

**SUBDIVISION REGULATIONS**

**OF**

**DAWSON COUNTY, GEORGIA**

Approved and Adopted in Regular Session by:

DAWSON COUNTY BOARD OF COMMISSIONERS

February 23, 1998

TECHNICAL ASSISTANCE BY:

GEORGIA MOUNTAINS REGIONAL DEVELOPMENT CENTER

Gainesville, Georgia

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ARTICLE I

GENERAL PROVISIONS

Section 100. Short Title.

This document, containing certain Regulations and Standards having been properly adopted according to law, shall be known and may be cited as the "SUBDIVISION REGULATIONS FOR DAWSON COUNTY, GEORGIA."

Section 101. Jurisdiction.

These Regulations control the subdivision of land within the unincorporated portions of Dawson County, Georgia, and therefore, their jurisdiction shall be all of that unincorporated area lying within the boundaries of Dawson County, Georgia.

Section 102. Content.

These Regulations, among other things, require and regulate the preparation of preliminary plans and final plans for the subdivision of land; establish minimum design and construction standards for subdivisions, streets and improvements; set forth the procedure to be followed in applying these Regulations; and set forth other matters pertinent to the development of land.

Section 103. Purposes.

The various Articles and Sections of these Regulations have been adopted by proper resolution.

1. To promote the health, safety, and morals, convenience, order, prosperity and general welfare of the present and future inhabitants of Dawson County, Georgia.
2. To encourage economically sound and stable land development.
3. To encourage the development of economically sound and stable communities.
4. To assure the provision of required streets, utilities, and other facilities and services to new land developments;
5. To assure the adequate provision of safe and convenient traffic access and circulation, both vehicular and pedestrian, in new land developments.
6. To assure the provision of needed public open spaces and building site in new land development through the dedication or reservation of land for recreational, educational and other purposes.
7. To assure, in general, the wise development of new areas, in harmony with the comprehensive plan of the county.
8. To lessen congestion in the streets and roads, to secure safety from fire and other dangers, to provide adequate light and air, to promote such development of land as will tend to facilitate and conserve adequate provision for transportation, water supply, drainage, sanitation, and for other purposes.



## Section 104. Scope.

### Section 104.1. Applicability of Regulations.

No person shall divide or subdivide, or cause a subdivision to be made, by deed or map, of any parcel of land located within the boundaries of Dawson County as the same may, from time to time, be established according to law, as provided for in the General Planning and Zoning Enabling Act of 1957, as amended, provided, however, that where a single lot or parcel of land is proposed to be divided into not more than two (2) parcels, any one or more of the requirements and standards may be waived in writing by the County Planning Commission, the agency responsible for the administration and enforcement of these Regulations, provided that the division of such single lot into two parcel conforms in certain major respects to the Regulations does not offer an opportunity to obstruct natural drainage or a planned major highway, does not adversely affect any part of a adopted plan, or does not in any way violate the spirit and intent of these Regulations.

Any owner or developer of any tract of land situated within Dawson County who subdivides the same shall cause a plat of such subdivisions, with regard to known or permanent monument, to be made and recorded in the office of the Clerk of the Superior Court of Dawson County, Georgia. No such plat of subdivision shall be filed or recorded unless and until it shall have been submitted to and approved by the County Planning Commission or its designated representative.

These Regulations bear no relation to any private easement, covenant, agreement, or restriction; and the responsibility of enforcing such private easement, covenant, agreement, or restriction is not implied herein to any public official. When these Regulations call for more restrictive standards than those required by private contract or contracts, the provisions of these Regulations shall control.

### Section 104.2. Exemptions.

The following land subdivisions shall be defined as subdivisions but may be exempted from the requirements of these Regulations if the Planning Commission or it designated representative, determines they meet one of the following criteria:

1. The combination or recombination of portions of previously approved platted lots where the total number of lots are not increased and the resultant lots are equal to the standards herein.
2. The division of land into no more than five parcels of five acres or more, and access is provided other than a proposed county road. Where a county maintained road or street is planned or newly constructed, the subdivision of that tract shall be regulated by the standards herein. Roads or streets less than two years old shall be termed "newly constructed."

### Section 105. Interpretation.

The provision of these Regulations shall be the minimum requirements for development of subdivisions, preparation, and recording of all plans and plats. Words used in the present tense include the future tense, except where the natural construction of these Regulations indicate otherwise; words in the singular number include the plural number; words in the plural number include the singular; "shall" is mandatory and not discretionary; "may" is permissive.

Section 106. Administration.

Section 106.1. Administrative Body.

The Planning Commission or its duly authorized representative is hereby delegated the authority and power to administer these Regulations.

Section 106.2 Authority.

The Planning Commission is vested with the authority to review, approve, conditionally approve, and disapprove applications for the subdivision of land, including sketch, preliminary, and final plats. The Planning Commission may grant variances from these regulations pursuant to the provisions of Article X.

Section 106.3 Duties.

The Planning Commission shall perform its duties in respect to subdivision and resubdivision in accordance with these regulations. It shall be the duty of the Planning Director to enforce these regulations. The county attorney shall advise the planning director in the event of any violation or lack of compliance herewith.

Section 106.4. Professional Consultation and Technical Assistance.

In the performance of its duties the Planning Commission or Planning Director may call for opinions or decisions, either oral or written from other departments and agencies in considering details of any submitted plat.

From time to time additional personnel may be employed, with the approval of the Board of Commissioners, to provide assistance, technical oversight and advice.

Section 106.5. Development of Regional Impacts (DRI's).

Prior to any action taken by the Planning Commission or County Commission, on any and all applications, the Planning Director, or designated representative, shall determine if the proposed subdivision qualifies as a Development of Regional Impact (DRI). If so, then the county will request a formal review by the Georgia Mountains Regional Development Center (GMRDC).

Section 106.6. Additional Authority.

In addition to the regulations herein contained with respect to the administration of the regulation themselves, the Planning Commission may, from time to time, establish any reasonable additional administration for the purpose of promoting the intent and purpose of the Regulations.

## ARTICLE II

### DEFINITION OF TERMS USED

#### Section 200. Purpose.

The purpose of this Article is to establish definitions of some terms used in the Regulation.

#### Section 201. Definitions.

When used in this Resolution, the following words and phrases have the meaning as defined in this Article. Terms not defined here have the same meaning as is found in most dictionaries, where consistent with the content. The terms "must," and "shall" are mandatory in nature, indicating that action shall be done. The term "may" is permissive and allows discretion regarding an action. When consistent with the context, words used in the singular number include the plural, and those used in the plural number include the singular. Words used in the present tense include the singular. Words used in the present tense include the future. The word "developer" includes a firm, corporation, co-partnership, association, institution, or person. The word "lot" includes the word "plot" or "parcel." The word "building" includes the word "structure." The words "used" or "occupied" as applied to any land or building include the words "intended, arranged, or designed to be used or occupied."

**Access.** The place, means, or way by which pedestrians or vehicles shall have safe, adequate, or usable ingress and egress to a property, use, or parking space.

**Accessory Structure or Accessory Use.** A structure or use incidental and subordinate to the main use of property and located on the same lot as the main use.

**Administrator, Planning.** The Planning Administrator or Director shall be recommended by the Planning Commission and appointed by the Commissioner and shall be responsible for the enforcement of the provisions of this Resolution.

**Agriculture.** The tilling of the soil, the raising of crops, dairying, animal husbandry, forestry, and horticulture.

**Alley.** A minor public right-of-way which is used primarily for vehicular service access to the back or side of properties otherwise abutting on a street.

**Alter.** A change, addition, or modification in construction or occupancy of a building or structure.

**Amendment.** A change in the wording, context, or substance of the Land Use Resolution, or a change in the district boundaries of district map.

**Appeal.** The process by which an aggrieved party may petition for review of a decision made by an official or department of county government.

**Applicant.** The owner of land proposed to be subdivided or its representative who shall have express written authority to act on behalf of the owner. Consent shall be required from the legal owner of the premises.

**Basement.** That portion of a building between floor and ceiling which is partly below and partly

above grade but is so located that the vertical distance from grade to the floor below is less than the vertical distance from grade to ceiling.

**Block.** A tract of land bounded by streets, or by a combination of streets and public parks, cemeteries, railroad rights-of-way, waterways, or boundary lines of local governments.

**Bond.** Any form of a surety bond in an amount and form satisfactory to the Governing Body.

**Buffer.** A horizontal distance designed to provide attractive space or distance, obstruct undesirable views, serve as an acoustic barrier, or generally reduce the impact of adjacent development.

**Building.** A structure built and maintained for the support, shelter, or enclosure of persons, motor vehicles, animals, or personal or real property of any kind. The word "building" shall include the word "structure."

**Building Height.** The vertical distance from the average grade to the highest point of the coping of a flat roof or to the deck line of a mansard roof or the average point of a pitch or hip roof.

**Building Line.** A line that coincides with the front side of the main building.

**Building Permit.** A written permit issued by the Building Official authorizing construction, renovation, or repairs to a structure.

**Cellar.** That portion of a building between floor and ceiling which is wholly or partly below grade and so located that the vertical distance from grade to the floor below is equal to or greater than the vertical distance from grade to ceiling.

**County.** Dawson County, Georgia

**Cluster Development.** A subdivision, planned development, or grouping of lots or dwellings arranged in such a way that open space is maintained throughout the area, that sensitive lands such as wetlands and steel slopes remain undeveloped, and that lot layout requires a reduced amount of street and utility placement.

**Common Open Space.** Publicly or privately owned undeveloped open space intended for aesthetic, recreation, public safety, or other conservation purposes, to be used by the owners or residents of a particular development or the public in general.

**Commission.** The County Commissioner of Dawson County, Georgia.

**Construction Plan.** The maps or drawings and schedule accompanying a subdivision plat and showing the specific location and design of improvements to be installed in the subdivision in accordance with the requirements of the Planning Commission as a condition of the approval of the plat.

**Conventional Construction.** A building constructed on the building site from basic materials delivered to the site and from lumber cut on the job. A conventional building is subject to local codes and ordinances.

