

# Rabun County Board of Commissioners

25 Courthouse Square, Suite 201 ❖ Clayton, Georgia 30525

706-782-5271 ❖ fax 706-782-7588

Road Department ❖ Tim Mitchem, Director ❖ 706-782-7562

## PUBLIC ROAD CUTS APPLICATION

*(please print clearly)*

Date of Application \_\_\_\_\_

Property Owner \_\_\_\_\_

911 Address where work is to be done (or closest) \_\_\_\_\_

Company or Individual doing work \_\_\_\_\_

Individual to contact regarding work \_\_\_\_\_

Phone numbers of individual to be contacted regarding work (c) \_\_\_\_\_ (o) \_\_\_\_\_

Date \_\_\_\_\_ Time \_\_\_\_\_ above individual can meet at the site regarding this application

Specific Work being done \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Date work will begin \_\_\_\_\_

Specific date work to be completed \_\_\_\_\_

*All soil erosion and any other permits are the sole responsibility of applicant.*

**BY SIGNING BELOW I AM STATING THAT I HAVE RECEIVED, READ AND UNDERSTAND THE ATTACHED ORDINANCE, SKETCHES AND CHECKLIST.**

Applicant's Signature \_\_\_\_\_

Witnessed by \_\_\_\_\_

Application fee of \$50 paid by: \_\_\_\_\_ cash \_\_\_\_\_ charge (see separate form) \_\_\_\_\_ Check no. \_\_\_\_\_

Application faxed: date \_\_\_\_\_ time \_\_\_\_\_ by \_\_\_\_\_ (attach confirmation)



*After work is completed, it must be inspected by designee of Commissioner's Office to be released.*

Final Inspection by \_\_\_\_\_

Date \_\_\_\_\_

APPLICANT AGREES TO THE FOLLOWING CONDITIONS AS PART  
OF THE APPLICATION:

1. All wells must be off the road right-of-way as specified by road superintendent or his designee.
2. All road culverts must be minimum of 18 inches or greater. They must be installed as shown on the permit scale or as directed by the issuing authority.
3. All specifications must be met to receive approval.
4. Any other requests listed below (if any) are to be completed before final approval.

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

STATE OF GEORGIA  
COUNTY OF RABUN

AN ORDINANCE TO BE KNOWN AS THE  
RABUN COUNTY DRIVEWAY ACCESS ORDINANCE

FIRST AMENDMENT

WHEREAS, Rabun County Board of Commissioners adopted a  
Driveway Access Ordinance, on April 28, 1995  
and,

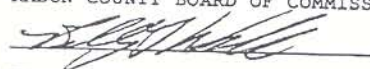
WHEREAS the Rabun County Board of Commissioners wish to  
amend said Ordinance as it applies to those roads within the  
County designated as State roads regulated by State of  
Georgia, Department of Transportation;


NOW THEREFORE, said Ordinance is amended by adding the  
additional requirements that any request for a business  
license, grading permit, building permit or driveway permit  
adjacent to a State road shall not be granted unless the  
applicant first obtains an approved permit from the State  
Department of Transportation. No existing driveway  
providing access to a residence shall be converted into a  
commercially used driveway nor shall a change in zoning be  
approved without prior approval in the form of a permit from  
the State Department of Transportation. Except as amended  
herein, said Ordinance shall remain in full force and  
effect.

PLACED ON FIRST READING AT REGULAR MEETING ON  
THE 24<sup>th</sup> DAY OF March, 1998.

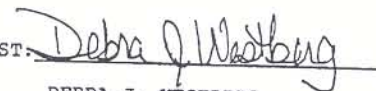
PLACED ON FINAL READING AND ADOPTION ON THE 5<sup>th</sup>  
DAY OF May, 1998.

RABUN COUNTY BOARD OF COMMISSIONERS:

  
BOBBY WELCH

  
MAX WATTS, CHAIRMAN

  
MIKE DIXON

ATTEST:   
DEBRA J. WESTBERG

COUNTY CLERK/RABUN COUNTY BOARD OF COMMISSIONERS

AN ORDINANCE TO BE KNOWN AS THE  
RABUN COUNTY DRIVEWAY ACCESS ORDINANCE

AN ORDINANCE TO PROVIDE FOR THE REGULATION OF CONSTRUCTION OF DRIVEWAYS ADJACENT TO THE PUBLIC ROADS OF RABUN COUNTY; AN ORDINANCE TO PROVIDE FOR PERMITS TO CONSTRUCT DRIVEWAYS; AN ORDINANCE TO PROVIDE FOR PENALTIES FOR FAILURE TO OBTAIN PERMITS TO CONSTRUCT DRIVEWAYS OR OTHER THOROUGHFARES; AN ORDINANCE TO PROVIDE FOR THE PROPER CONSTRUCTION OF DRIVEWAYS AND OTHER CONNECTIONS TO THE PUBLIC ROAD SYSTEM FOR RABUN COUNTY.

