COUNTY AGENDA REQUEST

Department:	Planning and Zoning	Presenter(s):	Pete Frisina/Dennis Dutton
Meeting Date:	Thursday, July 28, 2011	Type of Request:	Public Hearing

Wording for the Agenda:

Consideration of proposed amendments to the Fayette County Code of Ordinances, Chapter 20. Zoning Ordinance, Article III Definitions, Article V General Provisions, and Article VI District Use Requirements regarding beekeeping.

Background/History/Details:

On March 2, 2011, the Board of Commissioners instructed staff to begin developing a beekeeping ordinance. The current Zoning Ordinance does not list beekeeping as a recognized use or otherwise; therefore, it is prohibited, except within the A-R zoning district. On March 17 and April 7, the Planning Commission held Workshops to discuss beekeeping. There were numerous beekeepers present for the meetings and they have provided input during the entire process of staff developing a proposed ordinance. On April 21, the Planning Commission held another Workshop and discussed the proposed beekeeping ordinance amongst themselves; however, they did not reach a consensus. The Board of Commissions asked staff to update them on the progress of the proposed amendments at its Workshop scheduled for May 4, at which time the Board advised staff to try to reach a consensus and report back to them at the Workshop scheduled for June 1. If agreement was reached, the Planning Commission and Board of Commissioners would proceed with their required public hearings for the purpose of adopting an actual ordinance regulating beekeeping. On June 1, the Board of Commissioners instructed staff to advertise the proposed amendments to be heard by the Planning Commission on July 7 and by the Board of Commissioners on July 28. The Planning Commission held its hearing on July 7 where it considered several options. The PC recommended 4-1 that the Board of Commissioners consider Option 2 with amendments as discussed.

What action are you seeking from the Board of Commissioners?

Final vote to approve or deny the proposed amendments regarding beekeeping.

If this item requires funding, please describe:

Not Applicable.

Has this request been considered within the past two years?	Yes	If so, when?	Wednesday, June 1, 2011
Is Audio-Visual Equipment Required for this Request?	No	Backup Provided with Request?	Yes

STAFF USE ONLY

Approved by Finance	Not Applicable	Reviewed by Legal	Yes
Approved by Purchasing	Not Applicable	County Clerk's Approval	Yes
Administrator's Approval	Yes		

Staff Notes:

Minutes

Board of Commissioners
June 1, 2011
3:30 P.M.

The Board of Commissioners of Fayette County, Georgia, met in Official Session on Wednesday, June 1, 2011, at 3:30 p.m. in the Public Meeting Room of the Fayette County Administrative Complex, 140 Stonewall Avenue, Fayetteville, Georgia.

Commissioners Present:	Herb Frady, Chairman Robert Horgan, Vice Chairman Steve Brown Lee Hearn Allen McCarty
Staff Present:	Jack Krakeel, County Administrator Carol Chandler, Executive Assistant Karen Morley, Chief Deputy Clerk
Staff Absent:	Scott Bennett, County Attorney

---

2. <u>Further discussion of proposed amendments to the Fayette County Code of Ordinances, Chapter 20. Zoning Ordinance regarding beekeeping</u>:

Zoning Director Dennis Dutton discussed the proposed amendments to the Fayette County Code of Ordinances, Chapter 20, Zoning Ordinance regarding beekeeping. A copy of the request and backup, identified as "Attachment No. 1", follow these minutes and are made an official part hereof. He said on May 19th the Planning Commission met in a work session with three delegates of the Beekeeping Association including Mike Maxwell, Jerry Edwards and Bob Sitz. He said after a lengthy discussion, several options were discussed. He said option #1 implied that there were no restrictions for the beekeepers and this would be a permitted use in all zoning districts. He said option #2 was the Planning Commission and staff's recommendations for the beekeeping ordinance. He remarked the items that they were not able to resolve included the beehive density and on-premise sale of honey as a home occupation. He said staff was recommending that 8 hives be the limit based on information gathered and the LSU model ordinance. He stated that the Planning Commission was recommending 8 hives for a one acre lot and a maximum of 16 hives for two acres and more. He commented on the on-premise sale of honey and staff was recommending that this issue be addressed. He said staff felt that

addressed. He said staff felt that citizens would be asking for an occupational tax. He said the current home occupation requirement would be in conflict and staff would like this to be addressed.

Mr. Dutton further remarked that in the Planning Commission recommendation, staff had made some changes regarding the issue of more than five acres. He said prior to 1998 the ordinance allowed for agricultural uses in R-70. He said in that ordinance the County recognized and allowed for all agricultural uses that were existing at the five acre minimum and met all of the dimensional requirements to be able to operate as a farming operation. He said staff had incorporated that into the ordinance itself. He pointed out the reason being that the model ordinance that was used had a 200 foot distance for anything that went for any lots or acreage that was undeveloped. He said staff felt that would be hard to determine.

Mr. Dutton further remarked that screening had been an issue. He said there were a lot of questions regarding this issue such as the extent of the screening and setbacks. He said staff had used the LSU model ordinance as had been done throughout the State of Georgia. He said their intent was anything that was 25 feet or closer to a property line would have to have a fly away barrier. He said staff had proposed this originally and this was what the ordinance specifies. He said there was an agreement between staff and the Planning Commission to state this would be called a "screening tool" to meet certain criteria with either brick, wood or vegetation. He said staff could be given discretion if someone meets the vegetation screening and they could use that which was already in existence. He said the beekeepers did not have a problem and felt that was a better way to work with that although they were not in support of the ordinance. He said they felt this was a better way to do this rather than fencing in an entire yard.

Mr. Dutton further remarked on the issue of home occupation listed in letter G. He said staff was concerned in that instance that someone was going to come to staff and request an occupational tax to sell honey, and in essence staff would have to address that. He said this was basically where staff was at this point and there were some options. He said it would be at the Board's discretion if they wanted the Planning Commission to proceed with a public hearing and present these options or the Board could decide not to do use these options. He said staff needed direction as to how the Board wanted them to proceed.

Chairman Frady asked who was recommending the screening and Mr. Dutton replied that staff was recommending the screening. Chairman Frady asked what kind of screening it would be and Mr. Dutton replied that it would be a six foot high wall barrier with ten feet on each side of the hive. He said it was not to fence in the entire yard it was just any area where it comes 25 feet or closer to the property line. Chairman Frady asked what the purpose of the screening was and Mr. Dutton replied "out of sight, out of mind."

