five feet wide and ten feet wide as dictated by adjoining sidewalk widths.
- ***Sidewalk is present on Oak Drive.***
- (8) Installation of utilities. After grading is completed and approved and before any base is applied, all of the work for underground utilities including water mains, gas mains, electrical lines, etc., and all service connections shall be installed completely and approved throughout the length of the road and across the flat section. All driveways for houses to be built by the developer shall be cut and drained.
- ***No new utilities to be added.***
- (9) Water supply system.
 - a. Water mains properly connected with the city water supply system shall be constructed in such a manner as to adequately serve all lots shown on the subdivision plat for both domestic use and fire protection. Water mains shall be located on public property and not private property.
 - b. The sizes of water mains, the location and types of valves and hydrants, the amount of soil cover over the pipes and other features of the installation shall be approved by the city engineer and fire chief.
- ***No new utilities to be added.***

- (10) Sanitary sewers. Sanitary sewers shall be installed in such a manner as to serve adequately all lots with connection to the public system, according to plans approved by the city engineer.
- ***No new utilities to be added.***
- (b) Recommended improvements. The planting of street trees and installation of street name signs is considered a duty of the subdivider as well as good business practice.
 - (1) Street trees.
 - a. Street trees are a protection against excessive heat and glare and enhance the attractiveness and value of abutting property. The planning commission will assist the subdivider in location of trees and species to use under varying conditions.
 - b. It is recommended that trees be planted inside the property lines where they are less subject to injury, decrease the chance of motor accidents and enjoy more favorable conditions for growth. If trees are to be planted within a planting strip in the right-of-way, their proposed locations and species to be used must be submitted for the planning commission's approval since the public inherits the care and maintenance of such trees.
- **Street trees are recommended. The Planning Commission may make a determination on the requirement.**
- (c) Guarantees in lieu of completed improvements. No final subdivision plat shall be approved by the planning commission or accepted for record by the clerk of the superior court until the improvements listed shall be constructed in satisfactory manner and approved by the city engineer, or in lieu of such prior construction, the planning commission may accept a security bond in an amount equal to the estimated cost of installation of the required improvements, whereby improvements may be made and utilities installed without cost to the city in the event of default by the subdivider.
- ***Not applicable.***

