



**Mayor and City Council Regular Meeting**  
**Thursday, October 06, 2022 at 7:00 PM**  
**Dacula City Hall, Council Chambers**  
**442 Harbins Rd. | P.O. Box 400 | Dacula, Georgia 30019 | (770) 963-7451**

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**Agenda**

**CALL TO ORDER AND ROLL CALL OF MEMBERS:**

**INVOCATION:**

**PLEDGE OF ALLEGIANCE:**

**LIFETIME SERVICE AWARD:**

1. Presentation of Georgia Municipal Association's Lifetime Service Award to Dennis Still

**CONSENT AGENDA:**

- [2.](#) Approval of the Minutes from the Regular Meeting on September 1, 2022
- [3.](#) Bid approval for the Dacula City Hall sewer tie-in project
- [4.](#) Adoption of Article XIX - Short Term Rentals
- [5.](#) Ordinance to amend Chapter 22, Section 22-20 - Payment of Fees
- [6.](#) Fee Schedule Update

**OLD BUSINESS:**

- [7.](#) **Annexation Application: 2022-CD-AA-02**, Applicant: Retail Planning Corporation, Owner: James Roy Greeson requests annexation in the City. The property is located in Land Lot 277, Parcel 077 of the 5th District and contains 4.52 acres more or less.
- [8.](#) **Rezoning Application: 2022-CD-RZ-02**, Applicant: Retail Planning Corporation, Owner: James Roy Greeson requests rezoning from RA200 Agriculture-Residence District (County) to C2 General Commercial (City). The property is located in Land Lot 277, Parcel 077 of the 5th District and contains 4.52 acres more or less.

**NEW BUSINESS:**

- [9.](#) Waiver Application: 2022-WAIVER-02

**STAFF COMMENTS:**

**MAYOR AND COUNCIL COMMENT(S):**

- [10.](#) Submission of the FY-2023 Proposed Budget and FY-2022 Budget Adjustment to City Council and the citizens of Dacula

**PUBLIC COMMENTS:**

**ADJOURNMENT:**

**CITY OF DACULA**

442 Harbins Rd  
P. O. Box 400  
Dacula, GA, 30019

**COUNCIL MEETING****MINUTES**

September 1, 2022

**I. CALL TO ORDER AND ROLL CALL OF MEMBERS:**

Mayor King called the September 1, 2022 Council Meeting to order at 7:13 p.m. and a roll call of the members was taken. A quorum was present. He welcomed everyone to the meeting.

**Council Members Present:**

Trey King, Mayor  
Sean Williams, Council  
Daniel Spain, Council  
Ann Mitchell, Council  
Denis W. Haynes, Jr., Council

**City Staff Present:**

Jack Wilson, City Attorney  
Heather Coggins, Acting City Administrator  
Brittini Nix, Director of Planning & Economic Development  
Courtney Mahady, Administrative Clerk  
Dana Stump, Administrative Assistant for Planning & Zoning  
Angelica Schaper, Court Administrator  
Alethia Hyman, City Tax Clerk  
Renee Cooke, Front Desk Clerk  
Chris Parks, Public Works Supervisor  
Amy White, City Marshal

**II. INVOCATION:**

Marshal White gave invocation.

**III. PLEDGE OF ALLEGIANCE:**

Mayor King led the Pledge of Allegiance.

**IV. PROCLAMATION:**

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### 1. Paint Gwinnett Pink Month

Mayor King presented Jennifer Griffin & Cindy Murphy from Gwinnett Medical Center/Northside Hospital the Paint Gwinnett Pink Month Proclamation.

### V. CONSENT AGENDA:

2. Approval of the Minutes from the Regular Meeting on August 4, 2022
3. Approval of the Minutes from the Executive Session Meeting on August 21, 2022
4. IWorQ System Inc. Proposal
5. Resolution for traffic control on Wilson St & Third Ave
6. Adoption of Article VIII - Tobacco, Vape and Hookah
7. Ordinance to amend Development Regulations, Article IV - Section 4.10.2 Procedures, Plan & Plat Specifications
8. Handbook amendment to Chapter 4, Section 4.2 - Pay Periods
9. A Resolution for Premium Pay
10. Authorization to submit 2023 LMIG Application
11. FY2022 CDBG Award Increase - Brookton Station Subdivision
12. Brookton Station Improvement Proposal
13. Bid approval for McMillan Road Stormwater Improvement Project
14. Approval of Employee Health, Dental & Vision Benefits

Councilman Haynes, Jr. motioned to approve the Consent Agendas items. Councilman Williams seconded. Motion passed unanimously.

### VI. OLD BUSINESS:

15. PUBLIC HEARING: 2022-CD-AA-02 & 2022-CD-RZ-02, Applicant: Retail Planning Corporation, Owner: James Roy Greeson requests annexation and rezoning from RA200 Agriculture-Residence (County) to C2 General Commercial (City). The property is located in Land Lot 277, Parcel 077 in the 5th District and contains 4.52 acres more or less.

Councilman Spain motioned to open the public hearing. Councilwoman Mitchell seconded. Motion passed unanimously.

Director of Planning & Economic Development, Brittini Nix, presented the staff report for the application for annexation and rezoning from RA200 Agriculture-Residence (county) to C2 General Commercial (city). Ms. Nix stated staff recommend approval with revised 31 conditions dated August 29, 2022.

Matt Benson, 1550 North Brown Rd, Suite 125, Lawrenceville, Georgia 30043, on behalf of the applicant, stated that the applicant believes that the applications for annexation and rezoning meet with the City of Dacula's vision for the area based on what is currently happening around the proposed area.

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Mr. Benson requested the applications be tabled until they can find an appropriate end user for the location.

*No other comments*

Councilman Spain motioned to close the public hearing. Councilman Williams seconded. Motion passed unanimously.

**16. Annexation Application: 2022-CD-AA-02**, Applicant: Retail Planning Corporation, Owner: James Roy Greeson requests annexation in the City. The property is located in Land Lot 277, Parcel 077 of the 5th District and contains 4.52 acres more or less.

Councilman Haynes, Jr. motioned to table the annexation application until October 6, 2022. Councilwoman Mitchell seconded. Motion passed unanimously.

**17. Rezoning Application: 2022-CD-RZ-02**, Applicant: Retail Planning Corporation, Owner: James Roy Greeson requests rezoning from RA200 Agriculture-Residence District (County) to C2 General Commercial (City). The property is located in Land Lot 277, Parcel 077 of the 5th District and contains 4.52 acres more or less.

Councilman Williams motioned to table the rezoning application until October 6, 2022. Councilman Spain seconded. Motion passed unanimously.

**VII. NEW BUSINESS:**

*None*

**VIII. STAFF COMMENTS:**

*None*

**IX. MAYOR AND COUNCIL COMMENT(S):**

Mayor King presented the Arnold Family with a map of the streets in their neighborhood that are going to be paved.

Ann Mitchell thanked the city staff for all of their hard work.

**X. PUBLIC COMMENTS:**

Bobby Gabrels, 2539 Forestdale Drive, Dacula, GA 30019, inquired about code enforcement within the city limits.

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Graham Arnold, 2675 Dacula Ridge Drive, Dacula, GA 30019, thanked everyone at the city for working on getting the streets in their neighborhood paved.

Kyle Van Nus, 1776 Ewing Chapel Road, Dacula, GA 30019, inquired about what a partnership between the city and Dacula High School would look like to create more community involvement.

***XI. EXECUTIVE SESSION: Real property matters***

Councilman Spain motioned to exit regular session. Councilwoman Mitchell seconded. Motion passed unanimously. Regular session adjourned and executive session began for the purposes of real property matters at 7:40 p.m.

Councilman Williams motioned to exit executive session and reconvene regular session. Councilman Haynes, Jr. seconded. Motion passed unanimously. Regular session reconvened at 8:00 p.m.

City Attorney, Jack Wilson, reported there were no votes taken in executive session. The Council met to discuss real property matters as allowed by the Open Meetings Act.

***XII. ADJOURNMENT:***

Councilman Haynes, Jr. motioned to adjourn. Councilwoman Mitchell seconded. Motion passed unanimously. Meeting adjourned at 8:00 p.m.

*Minutes approved*

\_\_\_\_\_

*Date*

\_\_\_\_\_

*Signature*

**TO:** Mayor and City Council of the City of Dacula  
**FROM:** Brittni Nix, Director of Planning & Economic Development  
**DATE:** September 15, 2022  
**SUBJECT:** Bid results for Dacula City Hall sewer connection improvements

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The City requested bids for the approved Dacula City Hall sewer connection improvements project. Improvements include the construction of approximately 240 linear feet of 6” diameter PVC gravity sewer and service lateral and two new sewer manholes. The subject infrastructure will be connected to an existing Gwinnett County sewer manhole and service laterals, which will connect City Hall to Gwinnett County’s sewer system. In addition, the scope of work includes decommissioning the failing septic system at City Hall and site restoration of the disturbed areas.

The bid results are below:

GP Enterprises, Inc. - \$240,950  
Site Engineering, Inc. - \$141,980  
The Dickerson Group, Inc. - \$122,185

Precision Planning, Inc. reviewed the submitted bids and it appears the lowest qualified bid was from The Dickerson Group, Inc. for \$122,185. The bid is in line with the estimated OPCC (opinion of probable cost) of \$119,920. Considering the above, staff recommends awarding The Dickerson Group, Inc. the bid at \$122,185 and authorizing the Mayor and Acting City Administrator to execute all necessary documents to implement the subject project.

Best Regards,

Brittni Nix, Director of Planning & Economic Development

September 9, 2022

Mr. Trey King, Mayor  
City of Dacula  
442 Harbins Road  
Dacula, GA 30019

**Re: Dacula City Hall Sewer Connection – Report of Bids  
Bid Date September 8, 2022**

Dear Mayor King:

On Thursday, September 8, 2022, the City of Dacula received three (3) bids for the Dacula City Hall Sewer Connection project. This project was only open to contractors listed on the Approved Utility Contractor’s List with the Gwinnett County Department of Water Resources.

The project includes the construction of approximately 240 linear feet of 6” diameter PVC gravity sewer and service lateral, two new sewer manholes, connection to existing Gwinnett County sewer manhole, connection to existing service laterals, decommissioning an existing septic system, and site restoration.

**Precision Planning, Inc. (PPI) has reviewed the bids, and it appears that the lowest and best bid is that of The Dickerson Group, Inc. in the amount of ONE HUNDRED, TWENTY-TWO THOUSAND, ONE HUNDRED EIGHTY-FIVE AND 00/100 DOLLARS (\$122,185.00).** A copy of the complete bid tabulation is attached for your review

Please feel free to call or email me with any questions regarding our review of the bids received.

Sincerely,



Kurt Mueller, P.E.  
Senior Vice President



## City of Dacula City Hall Sewer Connection

Item 3.

BID TABULATION				The Dickerson Group, Inc. Lawrenceville, GA 30043 770.963.7451		Site Engineering, Inc. Atlanta, GA 30340 770.263.7234		GP Enterprises, Inc. Auburn, GA 30011 770.945.0810	
ITEM #	Description	Units	Est. # of Units	Unit Price Quote	Total for Item	Unit Price Quote	Total for Item	Unit Price Quote	Total for Item
1	Rock Removal	CY	20	\$475.00	\$9,500.00	\$1.00	\$20.00	\$480.00	\$9,600.00
2	Inlet Filter Gravel Bag	LF	30	\$20.00	\$600.00	\$100.00	\$3,000.00	\$130.00	\$3,900.00
3	Temporary Silt Fence Type 'S'(Sd1)	LF	115	\$4.00	\$460.00	\$6.00	\$690.00	\$20.00	\$2,300.00
4	Medium Duty Pavement Repair (Parking Area)	SY	90	\$120.00	\$10,800.00	\$250.00	\$22,500.00	\$583.00	\$52,470.00
5	Curb & Gutter Replacement	LF	40	\$42.00	\$1,680.00	\$150.00	\$6,000.00	\$210.00	\$8,400.00
6	Standard Manhole, 48" Dia., (Base, Barrels, and Cone)	EA	2	\$10,125.00	\$20,250.00	\$10,000.00	\$20,000.00	\$13,500.00	\$27,000.00
7	Additional Vertical Feet of Manhole	VF	5	\$350.00	\$1,750.00	\$600.00	\$3,000.00	\$900.00	\$4,500.00
8	Sanitary Sewer Piping, 6" Dia. PVC Gravity Sewer	LF	170	\$255.00	\$43,350.00	\$288.00	\$48,960.00	\$385.00	\$65,450.00
9	Sanitary Sewer Piping, 6" Dia. PVC Service Lateral Piping	LF	70	\$75.00	\$5,250.00	\$288.00	\$20,160.00	\$155.00	\$10,850.00
10	Sewer Clean Out	EA	1	\$1,800.00	\$1,800.00	\$500.00	\$500.00	\$2,250.00	\$2,250.00
11	Permanent Seeding (Ds3)	SY	110	\$2.00	\$220.00	\$15.00	\$1,650.00	\$35.00	\$3,850.00
12	Septic Tank Demolition	LS	1	\$15,500.00	\$15,500.00	\$4,500.00	\$4,500.00	\$30,000.00	\$30,000.00
Extra Work, If Authorized by the Owner									
13	Additional Bedding	TN	30	\$85.00	\$2,550.00	\$80.00	\$2,400.00	\$150.00	\$4,500.00
14	Graded Aggregate Base (GAB)_Backfill	TN	80	\$75.00	\$6,000.00	\$80.00	\$6,400.00	\$105.00	\$8,400.00
15	Sodding (Ds4)	SY	110	\$22.50	\$2,475.00	\$20.00	\$2,200.00	\$68.00	\$7,480.00
<b>TOTAL BID AMOUNT</b>					<b>\$122,185.00</b>	<b>\$141,980.00</b>		<b>\$240,950.00</b>	

Engineer's Statement: I hereby state that to the best of my knowledge and belief, the above quote amounts are correct and reflect the amounts presented to the the City of Dacula on Thursday, September 8, 2022 @ 2:00 PM

**PRECISION PLANNING, INC.**



Kurt Mueller, P.E., Project Manager

**TO:** City of Dacula Mayor and City Council

**FROM:** Jack Wilson, City Attorney

**DATE:** September 26, 2022

**SUBJECT:** Ordinance Amendment—Short Term Rentals

Mayor and Members of the City Council:

Short-term residential rentals for vacations and other visitors have become increasingly popular. These uses serve an important purpose but can conflict with neighboring property owners' reasonable expectations of privacy and stability. In some instances, overcrowding and noise have presented concerns for neighbors and law enforcement personnel. The City currently has no ordinance to govern these uses.

Staff has prepared a Short-term Rental Ordinance to provide for permit and basic rules for short-term residential rentals. The intention of the ordinance is to provide basic standards to ensure that such uses are compatible with neighboring residential uses. The permit also provides information for staff to notify property owners and public safety personnel should issues arise during the short-term rental. Staff recommends approval of this ordinance.

If you have any questions or need any additional information, please do not hesitate to contact me.

**AN ORDINANCE**

**TO AMEND THE CITY OF DACULA CODE OF ORDINANCES  
TO ADOPT A NEW ARTICLE REGARDING SHORT-TERM RESIDENTIAL RENTALS**

**WHEREAS**, the City’s current Code of Ordinances does not address short-term residential rentals; and

**WHEREAS**, it is in the best interest of the health, safety and welfare of the citizens of the City of Dacula to update the City Code and regulations pertaining to Short-term Rentals; and

**WHEREAS**, the proliferation of short-term rentals in other jurisdictions have presented a number of concerns and challenges regarding public health, safety and welfare; and

**WHEREAS**, enacting reasonable regulations serves to address those concerns and challenges by balancing the rights of property owners and their invitees and guests with the rights and interests of neighboring property owners and citizens of the City; and

**WHEREAS**, the City expressly finds that the regulations outlined herein are reasonable and necessary for protecting and promoting the health, safety and welfare of the citizens of the City;

**NOW THEREFORE**, THE MAYOR AND COUNCIL OF THE CITY OF DACULA HEREBY ORDAINS that the City code be amended to create new Chapter 12, Article XIX, Section 12-600 et seq. as follows:

**SECTION 1**

The following Article XIX, Section 12-600 Short-term Rentals is adopted as follow:

**Sec. 12-600. Purpose and Applicability.**

- (a) The purpose of this Article is to ensure the continued availability of quality transient lodging within the City, proper maintenance of short-term rentals and to protect the health, safety and welfare of short-term rental inhabitants by ensuring the structures meet minimum life safety code standards.
- (b) Unless otherwise stated in this article, the requirements of this article apply to those who occupy, visit, patronize, frequent, operate, keep, conduct, or own a short-term rental within the City, regardless of the date of the short-term rental structure's construction.
- (c) This article is essential to the public's interest, safety, health and welfare and this article shall be liberally construed to effectuate its purposes.
- (d) A permit issued pursuant to this division is a privilege, not a right.
- (e) It shall be unlawful for any owner of any property within the City of Dacula Georgia, to rent or operate a short-term rental of residential property contrary to the procedures

and regulations established in this section, other provisions of the Code of Ordinances of the City of Dacula, Georgia, or any applicable state law.

**Sec. 12-601. Definitions.**

The following words, terms, and phrases, when used in this article, shall have the meanings ascribed to them in this Section, except where the context clearly indicates a different meaning.

**Bedroom:** A room that meets the building code requirements to be used as a sleeping room and for no other primary purpose.

**Managing agency or agent:** A person, firm or agency representing an owner or owners of a short-term rental.

**Noise Regulations:** Those regulations contained in Article Three of Chapter Thirteen of the City of Dacula Code of Ordinances.

**Owner:** A person that holds legal and/or equitable title to private property.

**Person:** A natural human being, estate, association, firm, partnership, corporation, or other legal entity.

**Private:** Intended for or restricted to the occupants and/or guests of his or her short-term rental; not for public use.

**Rental Term:** The period of time a responsible person rents or leases a short-term rental.

**Responsible Person:** An occupant of a short-term rental who is at least twenty-one (21) years of age and who is legally responsible for ensuring that all occupants and/or guests of the short-term rental comply with all applicable laws, rules and regulations pertaining to the use and occupancy of the subject short-term rental.

**Short-term Rental:** An accommodation for transient guests, rented for the purpose of overnight lodging for a period of less than thirty (30) days. For the purposes of this definition, a short-term rental shall include all housing types but shall exclude bed and breakfast inns, hotels, motels, boarding houses and rooming houses.

**Section 12-602. Property owners, local contact person, and responsible person.**

**Property Owners:**

The owner and/or local contact person shall use reasonably prudent business practices to ensure the short-term rental is used in a manner that complies with all applicable laws, rules, and regulations pertaining to the use and occupancy of the subject short-term rental, and shall further use reasonably prudent business practices to ensure the occupants and/or guests of the short-term rental do not create noise in violation of the noise regulations of this Code or disturbances, engage in disorderly conduct, or violate any applicable law, rule or regulation pertaining to the use and occupancy of the subject short-term rental.

(a) Local Contact Person:

- (1) Each owner of a short-term rental shall designate a local contact person who has access and authority to assume management of the short-term rental and take remedial measures while the short-term rental is being rented to an occupant and/or guest. An owner of a short-term rental may designate himself or herself as the local contact person;
- (2) The local contact person shall be at least twenty-one (21) years of age;
- (3) There shall be only one (1) designated local contact person for a short-term rental at any given time;
- (4) The local contact person shall be required to respond to the location of the short-term rental 24 hours a day, 7 days a week, and within three (3) hours after being notified by a duly authorized representative of City of Dacula of the existence of a violation of this article or any other provision of this Code, or any disturbance or complaint requiring immediate remedy or abatement regarding the condition, operation, or conduct of occupants of the short-term rental. Whether the local contact person shall be required to respond to the location of the short-term rental to address a violation, disturbance, or complaint shall be determined in the discretion of the City Marshal or employee responding to said violation, disturbance, or complaint. Nothing in this section shall be construed as limiting City of Dacula or any officer or employee thereof in responding to any violation, disturbance, or complaint or taking any enforcement action under this article;
- (5) An owner may retain a managing agent, managing agency, operator, or representative to serve as the local contact person to comply with the requirements of this Section, including, without limitation, the permitting of the short-term rental, the management of the short-term rental, and the compliance with the conditions of the short-term rental permit. The owner of the short-term rental is responsible for compliance with the provisions of this Section and the failure of an agent, representative, or local contact person to comply with this Section shall be deemed noncompliance by the owner; and
- (6) The owner must immediately notify the City Administrator or his/her designee in writing upon a change of local contact person or the local contact person's telephone number. This notification will be on forms prescribed by the City Administrator. The new, revised business short-term rental permit will not extend the expiration date of the original short-term rental permit, will be issued for a fee of \$50.00, and must be posted in the short-term rental within ten (10) days of any change of local contact person information and before occupants can rent or occupy the short-term rental. Failure to do so within 14 days after such change shall, unless such time limit is extended for good cause, be reason for revocation of a permit granted pursuant to this article.

(b) Responsible Person:

- (1) Every short-term rental shall be rented to a designated responsible person. The owner of the short-term rental is responsible for compliance with the provisions of this article, and the failure to ensure the short-term rental is rented to a designated responsible person shall be deemed noncompliance by the owner.

**Section 12-603. Permits.**

(a) Required Permits:

- (1) The owner shall pay the required permit fee and shall comply with all applicable provisions of the City Code for business permits and regulations;
- (2) The owner shall timely pay all property taxes owed for the real property on which the short-term rental is located;
- (3) No owner or local contact person of a short-term rental shall rent, lease, or otherwise exchange for compensation all or any portion of such short-term rental without first obtaining a short-term rental permit from the City;
- (4) A separate short-term rental permit shall be required for each structure used for short-term rental;
- (5) No short-term rental permit shall be issued for apartments;
- (6) An owner of a short-term rental, or their designated representative, shall submit an application for a short-term rental permit to the City Administrator or his/her designee on an annual basis. The application shall be furnished on a form specified by the City, accompanied by a non-refundable permit fee as established in this Section. Such application shall include:
  - a. The complete street address of the short-term rental;
  - b. Ownership information, including the name, address, e-mail address, and telephone number of each person or entity with an ownership interest in the property;
  - c. The name, address, telephone number, and email address of the local contact person for the short-term rental;
  - d. The number of bedrooms and approximate square footage in the short-term rental, and the maximum number of overnight and daytime occupants, as allowed by this article;
  - e. A sworn statement from the applicant certifying that all designated bedrooms, including egress from all designated bedrooms, meet applicable safety code requirements;
  - f. Signed acknowledgment that the owner has read all regulations pertaining to the operation of a short-term rental;

- g. Signed acknowledgment that the local contact person has read all regulations pertaining to the operation of a short-term rental;
  - h. Acknowledgement that the owner or local contact person has or will post, at the short-term rental, the notice required in this Chapter;
  - i. In cases where the short-term rental has an on-site septic system, a performance evaluation from the Health Department verifying condition of the on-site sewage management system, except that such a performance evaluation shall not be required for renewal applications. In cases where the short-term rental is serviced by sewer, documentation from the applicable department providing sewer to the rental property verifying sewer capacity, except that such documentation shall not be required for renewal applications.
- (7) Any false statements or information provided in the application are grounds for denial or revocation of a permit, including the denial of future applications.
- (8) Upon the filing of a completed permit application, the City Administrator or his/her designee shall review the application for compliance with the requirements of this article. Within 30 days of the filing of the completed application, the City Administrator or his or her designee shall either issue a short-term rental permit to the applicant or issue a written notice of denial. A short-term rental permit shall be issued to an applicant unless:
- a. The applicant has had a short-term rental permit revoked within the previous 12-month period;
  - b. The property taxes have not been paid and are delinquent;
  - c. The Health Department notifies the City of an inadequate septic system or other health concerns;
  - d. The application does not meet the minimum requirements of this article.
- (9) A decision to deny an application shall be issued in writing and may be appealed to the Mayor and City Council in accordance with the procedures set forth in this article.
- (b) Permit fee/renewal.
- (1) The short-term rental permit application and any renewal application shall be accompanied by an application fee of \$250.
  - (2) All permits granted under this article shall expire on December 31 of each year. Applicants shall file a renewal application accompanied by the requisite renewal fee with the City on or before the second Monday in December of each year without penalty. If an application is submitted after the second Monday in December, a new application shall be required, as renewal eligibility will not be considered past this date.

