



Agenda
City of Clarkesville
Regular Meeting
6:00 PM March 6, 2023

1. *Call to Order*
 - 1a. *Mayor Barrie Aycock Will Call the Meeting to Order*
2. *Invocation and Pledge*
 - 2a. *Pastor Grady Walden With Clarkesville Baptist Church Will Lead The Council Meeting in Prayer*
3. *Consent Agenda*
 - 3a. *Mayor and Council Will Consider Approval of the Following Minutes:*
February 6, 2023 Work Session
February 6, 2023 Executive Session
February 6, 2023 Council Meeting
4. *Committee Reports:*
Finance, Main Street, Fire, ESG, Planning and Zoning
 - 4a. *Finance, Main Street, Fire, ESG, and Planning and Zoning Will Present Monthly Reports*
5. *Unfinished Business*
 - 5a. *Mayor and Council Will Consider Approval of the Habersham EMC Franchise Ordinance*
 - 5b. *Mayor and Council, Along With City Manager Keith Dickerson and City Attorney Janney Sanders, Will Discuss the Detention Pond Behind Clarkesville Plaza*
6. *New Business*
 - 6a. *Mayor and Council Will Consider and Vote on the Ellison Park Max Density Variance*
 - 6b. *Mrs. Audrey Davenport With the Habersham County Historical Society Would like to Speak About Importance of Clarkesville's Involvement in the 50th Year Jubilee Celebration*
7. *Public Comment*
8. *Consider Going Into Executive Session*

9. *Adjournment*

OFFICIAL MINUTES
COUNCIL WORK SESSION

February 6, 2023
Minutes
City of Clarkesville
Council Work Session

The Council Work Session was held on Monday, February 6, 2023, at 5:00 PM at City Hall. Those present were Council Member Brad Coppedge, Council Member Terry Gladden, Council Member Franklin Brown, Mayor Barrie Aycock, Council Member Angelia Kiker. Franklin Brown joined the meeting during the Executive Session.

Agenda Item #1: Call to Order

Mayor Aycock called the meeting to order.

Agenda Item #2: Unfinished Business

Sub-Item #2a.: City Manager Keith Dickerson Will Provide Update on Sewer Capacity

Mr. Dickerson discussed the sewer capacity study. Clogs due to non-flushable wipes have been located; a new jetter has been purchased to help clear these. Mr. Dickerson would like to purchase manhole sensors in the future to study flow in future internal studies. There is also one pump station that will need replacement with anticipated future growth. Overall, the results are not great but are better than expected.

Agenda Item #3: New Business

Sub-Item #3a.: Mayor, Council and City Manager Will Discuss Detention Pond

Annie Windham, owner of property 104 131 Clarkesville Plaza has requested that the City take ownership of a small detention facility located on the property. The City currently has a sewer easement on this property that is already maintained periodically. Council approves Mr. Dickerson to negotiate takeover of this detention facility. He will ensure an easement for access to the area is granted.

Sub-Item #3b.: Mayor, Council and City Manager Will Discuss Joint Projects With the Soque River Watershed Association

City Manager Keith Dickerson and Council Member Brad Coppedge, President of the Board of the Soque River Watershed Association, would like to partner with the Soque River Watershed Association to locate and inspect stormwater culverts. They would also install no dumping decals on each culvert. The City would preform any repairs or maintenance on inspected culverts. Work will begin soon and may take several years to complete. The Mayor and Council approve this partnership.

Agenda Item #4: Public Comment

Council Member Brad Coppedge asked to discuss Rails and Trails. Mr. Dickerson explained he would like to see a map and further documentation prior to making a decision on additional funding assistance.

Agenda Item #5: *Consider Going Into Executive Session*

Sub-Item #5a.: *Mayor and Council Will Consider Entering Into Executive Session to Discuss or Vote to Authorize Negotiations to Purchase, Dispose of or Lease Property as Provided in Georgia Code Section 50-14-3(b)(1)(B).*

Council Member Terry Gladden made a motion to approve entering into Executive Session to discuss or vote to authorize negotiations to purchase, dispose of or lease property as provided in Georgia Code section 50-14-3(b)(1)(B).