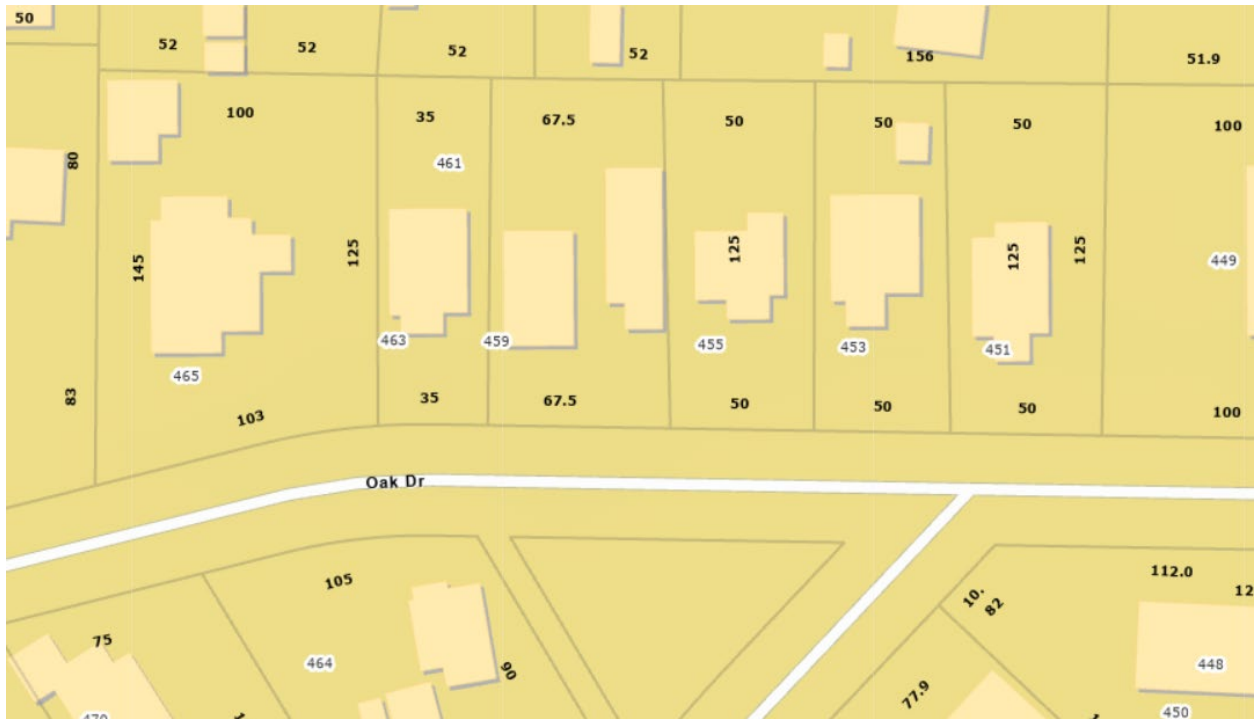
RECOMMENDATION

Planning has the following comments for the proposed subdivision:

1. The existing single family dwellings are less than 1000 sf each (912 sf and 856 sf). They were built around 1920. A variance is required by Board of Appeals.
2. Concrete monument should be shown and installed for the proposed subdivision.
3. A waiver by the Planning Commission is recommended for relief of the additional 5' right of way.
4. A waiver by the Planning Commission is recommended for relief of required 40' road frontage as this lot had been developed since around 1920.
5. The Planning Commission may determine whether street trees are required for each of the lots.

All outstanding issues from the Engineer's report must be addressed.

With the resolution of these items and barring any items required by the City Engineer, the final plat may be approved with the waivers listed above and approval of a variance by the Board of Appeals.



459 Oak Drive

23PC-07-14

**CITY OF HAPEVILLE
ECONOMIC DEVELOPMENT DEPARTMENT
SUBDIVISION APPLICATION**

Name of Applicant IHD Investments

Mailing Address 2015 Parkhaven Ct. Roswell GA 30076

Telephone [REDACTED] Mobile [REDACTED]

Email [REDACTED]

Property Owner (s) IHD Investments

Mailing Address 2015 Parkhaven Ct. Roswell GA 30076

Telephone [REDACTED] Mobile [REDACTED]

Address/Location of Property:

3165 and 3167 Dogwood Drive (Metropolitan PKWY) , Hapeville GA

Present Zoning Classification: _____

Present Land Use: _____

Parcel ID #: 14 -0099-0003-042-2 14 -0099-0003-112-3 14 -0099-0003-113-1

I hereby make application to the City of Hapeville, Georgia for the above referenced property. I hereby affirm that the information provided here and above is true, complete and accurate, and I understand that any inaccuracies may be considered just cause for invalidation of this application and any action taken on this application. I understand that the City of Hapeville, Georgia, reserves the right to enforce any and all ordinances regardless of any action or approval on this application. I further understand that it is my/our responsibility to fully comply with all City of Hapeville Codes and Ordinances. I hereby acknowledge that all requirements of the City of Hapeville shall be met. I am able to read and write in English or this document has been read and explained to me and I have fully and voluntarily completed this application. I also understand that false statements or writings made to the City of Hapeville, Georgia are deemed a felony pursuant to O.C.G.A. 16-10-20 and I/we may be prosecuted for a violation thereof.

Ehud Goldstein

Digitally signed by Ehud Goldstein
Date: 2023.06.14 11:44:32 -04'00'

Applicant's signature

Date: 11-14-2023

Sworn to and subscribed before me

This _____ day of _____, 20____.

Notary Public

**CITY OF HAPEVILLE
ECONOMIC DEVELOPMENT DEPARTMENT
SUBDIVISION APPLICATION**

WRITTEN SUMMARY

Provide a detailed summary of the proposed project in the space provided below:

We own the three parcels listed above on Dogwood drive, and we have approved
development and construction for 23 new townhomes

We would like to divide our property to 23 seperate parcels for each of the townhomes that were
and are being built per the attached plat,

CITY OF HAPEVILLE
ECONOMIC DEVELOPMENT DEPARTMENT
SUBDIVISION APPLICATION

AUTHORIZATION OF PROPERTY OWNER

I CERTIFY THAT I AM THE OWNER OF THE PROPERTY LOCATED AT:

3165 Dogwood Drive, Hapeville GA and 3176 Dogwood Drive (listed also as Metropolitan PKWY), Hapeville

City of Hapeville, County of Fulton, State of Georgia

WHICH IS THE SUBJECT MATTER OF THIS APPLICATION. I AUTHORIZE THE APPLICANT NAMED BELOW TO ACT AS THE APPLICANT IN THE PURSUIT OF THS APPLICATION FOR PLANNING COMMISSION REVIEW.

