



# DeKalb County Government

Manuel J. Maloof Center  
1300 Commerce Drive  
Decatur, Georgia 30030

## Agenda Item

File ID: 2018-2778

Substitute 1/8/2019

Public Hearing: YES  NO  Department: Watershed Management

### SUBJECT:

Commission District(s): District 1

Sewer Petition-Winchester Trail (City of Brookhaven)

Information Contact: Reginald Wells, Interim Director

Phone Number: 770-621-7208

### PURPOSE:

To consider a Petition requesting extension of the County's sanitary sewer system for a portion of Winchester Trail located in Brookhaven, Georgia. If approved, construction will be programed for the installation of approximately 895 linear feet of new 8-inch sanitary sewer pipeline system, and the designated area on Winchester Trail shall become a special tax district and properties within the designated area shall be assessed a portion of the cost of construction, \$7,500.00 per property.

### NEED/IMPACT:

Winchester Trail is located in Brookhaven, Georgia. Winchester Trail is currently partially served by public sewer. A Petition has been submitted to the County to have public sewer installed along the section of Winchester Trail not currently served by public sewer. There are 11 properties that are not currently served by public sewer along Winchester Trail. The Department of Watershed Management (DWM) staff has confirmed that there is available capacity in the system for the additional flow from Winchester Trail. The designated area, as defined by DWM, includes the following properties: 1858, 1864, 1872, 1880, 1888, 1896, 1845, 1875, 1885, 1889 and 1897 Winchester Trail. In accordance with Chapter 25, Article IV, Division 2.5 of the Code of DeKalb County, as Revised 1988, a minimum of 51% of residents in the designated area must petition the County for sewer facilities in order for a petition to be approved. 63% of the residents in the designated area (based on 7 signatures for 11 properties) submitted a complete Petition for sanitary sewer extension into the area. A public notice advertising the public hearing before the BOC was run in the Champion Newspaper for twenty (20) days prior to the hearing and notice was mailed to the property owners in the designated area.

### FISCAL IMPACT:

Project Estimate initial cost to County is approximately \$375,000.00 (expect to recoup \$82,500.00 from assessments). Funding Source - Line Item 73 of the DWM Renewal and Extension (R&E) Fund.

### RECOMMENDATION:

To approve the attached Petition and authorize the installation of approximately 895 linear feet of new 8-inch sanitary sewer pipeline system on Winchester Trail, authorize the creation of a special tax district for the designated area, whereby properties within the designated area shall be assessed a portion of the cost of construction, \$7,500.00 per property, and authorize the Chief Executive Officer to execute all necessary documents.



**EXHIBIT B  
PETITION ASSESSMENT FORM**

GEORGIA, DEKALB COUNTY

TO THE HONORABLE BOARD OF COMMISSIONERS OF DEKALB COUNTY:

The undersigned of the property, which will be affected by any sewer main constructed pursuant to this petition respectfully, requests the DeKalb County Board of Commissioners to survey and construct sewer mains serving the following streets, costs of this to be assessed against abutting property in accordance with current County code.

**DESCRIPTION OF SEWER MAIN**

Sewer main shall run along Winchester Trail and impact properties located at

This petition must be returned to the Department of Watershed Management on or before \_\_\_\_\_ in order to be valid. Owners of fifty-one (51) percent or more of the area to be affected thereby must join in this request to validate it.

Name: JOHN MAC DONALD

Location Address: 1872 WINCHESTER TRL 30341

Mailing Address: 1872 WINCHESTER TRL 30341

Cost Per Lineal Foot:        Approximate Cost:       

(Actual cost dependent on final survey)

**PETITION OF ASSESSMENT:** Each year, after the construction has been completed, the finance director shall be responsible for calculating each property owner's annual pro rata share of the costs. The tax commissioner shall be responsible for collecting from the property owners payment of their pro rate share of one-third (1/3) of the costs associated with the sanitary sewer, not to exceed seven thousand five hundred dollars (\$7,500). Beginning January 1<sup>st</sup> of the year following the completion of construction and for each year thereafter, the tax statement issued to each such property owner shall include a separate line item tax showing each property owner's annual pro rata share of the costs until paid.

The annual pro rata share of the one-third (1/3) share of the costs, as limited by the seven thousand five hundred dollar (\$7,500) cap, shall become due and payable as the same time that County taxes are due and payable. Each assessment shall become a lien against the property served on January 1<sup>st</sup> of each year in the same manner that a lien attaches for County taxes, and such lien shall cover the property of the owner until such assessment is paid.

<u>NAME</u>	<u>STREET ADDRESS</u>	<u>PHONE</u>
Signed: <u>[Signature]</u>	<u>1872 WINCHESTER TRL (404)</u>	<u>540-5622</u>

Signed: \_\_\_\_\_ ( ) \_\_\_\_\_

This: 22 day of MARCH, 2018.