-1-

It shall be unlawful for any person, corporation, or other legal entity to construct a driveway, road, street, or thoroughfare upon or adjacent to any public road within Rabun County so as to intersect with said road unless such person, corporation, or other legal entity, shall first obtain a permit to construct such driveway, road, street or thoroughfare for the purpose of gaining access to the public roads of Rabun County, Georgia.

-2-

Any person, corporation or other legal entity wishing to construct a driveway, road, street or thoroughfare upon or intersecting with the public roads of Rabun County, shall make an application to the office of the Board of Commissioners in the Rabun County Courthouse and pay a fee with said application as established from time to time by the Board of Commissioners with the initial fee to be \$ 50.00 . The Rabun County Board of Commissioners will provide for the application to be considered within 72 hours and will instruct the applicant of the requirements necessary to provide access to the county road. Each access shall be constructed in a manner which will not damage the

public or county road or hinder use of the public or county roads.

-3-

Any such driveway, road, street, or thoroughfare shall be subject to inspection prior to issuance of a permit to connect to the county road. The appropriate official as designated by the Rabun County Board of Commissioners may consider any plans or other evidence deemed sufficient to inform the County of the intended construction of any such driveway. The permit issued by the County to construct any driveway, road, street or thoroughfare may include specifications for grade, gravel, or other construction specifications so as to provide for the orderly management of the public roads within Rabun County and their connection to private ways for access.

-4-

Any person found to be in violation of this Ordinance shall be guilty of a misdemeanor and subject to a fine of not less than \$100.00 for each violation. It is here provided that should any person access or connect to the public road without a permit subsequent to the date of this Ordinance, then each day such violations exists shall constitute one violation of this Ordinance but in no event shall any person be fined more than \$1,000.00 for the construction of one driveway, road, street or thoroughfare. Violations of this Ordinance shall be investigated and enforced by the County Marshall's office. Alleged violations may be heard by the Chief Magistrate of Rabun

County or any other inferior court and the Superior Court of Rabun County, Georgia.

-5-

Any permit issued pursuant to this Ordinance to construct any driveway, road, street or thoroughfare to access a public road shall be subject the provisions of such permit and a failure to comply with the conditions of the permit shall be sufficient basis and grounds for the Board of Commissioners to revoke said permit and/or cite for violation of this Ordinance.

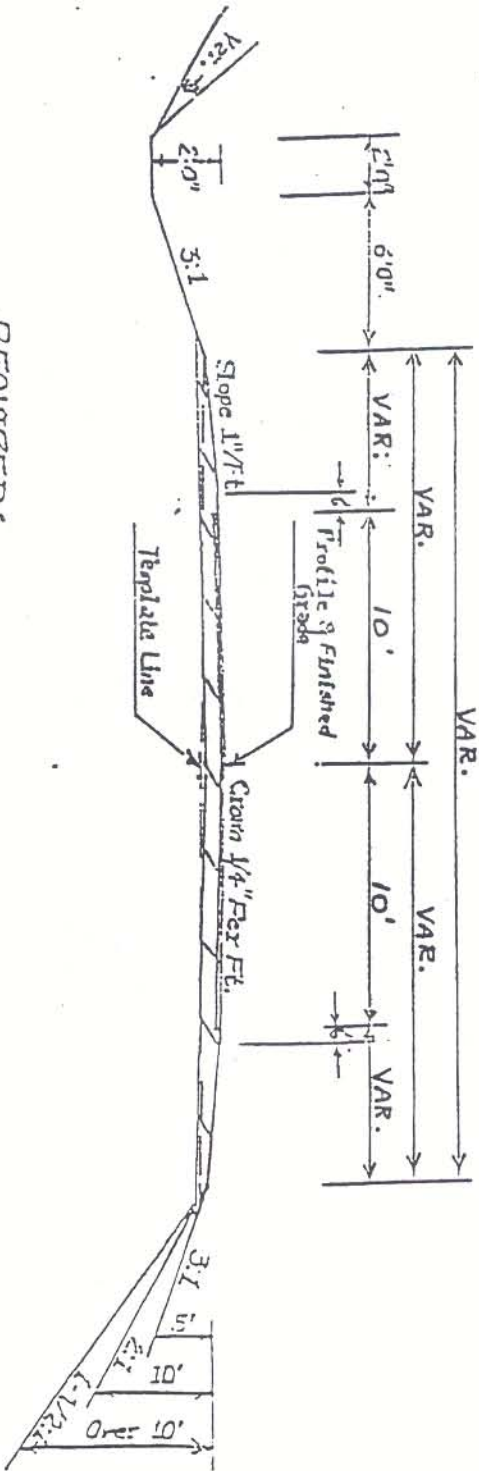
BE IT ORDAINED, this 28 day of April, 1995.

RABUN COUNTY BOARD OF COMMISSIONERS

 L.S.

 L.S.