Name of Applicant:

Ehud Goldstein

Address of Applicant:

2015 Parkhaven Ct. Roswell, GA 30076

Telephone of Applicant:

Ehud Goldstein

Digitally signed by Ehud Goldstein
Date: 2023.08.16 13:15:16 -04'00'

Signature of Owner

Ehud Goldstein

Print Name of Owner

Personally Appeared Before Me this _____ day of _____, 20____.

Notary Public

Final Plat Checklist

A Final Plat is a legal document, once approved and signed by the Hapeville Planning Commission, can be recorded with Fulton County Superior Court. Only a final plat legally subdivides a parcel. Filing with the County will establish the new deed for the property and assign tax parcel identification information. To be considered, a Final Plat must contain the following information:

- ☒ The lines of all streets and roads, alley lines, lot lines, building setback lines, lots numbered in numerical order, house numbers, reservations, easements and any areas to be dedicated to public use or sites for other than residential use with notes stating their purpose and any limitations.
- ☒ Sufficient data to determine readily and reproduce on the ground the location, bearing and length of every street line, lot line, boundary line, block line and building line, whether curved or straight, and including true north point. This shall include the radius, central angle and tangent distance for the centerline of curved streets and curved property lines that are not the boundary of curved streets.
- ☒ All dimensions to the nearest 100th of a foot and angles to the nearest minutes.
- ☒ Location and description of monuments.
- ☒ The names and locations of adjoining subdivisions and streets and the location and ownership of adjoining unsubdivided property.
- ☒ Date, title, name and location of subdivision, graphic scale and true north point.

Please initial each item on the list above certifying that all required information has been included on the plat. Sign and submit this form with your Final Plat application. Failure to include this form and information required herein may result in additional delays for the consideration of your application.

Supplemental Documents for Final Plat:

- Certification showing that the applicant is the landowner or legally authorized representative and dedicates streets, rights-of-way and any sites for public use.
- Certification by surveyor or engineer to accuracy of survey and plat and placement of monuments.
- Certification by the City Engineer that the subdivider has complied with one of the following alternatives:
 1. All improvements have been installed in accord with the requirements of the regulations; or
 2. A security bond has been posted in sufficient amount to ensure the completion of all required improvements.
- Certification of approval to be signed by the secretary of the Planning Commission following the approval of the final plat.

Once a Final Plat has been approved and signed by the Chair of the Hapeville Planning Commission, the applicant may pick up copies of the plat for filing with Fulton County Superior Court at 136 Pryor Street, Atlanta, GA 30303. Once filed and stamped by the recorder's office, a copy should be returned to the Hapeville Department of Economic Development to be held on file.

Applicant Signature: Ehud Goldstein Digitally signed by Ehud Goldstein
Date: 2023.06.14 11:47:01 -04'00'

Date 6-14-2023

June 30, 2023

Ms. Adrienne Senter
Planning & Development Coordinator
Department of Economic Development
City of Hapeville
3468 N. Fulton Avenue
P.O. Box 82311
Hapeville, Georgia 30354

Re: 3165 & 3167 Dogwood Drive Final Plat
Final Plat Review No. 1
K&W Ref. No. 231051.03

Dear Ms. Senter:

As requested, I have reviewed the Final Plat for the 3165 Dogwood Drive Site to be located on a 1.64 acre parcel on Dogwood Drive, within a V Zoning District. This review is for compliance with the Final Plat requirements of Chapter 90-1-2 of the City ordinances. My comments are as follows:

1. It does not appear that monuments (concrete monuments three inches in diameter or square, 18 inches long, with a flat top) per Section 90-1-4.(a)(1)a. of the Code of Hapeville have been placed at all points where the street line intersects the exterior boundaries of the property and at angle points along each street.
2. The curb and gutter has not been provided on the Final Plat.
3. The exterior and interior sidewalks have not been provided on the Final Plat.
4. All easements should be shown on the plat.
5. The Final plat should include the location, size, and material of the water lines.
6. The Final Plat should include the certification statement showing that the applicant is the landowner or legally authorized representative and dedicates streets, rights-of-way, improvements and any sites for public use per 90-1-2.f.4.h of the City Code.
7. The Certification by the landowner acknowledging that the city assumes no responsibility for overflow or erosion of natural or artificial drains beyond the extent of the street right-of-way should be provided on the plat per 90-1-2.f.4.i of the City Code.
8. The applicant should provide the appropriate Final Surveyor's Certificate provided in Section 90-1-2.f.4.j of the City Code.
9. The applicant should provide the Certification of Final Plat Approval provided in Section 90-1-2.f.4.k of the City Code.
10. It is not clear if the stormwater performance maintenance bond and executed and recorded maintenance and inspection agreement per Section 63-2-11 of City Code has been provided to the City to address the post development stormwater management ordinance of the City.
11. Dogwood Drive is shown with less than 70 feet right-of-way on the plat which does not comply with the minimum 70 feet width required by Section 90-1-3.(3). The additional width of 10 feet to provide the required right of way on one side of each road should be shown per Section 90-1-3.(4).
12. The size and material for all sanitary sewer should be shown on the plat.

13. The size and material of all storm pipe should be shown on the plat.
14. CAD file should be provided for City records.

I have retained one copy of the plans provided for review in the event there are questions. The applicant should be made aware that the review does not constitute a waiver of City Ordinance requirements or assumption of responsibility for full review of City Ordinance requirements. Deviations from Ordinance requirements may be noted at any time during the review, permitting or construction processes. Re-submittals should include a narrative indicating how and where the review comments were addressed.

Sincerely,
KECK & WOOD, INC.



Aaron Humphrey, P.E.
Project Engineer

C.C. Greg Sistrunk (Keck+Wood)



PLANNER'S REPORT

DATE: July 3, 2023
TO: Adrienne Senter
FROM: Lynn Patterson
RE: 3165 Dogwood Drive, Final Plat (Phase I)

BACKGROUND

IHD Investments has submitted a final subdivision plat application for the first phase of the 23-townhome development located at 3165 Dogwood Drive, 3167 Dogwood Drive (preliminary plat approved in November 2020). The first phase includes 16 of the total 23 proposed townhomes. The parcels requested under the final plat in this application are located at the rear of the property. A third building with 7 units is expected to enfront Dogwood Drive and a separate final plat will be submitted for the entire property at that time. The total parcel is 1.63 acres with individual fee simple lots. The remainder of the area will be owned and maintained by the developer until the HOA is established.

The property is located in the V, Village zoning district and the A-D, Arts District Overlay.

CODE REQUIREMENTS

Final Plat

The final plat shall show:

a. The lines of all streets, roads, and allies, lot lines, building setback lines, lots numbered in numerical order, house numbers, reservations, easements and any areas to be dedicated to public use or sites for other than residential use with notes stating their purpose and any limitations.

Easements should be shown.

b. Sufficient data to readily determine and reproduce on the ground the location, bearing and length of every street line, lot line, boundary line, block line and building line, whether curved or straight, and including the true north point. This shall include the radius, central angle and tangent distance for the centerline of curved streets and curved property lines that are not the boundary of curved streets.

Compliant

c. All dimensions to the nearest 100th of a foot and angles to the nearest minute.

Compliant

d. Location and description of monuments.

These have not been shown.

e. The names and locations of adjoining subdivisions and streets and the location and ownership of adjoining property.

Not shown

f. Date, title, name and location of subdivision, graphic scale and true north point.

Compliant

g. Location map showing site in relation to area.

Compliant

h. Certification showing that the applicant is the landowner or legally authorized representative and dedicates streets, rights-of-way, improvements and any sites for public use

Not provided

Engineer's report provides additional comments.

Sec. 90-1-3. - General requirements and minimum standards of design.

(a) Streets.

(1) Conformity to the major street plan. The location and width of all streets and roads shall conform to the official major street plan.

No Change

(2) Relation to adjoining street systems. The proposed street system shall extend existing streets or projects at the same or greater width, but in no case less than the required minimum width.