**Court.** An open unoccupied space other than a yard, on the same lot with a building and bounded on two or more sides by such building.

**Cross Drain.** The pipe system designed to accommodate a drainage basin's 25-year storm water run off passing under a street.

Cul-de-sac. A local street with one lone outlet, closed and terminated by a vehicular turnaround.

Density Net. The amount of dwellings per net acre, based on the total area of the parcel, including vacated rights-of-way, and excluding separate or non-contiguous lands, previously designated common open space, and excluding rights-of-way or easements.

Development Standard. A specific requirement of this Resolution regulating land use, generally quantitative in nature.

Driveway. A access way connecting one or more dwelling units and/or their parking spaces with a street.

Dwelling, Apartment or Multiple-Family. A building designed and used for occupancy by three or more families, all living independently of each other, and having separate full kitchen facilities for each family.

Dwelling, Single Family. A detached building designed or used exclusively for the occupancy of one family and having housekeeping facilities for only one family.

Dwelling, Two Family (Duplex). A building designed or used exclusively for the occupancy of two families living independently of each other and having separate housekeeping facilities for each family.

Dwelling Unit. One or more rooms designed for occupancy by one family and not having more than one cooking facility except facilities designed for camping purposes such as tents and recreation vehicles.

Easement. Authorization by a property owner for another to use the owner's property for a specified purpose.

Engineer. A registered, practicing engineer, licensed by the State of Georgia.

Factory-Built Housing. Georgia law has now changed "Factory-Built Housing" to "Industrial Building." See Industrialized Building.

Family. One person or two or more persons related by blood, marriage, legal adoption, or guardianship; or a group of not more than five persons (excluding servants) all or part of whom are not related by blood, marriage, legal adoption, or guardianship living together as a single housekeeping unit in a dwelling unit.

Fence, Sight Obscuring. A fence consisting of wood, metal, masonry, or similar materials, or an evergreen hedge or other evergreen planting arranged in such a way as to obscure vision at least 80 percent.

Fill. The placement by means of sand, sediment, or other material, usually in submerged lands, or wetlands, to create new uplands or raise the elevation of land.

Final Subdivision Plat. The map of a subdivision to be recorded after approval by the Planning Commission and any accompanying material as described in these Regulations.

Floor Area. The sum of the gross horizontal area of several floors of a building, measured from the exterior faces of the exterior walls, or from the center line of walls separating two buildings, but not

including:

1. Attic space providing headroom of less than seven (7) feet;
2. Basement or cellar, unless finished and heated for occupancy;
3. Uncovered steps or fire escapes;
4. Private garages, carports, or porches;
5. Accessory water towers or cooling towers; and
6. Accessory off-street parking or loading spaces.

Frontage. Property abutting on a street.

Goal. A general statement establishing a direction for policies, resolutions, or actions.

Governing Body. The body of the local government having the power to adopt local ordinances.

Grade, Ground Level. The average of the finished ground level at the center of all walls of a building. Where the walls are parallel to and within five feet of a public sidewalk, alley, or public way, the ground level shall be measured at the average elevation of the sidewalk, alley, or public way.

Hazards. Threats of life, property, or the environment such as landsliding, flooding, subsidence, erosion, or fire.

Health Department. The Dawson County Health Department.

Hospitals. Institutions devoted primarily to the rendering of healing, curing, and/or nursing care, which maintain and operate facilities for the diagnosis, treatment, and care of two (2) or more non-related individuals suffering from illness, injury, or deformity or where obstetrical or other healing, curing, and/or nursing care is rendered over a period exceeding twenty-four (24) hours.

Hotel (Motel, Motor Hotel, Tourist Court). A building or group of buildings used for transient residential purposes containing guest rooms which are designed to be used, or which are used, rented, or hired out for sleeping purposes.

Industrialized Building. Any structure or component thereof which is wholly or in substantial part made, fabricated, formed or assembled in manufacturing facilities for installation or assembly in manufacturing facilities for installation or assembly on a building site and has been manufactured in such a manner that all parts or processes cannot be inspected at the installation site without disassembly, damage to, or destruction thereof.

Institution, Higher Educational. A college or university accredited by the State of Georgia.

Intensity. A measure of the magnitude and negative impact of a land use on the environment and neighboring land uses.

Junk or Wrecking Yard. Any property where a person is engaged in breaking up, dismantling, sorting, storing, distributing, buying, or selling any scrap or waste material.

Land Use. Any use of the land including, but not limited to, commercial, industrial, residential,

agriculture, recreation, public utilities placement, forest management, or natural uses.

**Land Use District.** Land Use Districts are areas of land within the county which have different development standards and criteria. These differences are intended to promote the separation of incompatible uses and to retain the character of the community. See Articles III, IV.

**Land Use Plan or Comprehensive Plan.** A development plan or any part thereof adopted by Dawson County which indicates the general various physical classes of public works, places, and structures and general planned physical development of the County.

**Loading Space.** An off-street space or berth on the same lot, or parcel, with a building or use, or contiguous to a group of buildings or uses, for the temporary parking of a vehicle while loading or unloading persons, merchandise, or materials, and which space or berth abuts upon a street, alley, or other appropriate means of ingress and egress.

**Lot.** For purposes of the Resolution, a lot is a parcel of land of at least sufficient size to meet minimum districts requirements for use, coverage, and area and to provide such yards and other open spaces as are herein required. Such lot shall have frontage on an improved public street, or on an approved private street or easement, and may consist of:

1. A single lot of record;
2. A portion of a lot of record;
3. A combination of complete lots of record, of complete lots of record and portions of lots of records, or of portions of lots of record;
4. A parcel of land described by metes and bounds; provided that in no case of division or combination shall any residual lot or parcel be created which does not meet the requirements of this Resolution.

**Lot Area.** The total area of a lot measured in a horizontal plane within the lot boundary lines exclusive of public streets.

**Lot Coverage.** The portion of a lot or parcel of land which is covered with buildings, parking and maneuvering area, patios, decks, covered or paved storage area, or other impervious surface.

**Lot Depth.** The average distance measured from the front lot line to the rear lot line.

**Lot, Flag.** See Dawson County Subdivision Regulations for example of a flag lot.

**Lot Line, Front.** For an interior lot, a line separating the lot from the street; and for a corner lot, a line separating either (but not both) frontage of the lot from the street.

**Lot Panhandle.** See Dawson County Subdivision Regulations for example of a panhandle lot.

**Lot Line, Rear.** For an interior lot, a line separating one lot from another on the opposite side of the lot from the front lot line; for corner lot either (but no both) interior lot line separating one lot from another; and for an irregular or triangular shaped lot, a straight line ten (10) feet in length that is parallel to and at the maximum distance from the front lot line.

**Lot Line, Side.** For an interior lot, a line separating one lot from the abutting lot or lots fronting on the same street; for corner lots, a line other than the front lot line separating the lot from the street or a

line separating the lot from the abutting lot along the same frontage.

Lot Width. The average distance between side lot lines.

Manufactured Home. Manufactured home means a structure transportable in one or more sections and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air-conditioning, and electrical systems contained therein, and is constructed in accordance with national codes.

1. Multi-Section Manufactured Home (MSMH) - a manufactured home (AKA a double-wide mobile home) that is factory finished in two or more sections built on a permanent chassis and towed to a building site where the sections are joined together.

2. Single-Section Manufactured Home (SSMH) - A manufactured home (AKA a mobile home) in one section with dimensions limited to highway clearance (fourteen (14) feet wide) and providing between six hundred (600) and one thousand (1,000) square feet of living space.

Manufactured Home Lot. A parcel of land for the placement of a single manufactured home and the exclusive use of its occupants.

Manufactured Home Park. A privately owned place where two (2) or more manufactured homes used for human occupancy are parked on a lot, tract, or parcel of land under the same ownership. A manufactured home park may contain either or both single-section and multi-section manufactured homes.

Manufactured Home Site. See Manufactured Home Lot.

Manufactured Home Stand. That part of an individual lot which has been reserved for the placement of the manufactured home, appurtenant structures, or addition.

Mobile Home. See the definition of Manufactured Home. The 1980 Housing and Community Development Act, effective October, 1980, changed the term "Mobile Home" to "Manufactured Home."

Non-Conforming Structure or Use. A lawful existing structure or use, at the time this Resolution or any amendment thereto become effective, which does not conform to the requirements of this Resolution.

Non-residential Subdivision. A subdivision whose intended use is other than residential, such as commercial or industrial. Such subdivision shall comply with the applicable provisions of these Regulations.

Open Area. The area devoted to lawns, setbacks, buffers, landscaped areas, natural areas, outdoor recreation areas, and similar types of uncovered open area and maintained in plant cover, and excluding storage areas for materials, boats, or vehicles.

Owner. Any individual, firm, association, syndicate, co-partnership, corporation, trust, or any other legal entity having sufficient proprietary interest in the land, including the attorney and agent thereof.

Parking Area, Private. Privately or publicly owned property, other than streets or alleys, on which parking spaces are defined, designated, or otherwise identified for use by the tenants, employees, or owners of the property for which the parking area is required by this Resolution and not open for use by the general public.



**Parking Area, Public.** Privately or publicly owned property, other than streets or alleys, on which parking spaces are defined, designated, or otherwise identified for use by the general public, either free or for remuneration. Public parking areas may include parking lots which may be required by this Ordinance for retail customers, patrons, and clients.

**Parking Space.** An area permanently available for the parking of a full size automobile, having dimensions of not less than 9 feet by 18 feet.

**Parcel.** A unit of land which is created by a partitioning of land.

**Pavement.** That portion of a street having an all-weather, stable constructed surface and subsurface for the support and movement of vehicular traffic.

**Pavement Width.** The shortest distance as measured from edge of pavement to edge of pavement exclusive of curb and gutter.

**Person.** Any natural person, firm, partnership, association, social or fraternal organization, corporation, estate, trust, receiver, syndicate, branch of government, or any other group or combination acting as a unit.

**Planning Commission.** The Dawson County Municipal Planning Commission.

**Plat.** Includes a final map, diagram, drawing, replat or other writing containing all the descriptions, locations, specification, dedications, provisions, and information concerning a subdivision.