Seconded: Council Member Angelia Kiker

Passed (3 - 0)

Council Member Terry Gladden made a motion to adjourn the Executive Session.

Seconded: Council Member Angelia Kiker

Passed (4 - 0)

Agenda Item #6: *Adjournment*

Council Member Terry Gladden made a motion to adjourn the meeting.

Seconded: Council Member Angelia Kiker

Passed (0 - 0)

Respectfully submitted,

Julie Poole, City Clerk

OFFICIAL MINUTES
REGULAR MEETING

February 6, 2023
Minutes
City of Clarkesville
Regular Meeting

The Regular Meeting was held on Monday, February 6, 2023, at 6:00 PM at City Hall. Those present were Council Member Brad Coppedge, Council Member Terry Gladden, Mayor Pro - Tempore Franklin Brown, Mayor Barrie Aycock, Council Member Angelia Kiker.

Agenda Item #1: *Call to Order*

Sub-Item #1a.: *Mayor Barrie Aycock Will Call the Meeting to Order*
Mayor Aycock called the meeting to order.

Agenda Item #2: *Invocation and Pledge*

Sub-Item #2a.: *First Presbyterian Church Pastor Matt Henderson Will Lead the Council Meeting in Prayer*
Pastor Matt Henderson led the meeting in prayer.

Agenda Item #3: *Consent Agenda*

Sub-Item #3a.: *Mayor and Council Will Consider Approval of the Following Minutes:*

January 9, 2023 Work Session

January 9, 2023 Executive Session

January 9, 2023 Council Meeting

Council Member Terry Gladden made a motion to approve the Consent Agenda.

Seconded: Mayor Pro - Tempore Franklin

Brown

Passed (4 - 0)

Agenda Item #4: *Committee Reports*

Sub-Item #4a.: *Finance, Main Street, Fire, ESG, and Planning and Zoning Will Present Monthly Reports*

City Manager Keith Dickerson and Fire Chief Jason Poole presented monthly reports. Mayor Aycock read the report for Mainstreet. Planning and ESG did not attend the meeting.

Agenda Item #5: *Unfinished Business*

Sub-Item #5a.: *City Manager Keith Dickerson Will Provide an Update on the Mary Street Building*
Mr. Dickerson updated that tremendous progress is being made. HVAC lines are set and sheet rock has been installed. The project is on track to be completed in March.

Agenda Item #6: *New Business*

Sub-Item #6a.: *Mayor and Council Will Consider Approval of New 2023 DDA Members Claudia Lyle, Ivy Hall and Don Nix. Mayor Barrie Aycock Will Swear In These New Members.*
Mayor Aycock swore in new DDA members with Oath of Office.

Sub-Item #6b.: *Mayor and Council Will Discuss and Consider Approval of an Apartment Moratorium*

City Manager Keith Dickerson proposed placing a moratorium on new apartment complexes. City Attorney Janney Sanders stated that a permanent moratorium does not hold up in court, therefore the Mayor and Council should consider a temporary moratorium at this point, while the City works on the comprehensive plan. In the meantime, Mr. Sanders would like to do some research to find how long a moratorium could be in place. Mayor Pro - Tempore Franklin Brown made a motion to approve placing a moratorium for applications for multifamily residential construction building developments of 10 units or more for 6 months.

Seconded: Council Member Terry Gladden

Passed (4 - 0)

Sub-Item #6c.: *Mayor and Council Will Discuss Habersham Electric Franchise Fees*

City Manager Keith Dickerson would like to assess Franchise Fees for Habersham Electric. Janney Sanders said HEMC requested a map of the City so they could locate their property. Mr. Sanders will write an ordinance and Council will vote at the next meeting.

Agenda Item #7: *Public Comment*

There were no public comments.

Agenda Item #8: *Consider Going Into Executive Session*

There was no Executive Session.

Agenda Item #9: *Adjournment*

Council Member Terry Gladden made a motion to adjourn the meeting.

Seconded: Mayor Pro - Tempore Franklin Brown

Passed (4 - 0)

Respectfully submitted,

Julie Poole, City Clerk

Main Street Report

February 2023

New businesses

- Protein Place – 2
- Mona Painter Landscaping – 1
- Peakminds Psychology Practice LLC – 1
- Candy store under new Ownership – now called Candies and More.