No Change

(3) Street widths. The minimum width of right-of-way, measured from lot line to lot line, shall be as shown on the major street plan, or if not shown on that plan, shall be not less than as follows:

a. For major streets, 70 feet as may be required. Major streets are those regional roads to be used primarily for fast or heavy traffic and will be located on the major street plan.

b. For arterial streets, 60 feet. Arterial streets are those which carry traffic from minor streets to the major streets and include the principal streets utilized for local circulation.

c. For minor and collector residential streets, 50 feet. Minor streets are those which are used primarily for access to the abutting residential properties and designed to discourage their use by through traffic. Collector residential streets are those which carry traffic from residential streets to arterial streets.

d. For dead-end streets (culs-de-sac), 50 feet. Cul-de-sacs are permanent dead-end streets or courts designed so that they cannot be extended in the future. "Hammerhead" turnarounds are also permitted on dead-end streets accessing low density neighborhoods.

e. For alleys, ten feet to 16 feet. Alleys are minor public ways used primarily for service access to the back or side of properties otherwise abutting on a street. In cases where topography or other typical physical conditions make a street of the required minimum width impracticable, the planning commission may modify the above requirements. Through proposed business areas the street widths shall be increased ten feet on each side if needed to provide parking without interference of normal passing traffic.

No Change

(4) Additional width on existing streets. Subdivisions that adjoin existing streets shall dedicate additional right-of-way to meet the above minimum street width requirements.

a. The entire right-of-way shall be provided where any part of the subdivision is on both sides of the existing street.

b. When the subdivision is located on only one side of an existing street, one-half of the required right-of-way, measured from the centerline of the existing roadway, shall be provided.

No Change. Additional right of way was not requested by the City.

(5) Restriction of access. When a tract fronts on an arterial street or highway, the planning commission may require those lots to be provided with frontage on an access street.

Not applicable

(6) Street grades. Grades on major streets shall not exceed seven percent. Grades on other streets may exceed seven percent but not ten percent.

Not applicable

(7) Horizontal curves. Where a deflection angle of more than ten degrees in the alignment of a street occurs, a curve of reasonably long radius shall be introduced. On streets 60 feet or more in width, the centerline radius of curvature shall be not less than 300 feet; on other streets not less than 100 feet.

Not applicable

(8) Vertical curves. All changes in grade shall be connected by vertical curves of minimum length in feet equal to 15 times the algebraic difference in rates of grade for major streets and one-half this minimum length for other streets. Profiles of all streets showing natural and finished grades drawn to a scale of not less than one inch equals 100 feet horizontal, and one-inch equals 20 feet vertical, may be required by the planning commission.

Not applicable

(9) Intersections.

- a. Street intersections shall be as nearly at right angles as is possible, and no intersection shall be at an angle of less than 60 degrees.

Not applicable

- b. Property line radii at street intersections shall not be less than 20 feet and where the angle of street intersection is less than 75 degrees, the planning commission may require a greater curb radius. Wherever necessary to permit the construction of a curb having a desirable radius without curtailing the sidewalk at a street corner to less than normal width, the property line at such street corner shall be rounded or otherwise set back sufficiently to permit such construction.

Not applicable

(10) Tangents. A tangent of at least 100 feet long shall be introduced between reverse curves on arterial and collector streets.

Not applicable

(11) Street jogs. Street jogs with centerline offsets of less than 125 feet shall be prohibited.

Not applicable

(12) Dead-end streets.

Not applicable

- a. Minor terminal streets or courts designed to have one end permanently closed shall be no more than 400 feet long unless necessitated by topography. They shall be provided at the closed end with a turnaround having an outside roadway diameter of at least 80 feet and a street right-of-way diameter of at least 100 feet. "Hammerhead" turnarounds are also permitted on dead-end streets accessing low density neighborhoods.
- b. Where, in the opinion of the planning commission, it is desirable to provide for street access to adjoining property, proposed streets shall be extended by dedication to the boundary of the property. These dead-end streets shall be provided with a temporary turnaround having a roadway diameter of at least 80 feet.

(13) Private streets and reserve strips. There shall be no private streets platted in any subdivision. Every subdivided property shall be served from a publicly dedicated street. There shall be no reserve strips controlling access to streets, except where the control of such strips is definitely placed with the community under conditions approved by the planning commission.

Internal Driveways shown. Compliant.

(14) Street names. Proposed streets in obvious alignment with others already existing and named shall bear the names of existing streets. In no case shall the name for proposed streets duplicate existing street names, irrespective of the use of the suffix street, avenue, boulevard, driveway, place or court.

Not applicable

(15) Alleys. Alleys shall be provided to the rear of lots used for business purposes, and shall not be provided in residential blocks except where the subdivider produces evidence satisfactory to the planning commission of the need for alleys.

Not applicable

(b) Blocks.

Not applicable

(1) Length. Blocks shall not be less than 400 feet or more than 1,200 feet in length, except as the planning commission considers necessary to secure efficient use of land or desired features of street pattern. In blocks over 800 feet in length, the planning commission may require one or more public cross walks of not less than ten feet in width to extend entirely across the block and at locations deemed necessary.