Commissioner Horgan asked if staff would specify what kind of a fence could be used and Mr. Dutton replied yes and a fence could be wooden, brick veneer, stone wall or it could be a fully vegetative screening.

Commissioner Brown suggested on Article V under permitted uses for item 3 to have it read "growing crops, gardens and beekeeping." He also suggested incorporating a ten foot setback;

specify the sale of honey is permitted on premises for use of fairs or farmers markets but licensing is required if the honey producer sells to retailers within the distribution market or food manufacturers in any zoning; beehives in a front yard shall be screened with evergreen vegetation with screening from the road; a beekeeper shall provide and maintain a convenient and adequate supply of water for the bees at all times; proper storage of beekeeping equipment with hive debris complying with the International Maintenance Codes; and that the beekeeper would have 30 days from the time of a complaint to bring the beehive into compliance; no restriction on the number of hives; and in Article VI Section 6-1 add beekeeping to the permitted uses as well.

Commissioner McCarty said screening would have to be for aesthetics only because bees like clover and clover was ground level. He said bees also like vegetables and fruits. He said the bee populations would come out of the hive and they would not fly out in a straight line. He said bees will come out of the hive with a scout and fly in circles and back to the ground where clover is located. He stated unless one was trying to hide a hive, a screen would not do anything. He said bee hives and bee colonies were self-regulating in their numbers depending on the available food. He said if there was not enough food in a given area, one or more of the hives was going to leave that area. He said he did not feel the number of hives had to be regulated but was in favor of setbacks. He said he was also in favor of unrestricted sales of honey from the home.

Commissioner Horgan asked what the intent of the screening of the hives was and Mr. Dutton replied that the intent was for a screening mechanism only.

Chairman Frady said he was in favor of 8 beehives per acre and no more than 16 beehives until the zoning was A-R. He remarked that the selling of honey would be a home occupation and he felt a license would be necessary.

Commissioner McCarty expressed concern with a neighbor who would want to give another neighbor a jar of honey or sell the jar of honey. He said he would not want this to be considered a commercial sale or a business.

Commissioner Hearn felt a restriction should be put on smaller acreage lots. He said if he lived on a half acre lot, he would not want his neighbor to put 10 or 20 beehives out next door. He questioned how many pounds of honey a hive would generate in a year and Mr. Dutton said he was not sure of that amount.

Chairman Frady said from what he understood the Board was saying to staff on this issue was that the beekeepers would think it reasonable for 8 hives on one acre and 16 hives on two or more acres and then anything over 5 acres could have anything number of hives. He said he would not be in favor of unlimited hives on one acre and up but would support 8 hives on one acre and16 hives on two or more acres.

Commissioner Brown remarked that the result of this entire discussion probably would not address the issue that started the whole process and that was keeping bees away from a neighbor's swimming pool. He agreed the hives would be self-regulating but it was hard to determine the impact between three hives and eight hives and so forth. He said he would have a

a hard time putting a number on this since it would be hard to show the various impacts on these numbers.

Commissioner Brown questioned the issue of setbacks and Commissioner McCarty replied that setbacks should be required as for any other structure and further remarked that the setback on a piece of property would also limit the number of hives that someone is able to put on that property.

Commissioner Brown questioned the issue of screening for hives in the front or back yard. Commissioner McCarty interjected that current requirements did not allow for a building in the front yard of a house.

Mr. Dutton stated that based on the recommendation of the beekeepers their intent was for no restrictions whether it was front yard, side yard or back yard. He felt it would need to be specified for the side or rear yard if that was the consensus. Chairman Frady said he would agree with the side or rear yard but did not agree with hives in the front yard. Mr. Dutton remarked if a hive was located on Agricultural Residential there was no limitations on side or rear yard for a farm out building such as a barn. He said a property owner could have a barn located in the front yard. Mr. Dutton said the A-R zoning would be the exemption if the wording was put in that would allow for beekeeping as a permitted use in A-R. He said there would be no restriction on the side, rear or front yards.

Commissioner Brown questioned the issue of home occupation. He suggested if the property owner was selling the honey in their neighborhood, farmer's market or county fair they would not need to obtain a home occupation license. Chairman Frady pointed out that it was illegal for someone to take a jar of honey in a restaurant and give it to the owner and let him serve it to customers. Commissioner Brown remarked if someone was selling their honey to a honey company they would be required to have a license and the honey would have to be inspected. He clarified that there seemed to be a consensus of the Board not to require a home occupation license unless the person was selling the honey to commercial retail companies.

Mr. Dutton said staff would compile this information from the Board tonight and review this issue again before going to public hearing.

Mr. Krakeel clarified that there seemed to be consensus by the Board that current zoning setbacks would have to be met; no screening of the hives would be required; hives would only be located on side and rear yards except in the A-R zoning district where front yard use was permitted; and a home occupation tax certificate would not be required. He said he did not hear a consensus on the number of hives allowed.

Commissioner Brown interjected that he did not favor any restrictions on the number of hives allowed. Chairman Frady said he felt there should be some type of limit on the number of hives. Commissioner Horgan felt the restriction of the number of hives would be important for a smaller size property such as a one acre lot, but he would be in favor of unlimited hives on any lot greater than one acre. Chairman Frady said someone could have 8 hives on one acre and 16 on two or more and that would be for most of the zoning in the county. Commissioner Horgan said he would be agreeable with that.

Mr. Dutton clarified there would be 8 hives for the first acre and 16 hives maximum for two or more acres up to five acres except in A-R zoning where there shall be no limit on the number of beehives.

Mr. Krakeel questioned the issue of permitting a road side stand and Mr. Dutton said those are not currently permitted except in the A-R zoning.

Chairman Frady thanked Mr. Dutton for the presentation and the Board directed staff to take this information back to the Planning Commission and then be placed on a Commission Agenda for a public hearing .

Workshop Minutes

Board of Commissioners
May 4, 2011
3:30 P.M.

The Board of Commissioners of Fayette County, Georgia, met in an Official Workshop Session on Wednesday, May 4, 2011, at 3:30 p.m. in the Public Meeting Room of the Fayette County Administrative Complex, 140 Stonewall Avenue, Fayetteville, Georgia.

Commissioners Present: Herb Frady, Chairman
Robert Horgan, Vice Chairman
Steve Brown
Lee Hearn
Allen McCarty

Staff Present: Jack Krakeel, County Administrator
Scott Bennett, County Attorney
Carol Chandler, Executive Assistant
Floyd L. Jones, Deputy Clerk

---

2. Further discussion of proposed amendments to the Fayette County Code of Ordinances, Chapter 20. Zoning Ordinance regarding beekeeping.