- (3) The short-term rental permit is not transferrable and should ownership of a unit change, a new permit application shall be required prior to any use of the property as a short-term rental.
- (c) All short-term rentals are subject to the following:
- (1) The owner or local contact person shall, by written agreement with the responsible person, limit overnight occupancy of the short-term rental to the specific number of overnight occupants designated in the short-term rental permit application;
  - (2) Any advertising of the short-term rental shall conform to information included in the short-term rental permit and requirements of this article, and shall include the short-term rental permit number issued by the City, notification of the maximum occupancy, maximum number of vehicles allowed, and provisions regulating noise;
  - (3) Occupancy for short-term rentals served by sewer: the number of overnight occupants shall not exceed two persons per bedroom plus two additional persons per residence meeting all life-safety code requirements, but in no case shall rental occupancy exceed 15 overnight persons total. For the purpose of maximum occupancy, those persons under two (2) years of age shall not be counted;
  - (4) Occupancy for short-term rentals with onsite septic system: the number of overnight occupants shall not exceed two persons per bedroom, and shall meet all life-safety codes, but in no case shall rental occupancy exceed 15 overnight persons total. The maximum capacity shall be based on the number of bedrooms. All occupants, regardless of age, are counted as persons;
  - (5) A bedroom shall be a room that is designed to be, or meets the building code requirements to be, used as a sleeping room and for no other primary purpose. Every bedroom shall have an emergency escape or rescue exit and a minimum ceiling height as follows:
    - a. Each bedroom shall have at least one operable window or door for emergency escape or rescue that opens directly to the exterior of the residence. The emergency door or window shall be operable from the inside to provide a full, clear opening without the use of separate tools, and shall comply with all requirements of the International Residential Code (“IRC”) as were in effect on the date the short-term rental was issued a Certificate of Occupancy;
    - b. Bedroom ceilings shall comply with all requirements of the IRC as were in effect on the date the short-term rental was issued a Certificate of Occupancy;
  - (6) The owner or local contact person shall, by written agreement with the responsible person, limit daytime occupancy of the short-term rental to the specific number of daytime occupants designated in the short-term rental permit application, with the number of daytime occupants not to exceed four (4) guests in addition to the total



number of allowed overnight occupants, but in no case shall the daytime occupancy of a short-term rental exceed 19 persons total. Overnight occupancy limitations shall apply between the hours of 11:00 PM and 7:00 AM;

- (7) Prior to permitting occupancy of a short-term rental by a transient occupant, the owner or the local contact person shall: (a) verify the rental is to a responsible person and obtain their name and address; (b) provide information about the short-term rental regulations to the responsible person; and (c) require written confirmation from the responsible person that he or she:
- a. Has read the pertinent regulations; and
  - b. Understands all applicable laws, rules, and regulations pertaining to the use and occupancy of the short-term rental, including, but not limited to, the City's noise regulations; and
  - c. Understands that they are bound to all applicable laws, rules, and regulations; and
  - d. Agrees to comply with all applicable laws, rules, and regulations, and agrees to be legally responsible for compliance by all occupants and/or guests of the short-term rental with all applicable laws, rules and regulations pertaining to the use and occupancy of the short-term rental, including, but not limited to, to the City's noise regulations. This information shall be maintained by the owner or the local contact person for a period of one (1) year from the last day of each rental period.
- (8) Parked Vehicles:
- a. Shall be limited to the number designated in the short-term rental permit application with the maximum allowable vehicles not to exceed one vehicle per bedroom, or the capacity of the paved or impervious surface parking lot, whichever is greater, at any one time for both daytime and overnight guests. A watercraft, travel trailer, or any other recreational trailer which is pulled by a motorized vehicle shall be counted as a separate vehicle when referenced in this article of the Code;
  - b. Shall not be parked on the City right-of-way or along any roadways at any time; and
  - c. Shall be parked only on designated hard surfaced areas with contained gravel, concrete or asphalt surfacing; and shall not be permitted outside such hard-surfaced areas (i.e. no parking in yards).
- (9) The owner and/or local contact person shall use best efforts to ensure that the occupants and/or guests of the short-term rental do not violate the noise regulations set forth in Section 13-50 of the City Code by notifying the occupants of the rules regarding short-term rentals and responding when notified that occupants are violating laws regarding their occupancy. Any violation of the noise regulations by a

guest at a short-term rental shall be considered a violation under this article. It is not intended that the owner and/or local contact person act as a peace officer or place himself or herself in harm's way; and

- (10) City Marshals, City staff and the Gwinnett County Police personnel shall have the right to enter and inspect the premises in response to complaints, calls for assistance, excessive noise or probable cause to believe any other violation of this Ordinance exist.

(d) Transferability:

- (1) No short-term rental permit issued under this article shall be transferred or assigned or used by any person other than the owner or local contact person to whom it is issued, or at any location other than the one for which it is issued.

**Section 12-604. Minimum operational requirements and conditions.**

(a) Posted Information Notice:

- (1) Each short-term rental shall have a clearly visible and legible notice conspicuously posted within the short-term rental on or adjacent to the front door, containing the following information:
- a. The name of the owner and local contact person of the short-term rental, and a telephone number at which that party may be reached on a 24-hour, 7 days a week, basis;
  - b. The name and address of the nearest hospital;
  - c. The maximum number of overnight occupants and/or daytime guests permitted to be at the short-term rental;
  - d. The maximum number of vehicles allowed to be parked on the property, including a sketch of the location(s) of the on-site parking spaces;
  - e. The trash pickup day and notification that trash and refuse shall not be left or stored on the exterior of the property unless it is placed in a curbside container, and that the curbside container shall not be placed sooner than 24 hours prior to the pickup day, and must be removed no later than 24 hours after pickup (If owner or operator provides daily trash removal then this notice is not necessary);
  - f. Notification that failure to conform to the parking and occupancy requirements of the short-term rental is a violation of this article; and
  - g. The times that quiet hours are to be observed per the noise regulations set forth in Section 13-51 of the City Code and a statement advising the occupant that any failure to comply with the noise regulations is a violation of this article.

- h. A copy of the short-term rental permit with the permit number displayed.
- (b) Occupancy:
  - (1) The number of overnight occupants and/or daytime guests at the short-term rental shall comply with all applicable provisions of this Chapter.
- (c) Parked Vehicles
  - (1) All parked vehicles at the short-term rental shall comply with all applicable provisions of this Chapter.
- (d). Life Safety and Sanitation
  - (1) All designated bedrooms, including egress from all bedrooms, shall comply with all applicable safety codes as were in effect on the date the short-term rental was issued a Certificate of Occupancy.
  - (2) Every bedroom, adjoining hallway, and common area shall be equipped with an operational smoke detector that meets current IRC standards and shall be 11 maintained in good working order at all times. The placement and mounting of each smoke detector shall comply with all applicable requirements of the current IRC.
  - (3) Each habitable floor shall be equipped with an operational carbon monoxide detector that meets applicable state law standards and shall be maintained in good working order at all times. Each floor of the short-term rental shall be equipped with a fire extinguisher that is fully charged, not past expiration date, and that meets all National Fire Protection Association (NFPA) standards, including those as set forth in NFPA 10: Standard for Portable Fire Extinguishers.
  - (4) Private swimming pools shall comply with the current International Swimming Pool and Spa Code.
  - (5) The owner and/or local contact person shall maintain a house number that is visible from the street at all times.

#### **Section 12-605. Suspension and Revocation of Permit.**

Any suspension, revocation, or forfeiture of an issued permit by the City Administrator shall occur only after notice and opportunity for a hearing before the City Administrator consistent with the procedures set forth in this article and upon the following occurrences:

- (1) A short-term rental, its owner, local contact person, responsible person, or occupants are found to be in violation of this article or in violation of the noise regulations set forth the City Code, subject to criminal citation and prosecution as outlined in Section

12-606 below.

- (2) An applicant furnished fraudulent or untruthful information in the application for a permit, or omitted information required in the application for a permit, or failed to pay all fees, taxes, or other charges imposed under the provisions of this article, in which case the City Administrator may immediately suspend or revoke the short-term rental permit.
- (3) A short-term rental does not meet the licensing qualifications set forth in this article at any time such knowledge becomes known to the Mayor and City Council, in which case the City Administrator shall immediately suspend or revoke the short-term rental permit.
- (4) A short-term rental has been used as a short-term rental during a period of suspension of a permit, in which case the City Administrator shall immediately revoke the short-term rental permit.

### **Section 12-606. Violations and Penalties.**

- (a) Any violation of this article, including any violation of the noise regulations set forth in the City Code, shall subject the permitted individual and persons in violation to the following sanctions, except for those violations and occurrences set forth in Section 12-605(4) that provide for immediate suspension or revocation upon notice and hearing:
  - (1) The first violation within a consecutive 12-month period shall result in a fine not to exceed \$1,000.00 and a written warning notice of violation upon a finding of guilt or plea of guilty or nolo contendere in Municipal Court.
  - (2) The second violation within a consecutive 12-month period shall result in a fine in Municipal court not to exceed \$1,000.00 and a permit suspension for a period of not less than thirty (30) days nor more than ninety (90) day upon a finding of guilt or plea of guilty or nolo contendere in Municipal Court.
  - (3) The third violation within a consecutive 12-month period shall result in a fine in Municipal Court not to exceed \$1,000.00 and the revocation of the short-term rental permit upon a finding of guilt or plea of guilty or nolo contendere in Municipal Court, and neither the owner nor local contact person shall be eligible to reapply for a permit for a period of twelve (12) months from the date of revocation.
- (b) Nothing contained in this subsection shall be construed to preclude the Mayor and City Council from suspending or revoking a permit for a period exceeding those periods identified in Section 12-605 or from revoking the permit if the Council determines in its discretion that such action is necessary and in the best interest of the public health, safety, and welfare of the City.
- (c) In all cases, the mandatory suspension period may be mitigated by the Mayor and City Council upon presentation of evidence that the permit established practices and procedures to prevent the violation from occurring.

- (d) Enforcement action may be brought against any individual, including, but not limited to, the owner, local contact person, responsible person, or occupants and/or guests of a short-term rental for violations of this article and any other provision of this Code. Any violation of the provisions of this article shall be enforced in Municipal Court to the full extent authorized by O.C.G.A. § 36-1-20, with a finding of guilt or plea of guilty or nolo contendere subjecting the permitted individual to the same administrative sanctions as set forth in Section 12-605 regardless of whether the finding of guilt as against or the plea of guilty or nolo contendere was by the owner, local contact person, responsible person, or occupants and/or guests.
- (e) Each day the short-term rental is marketed or rented for overnight accommodation without the necessary short-term rental permit required under this article shall constitute a separate violation.
- (f) Failure of the owner or local contact person to respond as provided in Section 12-602 regarding the condition, operation, or conduct of occupants and/or guests of the short-term rental in a timely and appropriate manner shall be grounds for imposition of penalties as set forth in this article. It is not intended that an owner or local contact person act as a peace officer or place himself or herself in an at-risk situation.

**Section 12-607. Enforcement.**

- (a) City Marshal and the Gwinnett County Police Department or their designee shall have authority to enforce this article.
- (b) Any complaints received by the City regarding a short-term rental may result in a notice of the complaint being directed to the local contact person designated in the short-term rental permit, which may result in direction that the local contact person respond to the short-term rental as provided in Section 12-602.
- (c) Notice of any citations issued for violations of this article shall be provided to the local contact person designated in the short-term rental permit within one week of the issuance of such citations.

**Sec. 12-608. Hearing Process**

- (a) Upon receipt of a timely appeal (accompanied by a fee of \$200.00 made payable to the City of Dacula, Georgia) of an administrative denial, upon presentation of evidence to the City Administrator of a violation of this article, or upon a showing of any of the other occurrences set forth in Section 12-605 the City Administrator shall schedule a hearing before the Mayor and City Council and provide written notice to the adverse party of the time, place and date of the scheduled hearing. The City Administrator shall also state in the written notice the basis for the administrative denial or the violation or occurrence alleged that forms the basis for the denial or potential suspension or revocation. After notice of hearing, matters scheduled for hearing may only be

continued by agreement of the county attorney and the adverse party and/or counsel for the adverse party.

- (b) The Mayor and City Council shall have the duty of conducting hearings concerning the denial, revocation, or suspension of a license. The standard of proof on all issues in the hearing shall be a preponderance of the evidence and a determination will be made on the basis of the evidence presented at the hearing.
- (c) At the hearing, after presentation of the case against the adverse party, the adverse party will have an opportunity to present his case, to rebut the allegations made against him, and present whatever defenses he has. The adverse party shall have the right to be represented by an attorney, at the expense of the adverse party, and to present evidence and cross-examine opposing witnesses.
- (d) At the conclusion of the hearing, the findings and conclusions of the Mayor and City Council shall be forwarded to the City Administrator, and it shall be the duty of the City Administrator to provide written notification via certified mail to the adverse party of the decision of the Mayor and City Council.
- (e) The decision of the Mayor and City Council shall be final unless appealed to the Superior Court of Gwinnett County within 30 days of receipt of the City Administrator's written notification to the adverse party of the board's decision.
- (f) For purposes of this section, notice shall be deemed delivered when personally served or when delivered by overnight mail.

**Secs. 12-609-699. Reserved.**

SECTION 2.

In the event any Court of competent jurisdiction determines that any portion of the foregoing amendment is invalid, unconstitutional or otherwise illegal, such rulings shall not impair the validity of the rest and remainder of this amendment.

SECTION 3.

All laws and parts of laws in conflict with this Ordinance are hereby repealed.

SECTION 4.

The City Administrator, Assistant City Administrator, and Director of Planning and Economic Development are further authorized to correct typographical errors in the text of the existing Code of Ordinances and to produce and publish a final codified version of the City Code with the amendments and revisions outlined herein.

SECTION 5

This Ordinance and the amendments outlined herein shall be effective immediately upon their adoption by the Mayor and City Council.

SO ORDAINED by the governing authority of the City of Dacula, this \_\_\_\_\_ day of November, 2022.

AYES: \_\_\_\_  
NAYES: \_\_\_\_

\_\_\_\_\_  
HUGH D. KING, III  
MAYOR, CITY OF DACULA

ATTEST:

\_\_\_\_\_  
HEATHER COGGINS,  
ACTING CITY ADMINISTRATOR

**TO:** City of Dacula Mayor and City Council Members

**FROM:** Jack Wilson, City Attorney

**DATE:** September 22, 2022

**SUBJECT:** Amendment to City Code Section 22-20  
Sanitation fees

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Dear Mayor and Members of Council:

The staff has reviewed the City Code regarding billing and collection of sanitation fees. The Code has an out of date description of the process employed before this year. The attached proposed amendment would bring the Code to match the new practices in which the City bills and collects the fees directly. Staff recommends and requests approval of this ordinance amendment.

If you have any questions about this matter, please do not hesitate to contact me.



**AN ORDINANCE TO PROVIDE FOR  
THE BILLING, COLLECTION AND  
PAYMENT OF SANITATION FEES**

WHEREAS, the City provides public sanitation service through the Public Works Department; and

WHEREAS, the City has changed its billing practice so that City staff now collects sanitation fees and City taxes and

WHEREAS, the City Code of Ordinances should be amended to recognize and align with the new process employed by the City in billing and collecting sanitation fees; and

WHEREAS, it is in the best interest of the health safety and welfare of the citizens of the City to amend the City Code so that it aligns with the City's new practices;

NOW, THEREFORE, the Mayor and Council of the City of Dacula hereby ordain as follows:

Section 20-22 is amended as indicated below to provide for City billing and collection of sanitation fees:

Sec. 22-20. - Payment of fees.

- (a) ~~Yearly Sanitation fees are placed on the county property tax bills~~ shall be billed by the City. All fees ~~are to~~ shall be paid directly to the City ~~the county who will, in turn, distribute the sanitation funds back to the City.~~ The following rules and requirements shall apply:
1. The property owners of all properties with a residential structure are responsible for the sanitation fee.
  2. The sanitation fee is required on properties with vacant residential dwellings as well.
  3. A property owner is responsible for sanitation fees once a certificate of occupancy (CO) has been issued on a new or renovated structure.
  4. Sanitation fees are charged based on housing units, not owners.
  5. Any nonresidential property (office, institutional, or commercial) that utilizes City sanitation services shall be responsible for a yearly fee to be determined by the Mayor and City Council.
- (b) ~~This collection process is based upon a contractual agreement between the City and the tax commissioner's office as approved by the Mayor and City Council.~~

SO ORDAINED by the governing authority of the City of Dacula, this \_\_\_\_\_ day of October, 2022.

AYES: \_\_\_\_  
NAYES: \_\_\_\_

\_\_\_\_\_  
HUGH D. KING, III  
MAYOR, CITY OF DACULA

ATTEST:

\_\_\_\_\_  
HEATHER COGGINS, ACTING CITY ADMINISTRATOR

**TO:** Mayor and City Council of the City of Dacula  
**FROM:** Brittni Nix, Director of Planning & Economic Development  
**DATE:** September 23, 2022  
**SUBJECT:** Re-adoption of the Dacula Fee Schedule

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The City of Dacula Fee Schedule is in need of amendment and re-adoption by the City Council.

Staff recommends adding the following items:

- Short-term rental permits
- Street/lane closure permits
- Wine and/or beer tasting permits
- Solar panel permits
- Street/curb cut permits

Best Regards,

Brittni Nix, Director of Planning & Economic Development

	A	B	C	D
1	CITY OF DACULA - SCHEDULE OF FEES (Adopted <b>October</b> 2022)			
2				
3				
4				
5	<b>ADMINISTRATIVE FEES</b>			
6	Re-Issue of Placard	\$	10.00	
7	Re-Inspection Fees			
8	1st Reinspection	\$	100.00	
9	2nd Reinspection	\$	50.00	
10	Annexation Fee	\$	2,250.00	
11	Deannexation Fee	\$	2,250.00	
12	Council Variance	\$	375.00	
13	Special Exception	\$	375.00	
14	Administrative Variance	\$225.00 + \$25.00 each additional on the same property		
15	Special Use Permit	*same as rezoning fees (See Page Five (5))		
16	Temporary Use Permit		\$50.00	
17	Canvasser and Solicitor Permit	\$	100 annual	
18	Mobile Food Unit Permit	\$	50.00	
19	Production Permit	\$	100 per day	
20	Vending Machine Permit	\$	150 annual	
21	<b>Short-term Rental Permit</b>	<b>\$</b>	<b>250 annual</b>	
22	<b>Street/Lane Closure Permit</b>	<b>\$</b>	<b>125.00</b>	
23	<b>Wine and/or Beer Tasting Permit</b>	<b>\$</b>	<b>200 annual</b>	
24	Transfer of Occupational Tax Certificate	\$	20.00	
25	Zoning Certification Letter	\$	50.00	
26	Zoning Map	\$	25.00	
27	All Copies	\$	0.10 per page	
28	Credit Card Fee		0.05%	
29	Bounced Check Fee	\$	10.00	
30				
31				
32				

	A	B	C	D
33	<b>Page 2</b>			
34	<b>BUILDING PERMIT FEES</b>			
35	Permit Fees (Plus any Review Fees)			
36				
37	One & Two-Family Residential & Additions	\$7.00/1,000 + \$125.00	Administrative fee	
38				
39	"Commercial" Structure			
40	(defined as any principal building which is not			
41	either a single-family or duplex dwelling	\$7.00/1,000 + \$125.00	Administrative fee	
42				
43	Interior Finish	\$7.00/1,000 + \$125.00	Administrative fee	
44				
45	Shell	\$7.00/1,000 + \$125.00	Administrative fee	
46				
47	<b>ALL OTHER STRUCTURES</b>			
48	Fence Permit	\$	25.00	
49	Temporary Trailer (Construction / Classroom)	\$	450.00	
50	Temporary Pole Permit	\$	50.00	
51	Retaining Wall	\$7.00/1,000 + \$125.00	Administrative fee	
52	Portable Building (Residential)	\$	150.00	
53	Temporary Tents	\$	75.00	
54	Towers and Antenna	\$7.00/1,000 + \$125	Administrative fee	
55	Mobile Home Permits	\$	750.00	
56	Swimming Pool Permit (In Ground) (Residential)	\$	125.00	
57	Satellite Dish System (AC Powered)	\$	110.00	
58	Demolition Permit	\$	200.00	
59	Housing Relocation Permit	\$200.00 + \$200.00	Bond	
60	Temporary Gas/Power Connection	\$	75.00	
61	Vacant Structure Permit	\$	200.00	
62	<b>Solar Panel</b>	<b>\$7.00/1,000 + \$125.00</b>	<b>Administrative fee</b>	
63	Right-of-Way Permit	\$	500.00	
64	Utility Accommodation Permit	\$	500.00	
65	<b>Street/Curb Cut Permit</b>	<b>\$</b>	<b>500.00</b>	
66				
67	Permit Fee after work has begun	Double	Required Fee	

	A	B	C	D
68	<b>Page 3</b>			
69	<b>SIGN PERMITS</b>			
70	(1 to 32 sq ft)	\$ 107.00		
71	(33 to 64 sq ft)	\$ 139.00		
72	(65 to 100 sq ft)	\$ 175.00		
73	(101 to 128 sq ft)	\$ 353.00		
74	Temporary permit (30 days)	\$ 30.00		
75	Off-Premise Sign	\$ 55.00		
76				
77	<b>AFFIDAVITS</b>			
78	HVAC, Electrical, Plumbing Only Permits	\$ 50.00 (Residential Only)		
79	HVAC, Electrical, Plumbing Affidavits	\$ 75.00 (Commercial)		
80	Georgia State Energy Code Affidavits	\$ 75.00 (Commercial)		
81				
82	<b>RE-PERMITTING FEES (After Expiration Date)</b>			
83	Single Family	Full Charge		
84	Non-Residential/Multi-Family	Full Charge		
85	All others	Full Charge		
86	After Revocation	Full Charge		
87				
88	<b>CERTIFICATE OF OCCUPANCY FEES</b>			
89	Single Family	\$ 100.00		
90	Duplex	\$ 100.00		
91	Multi-Family/Apartments	\$ 100.00		
92	Townhome/Condominium	\$ 100.00		
93	Commercial	\$ 300.00		
94	Temporary/Conditional C.O.	\$ 100.00		
95	Certificate of Completion	\$ 100.00		
96	Swimming Pool	\$ 100.00		
97	Compliance Inspection - Structure	\$ 100.00		
98	Compliance Inspection - Trade	\$ 100.00		
99				
100				
101				

	A	B	C	D
102	<b>Page 4</b>			
103	<b>PLAN REVIEW FEES</b>			
104	Tree Protection Plan	\$ 1,000.00		
105	Buffer & Landscape Plan	\$ 1,000.00		
106	Exemption Plats/Lot Splits	\$ 1,000.00		
107	Clearing & Grubbing Plan	\$ 1,000.00		
108	Grading Plan	\$ 1,000.00		
109	Grading - Earth Borrow Sites	\$ 525.00		
110	Concept Plan (Residential)	\$ 525.00		
111	Concept Plan (Commercial)	\$ 525.00		
112	Preliminary Plat (Residential Subdivision)	\$ 2,500.00 or \$15.00 per lot, whichever is greater		
113	Site Plan (Commercial)	0-5 acres = \$1,500.00, 5-10 acres = \$2,500.00,		
114		10-20 acres = \$3,500.00, 20 acres or greater = \$4,500.00		
115				
116	Final Plat	\$ 2,000.00 or \$15.00 a lot, whichever is greater		
117	Final Plat Filing Fee	Residential - \$10.00 (per lot)		
118		Commercial - \$50.00 (per lot)		
119				
120	Re-review of any plan after 2nd resubmittal	25% of original fee		
121	Revision of Plan/Plat (After initial approval)	25% of original fee		
122	Convenience Fee (3rd party plan review)	Same as subject plan review fee		
123				
124	Interior Finish Review Fee	\$ 1,000.00		
125				
126	<b>BUILDING PLAN REVIEW FEES</b>	<i>(2 COPIES OF PLANS)(16 COPIES OF RECORDED PLAT)</i>		
127	Multi-Family and Non-Residential	(5,000sf or less) = \$1,500.00, (5,000 - 10,000sf) = \$2,500.00,		
128		(10,000 - 30,000sf) = \$3,500.00, (Greater than 30,000sf) = \$5,000.00		
129	Residential (Required for 3,000 Sq. Ft. or Greater)	\$ 525.00		
130	Structural Wall Review Fee	City's Cost + \$125 Administrative Fee		
131	Specialized Review Fee	City's Cost + \$125 Administrative Fee		
132	Maximum Review Fee	\$ 5,000.00		
133				
134	<b>LAND DISTURBANCE PERMIT FEES</b>			
135	Clearing Permit - no land disturbances	Residential \$15.00/acre or \$300.00 whichever is greater		
136		Commercial \$15.00/acre or \$300.00 whichever is greater		
137				
138	Clearing & Grubbing Permit	Residential \$15.00/acre or \$300.00 whichever is greater		
139		Commercial \$15.00/acre or \$300.00 whichever is greater		
140				
141	Grading Permit	Residential \$75.00/acre or \$2,000.00 whichever is greater		
142		Commercial \$75.00/acre or \$2,000.00 whichever is greater		
143				
144	Development Permit	Residential S/D \$25.00/lot or \$2,000.00 whichever is greater		
145		Multi-Family Residential \$10.00/unit or \$2,000.00 whichever is greater		
146		Non-Residential S/D \$50.00/acre or \$3,000.00 whichever is greater		
147				
148				