Pending

- Top Flight Brew Pub
- Field Ethos is moving
- Subway is moving

Bicentennial Celebration

- HEMC and Trailwave will be presenting sponsors for the mobile history center
- Will have a display booth at Historical Society Gala on Mar 11.
- The next meeting is Mar 15 at 4 pm at City Hall

Meetings

- Main Street Board
- Main Street Events Committee
- Clarkesville DDA
- Mountain Laurel Festival Committee
- Habersham Economic Development Council
- Main Street Public Arts Committee
- Northeast Georgia Travel Association

Mardi Gras

- Sold out
- Revenue – approximately \$14,000

Upcoming events

- Habersham Historical Society's 50th Anniversary Party – March 11
- Easter in the garden – April 1
- Mountain Laurel Festival and street dance – May 20
- First Presbyterian Church concert series- Wednesdays at noon
 - o Areatha Ketch- FPC Clarkesville- Piano- Mar 8
 - o Rachel Ficklin- Cleveland, Ga – Organ- Mar 15
 - o Alex Armstrong- First United Methodist Clemson- Organ- Mar 22
 - o Benji Stegner – First Presbyterian Gainesville- Organ- Mar 29

Fire Department Council Report March 2023

February Responses

Total 66

Fires 4

EMS 42

MVA 2

Hazardous Condition 1

Service 6

Canceled or False 11

Inside City 41

Outside City 25

Statistics are as of March 1, 2023 @ 0800

ESG Operations Inc.

City Hall Mtg. Agenda for February 2023

- Georgia Power Poles
- Raw water vertical turbine pumps
- Public Works projects

Departmental Activity Report for the Month of February

The following permits were issued for the month of February:

1 Permanent Sign

0 Temporary Sign

1 Building

0 Plumbing

1 Electrical

0 Mechanical

0 Tree Removal

0 Land disturbing permit

9 Construction inspections

0 Code Enforcement Actions

COs Issued:

Planning Activities: The Planning Commission considered an application for a variance at Ellison Park. This item will be considered by the mayor and council at this meeting.

IT activities for the month included security and maintenance updates on the city servers and firewalls. PC updates at the water and waste water plants. Swapped out the Street Sounds laptop. Installed a new workstation at the Fire Department.

ORDINANCE GRANTING FRANCHISE

To

HABERSHAM EMC

By

CITY OF CLARKESVILLE

On

_____, 2023

The within franchise accepted on

_____, 2023

HABERSHAM EMC

By: _____

ORDINANCE GRANTING PERMISSION AND CONSENT to Habersham EMC, a Georgia corporation, and its successors, lessees, and assigns (hereinafter referred to collectively as the "Company") to occupy the streets and public places of the City of Clarkesville, Georgia, a municipality and political subdivision of the State of Georgia (hereinafter referred to as the "City"), in constructing, maintaining, operating, and extending poles, lines, cables, equipment, and other apparatus for transmitting and distributing electricity and for other purposes.

SECTION I. Be it ordained by the governing authority of the City that the authority, right, permission, and consent are hereby granted to the Company, for a period of thirty (30) years from the date of the Company's acceptance hereof, to occupy and use the streets, alleys, and public places of the City within the present and future corporate limits of the City as from time to time the Company may deem proper or necessary for the overhead or underground construction, maintenance, operation, and extension of poles, towers, lines, wires, cables, conduits, insulators, transformers, appliances, equipment, connections, and other apparatus (hereinafter referred to collectively as the "Company's Facilities") for the business and purpose of transmitting, conveying, conducting, using, supplying, and distributing electricity for light, heat, power, and other purposes for which electric current may be or become useful or practicable for public or private use, and to re-enter upon such streets, alleys, and public places from time to time as the Company may deem proper or necessary to perform these functions, and to cut and trim trees and shrubbery when and where necessary, in the judgment of the Company, to insure safe and efficient service.