Zoning Administrator Dennis Dutton discussed the proposed amendments to the Fayette County Code of Ordinances, Chapter 20. Zoning Ordinance regarding beekeeping with the Board. He reminded the Board that at its March 2, 2011 Workshop Meeting the Commissioners charged the Planning and Zoning staff to investigate and develop a beekeeping ordinance, and that this charge was prompted at the request of citizens who actively keep bees. He informed the Board that since the March Workshop, the Planning Commission has held three Workshop meetings on the subject, two of which involved a good amount of public input which resulted in the proposed amendments drafted at the last meeting. He told the Board that the Planning Commission, staff, and the beekeepers did not come to a consensus and that the areas of difficulty were: the number of permitted beehives, setbacks in relation to beehives, the location of beehives, screening of beehives, and selling honey. Discussion followed during which Commissioner Brown asked for Mr. Bo Mullins, a local beekeeper, to give his thoughts to the Board.

Mr. Mullins said he was privileged to sit in on the three Planning Commission Workshop Meetings, and that he was very impressed with the men who dedicated their time in the workshops since they were "very concerned about the community and about everybody's rights with respect to bees." He expressed concern that during the meetings he had not heard one person articulate the Georgia State law that pertained to the

establishment and maintenance of beehives. He then read O.C.G.A 2-12-41.1 and gave his explanation of the laws.

Following Mr. Mullin's presentation, the Board asked County Attorney Scott Bennett to give his explanation of the code cited by Mr. Mullins. Mr. Bennett explained that while the law may prevent the Board from regulating how a beehive is constructed or something of a similar nature, the law did not remove the constitutional authority of the Board to regulate zoning in the County. He emphasized that the law specifically recognizes the constitutional authority of counties to zone property. He said he has never made any recommendation regarding how the Board should exercise its zoning power with respect to bees or beehives, but he wanted the Board to be sure that to understand it has authority through its zoning powers to make decisions about what zoning classifications and setbacks it desired to establish.

Commissioner Horgan asked for the Planning Commission, the beekeepers, and staff to "get together and come up with one good solution since you have all of these three different opinions." Mr. Dutton replied that more time would be required. Commissioner Horgan replied that he would rather approve something that everyone is agreeable with. Further discussion continued.

The Board directed staff to work as a group with the Planning Commission and representatives of the beekeepers to attempt to reach a consensus on a recommended ordinance, and to return to the Board of Commissioners during the June 1, 2011 Workshop Meeting. A copy of the request, identified as "Attachment 2", follows these minutes and is made an official part hereof.

Workshop Minutes

Board of Commissioners
March 2, 2011
3:30 P.M.

The Board of Commissioners of Fayette County, Georgia, met in an Official Workshop Session on Wednesday, March 2, 2011, at 3:30 p.m. in the Public Meeting Room of the Fayette County Administrative Complex, 140 Stonewall Avenue, Fayetteville, Georgia.

Commissioners Present:	Herb Frady, Chairman Robert Horgan, Vice Chairman Steve Brown Lee Hearn Allen McCarty
Staff Present:	Jack Krakeel, County Administrator Scott Bennett, County Attorney Carol Chandler, Executive Assistant Floyd L. Jones, Deputy Clerk

---

8. Director of Community Development Pete Frisina will discuss how the Zoning Ordinance relates the number of animals allowed; and the issue of beekeeping.

Director of Community Development Pete Frisina discussed the Zoning Ordinance that relates to the number of animals allowed, and he also spoke about beekeeping issues that had recently arisen in the County. Mr. Mike Maxwell, a local beekeeper in Fayette County, also spoke to the Board.

Mr. Frisina reported that the first round of amendments to the current Zoning Ordinance had been accomplished on December 9, 2010, and they encompassed issues that the County was trying to find agreement with, but he was asked by the Board to remove the two issues currently under consideration, and to return to the Board to get direction on how the Board wanted staff to address the numbers of permitted animals and, more recently, issues related to beekeeping.

He explained that the current Zoning Ordinance permits a set number of dogs and cats that can be kept on a residential lot, and basically it states that any resident in an R district, be it R-40 or R-20, is limited to three dogs and cats. He continued that in areas zoned as A-R, C-C, C-H, and M-1, where a kennel being the criteria used for everything, including a commercial kennel all the way to someone owning four dogs or four cats. He reported that the initial recommendation was to do away with the limitations on cats and only deal with dogs since "kennels" are more readily associated with dogs than cats. He asked if it was the Board's desire to continue to regulate the number of cats that can be

kept in a residential zoning district, and if that is the Board's desire it needs to be stated outright, because kennels need to be dealt with as kennels. He continued that when the issue is pets, the County has seen situations where a person says they have four dogs, and they do not have pens or runs since the dogs are kept in the house, and the County is required to say that the house has to meet the setback. He spoke about surrounding communities and counties, and how they handle the issue, including some that regulate pets based on the nuisance they could cause without regard to the actual numbers of cats or dogs located at a residence.

Commissioner Hearn asked if a person resided in A-R zoning, how many pigs could a person own. Mr. Frisina replied the number of pigs were unregulated. Commissioner Hearn clarified that he could have 40 pigs on his property if he lived in A-R zoning but he would be limited to three dogs if he could not meet the 300-foot setback. Commissioner McCarty asked if he could have unlimited numbers of pigs without the 300-foot setback, and Mr. Frisina replied there were no setback requirements for pigs.

Commissioner Horgan said he agreed with Mr. Frisina, to separate the cats from the dogs in the ordinance. Commissioner Brown added that it was "kind of bizarre" to put cats or dogs in a zoning ordinance, since they should be regulated in their own separate ordinance, but that commercial kennels should be regulated under zoning and there should be dictation concerning what type of zoning classification they should be placed in. He thought classifying someone who lives in a single-family dwelling as having to have a kennel was far-fetched and that language should be removed. He suggested that there be a dog and cat ordinance, and then a commercial kennel ordinance. Commissioner Horgan also favored the City of Fayetteville's approach of regulating pets on a nuisance basis instead of a numerical basis. Commissioner

McCarty suggested removing the "noncommercial kennel" language from the current Zoning Ordinance as well. Commissioner Hearn also favored not regulating pets based on their numbers, but rather on their nuisance. Discussion followed.