	A	B	C	D
149	<b>Page 5</b>			
150				
151	<b>REZONING</b>			
152	AG, R-1100, R-1200, R-1400, R-1600, TRD			
153				
154	<u>Base Fee</u>			
155	0-5 acres	\$ 500.00		
156	5-10 acres	\$ 750.00		
157	10-20 acres	\$ 1,000.00		
158	20-50 acres	\$ 1,500.00		
159	50 plus acres	\$ 2,000.00 plus \$30.00 per each acre over 50		
160	Maximum fee	\$ 3,000.00		
161				
162	R-TH, R-SR, R-MD, MH			
163				
164	<u>Base Fee</u>			
165	0-5 acres	\$ 1,000.00		
166	5-10 acres	\$ 1,500.00		
167	10-20 acres	\$ 2,000.00		
168	20-50 acres	\$ 3,000.00		
169	50 plus acres	\$ 4,000.00 plus \$40.00 per each acre over 50		
170	Maximum fee	\$ 5,000.00		
171				
172	C-1, C-2, C-3, O-I, M-1, M-2, PMUD			
173				
174	<u>Base Fee</u>			
175	0-5 acres	\$ 1,000.00		
176	5-10 acres	\$ 1,500.00		
177	10-20 acres	\$ 2,000.00		
178	20-50 acres	\$ 3,000.00		
179	50 plus acres	\$ 4,000.00 plus \$50.00 per each acre over 50		
180	Maximum fee	\$ 5,000.00		
181				



	A	B	C	D
182	<b>Page 6</b>			
183	<b>SANITATION FEES</b>			
184				
185	Residential Sanitation	\$ 288.00/year for 1-2 cans		
186	Commercial Sanitation	\$ 445.00/year for 1-2 cans		
187		\$ 645.00/year for 3-4 cans		
188		\$ 845.00/year for 5-6 cans		
189	Recycling	Free		
190	Removing Appliances	\$ 25.00 per appliance		
191	Leaf Removal	Free		
192	Limb Chipping	\$ 30.00 per 1/2 hour		
193	Mattress / Box Spring	\$ 25.00 per item		
194	Bulk Item	Call for Pricing		
195	Trash Can	\$ 55.00 per 95 Gallon can		
196				
197	Park Reservations	Free to City Residents		
198		\$ 35.00 for 4 hours for nonresidents		



**The Proposed Development:**

The Applicant has requested annexing the 4.52-acre site into the City of Dacula and rezoning the subject property from RA200 (Agriculture-Residence District, Gwinnett County) to C-2 (General Commercial District, City of Dacula) to allow for commercial uses. Application materials indicate that the applicant intends to develop the property for a convenience store with gas pumps, fast food restaurant and/or retail shops.

The site plan for the corner lot depicts two (2) access points; one for each road. Each access point has a dedicated right turn lane. The Harbins Road access point is restricted to right-in, right-out access. The internal site drive lanes provide direct access to each proposed tract and the adjacent northern property for potential future development. An increase in traffic is likely due to visiting customers and the commercial nature of the businesses. Staff notes that a traffic signal for the Harbins Rd and West Drowning Creek Rd intersection has been permitted by Gwinnett County Department of Transportation.

The northern and eastern property boundaries currently abut unincorporated residentially zoned properties, which requires an undisturbed buffer per Article XI of the Zoning Resolution. The Applicant has proposed replacing the 75' undisturbed buffer with a 25' landscape buffer on the northern and eastern property boundary for screening.

The City of Dacula's 2019 Comprehensive Plan labels the subject property as Community Mixed Activity Use Center on the Future Land Use Map. Community Mixed Use land uses are defined as "relatively large-scale (40,000 to 100,000 square feet) of commercial, office, and institutional facilities which serve surrounding neighborhoods. They may include some mix of uses, including commercial areas that primarily cater to the community as a whole" (The City of Dacula, Georgia 2019 Comprehensive Plan, page 7.14). The proposed commercial uses follows the description of Community Mixed Use. Furthermore, the Gwinnett County 2040 Unified Plan designates the subject parcel within the Innovation District, which is consistent with the proposed uses.

**Summary:**

A convenience store and restaurant would remain consistent with the emerging commercial development pattern surrounding the intersection of Harbins Road and West Drowning Creek Road and could therefore, be approved as requested. However, conditions should be placed on the property to ensure that adverse impacts are not introduced onto neighboring or adjacent properties. As such, the Department recommends that the requested annexation and rezoning be approved with conditions at this location.

### Comprehensive Plan:

The subject parcel is designated as a Community Mixed Activity Use Center on the City of Dacula's 2030 Future Development Map and designated Innovation District on the Gwinnett County 2040 Unified Plan.

The analysis of the application should be made based upon the "Standards Governing Exercise of the Zoning Power" as stated in Section 1702 of The 2000 Zoning Resolution of the City of Dacula.

**1. *Whether the proposed annexation and rezoning will permit a use that is suitable in view of the use and development of an adjacent and nearby property?***

The requested C-2 zoning is consistent with the emerging commercial nature of the intersection and the recently approved planned mixed-use development across Harbins Road. Therefore, the proposed commercial zoning could be considered suitable as proposed.

**2. *Whether the proposed annexation and rezoning will adversely affect the existing use or usability of adjacent or nearby properties?***

With the recommended conditions, adverse impacts on surrounding properties would be mitigated and minimized.

**3. *Whether the property to be affected by the proposed annexation and rezoning has a reasonable economic use as currently zoned?***

Yes, the property has reasonable economic use as currently zoned.

**4. *Whether the proposed annexation and rezoning will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools?***

With the proposed conditions, excessive and burdensome use of existing streets, transportation facilities, or utilities would be minimized.

**5. *Whether the proposed annexation and rezoning request is in conformity with the policy and intent of the Land Use Plan?***

The requested C-2 zoning is consistent with the Community Mixed Activity Use Center designation of the 2030 Future Land Use Map indicating the requested C-2 zoning could be considered appropriate as proposed.

**6. *Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the proposed rezoning?***

The subject property is located in the northwest quadrant of the intersection of SR 316 (state freeway) and Harbins Road (major collector). Furthermore, the Harbins 316 planned mixed-use development is located across the street. The proposed development would provide a logical transition of intensity between SR 316 and the existing residential uses located along this portion of Harbins Road.

## Recommendation:

Based upon the application, the requested annexation and rezoning is recommended for **approval with conditions**.

*The Department notes the Planning Commission unanimously recommended approval with staff's revised conditions (dated August 29, 2022) at the Public Hearing on August 29, 2022. Said conditions are below; September 29, 2022 updates are in **bold**:*

### Concept Plan and Land Use

1. The property shall be developed for general business, commercial, and/or office uses only. Any substantial deviation from the approved conditions of zoning shall be resubmitted to the Mayor and City Council for consideration. The City Administrator shall determine what constitutes substantial deviation.
2. Only one (1) convenience store with gas pumps shall be permitted.
3. Only one (1) fast food restaurant with ~~or without~~ drive-thru windows and/or curb service shall be permitted. A fast food restaurant shall be defined as any establishment which dispenses food for consumption on or off the premises, and which has the following characteristics: a limited menu, items prepared in advance or prepared or heated quickly, no table orders, and food served in disposable wrapping or containers. Said definition shall exclude restaurants with drive-thru services whose primary product focuses on specialty coffees or donuts and exclude restaurants without a drive-thru in a multi-tenant building.
4. The following uses shall be prohibited:
  - a. Outdoor storage
  - b. Car Wash
  - c. Taxidermist
  - d. Automobile, muffler, and/or brake shop
  - e. Automobile, Tune-up shop
  - f. Contractor's office
  - g. Residential or community shelter
  - h. Automotive sales lots and associated service facilities (new or used)
  - i. Boarding and rooming houses
  - j. Quick oil change store
  - k. Tire store
  - l. Van, moving, or truck rental

- m. Auto body repair shop
- n. Building materials sales with outdoor storage
- o. Heavy equipment and farm equipment rental or sales and service
- p. Mobile home or mobile building leasing or sales lots (new or used)

### Architectural Design

5. All building exteriors shall be constructed of brick, stone or stucco. All buildings shall have flat roofs with architectural treatments to include canopies and parapets. Mechanical, HVAC and like systems shall be screened from street level on all sides by an opaque wall of brick, stucco, split faced block, or similar material approved by the Department of Planning and Development. Architectural design **of multi-tenant buildings** shall lend the appearance of multi-tenant occupancy; facades of multi-tenant buildings shall be varied in depth and parapet height. Final architectural plans and color palate shall be submitted to the City for approval.
6. Elevated or roof mounted mechanical, HVAC and like systems shall be positioned in such a way as to not be visible from the front street level or parking areas of the development. Final architectural plans and color palate shall be submitted to the Department of Planning and Development for approval.
7. Chain link fence shall be prohibited except around the stormwater management pond.

### Landscaping and Parking

8. ~~15~~ **10**-foot wide landscape strips shall be provided along the commercial tract frontage of Harbins Road and West Drowning Creek Road. The landscape strips shall be planted so as to not impede sight distance along said roads. A landscape plan shall be submitted to the City for approval prior to the issuance of a development permit.

Provide non-ornamental shade trees spaced 30-feet on-center along the Harbins Road and West Drowning Creek Road rights-of-way and along the southern side of the rear access drive. All street trees shall be a minimum 3-inch caliper (dbh) at the time of planting. Street trees shall be planted at least six-feet from back-of-curb subject to review and approval of the City of Dacula and Gwinnett Department of Transportation.

Street trees shall be of one or a combination of the following species:

- a. Willow Oak
- b. Overcup Oak
- c. Nuttal Oak
- d. Pin Oak

- e. Shumard Oak
  - f. Lacebark Elm
  - g. Japanese Zelkova
9. The required undisturbed buffer along the rear and side property line shall be eliminated and replaced with **25-20-foot** wide landscape strips. Landscape strips shall be planted with a single row of Leyland Cypress trees, planted 30-foot on center. **The buffer can be eliminated after a Development Permit has been issued on adjacent property for commercial use.**
  10. A parking lot landscape plan shall be submitted to the City for approval prior to a development permit issuance. At a minimum, the landscape plan shall include monument sign locations and should ensure that each parking island/strip will have a minimum of one (1) ornamental shade tree per 25 feet. Fifty (50) percent of all parking area trees shall be a minimum of 2-inch dbh caliper and fifty (50) percent shall be a minimum of 3-inch dbh caliper.
  11. All trash dumpsters shall be screened by an enclosure using the same exterior building material as the adjacent occupied buildings. Pickup shall be limited to the hours of 7:00 a.m. to 9:00 p.m. Monday through Saturday. Dumpster enclosures shall remain closed, locked, and in good repair at all times.
  12. Specimen trees on-site shall be saved when feasible.
  13. Natural vegetation shall remain on the property until issuance of a land disturbance permit.

### Signage and Advertising

14. Oversized signs or billboards shall not be permitted.
15. Ground signage shall be limited to one monument-type sign for each commercial lot **fronting Harbins Road**. Each sign is limited to a maximum 50-square foot of advertising space. Monument signs shall not exceed a maximum of 6-foot in height and shall be constructed with a brick base (minimum two feet in height) matching the materials of the buildings. Neon signs shall be prohibited. Signs shall be set back 15-feet from right-of- way of Harbins Road and located so as to not impede site distance along Harbins Road. Sign location and design subject to review and approval by the City of Dacula.
16. Blinking, exposed neon, portable, inflatable and temporary signage shall be prohibited.
17. No tents, canopies, temporary banners, streamers or roping decorated with flags, tinsel, or other similar material shall be displayed, hung, or strung on the site without appropriate

permit(s). No decorative balloons or hot-air balloons shall be displayed on the site.

18. Live human advertisement shall be prohibited within the subject area. This includes, but is not limited to, sign spinners, twirlers, dancers, clowns, and / or other similar temporary advertising methods commonly provided by costumed or animated humans.

### Transportation and Infrastructure

19. A five-foot sidewalk shall be required adjacent to Harbins Road and West Drowning Creek Road rights-of-way. The sidewalk location shall be reviewed and approved by the City of Dacula and Gwinnett County Department of Transportation.
20. A five-foot wide sidewalk shall be required along the rear access drive. Sidewalk shall be constructed with an additional 2-foot by 8-foot pad approximately every 300 linear feet to accommodate pedestrian amenities such as benches, planters, and trash containers. All such required amenities shall be decorative, commercial-quality fixtures. Sidewalk design and placement of any of these amenities shall be reviewed and approved by the City of Dacula.
21. Prior to the issuance of a development permit, the developer shall complete a Traffic Impact Study for the site. The study shall be submitted to the City of Dacula and GCDOT Traffic Engineering for review and approval. Recommended improvements shall be completed at the owners/developer's expense prior to the issuance of any certificates of occupancy for the development.
22. Coordinate with Harbins 316 planned mixed-use development to provide a full center turn lane along Harbins Road in lieu of a right-in, right-out drive lane, as required by Gwinnett County DOT.
23. Align West Drowning Creek Road entrance with the proposed driveway for DRI 3700 (Harbins 2) as feasible. The entrance location shall be reviewed and approved by the City of Dacula.
24. Provide a sight distance verification for each driveway. The number, location and design of all access driveways will be subject to review and approval by GCDOT Traffic Engineering and the City Of Dacula.
25. Widening/entrance plans shall be submitted for review and approval by the City of Dacula and Gwinnett County Department of Transportation. It shall be the responsibility of the applicant to secure at no cost to Gwinnett County all necessary right-of-way to implement the required improvements.
26. Provide decorative light poles / fixtures adjacent to (not on) Harbins Road right-of-way and the rear access drive. Streets lights shall be staggered, 150 feet on-center. Light poles shall be black and a maximum 20 feet high. All street lighting shall be subject to review and approval of the City of Dacula and Gwinnett County Department of Transportation. Where



applicable, streetlights shall be placed adjacent to required pedestrian amenity sidewalk pads. The property owner shall be responsible for street light maintenance and lighting fees. A separate lighting plan showing type of light and locations shall be submitted to the City for review and approval.

27. Parking lot lighting shall be directed in toward the property so as not to shine directly onto adjacent properties.
28. All new utility lines shall be located underground. The developer shall be responsible for the relocation of public or private utilities and stormwater infrastructure.
29. Utilities shall be placed on the developer's property whenever possible, appropriate access and maintenance easements shall be filed at the time of final plat approval for any one parcel or section of the subject development.
30. All vehicular access onto the proposed rear access drive must meet the City of Dacula's project access improvement standards of a public road. All improvements shall be provided by the developer.
31. Interparcel access drive shall be provided to parcel #5277 043.

Page 1  
APPLICATION FOR ANNEXATION  
CITY OF DACULA  
P. O. BOX 400  
DACULA, GEORGIA 30019-0007

Ordinance No.: \_\_\_\_\_ Date: 5/26/2022

Final Approval Date: \_\_\_\_\_ Application No.: 2022-CD-AA-02

I Hereby Request That The Property Described In This Application Be Annexed Into The Dacula City Limits With a Zoning Classification of C2

Address of Property to Be Annexed: NWC of Harbins Road & W. Drowning Creek Road, Dacula, GA 30019

Area: 4.52 Acres, or 196,796 Square Feet \_\_\_\_\_ Tax Map Number R5277 077

**Owner of Property** James Roy Greeson \*Other owners included on attached sheet.

Telephone Number 706-342-1650

Address 109 Idlewood Acres, Hartwell, GA 30643

**Applicant** Retail Planning Corporation

Telephone Number 770-956-8383

Address 35 Johnson Ferry Road, Marietta, Georgia 30068

*If the Owner and Applicant Are Not the Same, Please Complete Attachment 1.*

Resident Population 0 Housing Units 0 Other Buildings 1

Race Population n/a White n/a Black n/a Other \_\_\_\_\_

A. Reasons For Requesting Annexation: *Give a brief summary of the reasons for requesting annexation:* \_\_\_\_\_  
To rezone property to a commercial use in the City of Dacula

B. Site Plan - All site plans shall draw the location of existing buildings and other improvements to the property.

C. Property Description - A written legal description and recent plat of the property to be submitted.

D. Meeting Dates and Processing of Applications - See Attachment 2.

E. Fee - \$2,250.00

F. Authorization To Inspect Premises - I hereby authorize the Dacula City Council to inspect the premises which are the subject of this annexation application.

G. Petition Requesting Annexation - *Attachment 3 must be completed by owners.*

H. Annexation Questionnaire - *Attachment 4 must be completed.*

  
\_\_\_\_\_  
Signature of Applicant

PETITION REQUESTING ANNEXATION  
CITY OF DACULA, GEORGIA

Date: 5/26/2022

TO THE HONORABLE CITY COUNCIL OF THE CITY OF DACULA, GEORGIA

- 1. The undersigned, as owner of all real property of the territory described herein, respectfully requests that the City Council annex this territory to the City of Dacula, Georgia, and extend the City boundaries to include the same.
- 2. The territory to be annexed abuts the existing boundary of Dacula, Georgia, and the description of such territory area is as follows:

Address/Location of Property: \_\_\_\_\_

NWC of Harbins Road and West Drowning Creek Road, Dacula, Georgia 30019

Tax Map Number R5277 077

*See Attached Description.*

- 3. It is requested that this territory to be annexed shall be zoned C2 for the following reasons: Development of a retail use.

WHEREFORE, the Petitioners pray that the City Council of the City of Dacula, Georgia, pursuant to the provisions of the Acts of the General Assembly of the State of Georgia, Georgia Laws, do by proper ordinance annex said property to the City Limits of the City of Dacula, Georgia.

Respectfully Submitted,

Owners Address: James Roy Greeson

109 Idlewood Acres, Hartwell, Georgia 30643

\*Additional Owners attached.

## \*Annexation Property Owners – Continued

Pervie Venable Greeson, Jr.

335 Lipscomb Spur

Social Circle, GA 30025

706-342-1650

The Estate of Marion Laverne Rogers c/o Ronnie Wayne Dutton, Jr., Executor

6412 Cutcane Road

Mineral Bluff, GA 30559

706-342-1650

PROPERTY OWNER AUTHORIZATION

City of Dacula

Application for Annexation

I Swear That I Am The Owner Of The Property Which Is The Subject Matter Of the Attached Application, As Is Shown In The Records Of Gwinnett County, Georgia.

I Authorize The Person Named Below To Act As Applicant In The Pursuit Of An Annexation Request Of This Property.

Name Of Applicant: Retail Planning Corporation, c/o Charlie Heard

Address: 35 Johnson Ferry Road

City: Marietta State: GA Zip Code: 30068

Telephone Number: 770-956-8383

  
\_\_\_\_\_  
Signature of Owner

PROPERTY OWNER AUTHORIZATION

City of Dacula

Application for Annexation

I Swear That I Am The Owner Of The Property Which Is The Subject Matter Of the Attached Application, As Is Shown In The Records Of Gwinnett County, Georgia.

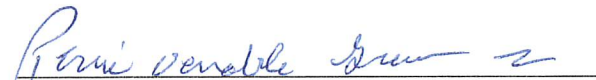
I Authorize The Person Named Below To Act As Applicant In The Pursuit Of An Annexation Request Of This Property.

Name Of Applicant: Retail Planning Corporation, c/o Charlie Heard

Address: 35 Johnson Ferry Road

City: Marietta State: GA Zip Code: 30068

Telephone Number: 770-956-8383

  
\_\_\_\_\_  
Signature of Owner

PROPERTY OWNER AUTHORIZATION

City of Dacula

Application for Annexation

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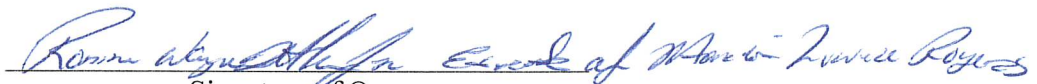
I Authorize The Person Named Below To Act As Applicant In The Pursuit Of An Annexation Request Of This Property.

Name Of Applicant: Retail Planning Corporation, c/o Charlie Heard

Address: 35 Johnson Ferry Road

City: Marietta State: GA Zip Code: 30068

Telephone Number: 770-956-8383

  
Signature of Owner

City of Dacula  
Annexation Questionnaire  
Please Type or Print

Property Owner

Name: James Roy Greeson

Address: 109 Idlewood Acres, Hartwell, GA 30643

\*Additional Owners attached.

Business Phone: 706-324-1650

Home Phone:

Address of Property to be Annexed: NWC of Harbins Road and West Drowning Creek Road, Dacula, GA 30019

Petitioner (if different)

Retail Planning Corporation

35 Johnson Ferry Road

Marietta, GA 30068

770-956-8383

Gwinnett County Zoning RA200

Property Annexed as C2

Description: General Business District

District: 5 Land Lot: 277 Parcel: R5277 077

Assessed Value: \$53,040.00 Acreage: +/- 4.52

List each adult living on site:

n/a

List number of Individuals by race:

n/a

Describe any other structure(s) on site:

Dilapidated wood barn, 828 square feet footprint

Petitioner(s) Retail Planning Corporation, c/o Charles F. Heard, Jr.