(2) Width. Blocks shall be wide enough to allow two tiers of lots of minimum depth, except where fronting on major streets or prevented by topographical conditions or size of the property, in which case the planning commission will approve a single tier of lots of minimum depth.

(c) Lots.

(1) Arrangement. Insofar as practical, side lot lines shall be at right angles to straight street lines or radial to curved street lines. Each lot shall have frontage on a public street.

The townhomes are positioned internally such that they do not have frontage on a public street.

(2) Minimum size. The size, shape and orientation of lots shall be such as the planning commission deems appropriate for the type of development and use contemplated. Remnant lots, that is, parcels of land that would not comply with the minimum lot area or width following subdividing shall be prohibited. Such remnant parcels shall be added to adjacent lots rather than be platted as unusable parcels.

Compliant

a. The size and widths of lots shall in no case be less than the minimum requirements of the zoning ordinance. No lot shall have a width greater than six times the lot depth at the building setback line without specific approval by the planning commission.

Compliant

b. Size of properties reserved or laid out for commercial or industrial properties shall be adequate to provide for the off-street service and parking facilities required by the type of use and development contemplated. Platting of individual lots should be avoided in favor of an overall design of the land to be used for such purposes.

Not applicable

(3) Minimum depth. The minimum depth of building setback lines from the right-of-way shall not be less than 30 feet and in the case of corner lots 15 feet from the side street right-of-way unless a lower standard is allowed by an existing zoning ordinance.

Allowed by zoning district.

(4) Corner lot dimension. Corner lots shall be sufficiently wider and larger to permit the additional side yard requirements of the zoning ordinance or building setback lines outlined above.

Not applicable

(5) Lots on a curved street or cul-de-sac. All such lots shall comply with the minimum lot frontage at the building setback line. No lot shall have a lot width less than 35 feet at the street right-of-way.

Not applicable

(6) Lots in more than one municipality. No new lot created subsequent to the effective date of this chapter shall be divided by a city boundary line.

Not applicable

(7) Double frontage lots. No lot, other than a corner lot, shall have frontage on more than one street unless a reserve strip that would prohibit vehicle access is created.

Not applicable

(d) Public use and service areas. Due consideration shall be given to the allocation of areas suitably located and of adequate size for playgrounds and parks for local or neighborhood use as well as public service areas. Plats indicating dedication of park and playground areas to the city shall be approved conditionally subject to the written acceptance of the land by mayor and council. *N/A*

(1) Public open spaces. Where a school, neighborhood park or recreation area or public access to water frontage, shown on an official map or in a plan made and adopted by the planning commission, is located in whole or in part in the applicant's subdivision, the planning commission may require the dedication or reservation of such open space within the subdivision up to a total of ten percent of the gross area or water frontage of the lot, for park, school or recreation purposes.

Not applicable

(2) Easements for utilities. Except where alleys are permitted for the purpose, the planning commission may require easements, not less than ten feet in width, for wires, conduits, storm and sanitary sewers, gas, water and heat mains or other utility lines, along all rear lot lines, along side lot lines if necessary, or if, in the opinion of the planning commission, advisable. Easements of the same or greater width may be required along the lines of or across lots, where necessary for the extension of existing or planned utilities. Easements greater than ten feet in width may be required where additional utilities, utilities larger in size or utilities greater than five feet in depth below grade are proposed in the easement.

See Engineer's report.

(3) Community assets. In all subdivisions, due regard shall be shown for all natural features such as large trees, watercourses, historical resources and similar community assets which, if preserved, will add attractiveness and value to the property.

Not applicable

(e) Suitability of the land.

(1) The planning commission shall not approve the subdivision of land if, from adequate investigations conducted by all public agencies concerned, it has been determined that in the best interest of the public the site is not suitable for platting and development purposes of the kind proposed.

(2) Land subject to flooding and land deemed to be topographically unsuitable shall not be platted for residential occupancy, or for any other uses as may increase danger to health, life or property or aggravate erosion or flood hazard. Such land within the plat shall be set aside for those uses as shall not be endangered by periodic or occasional inundation or shall not produce unsatisfactory living conditions.

See Engineer's report.

(f) Large tracts or parcels. When land is subdivided into larger parcels than ordinary building lots, those parcels shall be arranged so as to allow for the opening of future streets and logical further resubdivision.