**Policy.** A definitive statement of requirement of the comprehensive plan or development Resolution, generally qualitative in nature.

**Prefabricated Building.** A broad term applied to any building completed in a factory setting.

**Preliminary Plat.** The preliminary drawing or drawings, described in these regulations, indicating the proposed manner or layout of the subdivision to be submitted to the Planning Commission for approval.

**Public Improvement.** Any drainage ditch, roadway, parkway, sidewalk, pedestrian way, tree, lawn, off-street parking area, other improvement, or other facility for which the county may ultimately assume the responsibility for maintenance and operation, or which may affect an improvement for which county responsibility is established.

**Public Road.** Roads in the state, county, or city road system.

1. **Arterial -** Arterials are usually state and federal highways such as SR 53 designed to move traffic over greater distances and provide access to counties and states.
2. **Collector Roads -** The main function of collector roads is to provide access to arterials.
3. **Local Road and Street -** Local roads or streets are designed to provide access to abutting property such as a local street in a municipal area. Local roads and are not intended for through traffic.

**Public Utility(ies).** Water, sanitary and storm sewer, natural gas, electrical and communications lines and facilities.

**Reserve Strip/Area.** Land which is set aside for a specific purpose.

**Right-of-Way.** A strip of land occupied or intended to be occupied by any or all of the following: a street, crosswalk, railroad, road, electrical transmission line, oil or gas pipeline, water main, sanitary or storm sewer main or for another special use. The usage for the term "right-of-way" for land platting purposes shall mean that every right-of-way hereafter established and shown on a final plat is to be separate and distinct from the lots or parcels adjoining such right-of-way and not included within the dimensions or areas of such lots or parcels.

**Screen.** A fence, wall berm, hedge, tree row, or other dense structure intended to perform a buffering effect in a limited space, and may be required in addition to a buffer.

**Setback.** The minimum allowable horizontal distance measured from the furthest projection of the structure to the adjacent property line.

**Shoulder.** That portion of a street or road from the outer edge of the paved surface or back of curb to the inside edge of the ditch or gutter or original ground surface.

**Sidewalk.** The portion of the right-of-way which is parallel to the street or road and intended for pedestrian traffic.

**Site-Built.** Constructed on site ("stick-built") but includes preconstructed wall units, etc., including packaged homes, as opposed to "Industrialized Building."

**Sign.** An identification, description, illustration, or device which is affixed to or represented, directly or indirectly, upon a building, structure, or land and which directs attention to a product, place, activity, person, institution, or business. Each display surface of a sign shall be considered to be a sign.

**Sign, Advertising.** A sign which directs attention to a business, product, activity, or service which is not necessarily conducted, sold, or offered upon the premises where such sign is located.

**Slope.** The rate of deviation of the ground surface from the horizontal surface, expressed as a percent.

**Storm Sewer.** The pipe system designed to accommodate the 25-year storm water runoff collected in the street.

**Story.** That portion of a building included between a floor and the ceiling next above which is six (6) feet or more above the grade.

**Street.** An officially approved public thoroughfare or right-of-way dedicated, deeded, or condemned, which has been officially approved by the Commission and accepted by the Commissioner for use as such, other than an alley, which affords the principal means of access to abutting property, including avenue, place, way, drive, lane, boulevard, highway, road and any other thoroughfare, except as excluded in this Resolution. The word "street" shall include all arterial highways, freeways, traffic collector streets, local streets, and lanes.

**Structure.** Something constructed or built or having a fixed base on, or fixed connection to, the ground or another structure.

**Subdivider.** Any individual, firm, association, syndicate, co-partnership, corporation, trust, or any other legal entity commencing proceedings under this Resolution to effect a subdivision of land hereunder for himself or for another.

**Subdivide Land.** To divide an area or tract of land into two (2) or more lots within a calendar year when such area or tract of land exists as a unit or contiguous units of land under a single ownership at the beginning of such year.

**Subdivision.** Subdivision means all divisions of a tract or parcel of land into three (3) or more lots, building sites, or other divisions for the purpose, whether immediate or future, or sale, or building development.

**Use.** The purpose for which land or a structure is designed, arranged, or intended, or for which it is occupied or maintained.

**Vehicle.** A device in, upon, or by which any person or property is or may be transported or drawn upon a public highway, except devices moved by human power or used exclusively upon stationary rails or tracks.

**Water-Related.** Uses which are not directly dependent upon access to a water body, but which provide goods or services that are directly associated with water-dependent land or waterway use, and which, if not located adjacent to water, would result in a public loss of the quality of goods or services offered. Except as necessary for water-dependent or water-related uses or facilities, residences, parking lots, spoil and dump sites, roads and highway, restaurants, businesses, factories, and trailer parks are not generally considered dependent on or related to water location needs.

**Yard.** A required open space other than a court unoccupied and unobstructed by any structure or portion of a structure or portion of a structure from 30 inches above the general ground level of the graded lot upward, provided, however, that fences, walls, poles, posts, and other customary yard accessories, ornaments, and furniture may be permitted in any yard subject to height limitations and requirements limiting obstruction of visibility.

**Yard, Front.** A yard extending between lot lines which intersect a street line, the depth of which is the minimum horizontal distance between the street line and a line parallel thereto on the lot.

## ARTICLE III

### PLATTING JURISDICTION AND ENFORCEMENT

#### Section 300. Platting Authority.

From and after the adoption and enactment of the Land Development Resolution and the consequent adoption and enactment of these Regulation, The Planning Commission shall be the official platting authority, and no plat of a subdivision within the unincorporated portion of Dawson County Shall be filed or recorded in the office of the Clerk of the Superior Court of Dawson County until it shall have been submitted and approved by the Planning Commission and such approval entered in writing on the plat by the appropriately designated person of the Planning Commission. The Clerk of the Superior Court shall not file or record a plat of a subdivision which does not have the approval of the Planning Commission as required by these Regulations. The filing or recording of a plat of a subdivision without the approval of the Planning Commission as required by these Regulations is hereby declared a misdemeanor and, upon conviction, is punishable as provided by law.

#### Section 301. Penalties for Transferring Lots in Unapproved Subdivisions.

The owner or agent of the owner of any land to be subdivided within Dawson County who transfers or sell or agrees to sell or negotiate to sell such land by reference to or exhibition of or by other use of a plat of subdivision of such land before such plat has been approved by the Planning Commission and recorded in the Office of the Clerk of the Superior Court of Dawson County, shall be guilty of a misdemeanor and, upon conviction thereof, shall be punished as provided by the law; and the description by metes and bounds in the instrument of transfer or other document used in the process of selling or transfer shall not exempt the transaction from such penalties. Dawson County, through its attorney or other official designated by the governing authority of Dawson County, may enjoin such transfer or sale or agreement by appropriate action.

#### Section 301.1 Plat Approval Procedures.

Plat shall be filed with the Clerk of the Superior Court of Dawson County and date stamped upon filing. The plats shall then be promptly review for compliance with this Resolution and if found to be in compliance shall then be recorded in the order which stamped. Any plat not in accordance with is Resolution shall promptly be returned to the person who presented it for recording.

#### Section 302. Acceptance of, Improvements in, and Requirements as to Unapproved Streets.

The governing authority of Dawson County shall not accept, layout, open, improve, grade, pave, or light any street or lay or authorize the laying of any water mains, sewers, connections, or other facilities or utilities in any street within the county unless such street shall have been accepted or opened as, or shall otherwise have received the legal status of a public street prior to the effective date of these Regulations or unless such street shown on a subdivision plat approved by the Planning Commission or on a street plat made and adopted by said Planning Commission; provided, however, that the governing authority of Dawson County may, in its own discretion, within the spirit and intent of these Regulations and Standards and the General Planning and Zoning Enabling Act of 1957, as amended, locate and construct or may accept any other street if the resolution or other measure for such approval be first submitted to the Planning Commission for its review and comment.

#### Section 303. Public Access.

Access to every subdivision shall be provided over a public street or a public access street or a public easement in existence on the effective date of this resolution. Access cannot be provided

by way of private easements or private right-of-way. Lots within a subdivision shall abut a public street or a public access street (a street with right-of-way dedicated to a property owner's association of the subdivision involved or reserved in the name of the developer).

Section 304. Privately Maintained Streets or Roads.

The following statement shall be placed on all plats identifying privately maintained roads in the following words:

"The roads or streets identified as "Privately Maintained" are private ways and are not maintained by state, county, city or other public agencies. Maintenance of these private ways shall be the responsibility of an established homeowners association or related private organization."

All roads or streets not accepted by the county shall be designated as "Privately Maintained." All privately maintained roads require specific acceptance for school bus and mail service and where subdivisions have privately maintained roads, a statement whether or not such roads have specifically been approved shall be placed on the plat and instrument of transfer, deed, or sales contract.

In subdivisions, neighborhoods and developments where roads are privately maintained, a home owners association or related organization shall be established to administer the maintenance of the privately maintained roads.

ARTICLE IV  
PROCEDURES FOR CONDITIONAL APPROVAL  
OF PRELIMINARY PLAT

Section 400. Preapplication Review.

Whenever the subdivision of a tract of land within Dawson County is proposed, the subdivider is urged to consult early and informally with the Chairman of the Planning Commission or his designated representative. The subdivider may submit sketch plans and data showing existing conditions within the site and in its vicinity and the proposed layout and development of the subdivision. No fee shall be charged for the preapplication review and no formal application shall be required.

Section 401. Application for Preliminary Plat Approval.

The subdivider shall submit to the Chairman of the Planning Commission, or the designated representative, at least twenty-one (21) days prior to the next regular meeting of the Planning Commission, the following:

1. A letter requesting review and approval of a preliminary plat or soil erosion control plan giving the name and address of a person to whom the notice of the hearing by the Planning Commission on the Preliminary Plat shall be sent.
2. Five (5) copies of the Preliminary Plat and other documents, as may be specified.
3. A Preliminary Plat filing fee as scheduled by the Planning Commission.

Section 402. Review of Preliminary Plat.