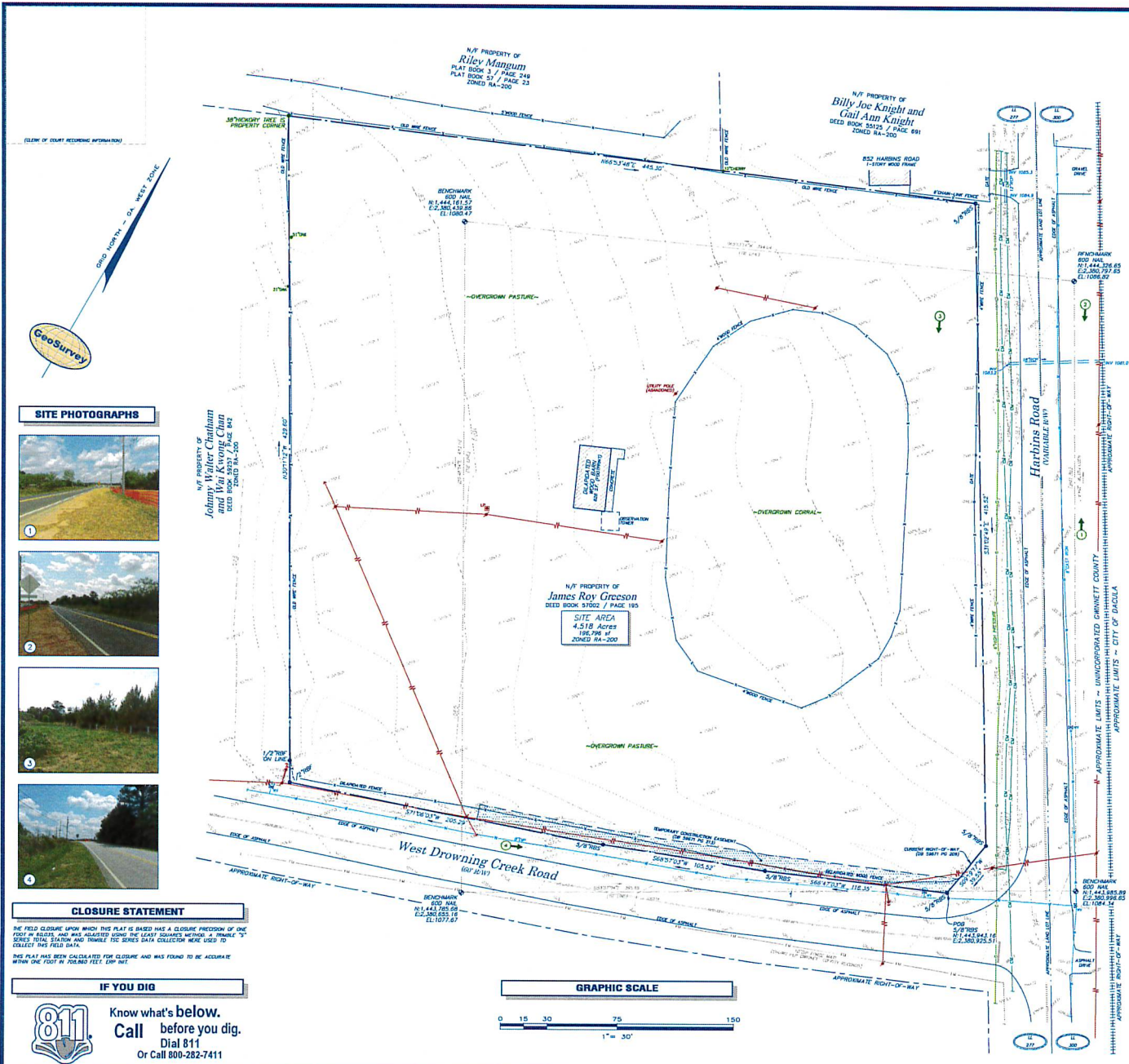


***Legal Description – Harbins Road @ West Drowning Creek Road***

All that tract or parcel of land lying or being in Land Lot 277, 5th District, Gwinnett County, Georgia, and being more particularly described as follows:

Beginning at a 5/8-inch rebar set at the southwest corner of the right-of-way intersection mitre of Harbins Road (Variable Right-of-Way) and West Drowning Creek Road (60-foot Right-of-Way) and the TRUE POINT OF BEGINNING; thence along the right-of-way of West Drowning Creek Road (60-foot R/W) South 66 degrees 47 minutes 03 seconds West for a distance of 118.35 feet to a 5/8-inch rebar set; thence continuing along said right-of-way South 68 degrees 57 minutes 03 seconds West for a distance of 105.52 feet to a 5/8-inch rebar set; thence continuing along said right-of-way South 71 degrees 06 minutes 03 seconds West for a distance of 205.29 feet to a 1/2-inch rebar found; thence leaving said right-of-way of West Drowning Creek Road North 30 degrees 11 minutes 12 seconds West for a distance of 429.60 feet to a 38" Hickory Tree; thence North 66 degrees 53 minutes 48 seconds East for a distance of 445.30 feet to a 5/8-inch rebar set on the right-of-way of Harbins Road (Variable R/W); thence continuing along said right-of-way South 31 degrees 02 minutes 49 seconds East for a distance of 415.52 feet to a 5/8-inch rebar set; thence along the right-of-way South 09 degrees 19 minutes 17 seconds West for a distance of 39.55 feet to a 5/8-inch rebar set and the TRUE POINT OF BEGINNING.

Said tract of land contains 4.518 Acres.



**UTILITY NOTE**

THE UNDERGROUND UTILITIES SHOWN HEREIN ARE BASED ON LOCATION OF MARKINGS PROVIDED BY UTILITY SURVEY, LLC. 1227 NORTH PEACHTREE PARKWAY, STE 178, REAGH STREET CITY, GA 30309

THE UNDERGROUND UTILITIES EXCEPT THE LOCATION OF EXISTING DRAINAGE, SEWER AND IRRIGATION UTILITIES AS WELL AS UNDERGROUND STORAGE TANKS WERE LOCATED BY UTILITY SURVEY, LLC USING RADIO FREQUENCY TECHNIQUE. THIS TECHNIQUE IS CAPABLE OF LOCATING METALLIC UTILITIES AND IS NOT CAPABLE OF LOCATING NON-METALLIC UTILITIES (WITHOUT TRACER WIRE) WHICH ARE NOT LOCATED.

THE SURVEYOR MAKES NO GUARANTEES THAT THE UNDERGROUND UTILITIES SHOWN CORRESPOND TO ALL SUCH UTILITIES IN THE AREA. OTHER UNDETECTED OR ABANDONED UNDERGROUND UTILITIES NOT OBSERVED OR LOCATED THROUGH THIS TECHNIQUE MAY EXIST ON THIS SITE BUT WILL NOT BE SHOWN, AND MAY BE FOUND UPON EXCAVATION. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED ALTHOUGH THE SURVEYOR DOES CERTIFY THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM INFORMATION AVAILABLE.

INFORMATION REGARDING MATERIAL AND SIZE OF UTILITIES IS BASED ON RECORDS ACQUIRED FROM THE UTILITY OWNERS.

**LEGEND**

STANDARD ABBREVIATIONS	STANDARD SYMBOLS
AC - AIR CONDITIONER	PF - POWER POLE
BI - BORE HOLE	DI - DRY WIRE
BT - BUILDING TRACK LINE	FL - FLOW LINE
CI - CURB ISLET	LI - LIGHT POLE
CMF - CORRUGATED METAL PIPE	ET - ELECTRIC TRANSFORMER
CO - CONCRETE FOUNDATION FND	WV - WATER VAULT
CS - SANITARY CLEANOUT	GV - GAS VALVE
CIP - CORRUGATED PEDESTAL	GW - GAS W/EL
CTP - CHIMNEY TOP PIPE	WV - WATER VALVE
DR - DRAIN	WM - WATER METER
DU - DUCTILE IRON PIPE	EW - ELEC W/EL
DM - DRAIN W/EL MISC CATCH BASIN	UW - UNDERGROUND WATER
FND - FOUND	UC - UNDERGROUND COMMUNICATION LINE
GL - GAS LINE	UL - UNDERGROUND WATER LINE
GI - GAS ISLET	PI - PHOTO POSITION INDICATOR
J - JUNCTION BOX	PP - PUBLIC PARKING SPACE
MA - MANSARD	HP - HANDBIC PARKING SPACE
NA - NAIL FENCE	TR - TREE POSITION INDICATOR
NS - NAIL FENCE CONTROL STRUCTURE	SD - SIGN
OT - OPEN TOP PIPE	
PC - POINT OF CONCERNMENT	
POB - POINT OF BEGINNING	
RC - REINFORCED CONCRETE PIPE	
RI - IRON REINFORCED BAR	
RS - 3/8\"/>	

**PROPERTY DESCRIPTION**

All that tract or parcel of land lying or being in Land Lot 277, 5th District, Chatham County, Georgia, and being more particularly described as follows:

Beginning at a 5/8-inch rebar set at the southwest corner of the right-of-way intersection miles of Harbins Road (Variable Right-of-Way) and West Drowning Creek Road (60-foot Right-of-Way) and the TRUE POINT OF BEGINNING thence along the right-of-way of West Drowning Creek Road (60-foot R/W) South 68 degrees 47 minutes 03 seconds West for a distance of 176.55 feet to a 5/8-inch rebar set thence continuing along said right-of-way South 68 degrees 57 minutes 03 seconds West for a distance of 125.52 feet to a 5/8-inch rebar set thence continuing along said right-of-way South 71 degrees 06 minutes 03 seconds West for a distance of 205.52 feet to a 1/2-inch rebar found thence bearing said right-of-way of West Drowning Creek Road North 20 degrees 11 minutes 12 seconds West a distance of 229.60 feet to a 3/8\"/>

**VICINITY MAP**



**GENERAL NOTES**

THIS SURVEY HAS BEEN PREPARED FOR THE EXCLUSIVE USE OF THE PERSON OR ENTITIES NAMED HEREON. NO EXPRESS OR IMPLIED WARRANTIES OR REPRESENTATIONS ARE MADE BY THE SURVEYOR WITH RESPECT TO THE INFORMATION SHOWN HEREON IS TO BE EXTENDED TO ANY PERSONS OR ENTITIES OTHER THAN THOSE SHOWN HEREON.

REVISIONS LISTED ON THIS SURVEY APPLY ONLY TO THE SPECIFIC CHANGES REFERENCED AND DO NOT CONSTITUTE AN UPDATE OF OTHER DATA ON THIS SURVEY. THE "SURVEY DATE" SHOWN HEREON IS THE APPLICABLE DATE AS RELATED TO PROVISIONS OF STATUTES OF LIMITATION UNLESS SPECIFICALLY NOTED OTHERWISE.

THIS SURVEY HAS BEEN PREPARED WITHOUT THE BENEFIT OF A CURRENT TITLE INSPECTION REPORT. EASEMENTS OF OTHER ENCUMBRANCES MAY EXIST ON PUBLIC RECORD BUT NOT BE SHOWN HEREON.

THIS AREA IS DESIGNATED AS A SPECIAL FLOOD HAZARD AREA BASED ON THE AREA FLOOD INSURANCE RATE MAP FOR THIS AREA. THE MAP NUMBER FOR THIS AREA IS 1345004000. THE DATE OF THIS FLOOD HAZARD MAP IS SEPTEMBER 29, 2006. THIS DETERMINATION WAS MADE BY GRAPHICALLY DETERMINING THE POSITION OF THIS SITE ON SAID FIRM MAPS UNLESS OTHERWISE NOTED.

PLEASE NOTE: HARDWOOD TREES 28-INCH DBH, SOFTWOOD TREES 30-INCH DBH, UNDERSTORY TREES 12-INCH DBH (DIAMETER AT GREATEST HEIGHT) AND LARGER WERE LOCATED FOR THIS SURVEY.

THE DATUM FOR THIS SITE WAS ESTABLISHED UTILIZING GLOBAL POSITIONING SYSTEMS, AND BASED ON POSITIONAL VALUES FOR THE VERTICAL REFERENCE STATION NETWORK DEVELOPED BY NORTH AMERICANS. THE HORIZONTAL REFERENCE FRAME IS NORTH AMERICAN DATUM OF 1983 (NAD 83) - STATE PLANE COORDINATE SYSTEM OF GEORGIA - WEST ZONE. THE VERTICAL REFERENCE FRAME IS NORTH AMERICAN VERTICAL DATUM OF 1988. ANY DIRECTIONS OR DIMENSIONS SHOWN ARE A RECTANGULAR GRID LEVEL PROJECTION OF THE STATE PLANE COORDINATE SYSTEM.

NO ZONING REPORT OR ZONING LETTER WAS PROVIDED TO THE SURVEYOR. THE SITE IS ZONED "RA-200" (AGRICULTURE-RESIDENCE DISTRICT) AS SHOWN ON THE ZONING MAP OF CHATHAM COUNTY. THE MINIMUM YARD SETBACKS ARE: FRONT - 25 OR 30 FEET; SIDE - 20 FEET; AND REAR - 40 FEET.

ZONING AND SETBACKS SHOULD BE CONFIRMED AND VERIFIED BY PLANNING AND ZONING PRIOR TO BEGINNING OF CONSTRUCTION ACTIVITIES.

RIGHT-OF-WAY LINES SHOWN ON THIS SURVEY THAT ARE NOT ACTUAL BOUNDARIES OF THE SUBJECT TRACTS ARE SHOWN GRAPHICALLY AND ARE SHOWN APPROXIMATELY FOR INFORMATIONAL PURPOSES. RIGHT-OF-WAY LINES SHOULD NOT BE UTILIZED FOR DESIGN PURPOSES.

**SURVEY REFERENCES:**

1. SURVEY FOR ESTATE OF PERMIE V. GRESHAM, SR., DATED JULY 31, 1996, PREPARED BY BORGES AND ASSOCIATES, RECORDED IN GWINNETT COUNTY RECORDS, PLAT BOOK 21, PAGE 249.
2. QUADRIPLATE PLAT DATED MAY 30, 1978, PREPARED BY HANNON, WESS & BARKWELL, SURVEYORS & ENGINEERS, INC., RECORDED IN GWINNETT COUNTY RECORDS, PLAT BOOK 1, PAGE 249.
3. SURVEY FOR HANDED & BEVELLY HANDEL, DATED AUGUST 21, 1982, PREPARED BY SURVEY SYSTEMS, RECORDED IN GWINNETT COUNTY RECORDS, PLAT BOOK 33, PAGE 24.

**SURVEYOR CERTIFICATION**

This plat is a retracement of an existing parcel or parcels of land and does not subdivide or create a new parcel or make any change to any real property boundaries. The recording information of the documents, maps, plats, or other instruments which created the parcel or parcels are related hereto. RECORDATION OF THIS PLAT DOES NOT IMPLY APPROVAL OF ANY LOCAL JURISDICTION. AVAILABILITY OF PERMITS COMPLIANCE WITH LOCAL REGULATIONS OR REQUIREMENTS OR SUFFICIENCY FOR ANY USE OR PURPOSE OF THE LAND. Furthermore, the undersigned land surveyor certifies that this plat complies with the minimum technical standards for property surveys in Georgia as set forth in the rules and regulations of the Georgia Board of Registration for Professional Engineers and Land Surveyors and as set forth in G.C.C.A. Section 15-8-87.

*David Hester*  
David Hester  
Land Surveyor # 3042

CHATHAM COUNTY  
NO. 3042  
DAVID HESTER  
LAND SURVEYOR

BOUNDARY AND TOPOGRAPHIC SURVEY

Harbins Road @ West Drowning Creek Road

FOR

**Retail Planning Corporation**

Land Surveying • 3D Laser Scanning

1660 Barnes Mill Road  
Marietta, Georgia 30062

Phone: (770) 795-9900  
Fax: (770) 795-8880

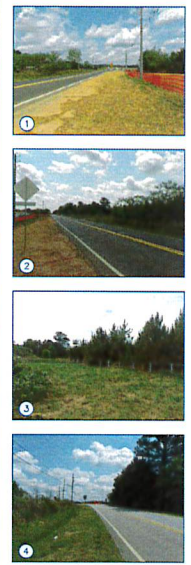
www.geosurvey.com  
EMAIL: info@geosurvey.com  
Certificate of Authorization #LSF-000621

CS JOB NO: 20227338  
FIELD WORK: SA  
PREP WORK: EPP  
REVIEWED: DLH  
DWG FILE: 20227338-1.dwg

DRAWING SCALE: 1" = 30'  
CITY: UNINCORPORATED  
COUNTY: GWINNETT STATE, GA  
LAND ID: 277  
BORTRC: 5th

SURVEY DATE: May 11, 2022  
REVISIONS: SEE CHECK NOTES  
1. 5/11/2022 All Log Descriptions  
2. 5/24/2022 All Data City Link Line

**SITE PHOTOGRAPHS**



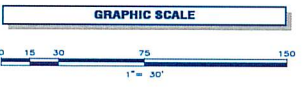
**CLOSURE STATEMENT**

THE FIELD CLOSURE UPON WHICH THIS PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 800,000 AND WAS ADJUSTED USING THE LEAST SQUARES METHOD. A "VIRTUAL" 5" STICKED TOTAL STATION AND TRIMBLE DSC DICES DATA COLLECTION WERE USED TO COLLECT THIS FIELD DATA.

DATA HAS BEEN COLLECTED FOR CLOSURE AND WAS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 200,000 FEET. (DIP INT)

**IF YOU DIG**

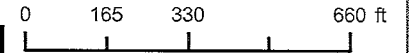
Know what's below.  
Call before you dig.  
Dial 811  
Or Call 800-282-7411





Gwinnett

R5277 077



Selection(s)

Property Parcels

County Boundary



N

5/16/2022



This map is a graphical representation of data obtained from aerial photography, recorded deeds, plats, engineering drawings and other public records and data. Gwinnett County does not warrant the accuracy or currency of the data it has provided and does not guarantee the suitability of the data for any purpose, expressed or implied. ALL DATA IS PROVIDED AS IS, WITH ALL FAULTS, WITHOUT WARRANTY OF ANY KIND, EITHER EXPRESSED OR IMPLIED, INCLUDING, BUT NOT LIMITED TO, THE IMPLIED WARRANTIES OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE. This map is the proprietary product of Gwinnett County and in no event will Gwinnett County be liable for damages, including any loss of profits, lost savings, or other incidental or consequential damages arising out of the use of or inability to use this map.

Actual 5 Map Layers 04-06-2022

## Adjoining Property Owners

1. R5277 037  
Johnny Walter Chatham & Wai Kwong Chan  
2348 W. Drowning Creek Road  
Dacula, Georgia 30019
  
2. R5277 003A  
Billy Joe & Gail Ann Knight  
801 Harbins Road  
Dacula, Georgia 30019
  
3. R5277 043  
Riley Mangum  
548 Ardery Road  
Paris, Kentucky 40361

ADJOINING PROPERTY OWNER(S)  
RECORD NOTIFICATION

DATE: \_\_\_\_\_

TO: Billy Joe & Gail Ann Knight  
(Sent by First Class Mail and Certified Mail - Return Receipt Requested)

FROM: Retail Planning Corporation, c/o Charlie Heard

RE: Proposed Change of Conditions Case #: \_\_\_\_\_

Proposed Rezoning / SUP Case #: \_\_\_\_\_

Property Location: 5th District, Land Lot 277 Parcel R5277 077

LOCATION/ADDRESS: NWC of Harbins Road and W. Drowning Creek Road  
Dacula, GA 30019

You are hereby notified that an application a zoning change from RA200  
to C2 has been submitted to the City of Dacula.

The proposed rezoning is contiguous to your property.

The PLANNING COMMISSION Public Hearing/Meeting will be held at the Dacula City Hall,  
442 Harbins Rd., Dacula, Georgia on 7/25/2022 at 6:30 P. M. in the Council Chambers.  
(date)

The CITY COUNCIL Public Hearing/Meeting will be held at the Dacula City Hall, 442 Harbins Rd.,  
Dacula, Georgia on 8/4/2022 at 7:00 P. M. in the Council Chambers.  
(date)

If you have any comments or concerns concerning this matter, please plan to attend the public  
hearings.

Thank you.

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RECORD NOTIFICATION

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(Sent by First Class Mail and Certified Mail - Return Receipt Requested)

FROM: Retail Planning Corporation, c/o Charlie Heard

RE: Proposed Change of Conditions Case #: \_\_\_\_\_

Proposed Rezoning / SUP Case #: \_\_\_\_\_

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Thank you.

ADJOINING PROPERTY OWNER(S)  
RECORD NOTIFICATION

DATE: \_\_\_\_\_

TO: Riley Mangum  
(Sent by First Class Mail and Certified Mail - Return Receipt Requested)

FROM: Retail Planning Corporation, c/o Charlie Heard

RE: Proposed Change of Conditions Case #: \_\_\_\_\_

Proposed Rezoning / SUP Case #: \_\_\_\_\_

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(date)

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Thank you.



City of Dacula  
P. O. Box 400  
Dacula, GA 30019  
(770) 962-0055 / Fax (770) 513-2187

**REZONING/ CHANGE OF CONDITIONS/ SPECIAL USE PERMIT APPLICATION**

AN APPLICATION TO AMEND THE OFFICIAL ZONING MAP OF THE CITY OF DACULA, GEORGIA.  
(Please Type or Print using BLACK INK)

APPLICANT *	PROPERTY OWNER *
NAME <u>Retail Planning Corporation</u>	NAME <u>James Roy Greeson</u>
ADDRESS <u>35 Johnson Ferry Road</u>	ADDRESS <u>109 Idlewood Acres</u>
CITY <u>Marietta</u>	CITY <u>Hartwell</u>
STATE <u>GA</u> ZIP <u>30068</u>	STATE <u>GA</u> ZIP <u>30643</u>
PHONE <u>770-956-8383</u> FAX _____	PHONE <u>706-342-1650</u> FAX _____
	*Additional Property Owners Attached

**APPLICANT IS THE:**

- OWNER'S AGENT
- PROPERTY OWNER
- CONTRACT PURCHASER

CONTACT PERSON Charlie Heard

COMPANY NAME Retail Planning Corporation

ADDRESS 35 Johnson Ferry Road  
Marietta, GA 30068

PHONE 770-956-8383 FAX \_\_\_\_\_

*\* Include any person having a property interest and/or a financial interest in any business entity having property interest (use additional sheets if necessary).*

PRESENT ZONING DISTRICT(S) RA200 REQUESTED ZONING DISTRICT C2

LAND LOT(S) 277 PARCEL # R5277 077 DISTRICT(S) 5 ACREAGE 4.52

PROPOSED DEVELOPMENT OR SPECIAL USE REQUESTED Retail Development

<u>RESIDENTIAL DEVELOPMENT:</u>	<u>NON-RESIDENTIAL DEVELOPMENT:</u>
NO. OF LOTS/DWELLINGS UNITS _____	NO. OF BUILDINGS/LOTS <u>2</u>
DWELLING UNIT SIDE (SQ. FT.) _____	TOTAL GROSS SQ. FEET <u>+/- 7,491</u>

**LETTER OF INTENT & LEGAL DESCRIPTION OF PROPERTY**

\*\*\* PLEASE ATTACH A "LETTER OF INTENT" EXPLAINING WHAT IS PROPOSED and TYPED "LEGAL DESCRIPTION" OF PROPERTY TO BE AMENDED \*\*\*

CASE NUMBER 2022-CD-KZ-02





ARCHITECTURE  
ENGINEERING

2440 Pleasant Hill Road  
Suite 200  
Duluth, Georgia 30096  
770.622.1455  
770.622.9355  
www.hfrplanning.com

Professional Seal  
Professional Stamp  
Professional License  
Professional Registration  
Professional Title  
Professional Address  
Professional City  
Professional State  
Professional Zip  
Professional Country

Scale:

Harbins Rd. and W. Drowning Creek Rd.  
City of Decatur, Gwinnett County, GA  
For: Retail Planning Corporation  
35 Johnson Ferry Road  
Atlanta, GA 30306  
770-655-6383  
leasing@retailplanningcorp.com

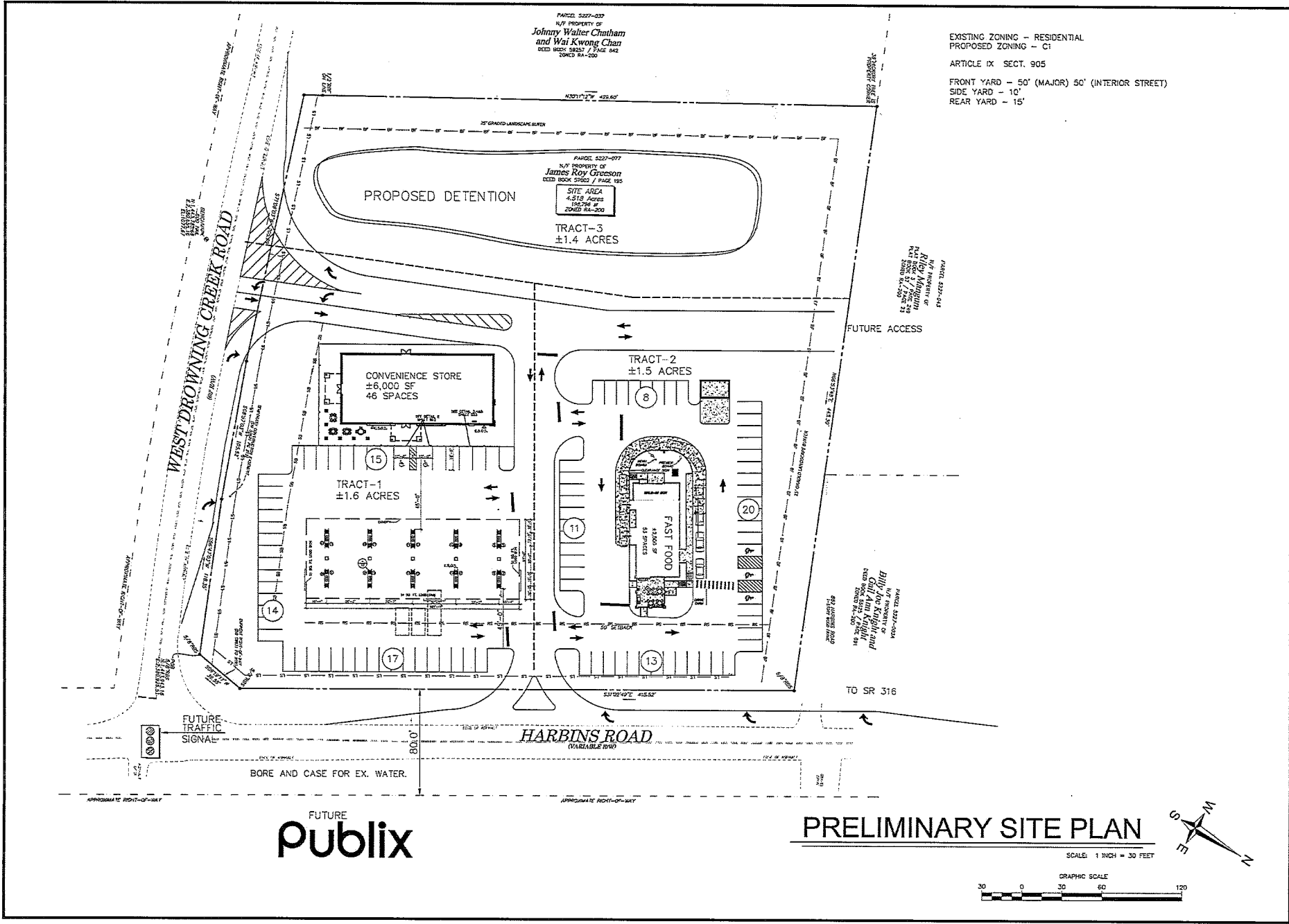
1 5.25.22 REVIEW

mk date issue

PRELIMINARY  
SITE PLAN

CP.8

HFR#21.227



## Rezoning Application Letter of Intent

Retail Planning Corporation is requesting to rezone +/- 4.52 acres located at the NWC of Harbins Road and West Drowning Creek Road in Dacula, GA, Gwinnett County, parcel number R5277 077, from RA200 to C2, General Business District with a 25' graded landscape buffer along the northern and eastern property line. The intent is to develop a small commercial development that would consist of a convenience store, fast food restaurant and/or retail shops.