The Board suggested that the Ordinance should separate requirements placed on dogs from requirements placed on cats. The Board further thought that commercial kennels should be regulated under Zoning, that it was "far-fetched" to required a single-family dwelling to be a kennel, and that the language concerning noncommercial kennels be removed with animals regulated under a dog and cat ordinances. The Board also considered that regulating pets and animals based on a nuisance factor, rather than a numerical factor may be the best approach to consider. The Board also considered removing the term "kennel" from residential zoning.

The Board directed Mr. Frisina to prepare a recommendation that address its suggestions concerning regulating dogs and cats, and to return to the Board at a later date.

The secondary area of concern was about regulations on beekeeping in Fayette County. He explained that the County's ordinance does not mention bees or beekeeping at all, but under Section 5-3, the County looks at uses or classes of uses, and in researching bees and beekeeping, they are regulated by the Department of Agriculture. He

explained his thinking that bees are related to agriculture and therefore would be allowed in A-R districts, but would not be allowed in a residential districts since they are not agricultural districts. He said the two situations that drew the County's attention was based on citizens' complaints within residential subdivisions. He acknowledged that beekeeping is becoming a very popular hobby, but that the bees cause problems that generate complaints. He asked the Board for direction on how to address this issue. He informed the Board that one of the complaints involved a resident who told his neighbors that he would put a beehive in his one-acre residential lot so the neighbors called the County; one of whom complained about his son being highly allergic to bees. The second incident involved bees swarming around a person's pool for a good portion of a day.

Commissioner Frady commented that bees were beneficial to the County since they pollinate the plants, and Commissioner Horgan suggested that regulations on beekeeping be determined on the size of a person's property, and not based on the zoning district they reside in.

Mr. Mike Maxwell, a beekeeper in Fayette County, addressed the Board about his understanding of the Zoning Ordinance. He suggested that since beekeeping is not explicitly prohibited from the R-40 zoning. He spoke about why he was cited over his honeybees, and he asked the Board to specify or create an exception for a certain amount of bees. He suggested that the Board conduct a hearing to listen to beekeepers discuss what types of hives would be appropriate for different sized lots. Discussion followed.

Concerning beekeeping, the Board considered regulations could be written based on the size of the beekeeper's property. The Board further suggested creating a committee of local beekeepers, for the committee to include Planning and Zoning staff, and for the committee to study the beekeeping issue with the view of presenting a draft ordinance before the Board. A copy of the request, identified as "Attachment 8", follows these minutes and is made an official part hereof.

THE FOLLOWING ITEMS WILL BE CONSIDERED BY THE PLANNING COMMISSION ON JULY 7, 2011, AND BY THE BOARD OF COMMISSIONERS ON JULY 28, 2011.

3. Consideration of the proposed amendments to the Fayette County Code of Ordinances, Chapter 20. Zoning Ordinance, Article III Definitions, Article V General Provisions, and Article VI District Use Requirements regarding beekeeping.

Chairman Thoms explained there are two (2) options under consideration. He clarified the PC would made a recommendation which would be forwarded to the BOC who would make the final decision on July 28, 2011.

The proposed amendments were presented as follows:

04/07/11 – PC Wkshop
04/21/11 – PC Wkshop
05/04/11 – BOC Wkshop
05/19/11 – PC Wkshop
06/01/11 – BOC Wkshop
07/07/11 – PC Public Hearing

Option 1

BEEKEEPING IN RESIDENTIAL ZONING DISTRICTS
OPTION 1 –Beekeepers Recommendation

(This Option would not require any restrictions.)

ARTICLE III. DEFINITIONS

Apiary. A place where honeybees and beehives are kept.

Beehive. A structure intended for the housing of bees.

ARTICLE VI. DISTRICT USE REQUIREMENTS

Amend the A-R, C-S, EST, R-85, R-80, R-78, R-75, R-72, R-70, R-55, R-50, R-45, R-40, R-20, and PUD-PRD zoning districts by adding "beekeeping" as a *Permitted Use*. Below is one (1) example.

Sec. 6-13. R-40 Single-Family Residential District.

A. *Description of District.* This district is composed of certain lands and structures in the County, having a low density single-family residential character and is designed to protect against the depreciating effects of small lot development and those uses incompatible with such a residential environment.

B. *Permitted Uses.* The following Permitted Uses shall be allowed in the R-40 Zoning District:

1. Single-family dwelling;
2. Accessory structures and uses (see Article V.); ~~and~~
3. Growing crops, ~~and~~ gardens***; and Beekeeping and the on-premise sale of honey. A Home Occupation shall not be required.***

Bill Beckwith suggested amending the last sentence to read as follows: Approval of a Home Occupation shall not be required.

OR AMEND ARTICLE V. GENERAL PROVISIONS BELOW WHICH WOULD ACCOMPLISH THE SAME WITH ONE (1) AMENDMENT TO THE ZONING ORDINANCE INSTEAD OF 15 AMENDMENTS TO THE ZONING ORDINANCE

ARTICLE V. GENERAL PROVISIONS

5-26.1. *Beekeeping.* Beekeeping shall be allowed on any lot for which single-family residence is a Permitted Use (C-S, EST, R-85, R-80, R-78, R-75, R-72, R-70, R-55, R-50, R-45, R-40, R-20, and PUD-PRD.) ***The on-premise sale of honey shall be allowed. A Home Occupation shall not be required.***

Bill Beckwith suggested amending the last sentence to read as follows: Approval of a Home Occupation shall not be required.

Chairman Thoms pointed out Robyn Wilson had suggested amending Article V. instead of amending Article VI. which would require approximately 15 amendments to the Zoning Ordinance and be more costly than amending Article V. and the results would be the same.

Option 2

Jim Graw pointed out Option 2 reflects guidance from the BOC.

BEEKEEPING IN RESIDENTIAL ZONING DISTRICTS
OPTION 2 – Planning Commission and Staff Recommendation

Proposed ordinance reflects guidance from the BOC Workshop held 06/01/11.

ARTICLE III. DEFINITIONS

Apiary. A place where honeybees and beehives are kept.

Beehive. A structure intended for the housing of bees.