SECTION II. Be it further ordained that the rights, permission, and consents herein contained are granted for the following considerations and upon the following terms and conditions:

1. The Company shall pay into the treasury of the City on a quarterly basis no later than thirty (30) days after the last day of March, June, September and December throughout the term of this Agreement a sum of money equal to Four percent (4%) of the gross sales of electric energy to customers served under residential, commercial, and industrial rate schedules within the corporate limits of the City. The Company shall implement the franchise fee within forty-five days from the date of acceptance of the Franchise. If any payment required by this Agreement is not actually received by the City on or before the applicable date fixed in this Agreement, the Company shall pay interest thereon, from the due date to the date paid, at a rate of one percent (1%) per month. Upon agreement of the Parties, Company may pay franchise fee by electronic funds transfer and in such event, City agrees to provide to Company bank routing & account information for such purpose upon request of Company. No acceptance of any payment by the City shall be construed as an accord and satisfaction that the amount paid is in fact the correct amount or a release of any claim that the City may have for further or additional sums under this Agreement. The City may conduct an audit to ensure payments have been made in accordance with the Agreement and the audit period will be limited to three (3) years preceding the end of the quarter of the most recent payment.

2. The amount, if any, of any tax, fee, charge, or imposition of any kind required, demanded, or exacted by the City on any account, other than ad valorem taxes on property, shall operate to reduce to that extent the amount due from the percentage of gross sales provided for in paragraph 1 of this Section II.

3. The Company shall fully protect, indemnify, and save harmless the City from all damages to persons or property caused by the construction, maintenance, operation, or extension of the Company's Facilities, or conditions of streets, alleys, or public places resulting therefrom, for which the City would otherwise be liable.

4. The Company shall, in constructing, maintaining, operating, and extending the Company's Facilities, submit and be subject to all reasonable exercises of the police power by the City. Nothing contained herein, however, shall require the Company to surrender or limit its property rights created hereby without due process of law, including adequate compensation, for any other purpose at the instance of the City or for any purpose at the instance of any other entity, private or governmental.

5. For purposes of paragraph 6 of this Section II, the term "Distribution Facilities" means poles, lines, wires, cables, conductors, insulators, transformers, appliances, equipment, connections, and other apparatus installed by or on behalf of the Company (whether before or after the adoption of this ordinance) in the streets, alleys, or public places of the City for the purpose of distributing electricity within the present and future corporate limits of the City. Distribution Facilities do not include any of the following: (i) electric transmission lines with a design operating voltage of 46 kilovolts or greater (hereinafter referred to as "Transmission Lines"); (ii) poles, towers, frames, or other supporting structures for Transmission Lines (hereinafter referred to as "Transmission Structures"); (iii) Transmission Lines and related wires, cables, conductors, insulators, or other apparatus attached to Transmission Structures; (iv) lines, wires, cables, or conductors installed in concrete-encased ductwork; or (v) network underground facilities.

6. In the event that the City or any other entity acting on behalf of the City requests or demands that the Company relocate any Distribution Facilities from their then-current locations within the streets, alleys, and public places of the City in connection with a public project or improvement to secure the public health and welfare or is otherwise required by the City in the exercise of a government function, then the Company shall relocate, at its expense, the Distribution Facilities affected by such project or improvement. The Company's obligations under this paragraph 6 shall apply without regard to whether the Company has acquired, or claims to have acquired, an easement or other property right with respect to such Distribution Facilities and shall not affect the amounts paid or to be paid to the City under the provisions of paragraph 1 of this Section II. Notwithstanding the foregoing provisions of this paragraph 6, the Company shall not be obligated to relocate, at its expense, any of the following: (i) Distribution Facilities that are located on private property at the time relocation is requested or demanded; (ii) Distribution Facilities that are relocated in connection with sidewalk improvements (unless such sidewalk improvements are related to or associated with road widenings, the creation of new turn lanes, or the addition of acceleration/deceleration lanes); (iii) streetscape projects or other projects undertaken primarily for aesthetic purposes; or (iv) Distribution Facilities that are converted from an overhead configuration or installation to an underground configuration or installation.