The Chairman of the Planning Commission or his designated representative shall check the plat for conformance with the Resolution and report his findings and recommendations to the Planning Commission, which shall afford a hearing on the Preliminary Plat, notice of the time and place of which shall be sent by the Secretary of the Planning Commission by registered or certified mail to the person designated in the letter requesting Preliminary Plat review and approval, not less than five (5) days prior to the date of the hearing.

Thereafter, the Planning Commission shall give tentative approval or disapproval to the Preliminary Plat. A notation of the action shall be made in the minutes of the Planning Commission including a statement of the reasons for disapproval if the Preliminary Plat is disapproved. One copy of the Plat shall be returned to the subdivider or his agent, one copy forwarded to the appropriate public health agency, and one copy retained in the records of the Planning Commission.

Tentative approval of a Preliminary Plat does not constitute approval of a Final Plat. It indicates only approval of the layout as a guide to the preparation of the Final Plat. Tentative approval shall expire and be null and void after a period of one year unless an extension of time is approved by the Planning Commission.

If action on a Preliminary Plat is not taken by the Planning Commission within thirty (30)

days of the date of submittal, the Preliminary Plat shall be considered approved and a certificate of approval shall be issued on demand. However, the applicant for approval may waive this requirement and consent to an extension of time.

Section 403. Preliminary Plat Specifications.

The Preliminary Plat shall conform to the following specifications and contain the required information.

1. Scale. The Preliminary Plat shall be clearly and legibly drawn at a scale not smaller than one hundred (100) feet to one inch.
2. Sheet. Sheet size shall be no larger than seventeen (17) inches in width and twenty-two (22) inches in length with a one-inch margin on each end and a one-half inch margin on the sides. If the complete plat cannot be shown on each sheet of this size, it may be shown on more than one sheet with an index map on a separate sheet of the same size. Overall sketch plans are not required to be so constrained.
3. Ground Elevation. The Preliminary Plat shall show ground elevations, based on the datum plane of the U.S. Coast and Geodetic Survey as required by the Planning Commission.
  - a. Reserved.
  - b. For land that slopes from approximately two (2) to fifteen (15) percent, if the ground slope is regular, contours shall be shown with an interval of not more than five (5) feet.
  - c. If the ground slope is more than fifteen (15) percent, contours shall be shown with an interval of not more than ten (10) feet.
  - d. A tie to one or more bench marks shall be shown on all Preliminary Plats.
  - e. After physical inspection of the site, the Planning Commission has the authority to waive the above requirements, provided that, according to their best judgment, no useful purpose would be served by a plat showing ground elevations.

4. Information to be Provided on Preliminary Plat.

The Preliminary Plat shall contain the following information:

- a. Name and address of owner of record and of subdivider.
- b. Proposed name of subdivision.
- c. North point and graphic scale and date.
- d. Acreage of the subdivision.
- e. Exact boundary lines of the tract by bearing and distance.
- f. Names of owners of record of adjoining land.
- g. Existing streets, utilities, easements on and adjacent to the tract, and any well or septic tank outside the tract within one-hundred (100) feet of property.
- h. Proposed general layout including streets and alleys, approximate lot lines dimensions, easements, land to be reserved or dedicated for public uses, and any land to be used for purposes other than single family dwellings.
- i. A description of the provisions of water supply, sewerage, and drainage. The Planning Commission may require percolation test data. If required, the Grantor (Developer or Seller) shall show percolation test data for each lot or shall warrant to the Grantee (Purchaser) that percolation is adequate for septic systems.
- j. Street cross-sections and center-line profiles are not necessary, but may be required by the Planning Commission.

5. Certification of Tentative Approval.

A certificate of Tentative Approval of the Preliminary Plat in the exact language as set forth below properly executed shall be inscribed on the plat:

"Pursuant to the Subdivision Regulations of Dawson County, Georgia, all the requirements of Tentative Approval having been fulfilled, this Preliminary Plat was given Tentative Approval by the County Planning Commission on \_\_\_\_\_, 19\_\_\_\_. This Tentative Approval does not constitute approval of a Final Plat. This Certificate of Tentative Approval shall expire and be null and void on \_\_\_\_\_, 19\_\_\_\_."

Date

Secretary, Dawson County  
Planning Commission

6. Certification concerning Privately Maintained Roads.

A statement as required by Sections 608 and 609 if there are roads that are not accepted by the County within the subdivision.

## ARTICLE V

### FINAL PLAT PROCEDURE

#### Section 500. Application for Final Plat Approval.

After the Preliminary Plat of a proposed land subdivision has been given tentative approval by the Planning Commission, the subdivider may, within one year from tentative approval, submit to the Planning Commission:

1. A letter requesting review and approval of a Final Plat and giving the name and address of the person to whom the notice of the hearing by the Planning Commission on the Final Plat shall be sent.
2. Three (3) paper copies of the Final Plat and other documents, as may be specified; and the original tracing or reproducible print thereof drawn in permanent ink or equivalent on drafting cloth or film, which is to be returned to the subdivider for filing.
3. A Final Plat filing fee as scheduled by the Planning Commission.
4. A complete disclosure on how all utilities, roads, and amenities are to be maintained, e.g., Department of Housing and Urban Development Property Report, plus information requested as a result of findings during preliminary review must be submitted.

#### Section 501. Review of Final Plat.

The Planning Commission or its designated representative shall check the Final Plat for conformance with the tentatively approved Preliminary Plat, and with the rules and regulations of this Resolution and report the findings and recommendations to the Planning Commission, which shall afford a hearing on the Final Plat, notice of the time and place of which shall be sent by the Secretary of the Planning Commission, or his designated representative, by registered or certified mail to the person designated in the letter requesting Final Plat review and approval, not less than five (5) days prior to the date of the hearing. Said notice shall further advise the owner or his agent that he shall be present at said hearings.

Thereafter, the Planning Commission shall approve or disapprove the Final Plat. A notation of approval, if appropriate, shall be made in the minutes of the Planning Commission including a statement of the reasons therefor if the Final Plat is disapproved. If action on a Final Plat is not taken by the Planning Commission within thirty (30) days of the date of the submittal, the Final Plat shall be considered approved and a certificate of approval shall be issued on demand. However, the applicant may waive this requirement and consent to an extension of time.

Section 502. Recording of Final Plat.

Upon approval of final plat by the Planning Commission or its designated representative, the final plat must be recorded in the Office of the Clerk of the Superior Court of Dawson County. The subdivider shall be responsible for the payment of the recording fee at the time of submitting the final plat as provided in the preceding Section.

Section 503. Final Plat Inspection.

The final plat shall conform to and meet the following specifications and contain the required information:

1. Scale. The final plat shall be clearly and legibly drawn at a scale not smaller than one hundred (100) feet to one (1) inch.
2. Sheet Size. Sheet size shall at a scale no larger than seventeen (17) inches by twenty-one (21) inches with a one inch margin on each side. If the plat cannot be shown on one sheet of this size, it may be shown on more than one sheet with an index map on a separate sheet of the same size.
3. Information to be Provided on Final Plat.
  - a. Name and address of owner of record and subdivider.
  - b. North point or arrow, graphic scale and date.
  - c. Name of subdivision, its acreage, and a vicinity map showing the exact location of the subdivision.
  - d. Bearings and distances to the nearest existing street lines or bench marks or other permanent monuments (not less than three) shall be accurately described on the plat.
  - e. Municipal, county, and land lot lines accurately tied to the lines of the subdivision by distance and angles when such lines traverse or are reasonable close to the subdivision.
  - f. Exact boundary lines of the tract, determined by a field survey or an undisputed corner, giving distances to the nearest one-tenth foot and angles to the nearest minute, which shall be balanced and closed within an error of closure not to exceed one to fifteen thousand feet.
  - g. Exact location, width, and names of all adjoining street and alleys within and immediately adjoining the subdivision.
  - h. Street centerlines showing angles of deflection, angles of intersection, radii, and lengths of tangents.
  - i. Lot lines with dimension to the nearest one-tenth foot and bearings.
  - j. Minimum front yard building setbacks.
  - k. Lots numbered in numerical order and blocks lettered alphabetically.

- l. Location, dimensions, and purposes of any easements and any areas to be reserved or dedicated for public use.
- m. Accurate location, material, and description of monuments and markers.
- n. A statement, either directly on the plat or in an identified attached document, of any private covenants.
- o. The following certifications in the exact language set forth below, properly executed:

1. A certification directly on the final plat in the exact language as set forth below, properly executed, as follows: "It is hereby certified that this plat is true and correct and was prepared from an actual survey of the property by me or under my supervision; that all monuments shown thereon actually exist or are marked as 'future', and their location, size, type, and material are correctly shown and that all engineering requirements of the Subdivision Regulations of Dawson County, Georgia, have been fully complied with."

BY \_\_\_\_\_ Number \_\_\_\_\_  
Registered Professional Engineer

BY \_\_\_\_\_ Number \_\_\_\_\_  
Registered Georgia Land Surveyor

2. A certificate directly on the final plat in the exact language as set forth below, properly executed, as follows: "The owner of the land shown on this plat and whose name is subscribed hereto, in person or through a duly authorized agent, certified that this plat was made from an actual survey."

AGENT \_\_\_\_\_ DATE \_\_\_\_\_

OWNER \_\_\_\_\_ DATE \_\_\_\_\_

3. A Certificate of Dedication by the owner submitted with the final plat and in such form as approved by the County Attorney which sets forth the description of the areas and improvements dedicated by the owner to the public and the extent of title which is being dedicated.

4. A copy of the Resolution adopted by the Governing Body accepting the streets, improvements easements, and any other property dedicated by the owner for a public use as indicated on the final plat, shall be attached to the final plat before recording.

5. A Certificate of Approval by the appropriate Public Health Agency, directly on the plat.



## ARTICLE VI

### GENERAL DESIGN AND OTHER REQUIREMENTS

#### Section 600. Suitability of the Land.

Land subject to flooding, improper drainage, or erosion or that is for topographical or other reasons unsuitable for residential use shall not be platted for residential use nor for any other use that will continue to increase the danger to health, safety, or property destruction, unless the hazards can be and are corrected.