ARTICLE V. GENERAL PROVISIONS

5-26.1. *Beekeeping.* Beekeeping shall be allowed on any lot for which single-family residence is a Permitted Use (C-S, EST, R-85, R-80, R-78, R-75, R-72, R-70, R-55, R-50, R-45, R-40, R-20, and PUD-PRD) under the following conditions:

PC recommendation:

A. Eight (8) beehives per acre with a maximum of 16 beehives for two (2) acres or more, except when the following condition is met:

When the minimum dimensional requirements (lot size and lot width) of the A-R Zoning District are met, there shall be no limit on the number of beehives. In addition, beehives shall be regulated in compliance with those regulations pertaining to apiaries in the A-R zoning district in this circumstance.

~~*Staff recommendation (see chart below):*~~

~~A.~~

~~Hive Density~~	~~Lot Size~~
~~2~~	~~Up to ¼ acre~~
~~4~~	~~Between ¼ and ½ acre~~
~~6~~	~~Between ½ and 1 acre~~
~~8 maximum~~	~~1 acre or more~~

~~When the minimum dimensional requirements (lot size and lot width) of the A-R Zoning District are met, there shall be no limit on the number of beehives. In addition, beehives shall be regulated in compliance with those regulations pertaining to apiaries in the A-R zoning district in this circumstance.~~

~~*PC recommendation:*~~

~~B.~~ ~~In each instance of a beehive situated within 25 feet of a public or private property line of the tract upon which the apiary is situated, as measured from the nearest point of the beehive to the property line, the beekeeper shall establish and maintain a minimum six (6) feet in height evergreen vegetative screen, at the time of planting, or a solid wall/fence constructed of brick/brick veneer, stucco, synthetic stucco, rock, stone, cast-stone, wood, or other architecturally engineered facades which match these materials, or combination thereof, that is parallel to the property line and extends 10 feet beyond the beehive(s) in each direction. The Zoning Administrator may determine that the existing natural vegetation may be sufficient in lieu of the required wall, fence, or vegetation, or a combination of existing vegetation and a required wall, fence, or supplemental vegetation.~~

B. All beehives shall meet the setbacks for the applicable zoning district.

PC recommendation:

C. All beehives shall be located in the side and/or rear yard only. ~~Hive entrance shall be faced in the direction which will provide the least offensive flyway pattern to surrounding neighbors.~~

D. The beekeeper shall provide and maintain a convenient and adequate supply of water for the bees at all times.

E. Proper storage of beekeeping equipment, honey supers, or hive debris shall comply with International Property Maintenance Code.

F. The beekeeper shall have 30 days from the time of a complaint to bring the beehive(s) into compliance.

~~*Staff recommendation (see G. below):*~~

~~G. The on-premise sale of honey shall be allowed as a Home Occupation per Article VII. CONDITIONAL USES, NONCONFORMANCES, TRANSPORTATION CORRIDOR OVERLAY ZONE, AND COMMERCIAL DEVELOPMENT STANDARDS.~~

G. The on-premise sale of honey shall be allowed. A Home Occupation shall not be required.

Bill Beckwith suggested amending the last sentence to read as follows: Approval of a Home Occupation shall not be required.

ARTICLE VI. DISTRICT USE REQUIREMENTS

Sec. 6-1. A-R Agricultural - Residential District.

A. *Description of District.* This district is composed of certain lands and structures having a very low density single-family residential and agricultural character and designed to protect against the depreciating effects of small lot, residential development and those uses which are incompatible with such a residential and agricultural environment.

B. *Permitted Uses.* The following Permitted Uses shall be allowed in the A-R Zoning District:

1. Single-family dwelling;
2. Accessory structures and uses (see Article V.);
3. Growing of crops and the on-premise sale of produce and agricultural products, provided 50 percent of the produce/products sold shall be grown on-premise;
4. Plant nurseries and greenhouses (no sales of related garden supplies); and
5. Raising of livestock; aquaculture, including pay fishing; ***apiary (all beehives shall comply with the required setbacks);*** and the sale thereof.

Chairman Thoms asked if there was anyone to speak in favor of the proposed amendments.

Attorney Mike Maxwell of 125 Northwind Trail said he was in favor of both options; however, he preferred Option #1 with no restrictions. He confirmed he was cited by the Marshal's Office and had to move his hives because a neighbor's pool contained bees. He explained he had spoke with the neighbor yesterday and advised him beekeeping was probably going to be allowed and the ordinance amended. He remarked the neighbor stated he did not have a problem with the bees but there were a lot of bees in his pool. He commented the process had been long with a lot of changes; however, the final document is very good. He requested both Options be forwarded to the BOC for final determination. He said he appreciated the PC's support and complimented staff.

Jerry Edward of 135 Grande Court and President of the Coweta County Beekeepers' Association said he was in favor of both options; however, he preferred Option #1 with no restrictions. He stated he would be presenting the proposed ordinance at four (4) different beekeeping associations. He remarked he hoped to fill the chambers at the BOC public hearing. He pointed out there was not a beekeeping association in Fayette County. He thanked the PC for working with the beekeepers.

Bo Mullins of 120 Brierwood Court said in the interest of saving the County some money, he would be in favor of Option 1, Article V.

Chairman Thoms asked if there was anyone to speak in opposition of the proposed amendments. Hearing none, he closed the floor from public comments. He thanked the beekeepers for their input.

Al Gilbert advised the BOC would be receiving both options for their consideration.

Doug Powell asked, "How many complaints have the county received about problem honey bees?"

Dennis Dutton replied approximately two (2) complaints.

Doug Powell asked, "How many of these complaints have resulted in any form of damages to property and do you know to what extent?"

Dennis Dutton replied the honeybees were basically a nuisance.

Doug Powell submitted the following in writing:

> In May, a neighbor discovered 60,000 wild honey bees living between the first and second floor joist in his up stairs closest. Based on the size of the hive, it was estimated the bees had been residents for about 3 years. During this time, no one was hurt. In fact no one even knew they were there.

A local bee keeper was called to assist with the removal. It took him nine hours and he removed the bees and the queen along with 14 frames and five 1-gallon buckets of honey comb.

I suspect there were more damages caused by the wild bees than have been reported to Fayette County due to domesticated bees.

Doug Powell presented the article from The Citizen and requested it be placed into the record. He then submitted the following in writing and also read aloud:

A month or so ago, I was asked to submit a statement regarding my position to the Board of Commissioners. Please bear with me while I read the statement into the record.

Honey bees were introduced in America early in the 17th century. Two hundred years later, in 1821, Fayette County was created. In the past 190 years, Fayette County citizens and honey bees have peacefully co-existed without the need for government intervention. Now in 2011, the alarm is sounding, "Control the honey bees." It is really necessary?