**TO BE VALID, A SIGNATURE MUST BE THAT OF THE ACUTAL PROPERTY OWNER, AND NTO THAT OF HIS/HER SPOUSE, WHERE OWNERSHIP IS VESTED IN BOTH SPOUSES, BOTH SHOULD SIGN THE PETITION. SIGNATURES CANNOT BE ALTERED OR REMOVED BY PROPERTY OWNER AFTER THIS PETITION HAS BEEN SUBMITTED TO DEKALB COUNTY.**

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Name: Susan Byars

Location Address: 1889 Winchester Trail Atlanta, GA 30341

Mailing Address: 1889 Winchester Trail Atlanta, GA 30341

Cost Per Lineal Foot: \_\_\_\_\_ Approximate Cost: \_\_\_\_\_

(Actual cost dependent on final survey)

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<u>NAME</u>	<u>STREET ADDRESS</u>	<u>PHONE</u>
Signed <u>Susan W. Byars</u>	<u>1889 Winchester Trail</u>	<u>(404) 308-5155</u>
Signed: _____	<u>Atlanta, GA 30341</u>	( ) _____
This: <u>24<sup>th</sup></u> day of <u>March</u> , 20 <u>18</u>		

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Name: Linda P. Abbey

Location Address: 1845 Winchester Trail Chamblee GA 30341

Mailing Address: 4909 Cambridge Drive Dunwoody GA 30338

Cost Per Lineal Foot: \_\_\_\_\_ Approximate Cost: \_\_\_\_\_

(Actual cost dependent on final survey)

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**NAME**

**STREET ADDRESS**

**PHONE**

Signed: Linda P. Abbey 1845 Winchester Tr. Chamblee GA (770) 393-8818

Signed: \_\_\_\_\_ (\_\_\_\_) \_\_\_\_\_

This: 25 day of March, 2018.

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Name: Edward Shen Hong Nguyen

Location Address: 1885 Winchester Trail, Chamblee GA 30341

Mailing Address: 1885 Winchester Trail, Chamblee GA 30341

Cost Per Lineal Foot: \_\_\_\_\_ Approximate Cost: \_\_\_\_\_

(Actual cost dependent on final survey)

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**NAME**

**STREET ADDRESS**

**PHONE**

Signed: [Signature]

(561) 801-0944

Signed: [Signature]

(352) 279-9750

This: 25<sup>th</sup> day of March, 2018.

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Name: JAMES N. OCCHIATO

Location Address: 1880 WINCHESTER TRAIL

Mailing Address: 1888 WINCHESTER TRAIL

Cost Per Lineal Foot: \_\_\_\_\_ Approximate Cost: \_\_\_\_\_

(Actual cost dependent on final survey)

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<u>NAME</u>	<u>STREET ADDRESS</u>	<u>PHONE</u>
Signed: <u>J. M. Occhiato</u>	<u>1880 WINCHESTER TR.</u>	<u>(404) 229-8610</u>
Signed: _____	_____	(____) _____

This: 26 day of MARCH, 2018.

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Name: James M Ocklata

Location Address: 1888 WINCHESTER TRAIL

Mailing Address: 1888 WINCHESTER TRAIL

Cost Per Lineal Foot: \_\_\_\_\_ Approximate Cost: \_\_\_\_\_

(Actual cost dependent on final survey)

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<u>NAME</u>	<u>STREET ADDRESS</u>	<u>PHONE</u>
Signed: <u>J M Ocklata</u>	<u>1888 WINCHESTER TRAIL</u>	<u>(404) 229-8610</u>
Signed: _____	_____	(____) _____

This: 26 day of MARCH, 2018.

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Name: JAMES M. BUCHIATO

Location Address: 1896 WINCHESTER TRAIL

Mailing Address: 1888 WINCHESTER TRAIL

Cost Per Lineal Foot: \_\_\_\_\_ Approximate Cost: \_\_\_\_\_

(Actual cost dependent on final survey)