#### Section 601. Name of Subdivision.

The name of the subdivision must have approval of the Planning Commission. The name shall not duplicate or closely approximate the name of an existing subdivision.

#### Section 602. Access.

Access to every subdivision shall be provided over a public street, except as provided in Sections 303 and 304.

#### Section 603. Conformance to Adopted Dawson County Plans.

All streets and other features of the Major Thoroughfare Plan of Dawson County, Georgia, shall be platted by the subdivider in the location and to the dimension indicated on the Major Thoroughfare Plan adopted by the County Commissioners.

When features of the Dawson County Comprehensive Plan and other plans adopted by the Planning Commission or County Commission such as schools or public building sites, parks or other land for public uses are located in whole or in part in a land subdivision, such features shall be either dedicated or reserved by the subdivider for acceptance or acquisition within a reasonable time by the appropriate public agency. On approval of the Planning Commission, a comparable sum of money may be contributed in lieu of dedication of land.

Whenever a plat proposes the dedication of land to public use that the Planning Commission finds not required or suitable for such public use, the Planning Commission shall refuse to approve the plat, and shall notify the governing body of the reasons for such action.

#### Section 604. Large Scale Developments and Developments of Regional Impact.

A comprehensive group development, including large scale construction of housing units together with necessary drives and ways of access may be approved by the Planning Commission although the design of the project does not include standard streets, lot, and subdivision arrangements, if departure from the Regulations and Standards can be made without destroying its intent, and if substantial evidence can be provided demonstrating the acceptable performance of the non-conformance.

Large scale developments may also meet or exceed the thresholds of the Development of Regional Impact, as identified in the 1989 Georgia Planning Act, which will require a review by the Georgia Mountains Regional Development Center.

Section 605. Easements.

Easements having a minimum width of twelve feet and located along the side or rear lot lines shall be provided if required for utility lines, and underground mains and cables.

Where a subdivision is traversed by a watercourse, drainage way, channel, or stream, there shall be provided a storm water or drainage right-of-way of adequate width. Parallel streets may be required by the Planning Commission in connection therewith.

Section 606. Reservation of Public Sites and Open Space.

1. Where the features of the comprehensive plan, such as school site, parks, playgrounds, and other public spaces are located in whole or in part in a proposed subdivision, such features shall be reserved by the subdivider: Provided, however, that no more than ten (10) percent of the total area of the subdivision shall be required for reservation to fulfill the requirements of this Section. Whenever land for such plan features is not required by dedication, it must be purchased, acquired, optioned, or condemned by the appropriate public agency within a two-year period from the date of recording the subdivision plat or by the time that at least seventy-five (75) percent of the lots are built on or occupied, whichever is sooner. Otherwise, the subdivider may claim the original reservation and cause it to be subdivided in a manner suitable to the subdivider, subject to the provisions of this Resolution. Whenever the public body responsible for land acquisition executes a written release, stating that the reserved land is not to be acquired, the Planning Commission shall waive the reservation requirements.

2. The Planning Commission shall not approve plats when such planned features, as specified by the comprehensive plan, are not incorporated into the plat.

3. When a development is of such size or of a nature which will have a significant impact on the community facilities, the dedication of an appropriate amount of land to meet such needs may be required by the Planning Commission a comparable sum of money may be contributed in lieu of such dedication.

4. Whenever the Planning Commission find that proposed reservation of land or dedication of land for public use is not required or suitable for such public use it may require the re-arrangement of lots to include subdivision of unrequired land or reservation of land suitable for public use.

Section 607. Community Assets.

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

Section 608. Responsibility for Privately Maintained Roads.

The owner, agent, or seller of any subdivisions where the roads or streets have not been accepted by the County shall include the following statement on the instrument of transfer and sales contract: "grantee herein recognizes that any and all means of ingress and egress which is provided by the grantor herein, or assigns, to the property hereby conveyed, are considered by the governing body of Dawson County to be private ways not maintainable by said governing authority. Therefore the grantee herein hereby agrees that they will be responsible for their share of the upkeep and maintenance of said private way, holding completely harmless the governing body of Dawson County of any necessity for such upkeep or maintenance."

Maintenance for private roads or ways may be designated as a responsibility of a Property Owners Association (POA) of the subdivision. In doing so, this designation shall also be recorded on the deed of property.

Streets and roads that are privately maintained are waived of the provisions of curb and gutter. If a request for any privately maintained road to be taken on by the county is made, then the said road or roads must be brought up to county specifications, including curb and gutter, prior to being accepted by the County.

Section 609. School Bus Service, Mail/Parcel Delivery, Fire Service and Police Service.

Privately maintained roads may not be acceptable or adequate for school bus service or for mail or parcel delivery service unless specifically approved by the County School Superintendent, the Postmaster, the County Fire Chief, and Sheriff respectively. A statement to the effect that a privately maintained road has or has not been so accepted shall be placed on the plat and instrument of transfer.

Private roads that are gated shall provide copies of the keys or access codes to each respective community so there may be access in the event of emergency and public safety.

## ARTICLE VII

### REQUIREMENTS FOR STREETS AND OTHER RIGHT OF WAY

#### Section 700. Continuation of Existing Streets.

Existing streets shall be continued at the same or greater width. However, in no case shall the extended portion of the street be less than the required width.

#### Sections 701. Street Names.

Proposed street which are obviously in alignment with others already existing and named, shall bear the names of existing streets. In no case shall the name for proposed streets duplicate existing street names, irrespective of the use of the suffix street, avenue, boulevard, drive, place, way or court. Through its index list of street names on file, the Planning Commission can assist the subdivider in avoiding duplication.

#### Section 702. Street Jogs.

Street jogs with center-line offsets of less than one hundred and twenty-five (125) feet shall not be permitted.

#### Section 703. Cul-de-sacs or Dead-end Streets.

1. Minor streets or courts designed to have one end permanently closed shall be no more than eight hundred (800) feet long unless necessitated by topography. They shall be provided with a turn around at the closed end.

2. Where, in the opinion of the Planning Commission, it is desirable to provide street access to adjoining property, street shall be extended to the boundary of such property and provided with a temporary turn around.

#### Section 704. Development Along Major Thoroughfares, Limited Access Highway, or Railroad Right-of-Way.

When a subdivision of three (3) or more lots occurs and the subdivision abuts or contains a major thoroughfare or a limited access highway, the Planning Commission shall require a street approximately parallel to and on each side of such right-of-way either as a marginal access street or at a distance suitable for an appropriate use of the intervening land, with a non-access reservation suitably planted. Due regard should be given requirements for approach grades and future grade separations in determining distances. Lots shall have no access to major thoroughfare (or limited access highway) but only to access street. (See Illustration I).

#### Section 705. Alleys.

Alleys may be required at the rear of all lots used for multi-family, commercial, or industrial developments but shall not be provided in one and two family residential developments unless the subdivider provides evidence satisfactory to the Planning Commission of the need for alleys.

Illustration I - Section 704.

Sections 706. Street Right-of-Way Widths.

The right-of-way width shall be the distance across a street from property line to property line. Minimum street right-of-way widths shall be as follows:

1. Variance may be granted on all street right-of-way and pavement widths, when adequate and acceptable justification is submitted. The following standards are only intended as guidelines.

2. Major street widths as shown on the Major Thoroughfare Plan. The Dawson County Plan provides for eighty (80) foot right-of-way and a minimum pavement width of twenty-four (24) feet.

3. Streets - Minimum right-of-way and pavement widths:

- a. Minor cul-de-sac and loop street  
Right-of-way - Minimum of sixty (60) feet.  
Pavement width - Minimum of twenty (20) feet.
- b. Minor residential street  
Right-of-way - Minimum of sixty (60) feet.  
Pavement width - Minimum of twenty (20) feet.
- c. Minor collector street (should new streets of this nature be constructed)  
Right-of-way - Minimum of sixty (60) feet.  
Pavement width - Minimum of twenty (20) feet.
- d. Turn arounds (including temporary) - Minimum of one hundred (100) foot diameter.
- e. Alleys - Minimum of sixteen (16) foot right-of-way.

All streets shall be evaluated according to performance within the specific site requirements or limitations.

Section 707. Additional Widths on Existing Streets.

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

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

Section 708. Street Grades.

Maximum and minimum street grades shall be as follows:

- 1. Major thoroughfare, not in excess of ten (10) percent.
- 2. Collector streets, not in excess of twelve (12) percent.

3. Residential street and dead-end streets and alley, not in access of fourteen (14) percent.

4. No more than fifteen (15) percent of the total square feet of pavement within a subdivision may be applied to a grade of twelve (12) to fourteen (14) percent.

5. No street grade shall be less than one-half of one percent in cases where streets are curbed and guttered.

Section 709. Horizontal Curvature.

The minimum radii of centerline curvatures shall be as follows:

1. Major thoroughfares, as indicated on the Major Thoroughfare Plan, but in no case less than eight hundred (800) feet.
2. Collector streets, four hundred (400) feet.
3. Residential streets and cul-de-sacs and alleys, two hundred (200) feet.
4. Exceptions may be granted based on proven performance for special site requirements.

Section 710. Tangents.

Between reverse curves there shall be a tangent having a length not less than the following:

1. Thoroughfare streets, two hundred (200) feet.
2. Collector streets, one hundred (100) feet.
3. Residential streets, twenty-five (25) feet.

Section 711. Vertical Alignment.

Vertical alignment shall be such that the following requirements are met:

1. Thoroughfare streets shall have a sight distance of at least three hundred (300) feet at four (4) feet above ground level.
2. Collector streets shall have a sight distance of at least two hundred (200) feet at four (4) feet above ground level.
3. Residential streets shall have a sight distance of at least seventy-five (75) feet at four (4) feet above ground level.

Exceptions may be granted based on proven performance for site requirements.

Section 712. Street Intersections.

Street intersections shall be as nearly at right angle as possible. No street intersection shall be at an angle of less than seventy-five (75) degrees, unless required by unusual circumstances.

Section 713. Curb-line Radii.

Property lines at street intersections shall be rounded with a curb radius of thirty (30) feet; and where the angle of the intersection is less than seventy-five degrees, the Planning Commission may require a greater radius. The Planning Commission also may permit comparable cut-off or chords in place of rounded corners.