I do not feel sufficient justification exists to warrant an ordinance. I ask: How many honey bee complaints have been registered in Fayette County? And how many of these complaints have resulted in damage to any individual or property? Did the County investigate to ascertain if the honey bees were from a personnel hive or whether they were wild bees? If so, how was this determined? These questions compel me to weigh these isolated cases against various facts.

First and foremost is **Georgia Code: 2-14-41.1: Prohibition against restriction of honeybee production or maintenance.** It states: No county, municipal corporation, consolidated government, or other political subdivision of this state shall adopt or continue in effect any ordinance, rule, regulation, or resolution prohibiting, impeding, or restricting the establishment or maintenance of honeybees in hives. This Code section shall not be construed to restrict the zoning authority of county or municipal governments.

While the County can legally zone in this matter, I believe the intent of the Georgia ordinance is both clear and important: Don't restrict Honeybees because they are good for Georgians.

Second: Why did State of Georgia feel compelled to legislate on this matter? The answer can be found at the State level. "*In 1975, Georgia acknowledged the honeybee's contribution to our state's economy through honey production and aiding pollination of more than 50 Georgia crops. Georgia felt so strong about this issue they designated the Honey bee as the*

State insect. *Effective bee pollination results in more crops and a lower cost to the consumer."*

Third: During workshops held in April and May, the Planning Commission received tremendous assistance from the Bee Keeping community. We were briefed by members of the American Beekeeping Federation, the Georgia Bee Keepers Association, the Atlanta Bee Keepers Association and numerous local bee keeping enthusiasts. I am grateful for their hard work and sage advice. These experts educated us on:

* The importance of honey bee pollination on crop production,

* The decline of the honey bee population, and

* The impact European honey bees have on preventing Africanized bees entering the County.

The Planning Commission studied Ordinances from various municipalities including Norcross, Georgia. In most cases, experts recommend two hives per quarter acre or up to 8 hives per acre. An exception is the City of Norcross, Georgia where they have no restrictions on the number of hives. From our briefings and readings, I learned that bee keeping is being promoted in densely populated, urban environments such as New York City and Tampa, Florida. Honey bees contribute significantly to the health of our citizens by pollinating the crops we eat.

Finally, I asked myself, if the proposed ordinance (Option 2) were enacted, would its provisions prevent future occurrences of honey bees watering in someone else's swimming pool? It does not. The bees cannot read and they will do what they will do.

I have concluded that we are attempting to fix a problem that does not exist by restricting an element of nature that needs to be promoted, not restricted. I cannot support a position that restricts our honey bees.

For these reasons, I recommend the option that simply adds two words, "Bee Keeping" to our existing ordinance:

B. *Permitted Uses.* The following Permitted Uses shall be allowed:
   1. Single-family dwelling;
   2. Accessory structures and uses (see Article V.); and
   3. Growing crops, gardens***, and beekeeping;***

Doug Powell made a motion to approve Option 1, Article V. as amended. Chairman Thoms read Option 1 aloud and then seconded the motion for discussion.

Chairman Thoms said the issue is not regulating honeybees but the general welfare of the entire county. He remarked as the county changes, accommodations have to be made. He commented the PC has tried to keep the county operating in the best interest of all of the citizens. He stated he had noticed beehives sitting in the front yard of homes as he was riding around the county. He pointed out he did not want to make beekeepers operate illegally; however, Option 2 may tend to do that. He noted since homes are close to each other, Option 2 should work to accommodate everyone.

Doug Powell said the clover is blooming and full of bees at Lake Horton Park. He stated the public could be disturbed by bees which will not fall under Option 2.

Chairman Thoms called for the vote on Option 1. The motion failed 1-4. Member voting in favor was: Doug Powell. Members voting in opposition were: Chairman Thoms, Al Gilbert, Bill Beckwith, and Jim Graw.

Chairman Thoms read aloud Option 2.

Bill Beckwith made a motion to approve Option 2 as amended. Jim Graw seconded the motion.

Bill Beckwith said Option 2 was a combination of government and citizens who were interested working together; although, the process was time consuming, it was worth the time to end up with a good product.

Al Gilbert stated the earlier proposed amendments were much stricter than Option 2 because of the beekeepers input. He said the people affected are the only ones to participate; however, the PC is trying to do what is best for everybody in the county. He thanked the beekeepers for their time and input.

Chairman Thoms asked if the on-premise sale of honey was allowed for honey not produced on the premises.

Dennis Dutton replied the A-R zoning district allows 50% of produce not grown on the site to be sold.

Pete Frisina suggested to linking the on-premise sale of honey with having beehives on-premise.

Doug Powell said the intent was to allow the beekeeper to sell the honey he has produced.

Bill Beckwith withdrew his motion. Jim Graw withdrew his second.

Chairman Thoms suggested the following: The on-premise sale of honey produced on the premises shall be allowed. He noted this change should be made throughout the proposed amendments.

Bill Beckwith made a motion to approve Option 2 with amendments as discussed to Home Occupation and the on-premise sale of honey. Jim Graw seconded the motion.

Jim Graw requested Robyn Wilson repeat the amendment.

Chairman Thoms called for the vote. The motion passed 4-1. Members voting in favor of Option 2 were: Chairman Thoms, Al Gilbert, Bill Beckwith, and Jim Graw. Member voting in opposition was: Doug Powell.

Chairman Thoms reminded the audience the proposed amendments would be considered by the BOC on July 28, 2011.

Bobby Torbush with just one of the frames containing a honeycomb and thousands of bees. Torbush filled up all of his containers and had to use five gallon buckets for the remaining honeycombs and bees. The process of removing them from Ward's home took nine hours. No one was harmed in the removal of the bees or honeycombs. Photo/Judy Ward.

The accidental beekeper

Fayetteville woman learns about honeybees after finding 60,000+ in walk-in closet

By MICHAEL BOYLAN
mboylan@TheCitizen.com

Judy Ward, an ad sales representative for The Citizen and a Fayetteville resident, and her husband, Ron, noticed something strange occurring on the side of their house.

"There were bees flying in and out of this one corner, between a layer of bricks" Ward said. "It looked like a flight school." The couple noticed this was happening on the part of the house that was getting the most sun. They called a beekeeper, Jerry Edwards, a member of the Coweta Beekeepers Association, to come out and take a look. Edwards confirmed they were dealing with honeybees and was trying to access the area where the bees were going from the outside. A colleague of Edwards, Bobby Torbush, also from the Coweta Beekeepers Association, took over after Edwards was called out of town and suggested they go at it from the inside.