7. The City and the Company recognize that both parties benefit from economic development within the City. Accordingly, when it is necessary to relocate any of the Company's Facilities (whether Distribution Facilities, Transmission Lines, Transmission Structures, or other facilities) within the City, the City and the Company shall work cooperatively to minimize costs, delays, and inconvenience to both parties while ensuring compliance with applicable laws and regulations. In addition, the City and the Company shall communicate in a timely fashion to coordinate projects included in the City's five-year capital improvement plan, the City's short-term work program, or the City's annual budget in an effort to minimize relocation of the Company's Facilities. Such communication may include, but is not limited to, (i) both parties' participation in the Georgia Utilities Coordinating Council, Inc. (or any successor organization) or a local utilities coordinating council (or any successor organization) and (ii) both parties' use of the National Joint Utility Notification System (or any successor to such system mutually acceptable to both parties).

SECTION III. Be it further ordained that nothing contained in this ordinance shall limit or restrict the right of customers within the corporate limits of the City to select an electric supplier as may hereafter be provided by law.

SECTION IV. Be it further ordained that from time to time after the approval of this ordinance, the Company and the City may enter into such additional agreements as the Company and the City deem reasonable and appropriate; provided, however, that such agreements shall not be inconsistent with the terms and conditions of the franchise granted in this ordinance, shall not extend beyond the term of the franchise, and shall be enforceable separate and apart from the franchise.

SECTION V. Be it further ordained that the Company shall, within thirty (30) days from the approval of this ordinance, file the Company's written acceptance of the franchise granted in this ordinance with the Clerk of the City, so as to form a contract between the Company and the City.

SECTION VI. Be it further ordained that upon such acceptance all agreements that may exist between the Company and the City with respect to the Company's use of the City's streets, alleys, and public places the provisions of this Franchise shall be controlling.

SECTION VII. Time is of the essence of this agreement and the provisions thereof.

Adopted by the City Council of the City of Clarkesville, Georgia, at a meeting held on
March 6, 2023.

Mayor

ATTEST: _____
City Clerk

I, , Clerk of the City of , Georgia, hereby certify that I was present at the meeting of the City Council of the City of , Georgia, held on March 6, 2023, which meeting was duly and legally called and held, and at which a quorum was present, and that an ordinance, a true and correct copy of which I hereby certify the foregoing to be, was duly passed and adopted by the City Council of the City of Clarkesville, Georgia, at said meeting.

IN WITNESS WHEREOF, I hereunto set my hand and the corporate seal of the City of Clarkesville, County of Habersham, State of Georgia, this 6th day of March, 2023.

City Clerk

(SEAL)



established 1823

CLARKESVILLE

— We Call it Home. —

March 6, 2023

Ellison Park Maximum Density Variance Brief

Property owner, Bowersox Investment Group is requesting an increase of maximum density for Land Lots 3 & 4 of the 12th Land District. This area was originally going to be a subdivision several years ago. Bowersox is planning to build high-quality market-rate apartments on the property.

The property zoning is R-2, Multiple-Family, and has a max density of 10.00 units per acre. At 6.8 acres, this would make for 68 possible units. The applicant is requesting an increase to 12.36 units which would be 84 units.

After discussing the merits of the application with the representative of Bowersox, the commission decided that a variance based on financial reasons does not meet the zoning ordinance's requirements of hardship.

Clarkesville definitely needs more housing, but in the best interest of the guidance of zoning in regard to density, it would not be prudent to exceed the density requirements set forth in the ordinances.

The Planning Commission voted unanimously to deny the application for the variance and forward their recommendation to deny it to the Governing Body.

Respectfully,

Caleb Gaines
Zoning Administrator
City of Clarkesville



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CLARKESVILLE

— We Call it Home. —

March 6, 2023

To: Mayor and Council

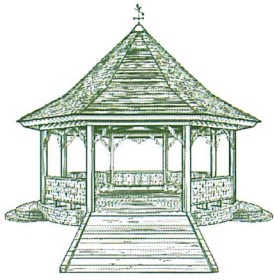
Subject: Request for maximum density increase at Land Lots 3 & 4 of the 12th Land District (known as Ellison Park). The requested increase is from 10.00 units to 12.36 units per acre.