Retail Planning Corporation feels that the request is justified as this location has been designated as a commercial intersection. More specifically, +/- 73.85 acres directly across Harbins Road from the subject property was recently rezoned to PMUD, Planned Mixed-Use District, with +/- 62,387 square feet of retail space, 4 commercial outlots, +/- 320 multi-family units, +/- 180 senior living units and a +/- 6.37-acre office tract. A conceptual master plan is attached for reference. In addition, a new full diamond interchange recently finished construction just north of the site at HWY316 and Harbins Road.

***Legal Description – Harbins Road @ West Drowning Creek Road***

All that tract or parcel of land lying or being in Land Lot 277, 5th District, Gwinnett County, Georgia, and being more particularly described as follows:

Beginning at a 5/8-inch rebar set at the southwest corner of the right-of-way intersection mitre of Harbins Road (Variable Right-of-Way) and West Drowning Creek Road (60-foot Right-of-Way) and the TRUE POINT OF BEGINNING; thence along the right-of-way of West Drowning Creek Road (60-foot R/W) South 66 degrees 47 minutes 03 seconds West for a distance of 118.35 feet to a 5/8-inch rebar set; thence continuing along said right-of-way South 68 degrees 57 minutes 03 seconds West for a distance of 105.52 feet to a 5/8-inch rebar set; thence continuing along said right-of-way South 71 degrees 06 minutes 03 seconds West for a distance of 205.29 feet to a 1/2-inch rebar found; thence leaving said right-of-way of West Drowning Creek Road North 30 degrees 11 minutes 12 seconds West for a distance of 429.60 feet to a 38" Hickory Tree; thence North 66 degrees 53 minutes 48 seconds East for a distance of 445.30 feet to a 5/8-inch rebar set on the right-of-way of Harbins Road (Variable R/W); thence continuing along said right-of-way South 31 degrees 02 minutes 49 seconds East for a distance of 415.52 feet to a 5/8-inch rebar set; thence along the right-of-way South 09 degrees 19 minutes 17 seconds West for a distance of 39.55 feet to a 5/8-inch rebar set and the TRUE POINT OF BEGINNING.

Said tract of land contains 4.518 Acres.





**Subject Property**

PROJECT INFORMATION	
SITE AREA:	73.8 AC
PARKWAY RIGHT OF WAY:	+/- 2.77 AC
HARBIN RD RIGHT OF WAY:	+/- 0.55 AC
REQUIRED OPEN SPACE (25% OF 73.8):	18.45 AC
PROVIDED OPEN SPACE (25%):	18.45 AC
PROVIDED WITHIN PARK:	17.85 AC
ACTIVE AREA WITHIN SENIOR:	0.60 AC
<b>RETAIL TRACT:</b>	
SITE AREA:	+/- 14.73 AC
BUILDING AREA:	48,387 SF
MAJOR TENANT:	14,000 SF
SHOPS:	62,387 SF
COMMERCIAL OUTLOTS & OUTPARCELS:	4
<b>OFFICE/ COMMERCIAL/ INDUSTRIAL TRACT:</b>	
SITE AREA:	+/- 6.37 AC
<b>APARTMENT TRACT</b>	
SITE AREA=0.40X(73.8-18.45):	+/- 22.14 AC
NUMBER OF UNITS:	320
ACTIVE RECREATIONAL AREA:	1.16 AC
PARKING PROVIDED:	850 SPACES
DENSITY PROPOSED:	14.46 UNIVAC
(320 MULTI-FAMILY UNITS / (22.14 AC MULTI-FAMILY SITE))	
<b>SENIOR LIVING TRACT</b>	
SITE AREA:	+/- 9.39 AC
NUMBER OF UNITS:	180
ACTIVE RECREATIONAL AREA:	0.60 AC
PARKING PROVIDED:	360 SPACES
<b>COMMUNITY PARK</b>	
SITE AREA:	+/- 17.85 AC

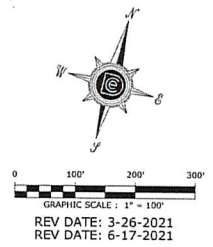
# Inland Pass

## A PLANNED MIXED-USE DEVELOPMENT

LOCATED IN LAND LOTS 299 & 300, DISTRICT 5, DACULA, GWINNETT COUNTY, GA  
OWNER AND/OR DEVELOPER:

**WWP ACQUISITION, LLC**  
1958 MONROE DRIVE NE ATLANTA, GEORGIA 30324, PHONE: 404-872-8666

### CONCEPTUAL MASTER PLAN



**DOULGERAKIS CONSULTING ENGINEERS, INC.**  
planning • civil engineering • sanitary engineering  
400 Abbey Court, Alpharetta, Georgia 30004, phone: 770-753-9800

**\*Rezoning Property Owners – Continued**

Pervie Venable Greeson, Jr.

335 Lipscomb Spur

Social Circle, GA 30025

706-342-1650

The Estate of Marion Laverne Rogers, c/o Ronnie Wayne Dutton, Jr., Executor

6412 Cutcane Road

Mineral Bluff, GA 30559

706-342-1650

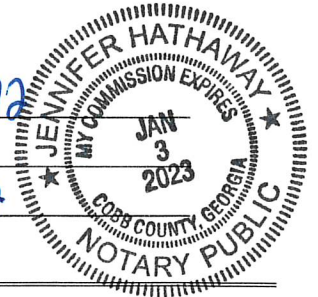
**APPLICANT CERTIFICATION**

The undersigned is authorized to make this application and is aware that if an application is denied, no application or re-application affecting the same property shall be acted upon within twelve (12) months from the date of last action unless waived by the City.

Signature of Applicant [Signature] Date 5/19/22

Type or Print Name/Title Retail Planning Corporation, c/o Charlie Heard

Notary Public [Signature] Date 5/19/22



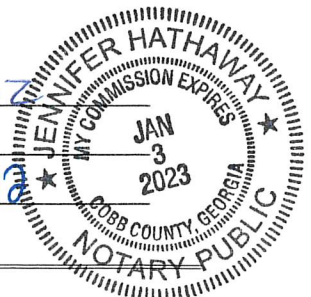
**PROPERTY OWNER CERTIFICATION**

The undersigned, or as attached, is the record owner of the property considered in this application and is aware that if an application is denied, no application or re-application affecting the same land shall be acted upon within twelve (12) months from the date of last action unless waived by the City.

Signature of Property Owner [Signature] Date 5-16-2022

Type or Print Name/Title James Roy Greeson

Notary Public [Signature] Date 5/16/22



**FOR ADMINISTRATIVE USE ONLY**

DATE RECEIVED \_\_\_\_\_ RECEIVED BY \_\_\_\_\_ FEE \_\_\_\_\_ RECEIPT # \_\_\_\_\_

LAND LOT \_\_\_\_\_ DISTRICT \_\_\_\_\_ PARCEL # \_\_\_\_\_ HEARING DATE \_\_\_\_\_

ACTION TAKEN \_\_\_\_\_

SIGNATURE \_\_\_\_\_ DATE \_\_\_\_\_

STIPULATIONS \_\_\_\_\_

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

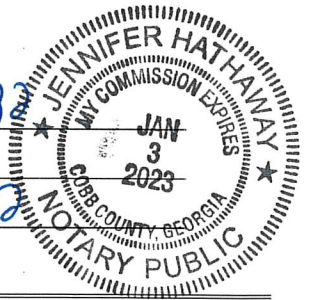
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Signature of Applicant [Signature] Date 5/19/22

Type or Print Name/Title Retail Planning Corporation, c/o Charlie Heard

Notary Public [Signature] Date 5/19/22



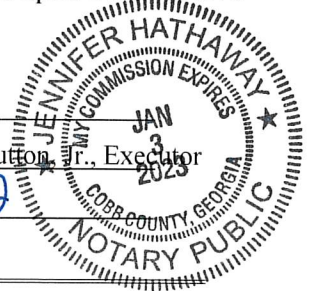
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Signature of Property Owner [Signature] Date 5-17-22

Type or Print Name/Title The Estate of Marion Laverne Rogers, c/o Ronnie Wayne Duffon, Jr., Executor

Notary Public [Signature] Date 5/17/22



**FOR ADMINISTRATIVE USE ONLY**

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SIGNATURE \_\_\_\_\_ DATE \_\_\_\_\_

STIPULATIONS \_\_\_\_\_

\_\_\_\_\_  
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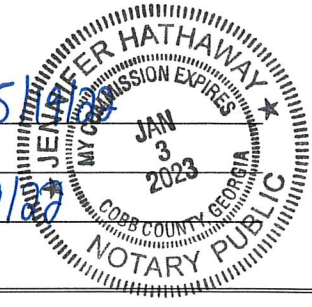
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Signature of Applicant [Signature] Date 5/19/22

Type or Print Name/Title Retail Planning Corporation, c/o Charlie Heard

Notary Public [Signature] Date 5/19/22



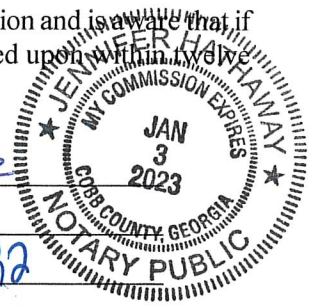
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Signature of Property Owner [Signature] Date May 16 2022

Type or Print Name/Title Pervie Venable Greeson, Jr.

Notary Public [Signature] Date 5/16/22



**FOR ADMINISTRATIVE USE ONLY**

DATE RECEIVED \_\_\_\_\_ RECEIVED BY \_\_\_\_\_ FEE \_\_\_\_\_ RECEIPT # \_\_\_\_\_

LAND LOT \_\_\_\_\_ DISTRICT \_\_\_\_\_ PARCEL # \_\_\_\_\_ HEARING DATE \_\_\_\_\_

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SIGNATURE \_\_\_\_\_ DATE \_\_\_\_\_

STIPULATIONS \_\_\_\_\_

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

## Adjoining Property Owners

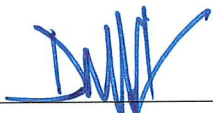
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Dacula, Georgia 30019
  
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Riley Mangum  
548 Ardery Road  
Paris, Kentucky 40361

**CONFLICT OF INTEREST CERTIFICATION**

The undersigned, making application for rezoning/SUP, has complied with the Official Code of Georgia, Section 36-67A-1, et. seq, Conflict of Interest in Zoning Actions and has submitted or attached the required information on the forms provided.

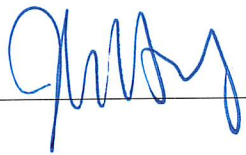
Signature of Applicant  Date 5/24/22

Type or Print Name/Title Retail Planning Corporation, c/o Charlie Heard, EVP Development

Signature of Applicant's Attorney  Date 5.24.2022

Type or Print Name/Title Retail Planning Corporation, c/o David Cooper, Attorney



Notary Public  Date 5/24/22  
(Notary Seal)

**Official Use Only**

DATE RECEIVED \_\_\_\_\_ ZONING CASE NUMBER \_\_\_\_\_

RECEIVED BY \_\_\_\_\_

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

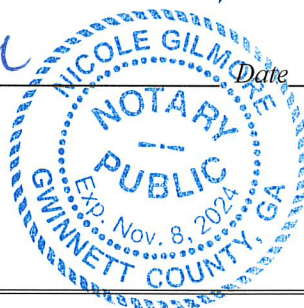
Type or Print Name/Title \_\_\_\_\_

Signature of Applicant' Attorney  \_\_\_\_\_ Date 9/26/22

Type or Print Name/Title Shane Lanham, attorney

Notary Public  \_\_\_\_\_ Date 9/26/22

(Notary Seal)



**Official Use Only**

DATE RECEIVED \_\_\_\_\_ ZONING CASE NUMBER \_\_\_\_\_

RECEIVED BY \_\_\_\_\_



City of Dacula  
P. O. Box 400  
Dacula, GA 30019  
(770) 962-0055 / Fax (770) 513-2187

**DISCLOSURE OF CAMPAIGN CONTRIBUTIONS**

Have you, within the two years immediately preceding the filing of this application, made campaign contributions aggregating \$250.00 or more the Mayor and/or a member of the City Council or a member of the Dacula Planning Commission.

Yes  No

If the answer is *Yes*, please complete the following section:

Name of Government Official	Contributions <i>(All which aggregate to \$250.00+)</i>	Contribution Date <i>(within last 2 years)</i>
_____		
_____		
_____		
_____		

Have you, within the two years immediately preceding the filing of this application, made gifts having in the aggregate a value of \$250.00 or more to the Mayor and/or a member of the City Council or a member of the Dacula Planning Commission.

Yes  No

If the answer is *Yes*, please complete the following section:

Name of Government Official	Description of Gifts <i>(Valued aggregate \$250.00+)</i>	Date Gift was Given <i>(within last 2 years)</i>
_____		
_____		
_____		
_____		

*(Attach additional sheets if necessary to disclose or describe all contributions/gifts)*



City of Dacula  
P. O. Box 400  
Dacula, GA 30019  
(770) 962-0055 / Fax (770) 513-2187

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<i>(This section is crossed out with a blue diagonal line)</i>		

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Name of Government Official	Description of Gifts <i>(Valued aggregate \$250.00+)</i>	Date Gift was Given <i>(within last 2 years)</i>
<i>(This section is crossed out with a blue diagonal line)</i>		

*(Attach additional sheets if necessary to disclose or describe all contributions/gifts)*

## CONSTITUTIONAL OBJECTIONS

These Constitutional Objections are submitted on behalf of the applicant and owners (hereafter collectively, "applicant") in the attached rezoning application, as amended, and are directed to the governing authority of Dacula, Georgia. The intent of this statement is to apprise and place the governing authority of Dacula, Georgia on notice that denial of the application submitted by applicant, and any ancillary petitions or applications, would be unconstitutional as stated herein, and to allow said governing authority the opportunity to prevent these unconstitutional actions, as well as to respectfully comply with all notice requirements imposed by the Georgia and Federal judiciary.

The applicant submits that this application, meets all of the criteria specified in state law and the ordinances and regulations of Dacula, Georgia, including, but not limited, its zoning ordinance (collectively, "ordinance"). Any application of the ordinance or action by Dacula, Georgia that would fail to grant the requested application so as to authorize the use requested by the applicant on the entire parcel would constitute an abuse of the zoning authority and be unconstitutional, illegal, null and void.

To the extent that classifications or re-classifications are sought by the applicant, the portions of the ordinance that classify or may classify the subject property exclusively to the existing district or to any district or classification other than that requested by the applicant are or would be unconstitutional in that they constitute a destruction of applicant's protected property interests and a taking of the subject property in violation of the Just Compensation Clause of the Fifth and Fourteenth Amendments to the Constitution of the United States, Article I, Section I, Paragraph J, and Article I, Section III, Paragraph I of the Constitution of the State of Georgia, and the Equal Protection and Due Process Clauses of the Georgia Constitution and the Constitution of the United States.

Denial of this application and the continued imposition of the existing district regulations would constitute an abuse of discretion and an arbitrary and capricious act by Dacula, Georgia without any rational basis in violation of Article I, Section I, Paragraph I and Article I, Section III, Paragraph I of the Constitution of the State of Georgia and the Due Process Clause of the Fourteenth Amendment to the Constitution of the United States.

To the extent that the proposed application is denied because of Dacula, Georgia standards and criteria, applicant contends said standards and criteria are unconstitutionally vague and otherwise unconstitutional in violation of Article I, Section I, Paragraph I and Article I, Section III, Paragraph I of the Constitution of the State of Georgia, and the Due Process Clause of the Fourteenth Amendment to the Constitution of the United States.

Denial of the application as proposed by the applicant as applied to this property would be unconstitutional and discriminate in an arbitrary, capricious and unreasonable manner in violation of Article I, Section I, Paragraph II of the Constitution of the State of Georgia

## **JUSTIFICATION FOR REZONING APPLICATION**

The portions of the Zoning Resolution of the City of Dacula (the “ZR”) which classify or may classify the property which is the subject of this Application (the “Property”) into any less intensive zoning classification other than as requested by the Applicant, are or would be unconstitutional in that they would destroy the Applicant's property rights without first paying fair, adequate and just compensation for such rights, in violation of Article I, Section I, Paragraph II of the Constitution of the State of Georgia of 1983, and the Due Process Clause of the Fourteenth Amendment to the Constitution of the United States.

The application of the ZR as applied to the subject Property, which restricts its use to the present zoning classification, is unconstitutional, illegal, null and void, constituting a taking of the Applicant's and the Owner’s property in violation of the Just Compensation Clause of the Fifth Amendment and the Due Process Clause of the Fourteenth Amendment to the Constitution of the United States, Article I, Section I, Paragraph I, and Article I, Section I, Paragraph II of the Constitution of the State of Georgia of 1983, and the Equal Protection Clause of the Fourteenth Amendment to the Constitution of the United States denying the Applicant an economically viable use of its land while not substantially advancing legitimate state interests.

The Property is presently suitable for development under the C-2 classification as requested by the Applicant, and is not economically suitable for development under the present RA-200 zoning classification of Gwinnett County. A denial of this Application would constitute an arbitrary and capricious act by the Mayor and Council without any rational basis therefore, constituting an abuse of discretion in violation of Article I, Section I, Paragraph I and Article I, Section I, Paragraph II of the Constitution of the State of Georgia of 1983, and the Due Process Clause of the Fourteenth Amendment to the Constitution of the United States.

A refusal by the Mayor and Council to rezone the Property to the C-2 classification with such conditions as agreed to by the Applicant, so as to permit the only feasible economic use of the Property, would be unconstitutional and discriminate in an arbitrary, capricious and unreasonable manner between the Applicant and owners of similarly situated property in violation of Article I, Section I, Paragraph II of the Constitution of the State of Georgia of 1983 and the



Equal Protection Clause of the Fourteenth Amendment to the Constitution of the United States. Any rezoning of the subject Property to the C-2 classification, subject to conditions which are different from the conditions by which the Applicant may amend its application, to the extent such different conditions would have the effect of further restricting the Applicant's and the Owner's utilization of the subject Property, would also constitute an arbitrary, capricious and discriminatory act in zoning the Property to an unconstitutional classification and would likewise violate each of the provisions of the State and Federal Constitutions set forth hereinabove.

Opponents to the request set forth in the Application, or in any amendments to the Application, have waived their rights to appeal any decision of the Mayor and Council because they lack standing, have failed to exhaust administrative remedies, and/or because they failed to assert any legal or constitutional objections.

Accordingly, the Applicant respectfully requests that the rezoning application submitted by the Applicant relative to the Property be granted and that the Property be rezoned to the zoning classification as shown on the respective application.

This 26th day of September, 2022.

Respectfully submitted,

MAHAFFEY PICKENS TUCKER, LLP

*Shane Lanham*

Shane M. Lanham  
*Attorneys for Applicant*

1550 North Brown Road  
Suite 125  
Lawrenceville, Georgia 30043  
(770) 232-0000



City of Dacula  
P. O. Box 400  
Dacula, GA 30019  
(770) 962-0055 / Fax (770) 513-2187

**IMPACT ANALYSIS STATEMENT**

As required by the Zoning Resolution of the City of Dacula, the following standards are relevant in balancing the interest in promoting the public health, safety, morality, or general welfare against the right to the unrestricted use of property and shall govern the exercise of the zoning power. **ALL APPLICATIONS MUST BE COMPLETED WITH THE COMPLETED IMPACT ANALYSIS STATEMENT.**

DATE 5/26/2022 APPLICANT Retail Planning Corporation

A. Whether a proposed rezoning will permit a use that is suitable in view of the use and development of adjacent and nearby property: Yes, property located at a commercial intersection.

B. Whether a proposed rezoning will adversely affect the existing use or usability of adjacent or nearby property: No, property located at a commercial intersection.

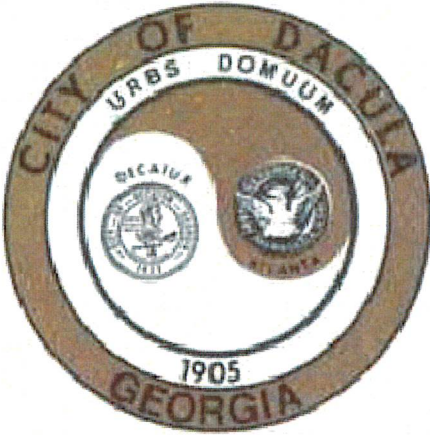
C. Whether the property to be affected by a proposed rezoning has a reasonable economic use as currently zoned: No, highest best use commercial.

D. Whether the proposed rezoning will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools. No, Publix development making intersection improvement upgrade.

E. Whether the proposed rezoning is in conformity with the policy and intent of the Land Use Plan: Yes, commercial zoning across Harbins Road, Publix shopping center under construction.

F. Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the proposed rezoning: New interchange HWY316 & Harbins Road, recent commercial rezoning for Publix anchored shopping center directly across from property.

**Economic and Community Infrastructure Facilities Impact  
Worksheet**



**To be completed and submitted with applications for:  
Annexation, Rezoning, Change of Conditions,  
Special Use Permit, Special Exception, or Variance.**

Date Received: \_\_\_\_\_

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

**Proposed Project Information**

Name of Proposed Project: Harbins Crossroad  
Developer/Applicant: Retail Planning Corporation  
Telephone: 770-956-8383  
Fax: \_\_\_\_\_  
Email(s): charlie.heard@retailplanningcorp.com

**Economic Impacts**

Estimated Value at Build-Out:  
\$8,000,000

Will the proposed project generate population and/or employment increases in the area?  
If yes, what would be the major infrastructure and facilities improvement needed to support the increase?