Torbush with the aid of a stethoscope heard buzzing sounds which led him to a walk-in closet in the upstairs bedroom. He decided to peel back the carpet and padding to cut a hole in the floor and see what they were dealing with.

Torbush found what he was looking for and then some. There were close to 60,000 honeybees in the floor and Torbush spent over nine hours harvesting the bees to take them to his home and filling up 14 frames and five gallon buckets with honeycombs and bees.

"He found the queen and isolated her," Ward said. "That was important to us because the bees will continue trying to protect her at their new home." She stressed that they didn't want to hurt any of the bees. "They are not aggressive. They aren't out to sting anybody because once they sting someone their abdomen falls off and they die."

Ward described the effort that Torbush had to put in to extracting the bees safely.

"He wore a beekeeping suit, with a hat and gloves to protect him and the vacuum never stopped. They flocked to the light and when we opened the window, they flew outside to return to their entrance. They just kept looping around."

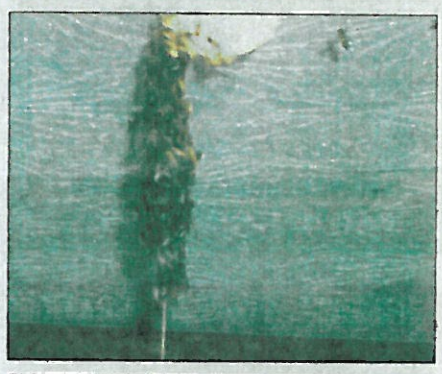
Torbush also sprayed a pheromone that would keep the bees from returning and the hole where they had entered has been secured.

It was a learning experience for Ward. She and Ron got to try eating a slice of the honeycomb, which was just as sweet as she thought it would be. She also learned that if the honeycomb hadn't been found the honey could have oozed and done damage to the house and attracted even more bees.

Ward expressed interest in keeping bees at her home but county ordinances do not currently allow beekeeping.

"I would love to do it though because if you eat the honey harvested around your home, you can avoid having a lot of allergy problems," Ward said.

She has checked up on the bees that had made their home at her home and they are doing well. As scary as it is to imagine removing a piece of floor and finding 60,000 bees buzzing away beneath your feet, Ward instead found the experience fascinating. The honey bee is Georgia's State insect and is protected by Georgia law.



Top, the opening in the floor of the closet and the thousands of bees visible at that point. Middle, bees swarming a light. Bottom, just some of the honeycombs found that day. Photos/Judy Ward.

04/07/11 – PC Wkshop
04/21/11 – PC Wkshop
05/04/11 – BOC Wkshop
05/19/11 – PC Wkshop
06/01/11 – BOC Wkshop
07/07/11 – PC Public Hearing
07/28/11 – BOC Public Hearing

BEEKEEPING IN RESIDENTIAL ZONING DISTRICTS
OPTION 1 –Beekeepers Recommendation

(This Option would not require any restrictions.)

ARTICLE III. DEFINITIONS

Apiary. A place where honeybees and beehives are kept.

Beehive. A structure intended for the housing of bees.

ARTICLE VI. DISTRICT USE REQUIREMENTS

Amend the A-R, C-S, EST, R-85, R-80, R-78, R-75, R-72, R-70, R-55, R-50, R-45, R-40, R-20, and PUD-PRD zoning districts by adding "beekeeping" as a *Permitted Use*. Below is one (1) example.

Sec. 6-13. R-40 Single-Family Residential District.

A. *Description of District.* This district is composed of certain lands and structures in the County, having a low density single-family residential character and is designed to protect against the depreciating effects of small lot development and those uses incompatible with such a residential environment.

B. *Permitted Uses.* The following Permitted Uses shall be allowed in the R-40 Zoning District:

1. Single-family dwelling;
2. Accessory structures and uses (see Article V.); ~~and~~
3. Growing crops, ~~and~~ gardens***; and Beekeeping and the on-premise sale of honey produced on the premises shall be allowed. Approval of a Home Occupation shall not be required.***

OR AMEND ARTICLE V. GENERAL PROVISIONS BELOW WHICH WOULD ACCOMPLISH THE SAME WITH ONE (1) AMENDMENT TO THE ZONING ORDINANCE INSTEAD OF 15 AMENDMENTS TO THE ZONING ORDINANCE

ARTICLE V. GENERAL PROVISIONS

5-26.1. Beekeeping. Beekeeping shall be allowed on any lot for which single-family residence is a Permitted Use (C-S, EST, R-85, R-80, R-78, R-75, R-72, R-70, R-55, R-50, R-45, R-40, R-20, and PUD-PRD.) The on-premise sale of honey produced on the premises shall be allowed. Approval of a Home Occupation shall not be required.

BEEKEEPING IN RESIDENTIAL ZONING DISTRICTS
OPTION 2 – Planning Commission and Staff Recommendation

Proposed ordinance reflects guidance from the BOC Workshop held 06/01/11.

ARTICLE III. DEFINITIONS

Apiary. A place where honeybees and beehives are kept.

Beehive. A structure intended for the housing of bees.

ARTICLE V. GENERAL PROVISIONS

5-26.1. *Beekeeping. Beekeeping shall be allowed on any lot for which single-family residence is a Permitted Use (C-S, EST, R-85, R-80, R-78, R-75, R-72, R-70, R-55, R-50, R-45, R-40, R-20, and PUD-PRD) under the following conditions:*

A. *Eight (8) beehives per acre with a maximum of 16 beehives for two (2) acres or more, except when the following condition is met:*

When the minimum dimensional requirements (lot size and lot width) of the A-R Zoning District are met, there shall be no limit on the number of beehives. In addition, beehives shall be regulated in compliance with those regulations pertaining to apiaries in the A-R zoning district in this circumstance.

B. *All beehives shall meet the setbacks for the applicable zoning district.*

C. *All beehives shall be located in the side and/or rear yard only.*

D. *The beekeeper shall provide and maintain a convenient and adequate supply of water for the bees at all times.*

E. *Proper storage of beekeeping equipment, honey supers, or hive debris shall comply with International Property Maintenance Code.*

F. *The beekeeper shall have 30 days from the time of a complaint to bring the beehive(s) into compliance.*

G. *The on-premise sale of honey produced on the premises shall be allowed. Approval of a Home Occupation shall not be required.*

ARTICLE VI. DISTRICT USE REQUIREMENTS

Sec. 6-1. A-R Agricultural - Residential District.