Section 714. Slope Development.

Street alignments are subject to performance standards as are appropriate to Dawson County and state construction requirements as may be adjusted to any given site limitations.

1. The street system shall parallel contours of the land as closely as possible.
2. Depth of cuts and fills shall be held to a minimum in order to avoid excessive land disturbance. The smallest practical area should be denuded at any one time during the construction period. Suitable vegetative cover or mulch shall be applied immediately following construction to all denuded areas located on street rights-of-ways. Advice from the local Soil Conservation Service Field Engineer or a qualified soil engineer is recommended.
3. Permanent drainage structures shall be designed for anticipated run-off and be installed in the initial phase of road construction.

Section 715. Privately Maintained Roads and Streets.

Privately maintained roads and street shall be identified as such. (See Section 304, Section 608, Section 609 and Section 610)

Section 716. Shoulders of Street or Road.

All streets or roads shall have shoulders of no less than five (5) feet in width with a slope of 3/4 inch per foot of fall.

Section 717. Accel, Decel, and Left Turn Lanes.

All subdivisions of twenty (25) or more residential lots shall have acceleration and deceleration lanes for access to existing public roads. Said lanes shall be built based on the recommendation of Planning Commission specifications. Length of lanes are to be determined based on location and the number of lots in the subdivision. In some cases, the Planning Commissions may require the need for a left turn based on the type of subdivision, the size and scale of the subdivision, current traffic conditions and the type of road on which the subdivision is taking place.

Section 718. Grade of Driveway Entering Street or Road.

All driveways entering any county street or road shall have a ten (10) foot breaking area no greater than five (5) inches above the crown of the street or road.

Section 719. Exemption from Curb and Gutter Requirement.

All residential subdivisions and development where lot sizes are greater than 2.0 acres shall be exempt from the provision of curb and gutter. All other street requirements must be met.

## ARTICLE VIII

### DESIGN STANDARDS FOR BLOCKS AND LOTS

#### Section 800. Block Lengths and Widths.

Block lengths and widths shall be as follows:

1. Blocks shall not be greater than one thousand eight hundred (1,800) feet nor less than six hundred (600) feet in length, except in unusual circumstances.
2. Blocks shall be wide enough to allow two tiers of lots, except where fronting on major thoroughfares, limited access highways, or prevented by topographical conditions or size of property; in which case the Planning Commission may approve a single tier off lots of minimum depth (See Section 807) to include buffer zone.

#### Section 801. Lots Sizes and Proportions.

1. Residential lots shall meet the lot width and lot area requirements of any existing Zoning Ordinance and/or those specified for lot size based on slope in Section 807.
2. Residential lots shall have a depth of not less than one hundred (100) feet, unless circumstances make these limitations impracticable.
3. Commercial and industrial lots shall be adequate to provide service areas and off-street parking suitable to use intended.
4. Residential corner lots shall have adequate width to meet building setback requirements from both abutting streets.

#### Section 802. Adequate Building Sites.

Each lot shall contain an adequate building site not subject to flooding and outside the limits of any existing easements or building setbacks lines required by these Regulations and any existing Zoning Resolution.

#### Section 803. Lot Line Arrangements.

In so far as practical, side lot lines shall be at right angle to straight street lines or radial to curved street lines. Each lot must front for at least thirty (30) feet on or have access to a dedicated public street or road, except as provided in Sections 303 and 304.

#### Section 804. Panhandle or Flag Lots.

Panhandle or flag lots, or required width and area may be allowed where terrain makes standard design or frontage impossible or impractical. Where such lots are allowed, the street frontage of each panhandle access shall not be less than thirty (30) feet wide, and the panhandle access shall not be more than two hundred (200) feet long. Not more than two (2) such panhandle access points shall abut each other, and if so combined the width of each panhandle may be reduced to not less than twenty (20) feet. All such access points or combinations thereof shall be separated from each other by the frontage of a standard lot required under the other provisions of these Regulations and Standards.

Section 805. Building Setback Lines.

1. Building setback lines shall be indicated on each plat. The minimum setbacks shall be as follows:

- a. Minor cul-de-sac and loop street.  
Right-of-way 40 feet  
Building setback 40 feet
- b. Minor residential streets.  
Right-of-way 60 feet  
Building setback 40 feet
- c. Minor collector streets.  
Right-of-way 80 feet  
Building setback 60 feet
- d. Major collector streets.  
Right-of-way 80 feet  
Building setback 60 feet
- e. Corner lot setbacks shall conform to each right-of-way on the lot fronts.

2. In the case of electric transmission lines where easement widths are not definitely established there shall be a minimum building setback line from the center of the transmission line as follows:

Voltage of Line	Minimum Building Setback
12KV - 46KV	40 feet
47KV - 69KV	60 feet
70KV - 161KV & over	80 feet

Section 806. Double Frontage Lots.

Double frontage lots should be avoided except where essential to provide separation of residential development from major traffic arteries or to overcome specific disadvantages of topography and orientation. A planting screen easement of at least ten (10) feet, and across which there shall be no right of access, shall be provided along the line of lots abutting such a traffic artery or other disadvantageous use.

Section 807. Lot Sizes Based on Type and Improvements Required.

1. Lots being served by county or community sewer systems or water systems may be granted variances appropriate for lot size on each slope/lot size gradient. These lots shall come under Section 807.

2. Lots not being served by either a county or community sewerage system or water system shall not contain less than 1.17 acres.

Section 808. Minimum Lot Size Based on Slope.

The following table shall be used to determine the minimum lot size which shall be permitted. In using said table, interpolation shall be permitted.

Topography Slope Average (Sq. Ft.)	Minimum Area Width (Ft.)	Minimum Average Depth (Ft.)	Minimum Average in its Natural State (No cut or fill)	Ground Surface to Remain
0-9%	25,700	100	100	50%
10-14%	25,700	100	100	60%
15-19%	43,560	100	110	65%
20-24%	43,560	100	120	70%
25-29%	87,120	100	150	75%
30-34%	87,120	100	200	80%
35-39%	87,120	100	200	85%
40-49%	130,680	100	200	90%
50-69%	130,680	100	200	95%
70-100%	217,800	100	200	95%
Over 100%	No lot development permitted.			100%

Note: See Section 808. County Health Department may require even larger lots due to slope for waste disposal.

## ARTICLE IX

### REQUIRED IMPROVEMENTS

#### Section 900. Performance and Specifications.

Every subdivider shall be required to make the improvements outlined in this Article in accordance with the specifications herein or otherwise adopted by Dawson County. The necessity for storm drainage on each site will be determined by inspection.

#### Section 901. Monuments.

1. Monuments shall be placed at all block corners, and at intermediate points as required by the Planning Commission. Monuments shall be of reinforced concrete with dimensions of at least 4" x 4" x 24" with metal center pins of one-fourth (1/4) inch diameter and four (4) inch length. After installation the top of the monument shall be flush with the finished grade.

2. Lot corners shall be marked with solid steel rods not less than five-eighths (5/8) inch in diameter and twenty-four (24) inches in length and driven so as to be flush with the finished grade.

#### Section 902. Grading.

All street, road, and alleys shall be graded by the subdivider so that pavement and sidewalks can be constructed to the required cross section. The minimum width of grading shall be the pavement width as specified in Section 907, plus eight (8) feet on each side. Deviation from the above will be allowed only when due to special topographical conditions.

1. Preparation. Before grading is started, that part of the right-of-way consisting of the area to be paved plus the shoulders, shall be first cleared of all stumps, roots, brush, and other objectionable materials, and all trees not intended for preservation.

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

3. Fill. All suitable material from roadway cuts may be used in the construction of fills, approaches, or at other places as needed. Excess materials, including organic materials, soft clays, etc, shall be removed from the roadway. The fill shall be spread in layers not to exceed twelve inches loose and compacted by a sheepsfoot roller. The filling of utility trenches and other places not accessible to the roller shall be mechanically tamped. All compacted material must meet or exceed 95 % of compaction.

4. Subgrade. The subgrade shall be properly, shaped, rolled, and uniformly compacted to conform with the lines, grades, and typical cross-sections as shown on drawings approved by the Planning Commission. Unsuitable materials shall be excavated and replaced with acceptable compacted material.

Section 903. Storm Drainage.

An adequate drainage system, including necessary open ditches, pipes, culverts, intersectional drains, drop inlets, bridges, etc., shall be provided for the proper drainage of all surface water. Cross-drains shall be provided to accommodate all natural waterflow, and shall be sufficient length to permit full width roadway and the required slopes. The size of pipe to be provided shall be engineeringly determined, but in no case shall the pipe diameter be less than fifteen inches.

Section 903.1. Storm Drainage Plan.

A storm drainage plan shall be submitted at the preliminary review stage and shall contain the following information:

1. Location of proposed drainage ways, streams, retention ponds, and sediment ponds within the development.
2. Location, size and invert elevations of proposed drainage structure including culverts, bridges, pipes, drop inlets, and top elevations of headwalls, diversion ditches, etc.
3. Area of land contributing runoff to each drainage feature.
4. Location off easements and rights-of-way for drainage ways and maintenance accesses therefor.
5. Typical improvements around drainage features and culverts, if any.
6. Retention ponds meeting 25 year floodplain standards.
7. Direction of waterflow throughout the subdivision and computed velocities at those points deemed necessary by the Planning Commission.
8. Detailed engineering drawings on all impoundment structures, dams, sediment ponds, etc.
9. A certificate in the exact language as set forth below, properly executed, shall be attached or affixed to the storm drainage plan:

Storm Drainage System Certification:

State of Georgia, County of Dawson

"I, \_\_\_\_\_, NRCS Field, Civil or Hydrological Engineer, certify that the storm drainage system shown on this drawing is properly designed to serve the subdivision shown, thereon, as well as being adequate both in size and design to serve the entire drainage area, above each structure or feature, whose storm drainage waters would normally be carried through this subdivision on a twenty-five (25) year flood frequency and/or a three (3) inch per hour peak rainfall. It is further certified that the information shown hereon is true and correct and all data have been checked in the field. All drainage easements have been provided, where necessary."