Not applicable

(g) Group housing developments. A comprehensive group housing development, including single-family attached developments and the large-scale construction of housing units together with necessary drives and ways of access, may be approved by the planning commission although the design of the project does not include standard street, lot and subdivision arrangements, if departure from the foregoing standards can be made without destroying their intent.

Compliant – relevant section for townhomes without street frontage.

(h) Variances. Where the subdivider can show that a provision of these standards would cause unnecessary hardship if strictly adhered to, and where, because of topographical or other conditions peculiar to the site, in the opinion of the planning commission, a departure may be made without destroying the intent of these provisions, the planning commission may authorize a variance. Any variance thus authorized is to be stated in writing in the minutes of the planning commission with the reasoning on which the departure was justified set forth.

Not required

(i) Zoning or other regulations.

(1) No final plat of land within the force and effect of an existing zoning ordinance will be approved unless it conforms to that ordinance.

(2) Whenever there is a discrepancy between minimum standards or dimensions noted herein and those contained in zoning regulations, the building code or other official regulations, the highest standard shall apply.

Sec. 90-1-4. - Development prerequisite to final approval.

(a) Required improvements. Every subdivision developer shall be required to grade and improve streets and alleys, install curbs and sidewalks, monuments, sewers, stormwater inlets and water mains in accordance with specifications established by the city.

(1) Monuments.

a. Concrete monuments four inches in diameter or square, three feet long, with a flat top, shall be set at all street corners, at all points where the street lines intersect the exterior boundaries of the subdivision, and at angle points and points of curve in each street. The top of the monument shall have an indented cross to identify properly the location and shall be set flush with the finished grade.

b. All other lot corners shall be marked with iron pipe not less than three-fourths inch in diameter and 24 inches long and driven so as to be flush with the finished grade.

No monuments are indicated.

(2) Grading. All streets, roads and alleys shall be graded to their full width by the subdivider so that pavements and sidewalks can be constructed on the same level plane. Due to special topographical conditions, deviation to the above will be allowed only with special approval of planning commission.

a. Preparation. Before grading is started, the entire right-of-way area shall be first cleared of all stumps, roots, brush and other objectionable materials and all trees not intended for preservation.

b. Cuts. All tree stumps, boulders and other obstructions shall be removed to a depth of two feet below the subgrade. Rock, when encountered, shall be scarified to a depth of 12 inches below the subgrade.

c. Fill. All suitable material from roadway cuts may be used in the construction of fills, approaches, or at other places as needed. Excess materials, including organic materials, soft clays, etc., shall be removed from the development site. The fill shall be spread in layers not to exceed 12 inches loose and compacted by a sheep's foot roller. The filling of utility

trenches and other places not accessible to a roller shall be mechanically tamped, but where water is used to assist compaction the water content shall not exceed the optimum of moisture.

N/A

(3) Storm drainage. An adequate drainage system, including necessary open ditches, pipes, culverts, intersectional drains, drop inlets, bridges, etc., shall be provided for the proper drainage of all surface water. Cross drains shall be provided to accommodate all natural water flow, and shall be of sufficient length to permit full width roadway and the required slopes. The size openings to be provided shall be determined by Talbot's formula, but in no case shall the pipe be less than 12 inches. Cross drains shall be built on straight lines and grade, and shall be laid on a firm base but not on rock. Pipes shall be laid with the spigot end pointing in the direction of the flow and with the ends fitted and matched to provide tight joints and a smooth uniform invert. They shall be placed at a sufficient depth below the roadbed to avoid dangerous pressure of impact, and in no case shall the top of the pipe be less than one foot below the roadbed. In all cases, drainage improvement plans and the improvements themselves shall be approved by the city engineer.

Drainage system design shall be in accordance with the Georgia Stormwater Management Manual published by ARC, latest update, unless approved otherwise. Drainage systems shall also comply with all other applicable city ordinances and regulations, including the floodplain management ordinance, post development stormwater management regulations and the erosion and sediment control ordinance. Drainage construction shall comply with the state department of transportation standard specifications unless approved otherwise. Storm drain pipe material within city street rights-of-way shall be reinforced concrete pipe in accordance with state department of transportation specifications.