Yes, no major infrastructure or facilities necessary

How many short-term and /or long-term jobs will the development generate?  
40 long-terms jobs

Estimated annual local tax revenues (i.e., property tax, sales tax) likely to be generated by the proposed development:  
Approximately \$43,878 in property taxes and \$32,217 in sales taxes

Is the regional work force sufficient to fill the demand created by the proposed project?  
Yes

**Community Facilities & Infrastructure Impacts**

**Water Supply**

Name of water supply provider for this site:  
Gwinnett County

What is the estimated water supply demand to be generated by the project, measured in Gallons Per Day (GPD)?  
6,083 GPD

Is sufficient water supply capacity available to serve the proposed project?  
Yes

If no, are there any current plans to expand existing water supply capacity?  
\_\_\_\_\_

If there are plans to expand the existing water supply capacity, briefly describe below:

\_\_\_\_\_

If water line extension is required to serve this project, how much additional line (in feet) will be required?

\_\_\_\_\_

**Wastewater Disposal**

What is the estimated sewage flow to be generated by the project, measured in Gallons Per Day (GPD)?

\_\_\_\_\_6,083 GPD\_\_\_\_\_

Name of wastewater treatment provider for this site:

\_\_\_\_\_Gwinnett County\_\_\_\_\_

Is sufficient wastewater treatment capacity available to serve this proposed project?

\_\_\_\_\_yes\_\_\_\_\_

If no, are there any current plans to expand existing wastewater treatment capacity?

\_\_\_\_\_

If there are plans to expand existing wastewater treatment capacity, briefly describe below:

\_\_\_\_\_

If sewer line extension is required to serve this project, how much additional line (in feet) will be required?

\_\_\_\_\_Yes, +/- 100 feet\_\_\_\_\_

**Land Transportation**

How much traffic volume is expected to be generated by the proposed development, in peak hour vehicle trips per day?

\_\_\_\_\_Approximately 724\_\_\_\_\_

List any traffic and/or road improvements being made and how they would affect the subject area.

\_\_\_Harbins Road decel lane\_\_\_\_\_

\_\_\_West Drowning Creek Road decel lane\_\_\_\_\_

\_\_\_\_\_

**Solid Waste Disposal**

How much solid waste is the project expected to generate annually (in tons)?

\_\_\_\_\_5,381 tons per year\_\_\_\_\_

Is sufficient landfill capacity available to serve this proposed project?

\_\_\_Yes\_\_\_\_\_

If no, are there any current plans to expand existing landfill capacity?

  No  

If there are plans to expand existing landfill capacity, briefly describe below:

\_\_\_\_\_

Will any hazardous waste be generated by the development? If yes, please explain below:

  No  

**Stormwater Management**

What percentage of the site is projected to be impervious surface once the proposed development has been constructed?

  20%  

Is the site located in a water supply watershed?

  No  

If yes, list the watershed(s) name(s) below:

\_\_\_\_\_

Describe any measures proposed (such as buffers, detention or retention ponds, and/or pervious parking areas) to mitigate the project's impacts on stormwater management:

  Normal commercial stormwater practices  

**Environmental Quality**

Is the development located within or likely to affect any of the following:

1. Water supply watersheds?

  No  

2. Significant groundwater recharge areas?

  No  

3. Wetlands?

  No  

4. Protected river corridors?

  No  

5. Floodplains?

  No  

6. Historic resources?

  No  

7. Other environmentally sensitive resources?

  No

If you answered yes to any question 1-7 above, describe how the identified resource(s) may be affected below:

---

**Other Facilities**

What intergovernmental impacts would the proposed development generate for:

Schools?  
\_\_\_\_ None \_\_\_\_\_

Libraries?  
\_\_\_\_ None \_\_\_\_\_

Fire, Police, or EMS  
\_\_\_\_ Yes \_\_\_\_\_

Other community services/resources (day care, health care, low income, non-English speaking, elderly, etc.)?  
\_\_\_\_ No \_\_\_\_\_

**Additional Comments:**

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ADJOINING PROPERTY OWNER(S)  
RECORD NOTIFICATION

DATE: \_\_\_\_\_

TO: Johnny Walter Chatham & Wai Kwong Chan  
(Sent by First Class Mail and Certified Mail - Return Receipt Requested)

FROM: Retail Planning Corporation, c/o Charlie Heard

RE: Proposed Change of Conditions Case #: \_\_\_\_\_

Proposed Rezoning / SUP Case #: \_\_\_\_\_

Property Location: 5th District, Land Lot 277 Parcel R5277 077

LOCATION/ADDRESS: NWC of Harbins Road and W. Drowning Creek Road  
Dacula, GA 30019

---

You are hereby notified that an application a zoning change from RA200  
to C2 has been submitted to the City of Dacula.

The proposed rezoning is contiguous to your property.

The PLANNING COMMISSION Public Hearing/Meeting will be held at the Dacula City Hall,  
442 Harbins Rd., Dacula, Georgia on 7/25/2022 at 6:30 P. M. in the Council Chambers.  
(date)

The CITY COUNCIL Public Hearing/Meeting will be held at the Dacula City Hall, 442 Harbins Rd.,  
Dacula, Georgia on 8/4/2022 at 7:00 P. M. in the Council Chambers.  
(date)

If you have any comments or concerns concerning this matter, please plan to attend the public  
hearings.

Thank you.



ADJOINING PROPERTY OWNER(S)  
RECORD NOTIFICATION

DATE: \_\_\_\_\_

TO: Riley Mangum  
(Sent by First Class Mail and Certified Mail - Return Receipt Requested)

FROM: Retail Planning Corporation, c/o Charlie Heard

RE: Proposed Change of Conditions Case #: \_\_\_\_\_

Proposed Rezoning / SUP Case #: \_\_\_\_\_

Property Location: 5th District, Land Lot 277 Parcel R5277 077

LOCATION/ADDRESS: NWC of Harbins Road and W. Drowning Creek Road  
Dacula, GA 30019

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(date)

If you have any comments or concerns concerning this matter, please plan to attend the public  
hearings.

Thank you.

ADJOINING PROPERTY OWNER(S)  
RECORD NOTIFICATION

DATE: \_\_\_\_\_

TO: Billy Joe & Gail Ann Knight  
(Sent by First Class Mail and Certified Mail - Return Receipt Requested)

FROM: Retail Planning Corporation, c/o Charlie Heard

RE: Proposed Change of Conditions Case #: \_\_\_\_\_

Proposed Rezoning / SUP Case #: \_\_\_\_\_

Property Location: 5th District, Land Lot 277 Parcel R5277 077

LOCATION/ADDRESS: NWC of Harbins Road and W. Drowning Creek Road

Dacula, GA 30019

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(date)

If you have any comments or concerns concerning this matter, please plan to attend the public  
hearings.

Thank you.

**TO:** Mayor and City Council of the City of Dacula  
**FROM:** Brittni Nix, Director of Planning and Economic Development  
**DATE:** September 27, 2022  
**SUBJECT:** Waiver application: 2022-WAIVER-02

---

The City of Dacula received a waiver application for the Mayor and City Council’s consideration. The Applicant, Resibuilt Homes, LLC, requests the City waive Section 4.3.2(H) of the Development Regulations for “Alcovy Meadow,” a 66-unit townhouse subdivision on Alcovy Road. Said subsection requires a traffic impact study prior to development permit issuance.

The subject development fronts Gwinnett County right-of-way and, as such, Gwinnett County has authority over traffic improvements along Alcovy Road. Gwinnett County Department of Transportation has waived their requirement for a traffic impact study and will require multiple traffic improvements including installing a right-turn deceleration lane and a full left-turn lane with taper.

Considering the above, the request could be considered suitable.

Best Regards,

Brittni Nix, Director of Planning & Economic Development



P. O. Box 400  
Dacula, GA 30019  
(770) 962-0055 / Fax (770) 513-2187

**APPLICATION**

<input checked="" type="checkbox"/> <b>City Council</b>
<input checked="" type="checkbox"/> <b>Waivers</b>

<input type="checkbox"/> <b>Staff Approval Only</b>
<input type="checkbox"/> <b>Modifications</b>

(Please Type or Print using BLACK INK)

APPLICANT *	PROPERTY OWNER *
NAME <u>Resibuilt Homes, LLC</u>	NAME <u>RCM Alcovy Towns LLC</u>
ADDRESS <u>3630 Peachtree Rd NE, Suite 1500</u>	ADDRESS <u>3630 Peachtree Rd NE, Suite 1500</u>
CITY <u>Atlanta</u>	CITY <u>Atlanta</u>
STATE <u>GA</u> ZIP <u>30326</u>	STATE <u>GA</u> ZIP <u>30326</u>
PHONE <u>470-809-1256</u> FAX _____	PHONE <u>470-809-1256</u> FAX _____

**APPLICANT IS THE:**

- OWNER'S AGENT
- PROPERTY OWNER

\* Include any person having a property interest and/or a financial interest in any business entity having property interest (use additional sheets if necessary).

CONTACT PERSON Jay DuBose  
 COMPANY NAME Resibuilt Homes, LLC  
 ADDRESS 3630 Peachtree Rd NE, Suite 1500  
Atlanta, GA 30326  
 PHONE 404-455-1507 FAX \_\_\_\_\_  
Jdubose@resibuilt.com

PRESENT ZONING DISTRICT(S) R-TH LAND LOT(S) 277 DISTRICT(S) 5th  
 ADDRESS OF PROPERTY 2213 and 2223 Alcovy Rd, Dacula, GA 30019

ACREAGE 9.45ac Describe your request in detail and state justification/hardship: \_\_\_\_\_

Waiver of requirement to have a traffic impact study. Alcovy Rd is a County Rd, and Gwinnett County DOT is not requiring a study per attached email correspondence

(Attach additional sheets if necessary)

HAS THE APPLICANT FILED ANY OTHER APPLICATIONS FOR THIS PROPERTY WITHIN THE PAST 12 MONTHS ?  Yes  No

If Yes, please describe: \_\_\_\_\_  
(Attach additional sheets if necessary)

**LETTER OF INTENT & LEGAL DESCRIPTION OF PROPERTY**

\*\*\* PLEASE ATTACH A "LETTER OF INTENT" EXPLAINING REQUEST and TYPED "LEGAL DESCRIPTION" OF PROPERTY TO BE AFFECTED \*\*\*

**CASE NUMBER:** 2022-WAIVER-02

LETTER OF INTENT FOR WAIVER OF TRAFFIC IMPACT STUDY

- The applicant requests a waiver from the requirement to perform a traffic study on Alcovy Rd, as the road is a County Rd, and Gwinnett County DOT has indicated that a traffic study is not necessary. The use is residential, single family housing, comprised of 66 townhome units. Please see included correspondence from Gwinnett indicating that the right turn deceleration lane, full left-turn lane and taper, and sidewalk along frontage (all per submitted plans) satisfy the Alcovy Rd frontage requirements of the project and that a traffic impact study is not necessary.

 **Hodges, Brent**  
to me ▾

Tue, Sep 20, 9:44 AM (6 days ago)



Good Morning Jay,

Per our phone conversation, GCDOT will not require a traffic impact study as part of this development (Alcovy Meadows – EPN2022-02369). The addition of a right-turn deceleration lane, a full left-turn lane and taper, as well as sidewalk along the frontage (which are all shown on the plan set), satisfies all of the Alcovy Road frontage requirements of the project and a TIS on top of these improvements is not necessary.



Thank you.



**Brent Hodges** | Construction Manager I, Transportation | Program Delivery | Gwinnett County Government |  
678.639.8815 | 446 West Crogan St., Suite 410, Lawrenceville GA, 30046 |  
[www.gwinnettcountry.com](http://www.gwinnettcountry.com)

WWW.PEOPLES  
 P: (770) 451-2341 F: (770) 451-3915  
**PEOPLES**  
 Planners & Engineers Collaborative+  
 LAND PLANNING + LANDSCAPE ARCHITECTURE + CIVIL ENGINEERING  
 ADDRESS: 150 RESEARCH COURT • PEACHTREE CORNERS, GEORGIA 30092  
 350 RESEARCH COURT, STE 200  
 PEACHTREE CORNERS, GA 30092

**ALCOVY MEADOWS**  
 A MASTER PLANNED RESIDENTIAL DEVELOPMENT

PROJECT  
 2215 ALCOVY RD  
 Dacula, GA 30019

FOR  
**RESUBUILT HOMES, LLC**  
 3830 PEACHTREE RD NE  
 ATLANTA, GA 30326  
 P: 470.809.1256

MUNICIPALITY PROJECT #  
**REVISIONS**  
 NO. DATE BY DESCRIPTION

THE SEAL IS ONLY VALID IF COUNTER SIGNED AND DATED WITH ORIGINAL SIGNATURE.

**CONCEPT PLAN**  
 SCALE: N/A  
 DATE: 08/7/2022  
 PROJECT: 19007.00E

**C1.50** SHEET

WWW.PEOPLES  
 P: (770) 451-2341 F: (770) 451-3915  
**PEOPLES**  
 Planners & Engineers Collaborative+  
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 ADDRESS: 150 RESEARCH COURT • PEACHTREE CORNERS, GEORGIA 30092  
 350 RESEARCH COURT, STE 200  
 PEACHTREE CORNERS, GA 30092

**ALCOVY RD @ EWING CHAPEL RD**  
 A MASTER PLANNED RESIDENTIAL DEVELOPMENT

PROJECT  
 2215 ALCOVY RD  
 Dacula, GA 30019

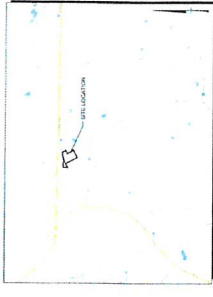
FOR  
**RESUBUILT HOMES, LLC**

MUNICIPALITY PROJECT #  
**REVISIONS**  
 NO. DATE BY DESCRIPTION

THE SEAL IS ONLY VALID IF COUNTER SIGNED AND DATED WITH ORIGINAL SIGNATURE.

**CONCEPTUAL MASTER PLAN**  
 SCALE: 1" = 80'  
 DATE: 4-25-2022  
 PROJECT: 19007.00E

**C1** SHEET

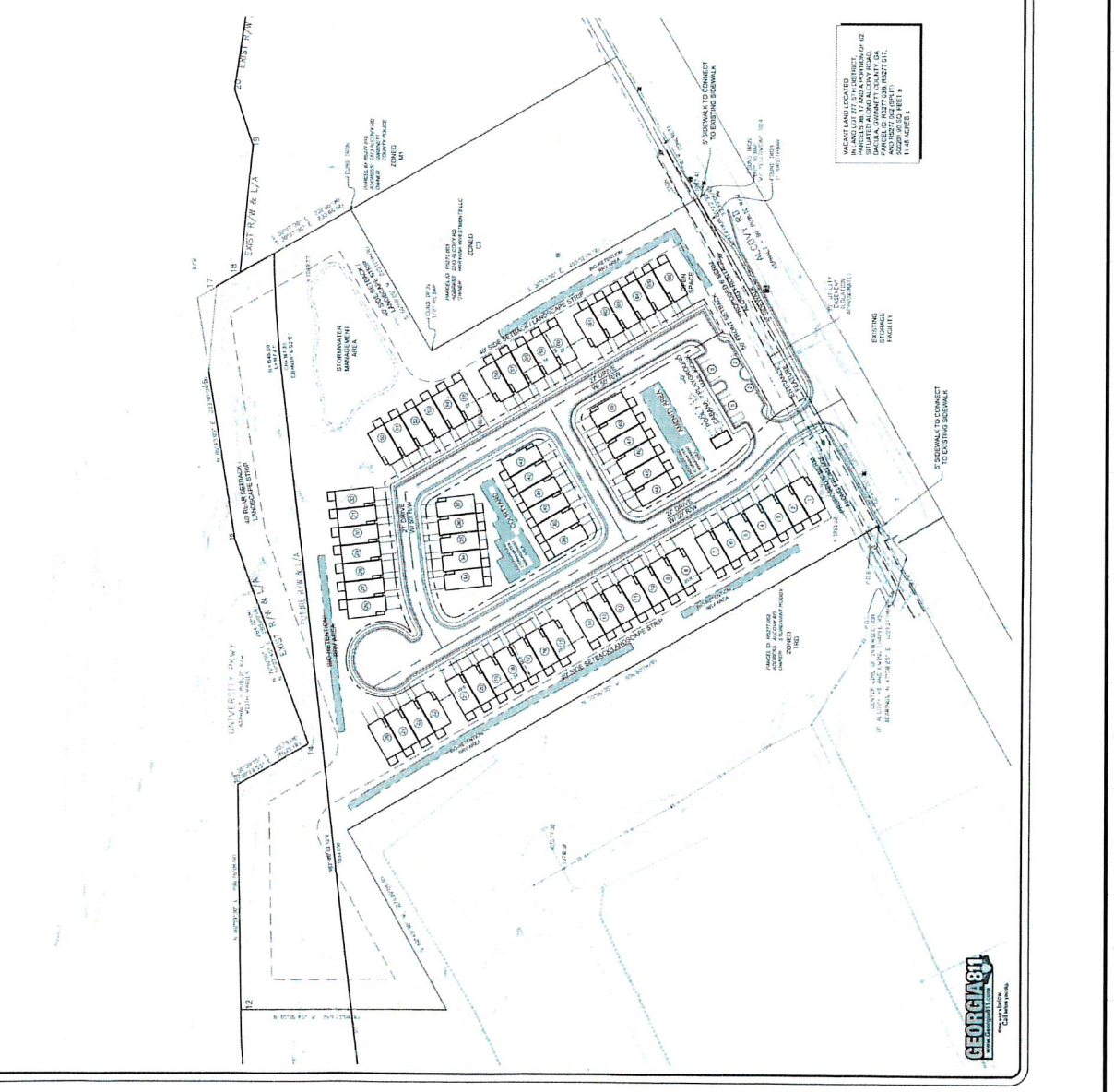


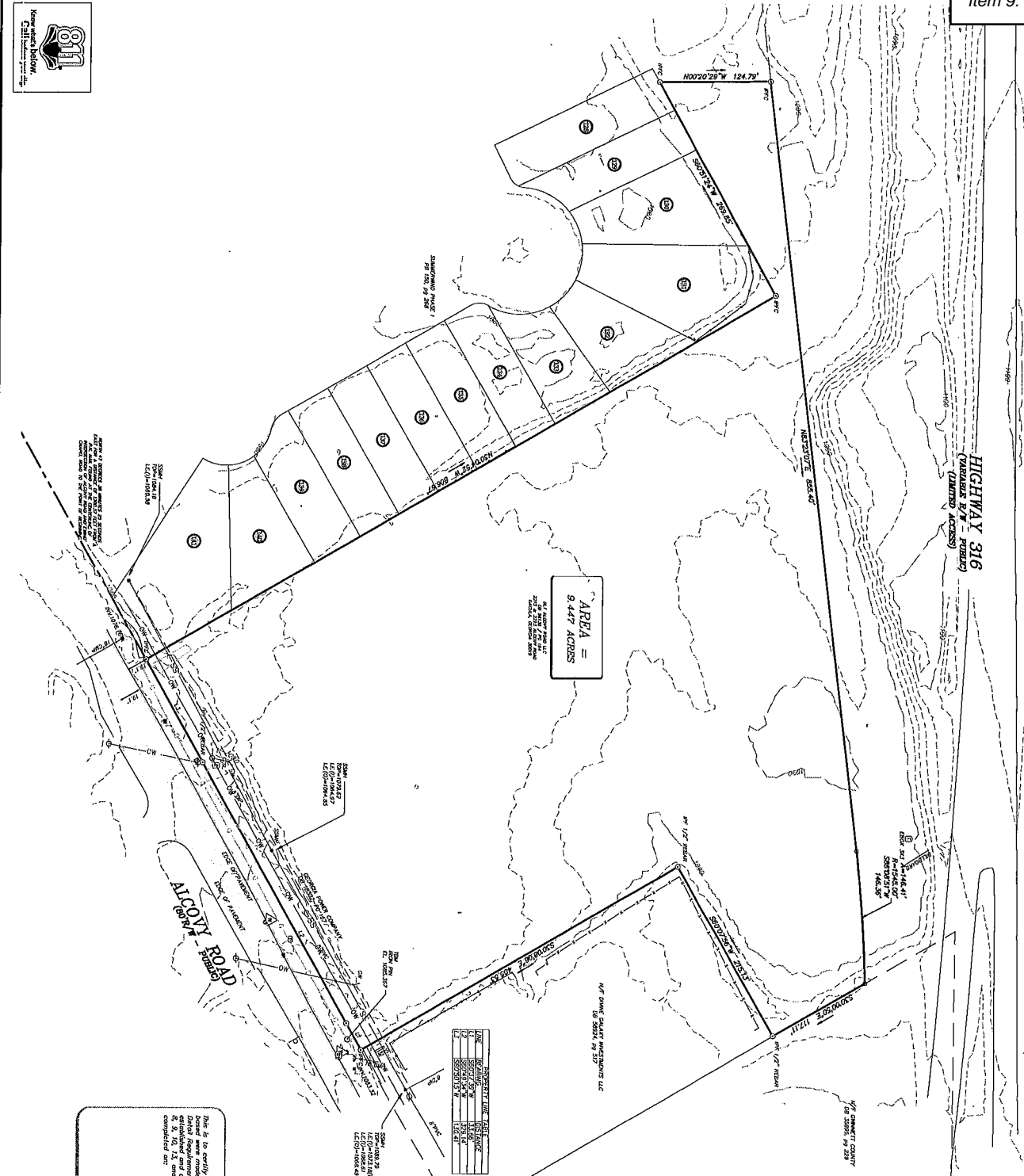
**NOTES:**

- VERIFY ALL INFORMATION PROVIDED BY THE CLIENT AND ALL INFORMATION OBTAINED FROM ANY SOURCE.
- VERIFY ALL INFORMATION PROVIDED BY THE CLIENT AND ALL INFORMATION OBTAINED FROM ANY SOURCE.
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**GENERAL NOTES:**

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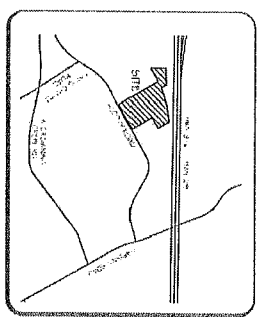
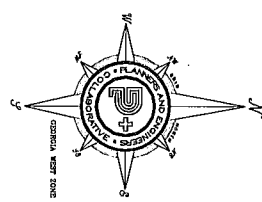




AREA = 9.447 ACRES

NO.	DATE	DESCRIPTION	BY
1			
2			
3			
4			
5			

This is to certify that this map or plat and the survey on which it is based were made in accordance with the 2021 Minimum Standard for Professional Land Surveyors established and adopted by the Board of Professional Land Surveyors of the State of Georgia on 1/29/2025. A record of this map was filed on 1/29/2025.



SHEET 1 OF 2

<p>Planners &amp; Engineers Collaborative+</p> <p>LAND PLANNING + LANDSCAPE ARCHITECTURE + CIVIL ENGINEERING</p> <p>ADMINISTRATIVE + SURVEYING &amp; CONSTRUCTION + WATER RESOURCES</p> <p>557 RESEARCH COURT, REAGERS CROSSING, GEORGIA 30079</p> <p>(770) 451-2741 WWW.DECPLUS.COM GA-S19000004</p>	<p>REVISIONS</p> <table border="1"> <tr> <td>5</td> <td></td> <td></td> <td></td> </tr> <tr> <td>4</td> <td></td> <td></td> <td></td> </tr> <tr> <td>3</td> <td></td> <td></td> <td></td> </tr> <tr> <td>2</td> <td></td> <td></td> <td></td> </tr> <tr> <td>1</td> <td></td> <td></td> <td></td> </tr> </table>	5				4				3				2				1				<p>ALTA/NSPS LAND TITLE SURVEY</p> <p>FOR</p> <p>RESIBULT HOMES, LLC</p>	<p>DRAWN BY: GDM</p> <p>CHECKED BY: JML</p> <p>FILE NO.: 18007006</p> <p>DATE: 1/29/2025</p> <p>SCALE: 1" = 50'</p> <p>DATE OF FIELD WORK</p>
	5																						
4																							
3																							
2																							
1																							
<p>REV</p> <p>DATE</p> <p>DESCRIPTION</p> <p>BY</p>	<p>LAND LOT(S) LL 277</p> <p>DISTRICT 5th District</p> <p>CITY</p> <p>WINNETT COUNTY GEORGIA</p>	<p>88</p>																					





## LEGAL DESCRIPTION OF PROPERTY

AS SURVEYED BOUNDARY DESCRIPTION

ALL THAT TRACT OR PARCEL OF Land Lot 277 of the 5th District of Gwinnett County, Georgia, being more particularly described as follows:

COMMENCING at a P.K. nail found at the centerline of intersection of Alcovy Road and Ewing Chapel Road; THENCE North 47 degrees 38 minutes 25 seconds East for a distance of 1200.37 feet to a one-half inch rebar set on the northern right-of-way of Alcovy Road being the TRUE POINT OF BEGINNING.