BY:

Registered Professional Engineer

Number Date

Section 904. Installation of Utilities and Driveways.

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

Section 905. Water Supply System.

Water mains within subdivisions must be provided with connections to each lot. Minimum diameter of water pipes shall normally be six (6) inches except that pipe of lesser size may be used if properly looped and/or adequate water pressure is maintained in accordance with standards established by the Southeastern Fire Underwriters Association. Individual connections shall be made to each lot, and pipe sizes shall not be less than three-fourths (3/4) of an inch in diameter.

If a municipal water supply is not available to the subdivision at the time of development, the developer should provide an adequate water source and an adequate water storage facility. This should be accomplished by the use of individual wells for each housing unit or by a community water system. Individuals wells are the responsibility of the lot purchaser. The community (subdivision) water system shall be sanitary, and shall have a minimum adverse pressure of thirty (30) pounds per square inch at each lot in the subdivision, and the capacity to provide 100 gal./day/capita.

The community water system shall be approved by the appropriate health agency; and a Letter of Approval from the Georgia Department of Human Resources, Public Health Division or Georgia Department of Natural Resources, Water Supply Section, as appropriate, shall accompany the recording permit application.

Section 905.1. Water Distribution Plan.

A water distribution plan shall be provided for all developments having a community water system. It shall contain the following information:

1. Location and size of water distribution system including pipes, valves, fittings, hydrants, high pressure pumping equipment, pressure reducing valves, etc., complete to individual lots.
2. Location and size of all wells, storage tanks, and lift stations.
3. A certificate in the exact language set forth below, properly executed shall be attached or affixed to the water distribution plan:

Water Supply Certification:

State of Georgia, County of Dawson.

"The water supply system proposed for (Name of Development or Subdivision) meets all design requirements for an acceptable water supply system based on the appropriate code of the State of Georgia.

Dawson County Sanitarian, Dawson County Health Department

Date

Section 905.2. Placement of Fire Hydrants and Valves.

Fire hydrants shall be required for all subdivisions and water systems. Fire hydrants shall be located no more than one thousand (1,000) feet apart and at least six (6) feet behind the curb or ditch line. Fire hydrants must also be placed at the end of each cul-de-sac. To eliminate future street openings, all underground utilities for fire hydrants, together with fire hydrants themselves and all other water supply improvements shall be installed before any base course application of a street shown on the subdivision plat. All fire hydrants shall be set plumb with outlets 18 inches above a finished concrete surface. No valves shall be located within the pavement or curb area.

Section 906. Sanitary Sewers.

If the sewage disposal facilities cannot be connected to a trunkline sewer at the time of development of the subdivision; septic tanks, an oxidation pond, or other approved method of sewage treatment shall be installed by and at the expense of the subdivider or lot purchaser for interim use, in conformity with the requirement of the appropriate health agency.

Section 906.1. Sanitary Sewerage Plan.

A sanitary sewerage plan shall be provided for those developments offering such service and shall contain the following information:

1. Location of all proposed and existing waste water treatment facilities and information concerning present and projected capacities.
2. Location and size of all existing and proposed sewer lines in the development and tie points to other systems. Location of all sewer laterals.
3. Direction of flow of each sewer line and average slope as built.
4. Location of each manhole and other sewerage system appurtenances including lift stations, oxidation ponds, and treatment plants.
5. Profile of sewerage system.
6. A certificate of the exact language as set forth below, properly executed, shall be attached to the sanitary sewerage plan:

Sanitary Sewerage System Certification:

State of Georgia, County of Dawson.

"I, \_\_\_\_\_, a Registered Engineer, certify that the Sanitary Sewerage System shown on this drawing is properly designated; meets all local and state specifications and is adequate both in size and established depth to serve the drainage area whose sewerage would normally be carried through this development or subdivision system, whether or not the total area to be served is within this subdivision. It is further certified that the information shown hereon is true and correct."

Registered Professional Engineer

Number

Date

"I, (Appropriate Official), hereby attest to the fact that this sewerage system and treatment plant is satisfactory and meets all requirements of the State of Georgia."

(Appropriate Official) (Dawson County Sanitarian)

(Title and Department) (Dawson County Health Department)Date

Section 907. Street Pavement Widths.

Street pavement widths shall be as follows:

1. Rural minor collector streets, twenty (20) feet.
2. Residential streets and dead-end streets, twenty (20) feet.
3. Turn-around, one hundred(100) feet diameter.
4. Alleys, sixteen (16) feet.

Section 908. Street and Alley Improvements.

1. Curb and gutter required. All streets within subdivisions shall provide curbs and gutters constructed with either precast concrete curb, or integral concrete curb and gutter conforming to the following dimension or as approved by the Planning Commission.

- a. Precast concrete curb: 6 x 18 inches.
- b. Miami roll curbs: twenty-four (24) inches wide.
- c. Integral concrete curb and gutter: cross-section as approved by the Planning Commission.

2. Exception to curb and gutter requirement. An exception may be made to the curb and gutter requirement provided the subdivision includes all lots that are two (2) acre or greater in size.

3. Paving required. All streets must be prepared according to the following methods or by equivalent methods acceptable to the Planning Commission.

a. Base. The base shall consist of crushed stone or other approved material having a minimum thickness, after being thoroughly compacted, of six (6) inches on all major thoroughfares and six (6) inches on all collector and residential streets and constructed on a prepared subgrade in accordance with these specifications and in conformity with the lines, grades, and typical cross-section as shown on the drawings submitted to and approved by the Planning Commission.

All materials shall generally conform to minimum acceptable standards of the Georgia Department of Transportation, Highway Division, for this area.

All materials shall be mixed to the extent necessary to produce a thoroughly pulverized and homogeneous mixture.

As soon as the base material has been spread and mixed, the base shall be brought to approximate line, grade, and cross-section and then rolled with a roller until full thickness of the base course has been compacted thoroughly.

Defects shall be remedied as soon as they are discovered. New material shall be added if necessary, and defective portions shall be entirely removed.

The base course shall be maintained under traffic and kept free from ruts, ridge and dusting, true to grade and cross-section until it is primed.

No based material shall be deposited or shaped when the subgrade is frozen or thawing or during unfavorable weather conditions.

b. Pavement. Wearing surface shall conform to mixes found suitable by the Georgia Department of Transportation, Highway Division, or an independent testing laboratory and shall be applied after prime coat. Unless otherwise approved by the Planning Commission, pavement shall be constructed as follows:

Prime coat shall be cut-back asphalt or cut-back asphalt emulsion applied on a clean slightly damp surface in the amounts of from 0.10 to 0.30 gallons per square yard, depending on the nature and condition of the surface.

Wearing surface shall consist of approved plant mix prepared in a central plant and composed of aggregate and bituminous material having an in-place minimum compacted thickness of one and three-quarter (1 3/4) inches. Further a top coat 3/4 inch in thickness of E or F mix is required.

Sealing of joints. Care and precaution shall be taken that all joints between the surface and mixture and such structures as manholes and curbs are well sealed.

Paved Intersections. All intersections shall have a paved surface of no less than a thirty (30) foot radius; and where the angle of the intersection is less than seventy-five (75) degrees, the Planning Commission may require a greater radius.

4. Exception to paving requirements. Those subdivisions where lots are greater than one acre and no curb and gutter are required shall comply with the following: A minimum eight (8) inch base graded aggregate, two (2) inches of type E (or equivalent) asphalt paving; road width base shall be twenty-two (22) feet wide; paving shall be twenty (20) feet wide.

Section 909. Guarantee Against Faulty Material.

Final approval of street improvements shall be granted and streets accepted for maintenance by the county only in accordance with one of the following provisions:

1. (a) Developer will provide the Planning Commission with soil compaction reports and proof roll approvals before filling and for the subgrade. Four (4) out of five (5) tests shall exceed 95% standard proctor type testing.
  - (a) Developer will hire a Licensed Testing and Engineering Facility to carry out the testing required in this paragraph.
  - (a) All testing will be done to DOT specifications and standards.
2. If a county approved independent inspection and engineering company or agency inspects subdivision roads at the time of construction and finds they are built to all county specifications, the county may accept them immediately.
3. Said street improvements shall have been completed and in place for a period of one (1) year and shall, upon inspection, following such period of time, be found to be free from defective workmanship or material and from sink-holes or other settling.
4. Following otherwise satisfactory completion of such work, the subdivider shall post with the county a guaranty bond or other surety as approved by the governing body in an amount equal to ten (10) percent of the street for which acceptance is sought. Said bond will guarantee the county that said street has been installed in a workmanlike manner, that same is free from defects caused by faulty material or workmanship, and that said street will remain in acceptable condition for a period of at least one (1) year. Said guaranty bond shall be effective for a period of fifteen (15) months. If, before the end of the one (1) year period, the street is found to have settled or be otherwise unacceptable because of faulty workmanship or material, said defective street shall be repaired at the cost of the subdivider up to the amount of the guaranty bond, and upon the failure or refusal to do so within ninety (90) days after demand is made upon by the governing body, then the county shall make such repairs as are reasonably necessary, and recover the cost thereof.
5. If a development has multiple phases no road or street shall be accepted until all phases of the development have been completed.

## ARTICLE X

### VARIANCES

#### Section 1000. Purpose.

The purpose of a variance is to provide relief when a strict application of the subdivision regulations would impose unusual practical difficulties or unnecessary physical hardships on the applicant. Practical difficulties and unnecessary hardships may result from the size, shape or dimensions of a site or the location of existing structures thereon; from geographic, topographic, or other conditions on the site or in the immediate vicinity. No variance shall be granted to allow the use of property for a purpose not authorized or in a manner not authorized by the subdivision regulations.

#### Section 1001. Conditions.

Reasonable conditions may be imposed in connection with a variance as deemed necessary to protect the best interests of the surrounding property or neighborhood, and otherwise secure the purpose and requirements of this Article and the subdivision regulations. Guarantees and evidence may be required that such conditions will be and are being complied with.

- (a) The Planning Commission is responsible for considering and making recommendations on applications for variances.
- (b) The variance must specify which requirements are to be varied from. It must specify alternative standards and requirements to be met.