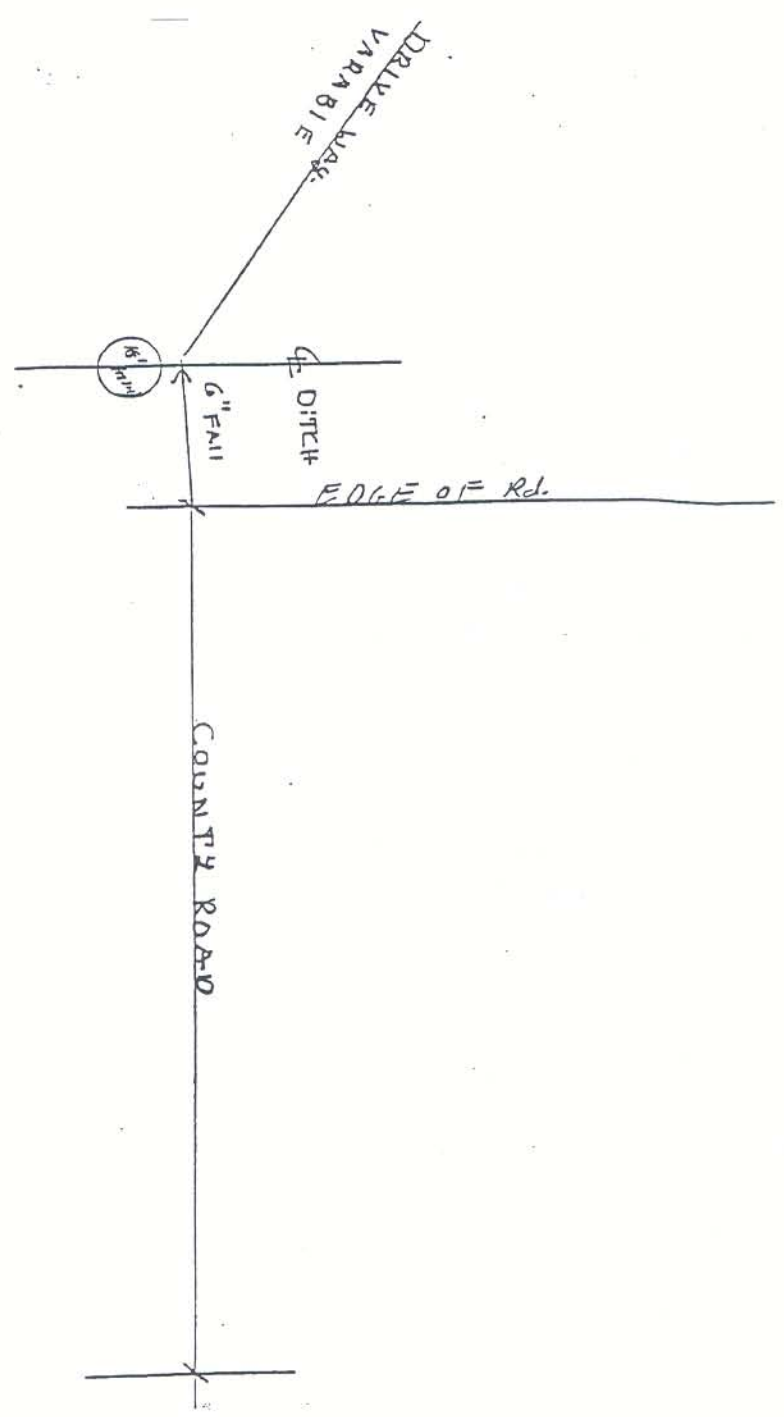
\_\_\_\_\_ L.S.



REQUIRED:

NOTE: PAVING MAY BE OMITTED.

NEW PRIVATE DRIVES OF COUNTY Rd.  
UP GRADE DRIVES ONLY-



RABUN COUNTY  
CHECK LIST FOR NEW CONSTRUCTION

1. Obtain Rabun County Health Department permit for sewage system.
2. Acquire a building permit from Rabun County Planning & Zoning office. (Need plat of lot, with location of new house drawn on it. The house must be located twenty five (25) feet from any road right of way and fifteen (15) feet from side and rear property lines.)
3. Obtain a driveway permit from Rabun County Board of Commissioners, if constructing a driveway and property is located adjacent to a county road.
4. Proper soil erosion measures must be taken to prevent siltation runoff, for example: silt fences, hay bales, sediment basins. For assistance in preparing site, please call Rabun County Planning & Zoning office at (706) 782-1579. This is a free service provided by the county.
5. A soil erosion and sedimentation plan must be filed with Rabun County Marshal/Soil Erosion officer and be approved if project has more than one residential dwelling.
6. All Department of Natural Resources and Federal Emergency Management Agency (FEMA) guidelines must be met, for example: DNR setbacks from trout streams are fifty (50) feet for residential construction and fifty (50) feet for commercial construction. If encroaching within 50-foot buffer, a variance must be obtained from the DNR.
7. Obtain a 911 number from Rabun County Mapping Department, (706) 782-7579, located at Rabun County EMS building at the Clayton Fire Department.