1. Public notice was run in the Northeast Georgian in the January 20th, 2023 issue.
2. The required sign was posted in front of the property on January 23rd, 2023.
3. Section 2301 of the Zoning Ordinance states the that: maximum density (units per acre) is 10.00 in R-2, Multiple-Family Residential.
4. The applicant is requesting an increase in maximum density to 12.36 units per acre.
5. The applicant has submitted all necessary paperwork and fees in regards to the application.
6. There has been a public inquiry about this application in regard to the variance request. It was from a citizen located outside of the city limits. Their concern is that the density request is not needed.

Taking into consideration the Planning Commission's unanimous decision to deny the request; it is my recommendation to deny the request for the variance as well.

Respectfully submitted,

Caleb Gaines
Zoning Administrator
City of Clarkesville



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CLARKESVILLE

— We Call it Home. —

March 6, 2023

From: Planning Commission

To: Mayor & Council

Subject: Request for maximum density increase at Land Lots 3 & 4 of the 12th Land District (known as Ellison Park). The requested increase is from 10.00 units to 12.36 units per acre.

1. The Planning Commission met on February 14, 2023, to consider the above matter. The original of the request presented to the Planning Commission is attached.
2. The property owner at the above address is requesting a variance for an increase in the allowed maximum density so they can build an 84-unit market-rate apartment complex. The current density allows for 68 units.
3. The Planning Commission voted 4-0 to deny the variance for the above-mentioned property citing that financial reasons do not meet the requirement for hardship per the Zoning Ordinance.
4. Therefore, it is the recommendation of the Planning Commission that the City denies the application for variance at the above-mentioned property.

Respectfully submitted,

Bruce Haglund, Chairperson
City of Clarkesville Planning Commission

Zoning Change Application

(Annexation, Map Amendment, Conditional Use and Variance)

for

Ellison Park Subdivision

(address)

City of Clarkesville, PO. Box 21 Clarkesville, GA 30523

Tel: 706-754-4216

Fax: 706-754-9316

CITY OF CLARKESVILLE

JAN 11 2023

CLARKESVILLE
We Call it Home.

PAID

PROPERTY OWNER/APPLICANT	APPLICANT	REPRESENTATIVE	OWNER
	Name: Bowersox Investment Group	Name: Stephanie Joyce	Name: Clarkesville LLC LLP
Address: 1353 Riverstone Pkwy Ste 120-172	Address: 1353 Riverstone Pkwy Ste 120-172	Address: 818 Market Street Unit 102	
City/State/Zip: Canton GA 30114	City/State/Zip: Canton GA 30114	City/State/Zip: Woodstock GA 30188	
Telephone:	Telephone:	Telephone:	
Fax:	Fax:	Fax:	
Cell: 404-207-4999	Cell: 404-207-4999	Cell: 678-851-5604	
Email: stephanie@bowersoxgroup.com	Email: stephanie@bowersoxgroup.com	Email: ryan@bowersoxgroup.com	

Applicant's Signature

Representative's Signature

Owner's Signature

ACTION REQUESTED	ACTION REQUESTED	
	☐ Annexation: Request rezoning from county _____ to _____ ☐ Map Amendment: Request rezoning from _____ to _____ (current) (proposed) ☐ Conditional Use: Zoning district: _____ Conditional Use Requested: _____ ☒ Variance: Zoning district: <u>R2</u> Variance Requested: <u>increase in density</u>	

PROPERTY RECORDS	PROPERTY RECORDS	
	A recorded Legal Description of the property, reflecting current ownership, for which action is requested by one or more of the following: ☐ Metes and Bounds (attach copy of recorded document) ☒ Boundary Survey (attach copy of recorded survey, showing all easements, crossings or other appurtenances) ☐ Tax Plat (attach certified copy of plat from Habersham County Tax Commissioner's office)	

FOR OFFICE USE ONLY (DO NOT WRITE BELOW)