#### Section 1002. Criteria for Granting Variances.

Variances may be granted only if, on the basis of the application, investigation, and evidence submitted by the applicant, all four expressly written findings below are made:

- (a) That a strict or literal interpretation and enforcement of the specified standard or requirement would result in practical difficulty or unnecessary hardship; and
- (b) That these are exceptional or extraordinary circumstances or conditions applicable to the property involved or to be intended use of the property which do not apply generally; and
- (c) That the granting of the variance will not be detrimental to the public health, safety, or welfare; or
- (d) That the granting of the variance would support general objectives contained within the Resolution. Variances in accordance with this Article should not ordinarily be granted if the special circumstances on which the applicant relies are a result of the actions of the applicant or owner or previous owners.

#### Section 1003. Variances to Road and Street Requirements.

Any variance as to road, street and paving requirements which apply to or affect streets or roads which are to be dedicated to the County for county maintenance must be separately approved by the Board of Commissioners.

Section 1004. Variance Procedures.

The following procedures apply:

(a) The Planning Commission shall review the application and investigation report at the public hearing. The Planning Commission shall determine whether the evidence supports a finding that the required criteria have been met and approve with conditions, or deny the application accordingly.

(b) Application for variance shall be filed with the Planning Commission on the form prescribed by the County, by any person with a legal interest in the property.

Section 1005. Compliance with Conditions Approval.

Compliance with conditions imposed in the variance, and adherence to the submitted plans, as approved, is required. Any departure from these conditions of approval and approved plans constitutes a violation of this Resolution.

Section 1006. Vested Interest in Approved Variances.

A valid variance supersedes conflicting provisions of or amendments to this Resolution unless specifically provided otherwise by the provisions of this Article or the conditions of approval to the variance.

Section 1007. Investigations and Reports.

The Planning Commission or its designated representative shall make or cause to be made an investigation to provide necessary information to insure that the action on each application is consistent with the variance criteria. Any report of such investigation shall be included in the application file.

Section 1008. Revocation.

Variances shall be automatically revoked if not exercised within one year of the date of approval.

Section 1009. Limitations of Reapplication.

Applications for which a substantially similar application has been denied shall be heard by the Planning Commission only after a period of six (6) months has elapsed.

Section 1010. Variances for Bona Fide Intra-Family Transfers.

(a) Upon application the Planning Commission may grant a variance from any provision of this resolution where the activity to which the subdivision regulations apply is a bona fide intra-family transfer.

(b) Bona fide intra-family transfer is hereby defined as follows:

(1) Conveyance by warranty or quit claim deed with consideration recited in the deed as "love and affection", and

(2) The grantor and grantee are both one or more persons who are related

as follows:

- (a) Parent and child; or
  - (b) Brother and brother, sister and sister and/or brother and sister;
- or
- (c) Grandparent and grandchild; or
  - (d) Aunt/uncle and niece/nephew; and
- this resolution; and
- (3) The conveyance meets all other applicable criteria for a variance under
- this resolution; and
- (4) The conveyance meets all other applicable criteria for a variance under
- (5) The purpose of the conveyance is not to subdivide property for sale or resale to persons not listed in subparagraph (b) above otherwise circumvent the provisions of this resolution, and the applicant so states by sworn verification.

ARTICLE XI

INSPECTION

Section 1100. Inspection.

The County Commission or their designated representative shall have the power to conduct such investigation as he may reasonably deem necessary to carry out his duties as prescribed in this Resolution, and for this purpose to enter at reasonable time upon any property, public or private, for the purpose of investigating and inspecting the sites of subdivision activities.

No person shall refuse entry or access to any authorized representative or agent who requests entry for purposes of inspection, and who represents appropriate credentials, nor shall any person obstruct, hamper or interfere with any such representative while in the process of carrying out his official duties.

Section 1101. Independent Inspection.

With the approval of the Planning Commission, all inspections required by this Resolution may be performed by an independent inspector or independent inspection engineering firm or agency certified and qualified to do so within the State of Georgia.

If an applicant desires to take this action, the information concerning inspection must be submitted along with preliminary plat. No work shall be permitted, performed, inspected or approved until the independent inspection firm has been approved by the Planning Commission.

## ARTICLE XII

### ENFORCEMENT

#### Section 1200. Revocation of Business License or Other Authorization.

Any person failing to comply with any provision of this Resolution shall be subject to revocation of his business license, work permit, building permit or other authorization for the conduct of business and associated work activities within the unincorporated areas of Dawson County.

#### Section 1201. Stop Work Orders.

Any person failing to comply with any provision of this Resolution shall be subject to a stop work order. Upon receipt of notice of the stop work order, work on any project that is being performed in violation of this Resolution shall be immediately stopped. Such notice shall be in writing and shall be given to the owner of the property, his authorized agent or the person or persons in charge of activity on the property, and shall state the conditions under which work may be resumed. Where an emergency exists, no written notice shall be required.

#### Section 1202. Civil Penalties.

Any person violating any provision of this Resolution shall be liable for a civil penalty of not less than \$100.00 per day or not to exceed \$500.00 per day. Each day the violation continues shall constitute a separate violation.

#### Section 1203. Enforcement In Magistrate Court.

Any person who shall do anything prohibited by this Resolution or who shall fail to do anything required by this Resolution shall be guilty of a misdemeanor, amenable to the process of the Magistrate Court of Dawson County, and upon conviction, shall be assessed with any penalty, including fine, confinement, or both, allowed by law for the violation of county resolutions or ordinances. Each and every day that such violation exists shall be deemed a separate offense.

#### Section 1204. Enforcement By Injunction Or Mandamus.

The County Commission of Dawson County, in addition to other remedies, may institute injunction, mandamus or other appropriate action in proceeding to stop the violation.

## ARTICLE XIII

### MISCELLANEOUS PROVISIONS

#### Section 1300. Administration by Planning Commission Appeals.

(a) The Dawson County Planning Commission is hereby assigned the responsibility for administration (other than enforcement which shall lie with the County Commissioner or his designated representative) of this Resolution; provided, however, that any decision of the Planning Commission may be appealed to the County Commissioner as provided herein. The Planning Commission may assign such duties under this Resolution as it deems necessary or desirable to the Dawson County Planning Department.

(b) Any decision or action of the Planning Commission under this Resolution may be appealed to the County Commissioner of Dawson County; provided, however, that any such action or decision shall remain in full force and effect pending such appeal. If an applicant or permittee desires to appeal a decision or action of the Planning Commission, he shall so notify the County Commissioner in writing within fifteen (15) days of the date of the action or decision of the Planning Commission. Upon receipt of this notice the County Commissioner shall establish a date and time on which the appeal shall be heard and shall notify the applicant or permittee in writing by first class mail.

#### Section 1301. Severability.

If any paragraph, sub-paragraph, sentence, clause, phrase, or any portion of this Resolution shall be declared invalid or unconstitutional by any court or competent jurisdiction, or if the provisions of any part of this Resolution as applied to any particular situation or set of circumstances shall be declared invalid or unconstitutional, such invalidity shall not be construed to affect the portions of this Resolution to other circumstances not so held to be invalid. It is hereby declared to be the intent of the County Commissioner to provide the separable and divisible parts, and it does hereby adopt any and all parts hereof as may not be held invalid for any reason.

#### Section 1302. Liability.

Neither the approval of a plat under the provisions of this Resolution, nor the compliance with the provision of this Resolution shall relieve any person from the responsibility for damage to any person or property otherwise imposed by law nor impose any liability upon Dawson County for damage to any person or property.

ARTICLE XIV

AMENDMENTS AND MODIFICATIONS

Section 1400. Amendments and Modifications.

These Regulations may be amended or modified. Before enacting an amendment or a modification to the Regulations, the County Planning Commission shall hold a public hearing thereon, notice of which shall be published at least fifteen (15) days prior to such hearing in a newspaper of general circulation in Dawson County, Georgia.

ARTICLE XV

REMEDIES

Section 1500. Remedies.

If any land is used in violation these Regulations, the Planning Commission, the County Engineer, the County Attorney, and the County Commission of Dawson County, or any adjacent property owners who would be damaged by such violation, in addition to other remedies, may institute legal proceedings to obtain an injunction or other appropriate remedy to stop the violation or to prevent any act which would constitute such a violation.

ARTICLE XVI

PENALTIES FOR VIOLATION

Section 1600. Penalties for Violation.

Any person violating any provision of these Regulations shall be guilty of violating a duly adopted Resolution of Dawson County. Violation of any provision of these Regulations is hereby declared a misdemeanor and, upon conviction, the offender shall be punished as provided by law. Each day such violation continues shall constitute a separate offense.

Any subdivision hereafter established shall be designed, developed, and recorded in accordance with the provisions of these Regulations. Failure to comply with the regulations herein shall result in the following:

1. The jurisdictional unit shall not accept the subdivision, nor shall it improve, maintain, grade, pave, or light any street within such subdivision unless such street shall have received the status of a public street prior to the effective date of these Regulations.
2. No public agency shall authorize the extension of water service, sewer service, or other public operated services into such subdivisions.

ARTICLE XVII

LEGAL STATUS PROVISION

Section 1700. Validity.

Should any section, clause, or provision these Regulations be declared by a court of competent jurisdiction to be invalid, such adjudication shall not affect the validity of these Regulations as a whole or any part thereof other than the part so declared to be invalid, each section, clause, and provision thereof being declared severable.

Section 1701. Repeal of Previous Resolutions.

All resolutions or parts of resolutions in conflict with the terms of the Resolution are hereby repealed, but it is hereby provided that any resolution or law which may be applicable hereto and aid in carrying out or making effective the intent, purpose, and provisions hereof, which shall be literally construed to be in favor of Dawson County is hereby adopted as a part hereof.

Section 1702. Conflict with Other Laws.

Whenever the provision of the resolution impose more restrictive standards than are required under any other statute, the requirements of this resolution shall govern.

Section 1703. Effective Date.

These Regulations shall take effect and be in force from and after the adoption and enactment of the Land Development Resolution of which the Regulations are a part, the public and welfare demanding it.