See Engineer Report

(4) Roadway surfacing. After preparation of the subgrade, the roadbed shall be surfaced with material required by local standards, but of no lower classification than crushed rock, stone or gravel. The size of the crushed rock or stone shall be that generally known as crushed rock stone from two and one-half inches down including dust. Spreading of the stone shall be done uniformly over the area to be covered by means of appropriate spreading devices and shall not be dumped in piles. After spreading, the stone shall be rolled until thoroughly compacted. The compacted thickness of the stone roadway shall be no less than six inches.

Following application of a crushed stone base having a minimum thickness of six inches, contractor shall provide surface paving of local and minor residential streets consisting of two inches of 19 mm Superpave asphalt. Upon issuance of a certificate of occupancy for 90 percent of the dwellings served by the street have been built, or prior to the end of the one-year maintenance period (but after the 11th month), whichever occurs first, contractor shall provide a final wearing course of one and one-half inch of 12.5 mm Superpave asphalt paving. All paving materials shall meet the requirements of the state department of transportation standard specifications.

Not applicable

(5) Minimum pavement widths. Due to the diversity of development in the city, required pavement widths will necessarily vary with the character of building development and the amount of traffic encountered. Minimum pavement widths between curbs shall be as follows:

- a. For minor residential streets, 30 feet. Most minor streets in residential developments.
- b. For collector streets, 36 feet. Including minor streets which in the opinion of the planning commission will involve sufficient traffic and/or parking to justify the width.
- c. For arterial streets and highways, as may be required.

Additional right of way was not requested by the City. GDOT did not require a deceleration or acceleration lane.

(6) Curbs and gutters. Except on rural streets, the subdivider shall provide permanent six-inch concrete curbs with 24-inch integral concrete gutters or standard rolled curb and gutters.

Not shown.

(7) Sidewalks.

a. For the safety of pedestrians and of children at play, installation by the developer of sidewalks on both sides of streets will normally be required. The commission may waive the requirements of sidewalks along streets where a park, railroad or other use on one side of a street makes a sidewalk nonessential.

b. Sidewalks shall be located not less than one foot from the property line to prevent interference or encroachment by fencing, walls, hedges or other planting or structures placed on the property line at a later date. In single-family residential areas and multifamily or group housing developments, concrete sidewalks shall be five feet wide and four inches thick. Sidewalks in commercial areas shall be five feet wide and ten feet wide as dictated by adjoining sidewalk widths.

Sidewalks not shown.

(8) Installation of utilities. After grading is completed and approved and before any base is applied, all of the work for underground utilities including water mains, gas mains, electrical lines, etc., and all service connections shall be installed completely and approved throughout the length of the road and across the flat section. All driveways for houses to be built by the developer shall be cut and drained.

See Engineer Report

(9) Water supply system.

a. Water mains properly connected with the city water supply system shall be constructed in such a manner as to adequately serve all lots shown on the subdivision plat for both domestic use and fire protection. Water mains shall be located on public property and not private property.

b. The sizes of water mains, the location and types of valves and hydrants, the amount of soil cover over the pipes and other features of the installation shall be approved by the city engineer and fire chief.

See Engineer Report

(10) Sanitary sewers. Sanitary sewers shall be installed in such a manner as to serve adequately all lots with connection to the public system, according to plans approved by the city engineer.

See Engineer Report

(b) Recommended improvements. The planting of street trees and installation of street name signs is considered a duty of the subdivider as well as good business practice.

(1) Street trees.

a. Street trees are a protection against excessive heat and glare and enhance the attractiveness and value of abutting property. The planning commission will assist the subdivider in location of trees and species to use under varying conditions.

b. It is recommended that trees be planted inside the property lines where they are less subject to injury, decrease the chance of motor accidents and enjoy more favorable conditions for growth. If trees are to be planted within a planting strip in the right-of-way, their proposed locations and species to be used must be submitted for the planning commission's approval since the public inherits the care and maintenance of such trees.

Compliant

- (c) Guarantees in lieu of completed improvements. No final subdivision plat shall be approved by the planning commission or accepted for record by the clerk of the superior court until the improvements listed shall be constructed in satisfactory manner and approved by the city engineer, or in lieu of such prior construction, the planning commission may accept a security bond in an amount equal to the estimated cost of installation of the required improvements, whereby improvements may be made and utilities installed without cost to the city in the event of default by the subdivider.

The third building enfronting Dogwood has not been constructed.

RECOMMENDATION

Any deficiencies identified in the Engineer's Report must be addressed, Once the deficiencies are addressed, the plat is compliant for Phase I and may be approved by the Planning Commission.