General Zoning Change	Commercial Zoning Change	Disposition
Signature(s) and form(s) ☐	Signature(s) and form(s) ☐	Application Filed: <u>1/11/23</u> Rcvd by: <u>A. Hudai</u>
Letter of Intent ☐	Letter of Intent ☐	Fee Paid \$ <u>650</u> on <u>1/11/2023</u>
Maps & Plats ☐	Maps & Plats ☐	Public Notice: <u>1/20/23</u> News Signs ☒
Tax Records/Liens ☐	Tax Records/Liens ☐	Zoning Admin: <u> </u> / <u> </u> / <u> </u> Action: <u> </u>
Parking & Access ☐	Parking & Access ☐	Planning Comm: <u> </u> / <u> </u> / <u> </u> Action: <u> </u>
Floodplain Zone ☐	Floodplain Zone ☐	Governing Body: <u> </u> / <u> </u> / <u> </u> Action: <u> </u>
Landscaping ☐	Landscaping ☐	Letter of Determination: <u> </u> / <u> </u> / <u> </u>
Twelve-Month Rule ☐	Concept Plans ☐	Eligible Filing Date: <u> </u> / <u> </u> / <u> </u>

**Application for Variance
City of Clarkesville, Georgia**



Name of Applicant: Bowersox Investment Group
 Address: 1353 Riverstone Pkwy Ste 120-170
Canton GA 30114
 Telephone: 404 207 4999
 Name of Property Owner: Clarkesville LLC LLP
 Property Owner Address: Ellison Park
 Property Owner Telephone: _____

Address and Map & Parcel No. of Property for which variance is sought: _____

Ellison Park

Fee: Please include a check in the amount of \$⁶⁵⁰625 payable to the City of Clarkesville. Credit Card payment may be made at City Hall.

Attachments: Attach a survey of the property and scale drawings showing existing and proposed improvements. Provide one full-size copy of all plans, as well as one copy of all plans in an 8-1/2" x 11" format. It is helpful to include floor plans and elevations of proposed building improvements, as well as a letter of support from adjacent property owners. If the applicant is not the current property owner, provide a notarized authorization for this application from the current property owner.

Please provide the following information. All questions must be answered.

1. What is the variance requested? What code requirement do you wish to vary from?

Increase from 68 units to 84 units

2. What are the extraordinary and exceptional conditions pertaining to the particular piece of property in question (size, shape, topography) that are not applicable to other land or structures in the same district?

maximum use of size

3. Explain how a literal interpretation of the provision of the zoning regulations would create an unnecessary hardship and would deprive the applicant of rights commonly enjoyed by other property owners within the district in which the property is located.

increased cost of construction
requires increased density

4. Does the granting of the variance requested confer upon the property of the applicant any special privileges that are denied to other properties of the district in which the applicant's property is located?

No

5. Will the granting of a variance be in harmony with the purpose and intent of the zoning regulations and will not be injurious to the neighborhood or general welfare in such a manner as will interfere with or discourage the appropriate development and use of adjacent land and buildings or unreasonably affect their value?

yes

6. Are the special circumstances from which the variance is sought result from the actions of the applicant?

No



Effective Date: 12/01/2022

Letter of intent to construct Ellison Park Apartments

We, Bowersox Investment Group, issue this letter expressing our intention to build 84-unit apartment complex on E Louise Street. Herewith,

1. The Contractor: JK Lockwood Construction
2. The Client: Clarkesville LLC LLP
3. The Architect: Studio 8 Design
4. The Civil Engineer: James D Irvin – Foothills Land Design
5. Project will include 3 story walk-up buildings, Dog Park, and walking trails. 20% of the units will be reduced rent rates for low-income earners. Goal is to have the buildings contain a HERS rating of 55 or lower.

We understand and here by agree that the permit to build 84 units is contingent upon sewer and storm water capacity to serve.