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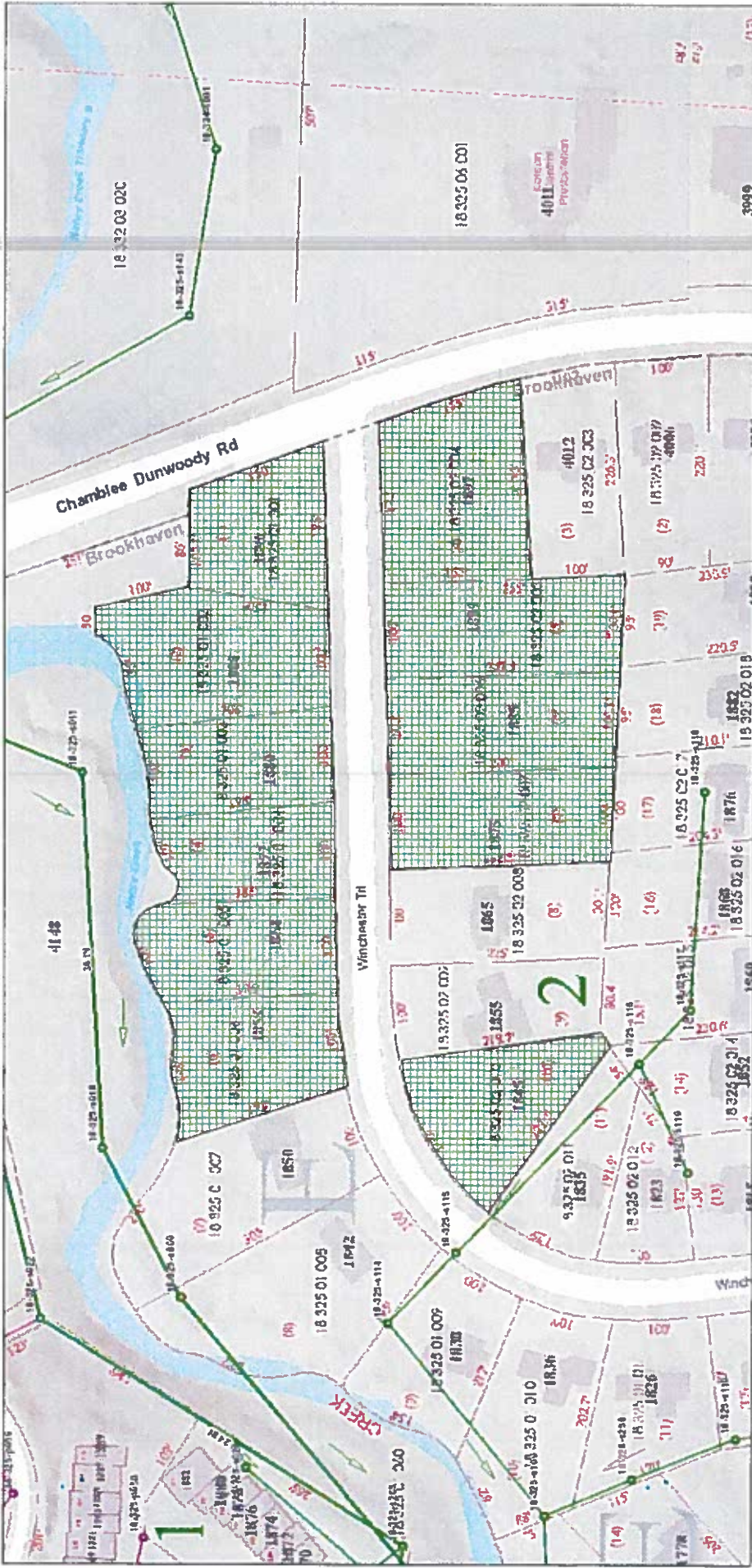
<u>NAME</u>	<u>STREET ADDRESS</u>	<u>PHONE</u>
Signed: <u>James M. Buchiato</u>	<u>1896 WINCHESTER TRAIL</u>	<u>(404) 229-8610</u>

Signed: \_\_\_\_\_ (\_\_\_\_) \_\_\_\_\_

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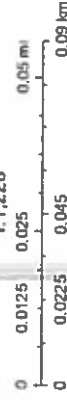
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# Winchester Trail Designated Area



December 6, 2018

- 11-251-POLEBRIDGE
- 15-030-SNAPPINGER
- INTRENCHMENT-ATLANTA
- Atlanta
- DeKalb
- Not in County
- Private
- DEKALB
- ATLANTA
- NOT IN COUNTY
- PRIVATE
- 16"-72"
- LIFT STATIONS
- Air Valves
- SEWER FORCE MAINS
- FlowArrows
- LATERALS
- District
- Land\_Lot
- Address
- TaxParcel



## NOTICE OF PUBLIC HEARING

The DeKalb County Department of Watershed Management hereby gives notice that DeKalb County will hold a public hearing at ++10 am on January 8, 2019++ at the Maloof Auditorium, 1300 Commerce Drive, Decatur, Georgia 30030 to consider a request for extension of the County's sanitary sewer system for a portion of Winchester Trail located in DeKalb County, Georgia 30341 pursuant to a Petition submitted in accordance with Sec. 25-185, et. seq., Code of DeKalb County, as Revised 1988. The hearing impacts DeKalb County residents who live on or near Winchester Trail. If the Petition is approved by the Governing Authority, construction will be programed and the designated area on Winchester Trail shall become a special tax district and properties within the designated area shall be assessed a portion of the cost of construction.