THENCE leaving aforesaid right-of-way North 30 degrees 04 minutes 52 seconds West for a distance of 806.67 feet to a one-half inch rebar;

THENCE South 60 degrees 51 minutes 24 seconds West for a distance of 124.79 feet to a one-half inch rebar;

THENCE North 00 degrees 20 minutes 29 seconds West for a distance of 269.75 feet to a one-half inch rebar found on the southern right-of-way of Georgia Highway Number 316;

THENCE along said right of way North 83 degrees 23 minutes 07 seconds East for a distance of 855.40 feet to a point;

THENCE continuing along said right of way along a curve to the right with a radius of 1545.00 feet and an arc length of 146.41, being subtended by a chord of North 86 degrees 08 minutes 51 Seconds East for a distance of 146.36 feet to a point;

THENCE leaving aforesaid right-of-way South 30 degrees 07 minutes 50 seconds East a distance of 117.11 feet to a one-half inch rebar found;

THENCE South 60 degrees 07 minutes 56 seconds West for a distance of 215.13 feet to a one-half inch rebar found;

THENCE South 30 degrees 08 minutes 06 seconds East for a distance of 405.53 feet to a one-half inch rebar with cap found on the northern right of way of Alcovy Road;

THENCE along said right of way South 60 degrees 37 minutes 39 seconds West a distance of 33.66 feet to a one inch rebar found;

THENCE continuing along said right of way South 60 degrees 49 minutes 34 seconds West for a distance of 329.14 feet to a one-half inch rebar found;

THENCE continuing along said right of way South 60 degrees 50 minutes 15 seconds West for a distance of 130.41 feet to a one-half inch rebar set being the TRUE POINT OF BEGINNING.

Said tract having an area of 9.447 Acres

**APPLICANT CERTIFICATION**

The undersigned is authorized to make this application and is aware that if an application is denied, no application or re-application affecting the same property shall be acted upon within twelve (12) months from the date of last action unless waived by the City.

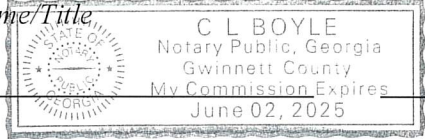
*[Handwritten Signature]*  
\_\_\_\_\_  
*Signature of Applicant*

*9/23/22*  
\_\_\_\_\_  
*Date*

**Chris Cole / VP Land**

*Type or Print Name/Title*

*Ed Boyle*  
\_\_\_\_\_  
*Notary Public*



*September 23, 2022*  
\_\_\_\_\_  
*Date*

**PROPERTY OWNER CERTIFICATION**

The undersigned, or as attached, is the record owner of the property considered in this application and is aware that if an application is denied, no application or re-application affecting the same land shall be acted upon within twelve (12) months from the date of last action unless waived by the City.

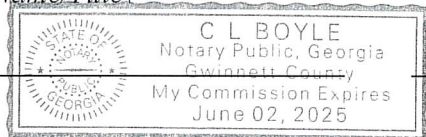
*[Handwritten Signature]*  
\_\_\_\_\_  
*Signature of Applicant*

*9/23/22*  
\_\_\_\_\_  
*Date*

**Chris Cole/VP Land**

*Type or Print Name/Title*

*Ed Boyle*  
\_\_\_\_\_  
*Notary Public*



*September 23, 2022*  
\_\_\_\_\_  
*Date*

**FOR ADMINISTRATIVE USE ONLY**

DATE RECEIVED \_\_\_\_\_ RECEIVED BY \_\_\_\_\_ FEE \_\_\_\_\_ RECEIPT # \_\_\_\_\_

LAND LOT \_\_\_\_\_ DISTRICT \_\_\_\_\_ PARCEL # \_\_\_\_\_ HEARING DATE \_\_\_\_\_

**FOR ADMINISTRATIVE USE ONLY**

ACTION TAKEN \_\_\_\_\_

SIGNATURE \_\_\_\_\_ DATE \_\_\_\_\_

STIPULATIONS \_\_\_\_\_



P. O. Box 400  
Dacula, GA 30019  
(770) 962-0055 / Fax (770) 513-2187

**DISCLOSURE OF CAMPAIGN CONTRIBUTIONS**

Have you, within the two years immediately preceding the filing of this application, made campaign contributions aggregating \$250.00 or more to the Mayor and/or a member of the City Council.

Yes  No

If the answer is *Yes*, please complete the following section:

Name of Government Official	Contributions <i>(All which aggregate to \$250.00+)</i>	Contribution Date <i>(within last 2 years)</i>

Have you, within the two years immediately preceding the filing of this application, made gifts having in the aggregate a value of \$250.00 or more to the Mayor and/or a member of the City Council or a member of the Dacula Planning Commission or Zoning Board of Appeals.

Yes  No

If the answer is *Yes*, please complete the following section:

Name of Government Official	Description of Gifts <i>(Valued aggregate \$250.00+)</i>	Date Gift was Given <i>(within last 2 years)</i>

*(Attach additional sheets if necessary to disclose or describe all contributions/gifts)*



# FY 2023 BUDGET

City of Dacula



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# Budget Memo

CITY OF DACULA

OFFICE OF  
THE MAYOR

442 Harbins Road  
Post Office Box 400  
Dacula, GA 30019

Telephone: 770-963-7451

Fax: 770-513-2187

Website: [www.daculaga.gov](http://www.daculaga.gov)

# Memo

Dear Citizens:

I am pleased to present to you the Annual Operating and Capital Budget for the 2023 Fiscal Year. In accordance with Georgia Law and the Code of Ordinances for the City of Dacula, this budget is presented for adoption by the City Council on December 1, 2022, for Fiscal Year 2023 beginning January 1 and ending December 31.

Citizen input for this budget will be received at public hearings on November 3 and December 1, 2022.

The City Council and I have made a concentrated effort to look toward the future with the knowledge of the continued growth coming to Dacula. As such, this budget has strategic plans for progress and solutions for challenges which may arise.

Below are some of these plans:

- The property tax millage rate will remain at 4.806 mills as it has since 2017.
- Dacula's in-house recycling service will continue in its successful efforts to provide higher quality service at a lower cost to our citizenry.
- The Sanitation Department will order a Freightliner for the anticipated residential development in the City. Additionally, this department has a position open to fill when necessary.
- In-house real estate tax collection and sanitation billing services have begun and are successful.

The City has funding allotted for several capital projects. This includes upgrades to the stormwater system on McMillan Road funded through the American Rescue Plan Act (ARPA). Maple Creek Park is also scheduled to have extensive playground upgrades with money provided by an endowment received from former Mayor Jimmy Wilbanks' Estate.

A number of persons contributed many hours of effort in the development of the budget. My thanks go to every department for their input, as well as, the Acting City Administrator, and the Finance Department for their supportive efforts during the budget process.

My thanks also go to each member of the Council for their hard work, thoroughness, and thoughtful contributions during the development of the FY 2023 Budget.

Very truly yours,

Hugh D. King, III

## FISCAL YEAR 2023 BUDGET CALENDAR

DATE(S) / TIMELINE	ACTIVITY
<b>Phase 1</b>	
<b><i>PHASE 1—STRATEGY FORMULATION (FY 2023 BUDGET PREP DISTRIBUTION)</i></b>	
<b>July 25</b>	FY2023 Budget request worksheets, instructions, and guidelines are distributed to department heads.
<b>Phase 2</b>	
<b><i>PHASE 2—NEEDS ASSESSMENT, REVIEW &amp; DEVELOPMENT OF FY 2023 BUDGET</i></b>	
<b>August 15 - August 19</b>	The Finance Department hold conferences with the department heads to finalize any changes with the individual budgets.
<b>August 22 – September 9</b>	Finance Director assembles budget requests, compares with revenue estimates, and compiles a preliminary budget document.
<b>September 12 – September 29</b>	The Finance Department meet with Mayor & Council to review Departmental FY2023 budget requests and make any adjustments deemed necessary.
<b>September 21</b>	Advertise FY2023 Budget information and availability of budget; public hearing dates and planned date adoption for Nov. 3 <sup>rd</sup> first public hearing & Dec. 1 2 <sup>nd</sup> public hearing.
<b>Phase 3</b>	
<b><i>PHASE 3—CITY COUNCIL BUDGET DISCUSSIONS &amp; FINAL BUDGETARY DECISIONS FOR FY 2023</i></b>	
<b>October 6</b>	Present preliminary budget to council.
<b>October 10 – October 27</b>	FY2023 Budget Meetings as needed to refine the 2023 Budget and 2022 Amended Budget.
<b>November 3</b>	FY2023 Proposed Budget submitted to Mayor & Council and made available to the public. First Public Hearing.
<b>Phase 4</b>	
<b><i>PHASE 4 – ADOPTION &amp; IMPLEMENTATION OF FY 2023 BUDGET</i></b>	
<b>December 1</b>	2 <sup>nd</sup> Public Hearing. FY2023 Budget – Final Review and any last revisions. Adopt FY2023 Budget Resolution
<b>December 2</b>	Print final Budget Document and send copies to department heads and Council members.
<b>January 1, 2023</b>	<b>FY2023 Budget is in effect.</b>



**CITY OF DACULA, GEORGIA**  
**FISCAL YEAR 2022 BUDGET ADJUSTMENTS (FY22) & 2023 (FY23)**  
**BUDGET REVIEW & ADOPTION**

**PUBLIC HEARING ON FY22 BUDGET ADJUSTMENTS & FY23 BUDGET:** A Public Hearing on the Proposed FY23 Budget and the FY22 Budget Adjustments is scheduled for Thursday, November 3, 2022 at 6:30 p.m. in the City Hall Council Chambers located at 442 Harbins Road, Dacula, Georgia. At this meeting, the Mayor and Council will receive both written and oral comments about the Annual Operating and Capital Budget for the City of Dacula, Georgia. All citizens are urged to attend.

**RECOMMENDED BUDGET AVAILABLE FOR REVIEW:** The Proposed FY23 Budget and the FY22 Budget Adjustments will be available for public review during normal office hours Monday-Friday between 8:30 a.m. - 5:00 p.m. at Dacula City Hall.

**BUDGET REVIEW:** The Mayor and Council of the City of Dacula are scheduled to review and receive public comments on the Proposed FY23 Budget and the FY22 Budget Adjustments on the following dates:

November 3, 2022 (Thursday)      6:30 p.m. at 442 Harbins Road, Dacula, Georgia

December 1, 2022 (Thursday)      6:30 p.m. at 442 Harbins Road, Dacula, Georgia

**BUDGET ADOPTION:** The Mayor and Council of the City of Dacula are scheduled to adopt the FY23 Budget and the FY22 Budget Adjustments at their regular monthly meeting on Thursday, December 1, 2022. The meeting will be held at 7:00 p.m. in the City Hall Chambers located at 442 Harbins Road, Dacula, Georgia.

**Dates of Publication:** October 12, 2022; October 26, 2022; November 9, 2022; & November 23, 2022

CITY OF  
DACULA

5 - YEAR CAPITAL  
IMPROVEMENTS  
PROGRAM

(2022 - 2026)



**Capital  
Improvements  
Program**

5 - Year Capital Improvements Program (2022 – 2026)

A five-year capital improvements program (CIP) is a list of all capital improvements proposed and completed within a specified five-year period (2022 – 2026). The CIP contains project descriptions, need assessments, cost estimates, financing methods, projected time lines, and estimated annual maintenance for each listed project. Staff continually updates the City’s CIP as projects progress and as the City’s needs evolve. All future projects within the CIP are projections and are subject to revision based on need assessments.

Staff is presenting the current five-year capital improvements program concurrently with the FY-2023 Budget and FY-2022 Budget Adjustment as a tool to anticipate the future financial needs of upcoming projects.

## Year One - 2022

<b>Project Name</b>	<b>Description</b>	<b>Needs Assessment</b>	<b>Cost Estimate</b>	<b>Financing</b>	<b>Time Schedule</b>	<b>Annual Maintenance / Operation Cost</b>
Maple Creek Park	New playground equipment Exercise stations Other convenience improvements	Update equipment Increase exercise capability	\$750,000	Endowment	Winter 2022 / Spring 2023	\$2,000 - \$3,000
McMillan Road stormwater	Repair and redesign storm system	Existing storm system is failing	\$750,000	ARPA	Fall / Winter 2022	\$500 - \$1,000
2nd Avenue stormwater	Redesign storm system to capture run off water	Storm runoff sheets flows onto buildings, streets and parking. Redesign would capture runoff into storm system	\$350,000	SPLOST	Summer 2022	\$500 - \$1,000
Sewer connection	Connect City Hall to sewer	Connect new sewer line to City Hall and decommission existing septic system	\$150,000	ARPA	Fall 2022	\$500
Broadband	Install broadband at Maple Creek Park and Dacula Maintenance Facility	Broadband is not available at the subject location. Broadband would be available for public use	\$10,000	ARPA	Summer / Fall 2022	\$12,000

**Year Two - 2023**

<b>Project Name</b>	<b>Description</b>	<b>Needs Assessment</b>	<b>Cost Estimate</b>	<b>Financing</b>	<b>Time Schedule</b>	<b>Annual Maintenance/ Operation Cost</b>
Dacula Crossing Subdivision Dacula Ridge Drive Dacula Court	Asphalt replacement	Replacement of aging roadways.	\$350,000	LMIG SPLOST	Spring 2023	\$750 - \$1,000
Brookton Station Fortune Drive Luna Court Charlyne Way Alton Frank Way Charesa Lane Kale Court	Asphalt replacement Sidewalk repair as needed Storm drainage improvements	Repairs needed due to age of road and sidewalk repair as needed for vehicular and pedestrian safety.	\$800,000	CDBG SPLOST LMIG	Spring / Summer 2023	\$2,500
Gateway Signage	Beautify right-of-ways Designate City boundaries	Determine locations, sign style, and color	\$100,000	Endowment	Summer / Fall 2023	\$750
Garbage Truck	New garbage truck	Older trucks are in need of replacement	\$250,000	General Fund	2023-2024	\$5,000
Small equipment	Small equipment for maintenance	Replace small equipment (edger, weed eaters, etc.) as needed	\$5,000	General Fund	2023	\$1,000
Plotter with scanner	Plotter with large scanner	Replace aging plotter	\$22,000	General Fund	Spring 2023	\$750
Office equipment	Replace office computers Replace office furniture	Replace outdated office equipment and Council chamber chairs	\$15,000	General Fund	2023	None

Year Three - 2024

Project Name	Description	Needs Assessment	Cost Estimate	Financing	Time Schedule	Annual Maintenance/ Operation Cost
Brookton Place Subdivision (Phase I) Williams Farm Drive Torrey Place Hannah Court	Patch and re-top as needed	Repairs needed due to age of road	\$498,308.00	SPLOST  LMIG	Spring / Summer 2024	\$2,500
Brookton Place Subdivision (Phase II) Kristi Beth Court Katie Lynne Lane Nathan Timothy Court Winky Bluff James Henry Drive Sam Calvin Drive Peter Josiah Court Carly Joanna Court Ben Arron Drive	Patch and re-top as needed	Repairs needed due to age of road	\$921,312.00	TBD	Summer / Fall 2024	\$3,000
McMillan Road	Asphalt and stormwater improvements	Repairs needed due to age of road	\$600,000	CDBG	Spring / Summer 2024	\$2,000
Sewer connection	Connect sewer to 431 Harbins Road	Sewer connection needed to develop site	\$300,000	SPLOST IGA		\$500

**Year Four - 2025**

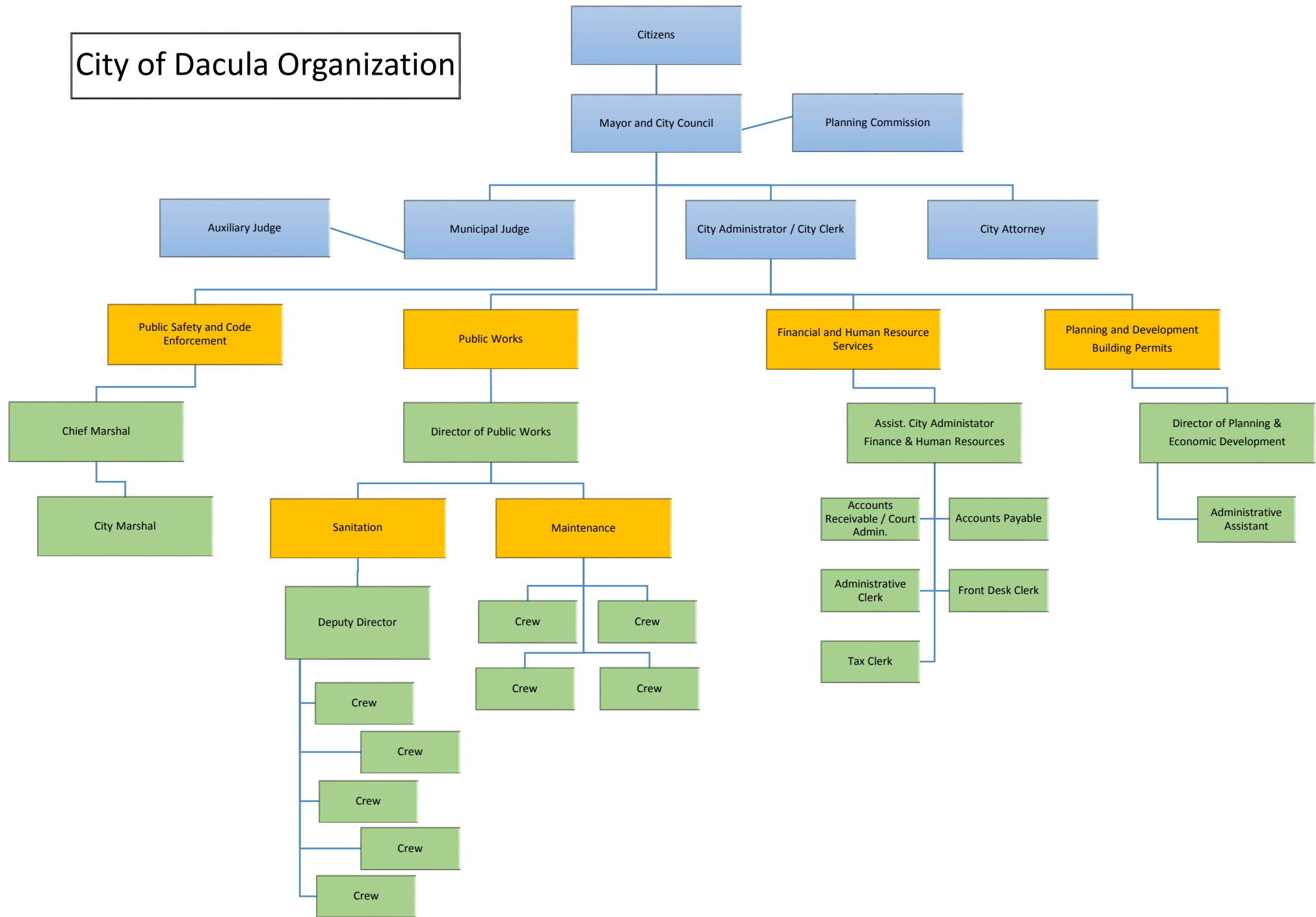
<b>Project Name</b>	<b>Description</b>	<b>Needs Assessment</b>	<b>Cost Estimate</b>	<b>Financing</b>	<b>Time Schedule</b>	<b>Annual Maintenance/ Operation Cost</b>
Brookton Downs Subdivision Brookton Drive Brookton Lane Brookton Woods Way	Patch and re-top as needed	Improvements needed due to age of road	\$498,308.00	SPLOST LMIG	Spring / Summer 2025	\$2,500
Unidentified Road	Asphalt and/or stormwater improvements	Improvements needed due to age of road	\$600,00	CDBG	2025	\$2,000
Marshal vehicle	New marshal vehicle	Older vehicle is in need of replacement	\$70,000	SPLOST	2025	\$2,000
Public Works vehicle	New public works vehicle	Older vehicle is in need of replacement	\$70,000	SPLOST	2025	\$2,000
Office equipment	Replace office computers Replace office furniture	Replace outdated office equipment	\$15,000	General Fund	2025	None

**Year Five - 2026**

<b>Project Name</b>	<b>Description</b>	<b>Needs Assessment</b>	<b>Cost Estimate</b>	<b>Financing</b>	<b>Time Schedule</b>	<b>Annual Maintenance/ Operation Cost</b>
New City Hall	Build a new City Hall at 431 Harbins Road	The current Dacula City Hall has reached maximum capacity	\$5,500,000	SPLOST	2026-2028	\$200,000
Unidentified Road	asphalt and/or stormwater improvements	Improvements needed due to age of road	\$600,000	CDBG LMIG	2026	\$2,500



# City of Dacula Organization





BUDGET FY 2023				
REVENUE	GENERAL FUND - 100			
Account #	Account Description	2023 Proposed Budget	2022 Amended Budget	2022 Current Budget
311100	Real Property Taxes - Current Year	\$ 1,300,000.00	\$ 1,100,000.00	\$ 1,100,000.00
311300	Personal Property Taxes - Current Year	\$ 60,000.00	\$ 50,000.00	\$ 50,000.00
319000	Penalties & Interest Real & Personal Property	\$ 2,000.00	\$ 2,000.00	\$ 2,000.00
311310	Motor Vehicle Taxes	\$ 238,000.00	\$ 230,000.00	\$ 200,000.00
311320	Mobile Home Taxes	\$ 150.00	\$ 280.00	\$ 100.00
311340	Recording Tax (Intangibles)	\$ 50,000.00	\$ 48,000.00	\$ 45,600.00
311600	Real Estate Transfer Tax	\$ 20,000.00	\$ 18,000.00	\$ 15,600.00
311700	Franchise Taxes	\$ 467,000.00	\$ 450,000.00	\$ 400,000.00
314200	Alcohol Beverage Excise Tax	\$ 240,000.00	\$ 220,000.00	\$ 240,000.00
314300	Alcohol Beverage Tax by the Drink	\$ 20,000.00	\$ 20,000.00	\$ 20,000.00
316100	Occupational Tax (Business Licenses)	\$ 100,000.00	\$ 100,000.00	\$ 100,000.00
316200	Insurance Premium Tax	\$ 385,000.00	\$ 370,000.00	\$ 360,000.00
316300	Financial Institution Tax	\$ 40,000.00	\$ 38,000.00	\$ 45,000.00
321100	Alcohol Licenses	\$ 75,000.00	\$ 70,000.00	\$ 62,400.00
321700	Insurance Company Licenses	\$ 14,000.00	\$ 13,000.00	\$ 12,000.00
322200	Permits issued by Planning Dept.	\$ 350,000.00	\$ 335,000.00	\$ 335,000.00
331152	CDBG	\$ 1,274,060.00	\$ -	\$ 675,000.00
334100	LMIG Georgia DOT	\$ -	\$ 72,863.00	\$ -
341910	Elections - Qualifying Fee	\$ 600.00	\$ -	\$ -
351160	Municipal Fines	\$ 20,000.00	\$ 10,000.00	\$ 20,000.00
361000	Interest Revenues	\$ 1,700.00	\$ 1,700.00	\$ 1,700.00
<b>GENERAL FUND Revenue Totals:</b>		<b>\$ 4,657,510.00</b>	<b>\$ 3,148,843.00</b>	<b>\$ 3,684,400.00</b>

BUDGET FY 2023				
EXPENDITURES	GENERAL FUND - 100			
Account #	Account Description	2023 Proposed Budget	2022 Amended Budget	2022 Current Budget
	<b>DEPARTMENT: COUNCIL</b>			
1110	Council: Salaries	\$ 28,400.00	\$ 28,400.00	\$ 28,400.00
1110	Council: Taxes: FICA, FUTA, Medicare	\$ 2,382.00	\$ 2,382.00	\$ 2,382.00
1110	Council: Travel Expenditures	\$ 7,000.00	\$ 7,000.00	\$ 7,000.00
1110	Council: Education/Training	\$ 8,000.00	\$ 8,000.00	\$ 8,000.00
1110	Council: Community Outreach Supplies	\$ 5,000.00	\$ -	\$ -
	<b>DEPARTMENT: CITY ADMINISTRATOR</b>			