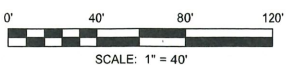
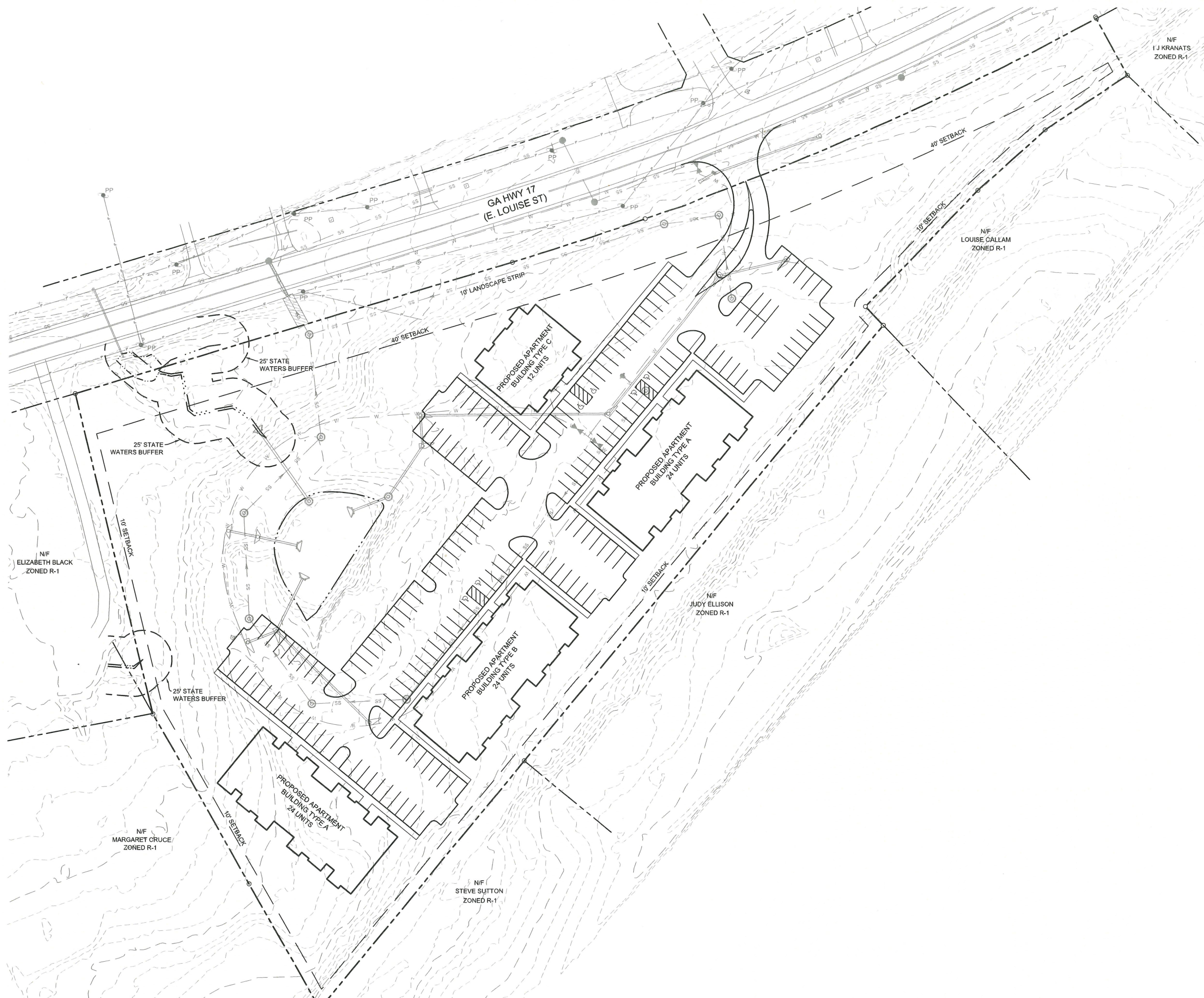
Authorized signatory _____

Clarkesville LLC LLP
Bowersox Investment Group
Stephanie Joyce

Signature _____ Date 12/1/22

Authorized signatory _____





164 PROFESSIONAL DRIVE
BALDWIN, GA 30511
PHONE: (706) 776-0067
FAX: (706) 776-0069
www.foothillsld.com

SITE PLAN

ELLISON PARK APARTMENTS

LAND LOTS 3 & 4, 12TH DISTRICT
CITY OF CLARKESVILLE
HABERSHAM COUNTY, GA

REVISIONS:		DATE
NO.	DESCRIPTION	

DATE: OCTOBER 5, 2022

SCALE: 1" = 40'

SHEET:
1

JOB #22015