1130	City Administrator: Salary	\$ 145,000.00	\$ 50,000.00	\$ 120,000.00
1130	City Administrator: Taxes: FICA, FUTA, Medicare	\$ 14,500.00	\$ 5,000.00	\$ 9,380.00
1130	City Administrator: Group Health Ins	\$ 22,600.00	\$ 5,500.00	\$ 20,000.00
1130	City Administrator: Retirement	\$ -	\$ 8,000.00	\$ 8,000.00
1130	City Administrator: Travel Expenditures	\$ 3,000.00	\$ 500.00	\$ 3,000.00
1130	City Administrator: Education/Training	\$ 2,000.00	\$ 500.00	\$ 2,000.00
<b>DEPARTMENT: MAYOR</b>				
1310	Mayor: Salaries	\$ 8,300.00	\$ 8,300.00	\$ 8,300.00
1310	Mayor: Taxes: FICA, FUTA, Medicare	\$ 687.00	\$ 687.00	\$ 687.00
1310	Mayor: Travel Expenditures	\$ 3,500.00	\$ 3,500.00	\$ 2,500.00
1310	Mayor: Education/Training	\$ 2,000.00	\$ 1,700.00	\$ 2,000.00
<b>DEPARTMENT: ELECTIONS</b>				
1400	Elections: Poll Worker Salaries	\$ 4,000.00	\$ -	
1400	Election: General Supplies	\$ 10,000.00	\$ 4,000.00	\$ 4,000.00
1400	Elections: Training	\$ 500.00	\$ -	
<b>DEPARTMENT: FINANCIAL</b>				
1510	Administration: Salary	\$ 375,000.00	\$ 345,000.00	\$ 335,000.00
1510	Administration: Group Health Ins	\$ 123,000.00	\$ 119,000.00	\$ 119,000.00
1510	Administration: Taxes: FICA, FUTA, Medicare	\$ 35,000.00	\$ 30,000.00	\$ 30,000.00
1510	Administration: Retirement	\$ 41,616.00	\$ 32,000.00	\$ 32,000.00
1510	Administration: Travel Expenditures	\$ 4,000.00	\$ 4,000.00	\$ 4,000.00
1510	Administration: Education/Training	\$ 6,000.00	\$ 6,000.00	\$ 6,000.00
1510	Purchase Services - Accounting, Audits	\$ 30,000.00	\$ 30,000.00	\$ 30,000.00
1510	Tax Administration	\$ 15,000.00	\$ 20,000.00	\$ 8,000.00
1510	Contract Labor	\$ 5,000.00	\$ -	\$ 10,000.00
1510	Purchase Services - ADP, Dues & Fees, Security	\$ 30,000.00	\$ 40,000.00	\$ 40,000.00
1510	Insurance: Worker's Comp, Fleet, Structure	\$ 150,000.00	\$ 140,600.00	\$ 140,800.00
1510	Communications: Telephones, Fax & Internet	\$ 30,000.00	\$ 25,000.00	\$ 20,000.00
1510	Advertising	\$ 10,000.00	\$ 7,000.00	\$ 7,000.00
1510	Other Purchase Services	\$ 2,000.00	\$ 1,000.00	\$ 2,000.00
1510	Purchase Services - Technical	\$ 90,000.00	\$ 83,000.00	\$ 83,000.00
1510	Purchase of Land			
1510	Settlement of Claims		\$ 500.00	
1510	CDBG	\$ 1,274,060.00	\$ -	\$ 675,000.00
1510	LMIG GA DOT	\$ 143,357.48	\$ -	\$ 91,644.18
1510	Contingency	\$ 231,587.52	\$ 676,974.00	\$ 272,046.82
<b>DEPARTMENT: LEGAL</b>				

1530	Professional Legal Services	\$ 70,000.00	\$ 70,000.00	\$ 70,000.00
1530	Official Code of Georgia yearly update	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00
1530	CIVICPLUS: Codification of Ordinances	\$ 8,000.00	\$ 8,000.00	\$ 8,000.00
<b>DEPARTMENT: CITY HALL</b>				
1565	Office Supplies	\$ 20,000.00	\$ 20,000.00	\$ 20,000.00
1565	Water	\$ 5,500.00	\$ 4,000.00	\$ 1,500.00
1565	Natural Gas	\$ 6,500.00	\$ 6,500.00	\$ 6,500.00
1565	Electricity	\$ 125,000.00	\$ 125,000.00	\$ 125,000.00
1565	Building Maintenance Supplies	\$ 15,000.00	\$ 15,000.00	\$ 15,000.00
1565	Repairs and Maintenance	\$ 25,000.00	\$ 25,000.00	\$ 25,000.00
1565	Other supplies not otherwise categorized	\$ 5,000.00	\$ 10,000.00	\$ 5,000.00
1565	Capital Outlay/Furniture & Fixtures	\$ 5,000.00	\$ 7,600.00	\$ 7,600.00
1565	Capital Outlay Computers	\$ 10,000.00	\$ 3,000.00	\$ 3,000.00
1565	Capital Outlay Equipment	\$ 7,000.00	\$ 10,000.00	\$ 10,000.00
<b>DEPARTMENT: MUNICIPAL COURT</b>				
2650	Judicial: Salaries	\$ 6,160.00	\$ 3,000.00	\$ 10,400.00
2650	Judicial: Taxes: FICA, FUTA, Medicare	\$ 493.00	\$ 300.00	\$ 560.00
2650	Judicial: Travel Expenditures	\$ 1,000.00	\$ -	\$ 2,000.00
2650	Judicial: Education/Training	\$ 2,000.00	\$ 200.00	\$ 2,000.00
2650	Judicial: Dues/Fees (State Surcharges)	\$ 9,000.00	\$ 9,000.00	\$ 9,000.00
2650	Judicial: Court Computers/Equipment	\$ -	\$ -	\$ -
2650	Judicial: Supplies	\$ 300.00	\$ -	\$ 300.00
<b>DEPARTMENT: PUBLIC SAFETY</b>				
3200	Marshal: Salary	\$ 136,600.00	\$ 115,000.00	\$ 115,000.00
3200	Marshal: Group Health Ins	\$ 45,174.00	\$ 40,000.00	\$ 40,000.00
3200	Marshal: Taxes: FICA, FUTA, Medicare	\$ 13,000.00	\$ 8,100.00	\$ 8,100.00
3200	Marshal: Retirement	\$ 13,872.00	\$ 16,000.00	\$ 16,000.00
3200	Marshal: Travel Expenditures	\$ 3,500.00	\$ 3,500.00	\$ 3,000.00
3200	Marshal: Education/Training	\$ 2,500.00	\$ 2,500.00	\$ 2,500.00
3200	Marshal: Uniforms	\$ 2,000.00	\$ 4,000.00	\$ 4,000.00
3200	Marshal: Purch Svc Repairs & Maintenance	\$ 5,500.00	\$ 5,500.00	\$ 5,500.00
3200	Marshal: Gen Supplies (Purch Svc)	\$ 4,000.00	\$ 4,000.00	\$ 4,000.00
3200	Marshal: Gasoline	\$ 6,000.00	\$ 6,000.00	\$ 6,000.00
3200	Marshal: Supplies	\$ 500.00	\$ 500.00	\$ 500.00
3200	Marshal: Dues & Fees	\$ 3,000.00	\$ 3,000.00	\$ 3,000.00
3200	Marshal: Capital Outlay	\$ 4,000.00	\$ 7,000.00	\$ 7,000.00
<b>DEPARTMENT: PUBLIC WORKS</b>				
4200	Streets & Maintenance: Salary	\$ 308,000.00	\$ 158,000.00	\$ 229,400.00

4200	Streets & Maintenance: Group Health Ins	\$ 100,000.00	\$ 68,000.00	\$ 100,000.00
4200	Streets & Maintenance: Taxes: FICA, FUTA, Medicare	\$ 20,000.00	\$ 13,000.00	\$ 18,000.00
4200	Streets & Maintenance: Retirement	\$ 20,808.00	\$ 24,000.00	\$ 24,000.00
4200	Streets & Maintenance: Travel Expenditures	\$ 1,000.00	\$ 500.00	\$ 1,000.00
4200	Streets & Maintenance: Education/Training	\$ 2,000.00	\$ 2,000.00	\$ 2,000.00
4200	Streets & Maintenance: Uniforms	\$ 20,000.00	\$ 18,000.00	\$ 18,000.00
4200	Streets & Maintenance: Purch Svc Repairs & Maintenance	\$ 20,000.00	\$ 20,000.00	\$ 15,000.00
4200	Streets & Maintenance: Gasoline	\$ 20,000.00	\$ 20,000.00	\$ 20,000.00
4200	Streets & Maintenance: Supplies	\$ 15,000.00	\$ 15,000.00	\$ 15,000.00
4200	Streets & Maintenance: Dues & Fees	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00
4200	Capital Outlay Small Equipment (weed eaters, etc.)	\$ 5,000.00	\$ 7,000.00	\$ 5,000.00
4200	Capital Outlay (Large Machinery, Trucks, and Computers)	\$ -	\$ 95,000.00	\$ 95,000.00
4200	Right of Way Maintenance	\$ 10,000.00	\$ 10,000.00	\$ 10,000.00
	<b>DEPARTMENT: STORMWATER</b>			
4250	Stormwater & DIP	\$ 22,600.00	\$ 22,600.00	\$ 22,600.00
4250	Storm Drainage & System Improvements	\$ 5,000.00	\$ 5,000.00	\$ 5,000.00
	<b>DEPARTMENT: PARKS</b>			
6200	Culture and Recreation - Other Supplies	\$ 5,000.00	\$ 8,000.00	\$ 8,000.00
6200	Repairs and Maintenance - Park	\$ 10,000.00	\$ 4,000.00	\$ -
6200	Employee Salary (Open & Close Park)	\$ 9,000.00	\$ 9,000.00	\$ 9,000.00
6200	General Supplies	\$ 15,000.00	\$ 15,000.00	\$ 15,000.00
	<b>DEPARTMENT: PLANNING &amp; ZONING</b>			
7400	Planning: Salary	\$ 143,000.00	\$ 125,000.00	\$ 115,000.00
7400	Planning: Group Health Ins	\$ 45,174.00	\$ 40,000.00	\$ 40,000.00
7400	Planning: Taxes: FICA, FUTA, Medicare	\$ 10,440.00	\$ 8,100.00	\$ 8,100.00
7400	Planning: Retirement	\$ 13,872.00	\$ 8,000.00	\$ 8,000.00
7400	Planning: Travel Expenditures	\$ 1,500.00	\$ 1,250.00	\$ 1,250.00
7400	Planning: Education/Training	\$ 3,000.00	\$ 3,000.00	\$ 3,000.00
7400	Planning: Mileage Reimbursement	\$ 3,600.00	\$ 2,400.00	\$ 2,400.00
7400	Planning: Prof Svc (Bldg. Inspections)	\$ 200,000.00	\$ 137,000.00	\$ 137,000.00
7400	Professional Engineers (General)	\$ 80,000.00	\$ 75,000.00	\$ 75,000.00
7400	Planning: Dues & Subscriptions	\$ 750.00	\$ 750.00	\$ 750.00
7400	Planning: Revised Zoning Map (Prof Svcs)	\$ 2,500.00	\$ 2,500.00	\$ 2,500.00
7400	Planning: Comprehensive Plan	\$ 75,000.00		
7400	Planning: Purchase Services Technical	\$ 8,500.00		
7400	Planning: Supplies	\$ 5,000.00	\$ 4,500.00	\$ 4,500.00
7400	Capital Outlay	\$ 25,677.00	\$ -	\$ 300.00
	<b>DEPARTMENT: DOWNTOWN DEVELOPMENT AUTHORITY</b>			

7550	General	\$ 6,000.00	\$ -	\$ 6,000.00
<b>GENERAL FUND Expenditure Totals:</b>		\$ 4,657,510.00	\$ 3,148,843.00	\$ 3,684,400.00
	GENERAL FUND 100 REVENUE TOTALS	\$ 4,657,510.00		
	GENERAL FUND 100 EXPENDITURE TOTALS	\$ 4,657,510.00		

BUDGET FY 2023				
REVENUE	TREE BANK FUND - 100			
Account #	Account Description	2023 Proposed Budget	2022 Amended Budget	2022 Current Budget
100	DONATION		\$ 2,500.00	
100	TRANSFER FROM FUND ACCOUNT	\$ 2,500.00		
<b>TREE BANK FUND Revenue Totals:</b>		\$ 2,500.00	\$ 2,500.00	\$ -
BUDGET FY 2023				
EXPENDITURES	TREE BANK FUND - 100			
Account #	Account Description	2023 Proposed Budget	2022 Amended Budget	2022 Current Budget
6240	TREE BANK	\$ 2,500.00		
6240	CONTINGENCY FUND		\$ 2,500.00	
<b>TREE BANK FUND Expenditure Totals:</b>		\$ 2,500.00	\$ 2,500.00	\$ -
TREE BANK FUND 100 REVENUE TOTALS		\$ 2,500.00		
TREE BANK FUND 100 EXPENDITURE TOTALS		\$ 2,500.00		



<b>BUDGET FY 2023</b>				
<b>REVENUE</b>	<b>AMERICAN RESCUE PLAN ACT FUNDS (ARPA) 230</b>			
<b>Account #</b>	<b>Account Description</b>	<b>2023 Proposed Budget</b>	<b>2022 Amended Budget</b>	<b>2022 Current Budget</b>
230	AMERICAN RESCUE PLAN ACT FUNDS		\$ 1,187,015.44	\$ 1,185,656.56
230	TRANSFER IN FROM RESERVES	\$ 549,880.00		
230	INTEREST INCOME	\$ 120.00	\$ 120.00	\$ 240.00
<b>ARPA FUND Revenue Totals:</b>		\$ 550,000.00	\$ 1,187,135.44	\$ 1,185,896.56
<b>BUDGET FY 2023</b>				
<b>EXPENDITURES</b>	<b>AMERICAN RESCUE PLAN ACT FUNDS (ARPA) 230</b>			
<b>Account #</b>	<b>Account Description</b>	<b>2023 Proposed Budget</b>	<b>2022 Amended Budget</b>	<b>2022 Current Budget</b>
230	SEWER LINE	\$ 50,000.00	\$ 150,000.00	\$ 600,000.00
230	STORMWATER	\$ 500,000.00	\$ 750,000.00	
230	PREMIUM PAY		\$ 47,500.00	
230	BROADBAND		\$ 20,000.00	
230	CONTINGENCY FUND		\$ 219,635.44	\$ 585,896.56
<b>ARPA FUND Expenditure Totals:</b>		\$ 550,000.00	\$ 1,187,135.44	\$ 1,185,896.56
ARPA FUND 230 REVENUE TOTALS		\$ 550,000.00		
ARPA FUND 230 EXPENDITURE TOTALS		\$ 550,000.00		

BUDGET FY 2023				
REVENUE	ENDOWMENT FUND - 300			
Account #	Account Description	2023 Proposed Budget	2022 Amended Budget	2022 Current Budget
300	DONATION		\$ 1,005,000.00	
300	INTEREST INCOME	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00
300	TRANSFER IN FROM RESERVES	\$ 849,000.00	\$ 24,000.00	\$ 599,000.00
<b>ENDOWMENT FUND Revenue Totals:</b>		\$ 850,000.00	\$ 1,030,000.00	\$ 600,000.00
BUDGET FY 2023				
EXPENDITURES	ENDOWMENT FUND - 300			
Account #	Account Description	2023 Proposed Budget	2022 Amended Budget	2022 Current Budget
300	CAPITAL OUTLAY: BEAUTIFICATION, PARKS & RECREATION	\$ 850,000.00	\$ 60,000.00	\$ 600,000.00
300	CONTINGENCY FUND		\$ 970,000.00	
<b>ENDOWMENT FUND Expenditure Totals:</b>		\$ 850,000.00	\$ 1,030,000.00	\$ 600,000.00
ENDOWMENT FUND 300 REVENUE TOTALS		\$ 850,000.00		
ENDOWMENT FUND 300 EXPENDITURE TOTALS		\$ 850,000.00		

**BUDGET FY 2023**

<b>REVENUE</b>				
<b>SPOST 2017 FUND - 320</b>				
<b>Account #</b>	<b>Account Description</b>	<b>2023 Proposed Budget</b>	<b>2022 Amended Budget</b>	<b>2022 Current Budget</b>
320	SPECIAL PURPOSE LOCAL OPTION SALES TAX	\$ 400,000.00	\$ 850,000.00	
320	INTEREST INCOME	\$ 150.00	\$ 300.00	\$ 400.00
320	TRANSFER IN FROM RESERVES	\$ 789,850.00	\$ 249,850.00	\$ 725,600.00
<b>SPLOST 2017 FUND Revenue Totals:</b>		\$ 1,190,000.00	\$ 1,100,150.00	\$ 726,000.00

**BUDGET FY 2023**

<b>EXPENDITURES</b>				
<b>SPOST 2017 FUND - 320</b>				
<b>Account #</b>	<b>Account Description</b>	<b>2023 Proposed Budget</b>	<b>2022 Amended Budget</b>	<b>2022 Current Budget</b>
320	CAPITAL OUTLAY: FEES		\$ 150.00	\$ -
320	CAPITAL OUTLAY: ADMIN FACILITIES		\$ 140,000.00	\$ 115,000.00
320	CAPITAL OUTLAY: PUBLIC SAFETY	\$ 40,000.00	\$ 60,000.00	\$ 11,000.00
320	CAPITAL OUTLAY: PARKS & RECREATION			\$ -
320	CAPITAL OUTLAY: TRANSPORTATION	\$ 1,150,000.00	\$ 900,000.00	\$ 600,000.00
320	CAPITAL OUTLAY: WATER & SEWER			\$ -
<b>SPLOST 2017 FUND Expenditure Totals:</b>		\$ 1,190,000.00	\$ 1,100,150.00	\$ 726,000.00
SPLOST 2017 FUND 320 REVENUE TOTALS		\$ 1,190,000.00		
SPLOST 2017 FUND 320 EXPENDITURE TOTALS		\$ 1,190,000.00		

**BUDGET FY 2023**

<b>REVENUE</b>				
<b>ENTERPRISE FUND - 540</b>				
<b>Account #</b>	<b>Account Description</b>	<b>2023 Proposed Budget</b>	<b>2022 Amended Budget</b>	<b>2022 Current Budget</b>
540	Utilities: Refuse Collection Charge	\$ 576,000.00	\$ 576,000.00	\$ 466,000.00
540	Other Charges (Penalties)	\$ 500.00	\$ 500.00	\$ 500.00
540	Interest Revenue	\$ 400.00	\$ 400.00	
540	Transfers In	\$ 442,163.00	\$ 183,300.00	\$ 513,300.00
<b>ENTERPRISE FUND Revenue Totals:</b>		\$ 1,019,063.00	\$ 760,200.00	\$ 979,800.00

**BUDGET FY 2023**

<b>EXPENDITURES</b>				
<b>ENTERPRISE FUND - 540</b>				
<b>Account #</b>	<b>Account Description</b>	<b>2023 Proposed Budget</b>	<b>2022 Amended Budget</b>	<b>2022 Current Budget</b>
4520	Sanitation: Salary	\$ 284,447.00	\$ 272,000.00	\$ 272,000.00
4520	Sanitation: Group Health Ins	\$ 86,000.00	\$ 94,000.00	\$ 94,000.00
4520	Sanitation: Taxes: FICA, FUTA, Medicare	\$ 23,000.00	\$ 24,000.00	\$ 24,000.00
4520	Sanitation: Retirement	\$ 41,616.00	\$ 40,000.00	\$ 40,000.00
4520	Sanitation: Travel Expenditures	\$ 1,000.00	\$ 1,200.00	\$ 1,200.00
4520	Sanitation: Education/Training	\$ 3,000.00	\$ 7,000.00	\$ 7,000.00
4520	Sanitation: Uniforms	\$ 25,000.00	\$ 10,000.00	\$ 20,000.00
4520	Sanitation: Purch Svc Repairs & Maintenance	\$ 35,000.00	\$ 35,000.00	\$ 35,000.00
4520	Sanitation: Gasoline	\$ 24,000.00	\$ 24,000.00	\$ 24,000.00
4520	Sanitation: Supplies	\$ 5,000.00	\$ 7,000.00	\$ 7,000.00
4520	Sanitation: Dues & Fees	\$ 1,000.00	\$ 1,000.00	\$ 600.00
4520	Sanitation: Disposal Fees	\$ 105,000.00	\$ 105,000.00	\$ 105,000.00
4520	Sanitation: Recycling	\$ 30,000.00	\$ 30,000.00	\$ 40,000.00
4520	Inventory (Trash & Recycle Cans)	\$ 85,000.00	\$ 85,000.00	\$ 85,000.00
4520	Sanitation: Contract Labor	\$ 20,000.00	\$ 25,000.00	\$ 20,000.00
4520	Small Machinery & Equipment	\$ -	\$ -	\$ -
4520	Capital Outlay	\$ 250,000.00	\$ -	\$ 205,000.00
<b>ENTERPRISE FUND Expenditure Totals:</b>		\$ 1,019,063.00	\$ 760,200.00	\$ 979,800.00
ENTERPRISE FUND 540 REVENUE TOTALS		\$ 1,019,063.00		
ENTERPRISE FUND 540 EXPENDITURE TOTALS		\$ 1,019,063.00		

**A RESOLUTION**

**TO APODT THE FISCAL YEAR 2023 BUDGET & 2022 BUDGET ADJUSTMENT FOR EACH FUND OF THE CITY OF DACULA, GEORGIA, APPROPRIATING THE AMOUNTS SHOWN IN EACH BUDGET AS EXPENDITURES/ EXPENSES, ADOPTING THE SEVERAL ITEMS OF REVENUE ANTICIPATIONS, AND PROHIBITING EXPENDITURES OR EXPENSES FROM EXCEEDING THE ACTUAL FUNDING AVAILABLE**

**WHEREAS**, sound governmental operations require a budget in order to plan financing of services for residents of the City of Dacula; and

**WHEREAS**, Title 36, Chapter 81, Article 1 of the Official Code of Georgia Annotated (OCGA) requires a balanced budget for the City’s fiscal year, which runs from January 1 to December 31 of each year; and

**WHEREAS**, the Mayor and City Council of the City of Dacula have reviewed the proposed FY23 budget as presented by the Mayor; and

**WHEREAS**, each of these funds is a balanced budget, so that anticipated revenues and other financial resources for each fund equal the proposed expenditures or expenses; and

**WHEREAS**, the Mayor and City Council wishes to adopt this proposal as the Fiscal Year 2023 Annual Budget, effective from January 1, 2023 through December 31, 2023

**NOW THEREFORE BE IT RESOLVED** by the Mayor and City Council of the City of Dacula, Georgia as follows:

**Section 1.** That the proposed Fiscal Year 2023 Budget, attached hereto and incorporated herein as a part of this Resolution is hereby adopted as the Budget for the City of Dacula, Georgia for the Fiscal Year 2023, which begins January 1, 2023 and ends on December 31, 2023.

**Section 2.** That the several items of revenues, other financial resources, and sources of cash shown in the budget for each fund as proposed expenditures or expenses, and uses of cash are hereby appropriated to the departments named in each fund.

**Section 3.** That the “legal level of control” as defined in OCGA § 36-81 is set at the departmental level, meaning that the Mayor in his capacity is authorized to move appropriations from one line item to another within a department, but under no circumstances may expenditures or expenses exceed the amount appropriated for a department without further Budget amendment approved by the Mayor and City Council.

**Section 4.** That all appropriations shall lapse at the end of the fiscal year.

**Section 5.** That this Resolution shall be and remain in full force and effect from and after it date of adoption.

Adopted this 1<sup>st</sup> day of December, 2022.

**CITY OF DACULA, GEORGIA**

\_\_\_\_\_  
By: Trey King, Mayor

\_\_\_\_\_  
Attest: Heather Coggins, Acting City Administrator

(AFFIX SEAL)