A. *Description of District.* This district is composed of certain lands and structures having a very low density single-family residential and agricultural character and designed to protect against the depreciating effects of small lot, residential development and those uses which are incompatible with such a residential and agricultural environment.

B. *Permitted Uses.* The following Permitted Uses shall be allowed in the A-R Zoning District:

1. Single-family dwelling;
2. Accessory structures and uses (see Article V.);
3. Growing of crops and the on-premise sale of produce and agricultural products, provided 50 percent of the produce/products sold shall be grown on-premise;
4. Plant nurseries and greenhouses (no sales of related garden supplies); and
5. Raising of livestock; aquaculture, including pay fishing; ***apiary (all beehives shall comply with the required setbacks);*** and the sale thereof.

STATE OF GEORGIA;
COUNTY OF FAYETTE

ORDINANCE NO. 2011 - 05

AN ORDINANCE TO AMEND THE FAYETTE COUNTY CODE OF ORDINANCES, CHAPTER 20. ZONING ORDINANCE (2010), AS AMENDED, SPECIFICALLY ARTICLE III (DEFINITIONS), ARTICLE V (GENERAL PROVISIONS), AND ARTICLE VI (DISTRICT USE REQUIREMENTS) SO AS TO ADD "APIARY", "BEEHIVE", AND/OR "BEEKEEPING", AND SET FORTH THEREIN; TO PROVIDE FOR SEVERABILITY; TO REPEAL CONFLICTING LAWS, ORDINANCES, AND RESOLUTIONS; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES ALLOWED BY LAW.

WHEREAS, the duly elected governing authority of Fayette County is the Board of Commissioners thereof;

WHEREAS, the governing authority desires to amend the provision that provides for the regulation of land development as allowed by the State of Georgia;

WHEREAS, the health, safety, and welfare of the citizens of Fayette County, Georgia shall be improved and protected by adoption and implementation of this Ordinance.

BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF FAYETTE COUNTY AND IT IS HEREBY ORDAINED BY AUTHORITY THEREOF:

Section I. The Fayette County Code of Ordinances, Chapter 20. Zoning Ordinance (2010), as amended, is hereby further amended by adding "Apiary" and "Beehive" (in alphabetical order) to Article III Definitions to read as follows:

Apiary. A place where honeybees and beehives are kept.
Beehive. A structure intended for the housing of bees.

Section II. The Fayette County Code of Ordinances, Chapter 20. Zoning Ordinance, as amended, is hereby further amended by amending Article V General Provisions by adding Sec. 5-26.1 Beekeeping, in its entirety, to read as follows:

5-26.1. *Beekeeping*. Beekeeping shall be allowed on any lot for which single-family residence is a Permitted Use in zoning classifications C-S, EST, R-85, R-80, R-78, R-75, R-72, R-70, R-55, R-50, R-45, R-40, R-20, and PUD-PRD under the following conditions:

A. Eight (8) beehives per acre with a maximum of 16 beehives for two (2) acres or more, except when the following condition is met:
When the minimum dimensional requirements (lot size and lot width) of the A-R Zoning District are met, there shall be no limit on the number of beehives. In addition, beehives shall be regulated in compliance with those regulations pertaining to apiaries in the A-R zoning district in this circumstance.
B. All beehives shall meet the setbacks for the applicable zoning district.
C. All beehives shall be located in the side and/or rear yard only.

D. The beekeeper shall provide and maintain a convenient and adequate supply of water for the bees at all times.

E. Proper storage of beekeeping equipment, honey supers, or hive debris shall comply with International Property Maintenance Code.

F. The beekeeper shall have 30 days from the time of a complaint to bring the beehive(s) into compliance.

G. The on-premise sale of honey produced on the premises shall be allowed. Approval of a Home Occupation shall not be required.

Section III. The Fayette County Code of Ordinances, Chapter 20. Zoning Ordinance, as amended, is hereby further amended by adding "Apiary" as a Permitted Use to Article VI District Use Requirements, Sec. 6-1.B. Permitted Uses, to read as follows:

Sec. 6-1. A-R Agricultural - Residential District.

B. Permitted Uses. The following Permitted Uses shall be allowed in the A-R Zoning District:

1. Single-family dwelling;
2. Accessory structures and uses (see Article V.);
3. Growing of crops and the on-premise sale of produce and agricultural products, provided 50 percent of the produce/products sold shall be grown on-premise;
4. Plant nurseries and greenhouses (no sales of related garden supplies); and
5. Raising of livestock; aquaculture, including pay fishing; apiary (all beehives shall comply with the required setbacks); and the sale thereof.

Section IV. That the preamble of this Ordinance shall be considered to be and is hereby incorporated by reference as if fully set out herein.

Section V. a. It is hereby declared to be the intention of the Board of Commissioners that all Sections, paragraphs, sentences, clauses and phrases of this Article are and were, upon their enactment, believed by the Board of Commissioners to be fully valid, enforceable and constitutional.

b. It is hereby declared to be the intention of the Board of Commissioners that, to the greatest extent allowed by law, each and every section, paragraph, sentence, clause or phrase of this Ordinance is severable from every other section, paragraph, sentence, clause or phrase of this Ordinance. It is hereby further declared to be the intention of the Board of Commissioners that, to the greatest extent allowed by law, no Section, paragraph, sentence, clause or phrase of this Article is mutually dependent upon any other Section, paragraph, sentence, clause or phrase of this Article.

c. In the event that any phrase, clause, sentence, paragraph or section of this Article shall, for any reason whatsoever, be declared invalid, unconstitutional or otherwise unenforceable by the valid judgment or decree of any court of competent jurisdiction, it is the express intent of the Board of Commissioners that such invalidity, unconstitutionality or unenforceability shall, to the greatest extent allowed by law, not render invalid, unconstitutional or otherwise unenforceable any of the remaining phrases, clauses, sentences, paragraphs or Sections of the Article and that, to the greatest extent allowed by law, all remaining phrases, clauses, sentences, paragraphs and Sections of the Article shall remain valid, constitutional,

enforceable, and of full force and effect.

Section VI. All ordinances or resolutions and parts of ordinances or resolutions in conflict herewith are hereby expressly repealed except those provided for herein.

Section VII. The effective date of this Ordinance shall be the date of adoption unless otherwise specified herein.

So ordained this 28th day of July, 2011, by the

BOARD OF COMMISSIONERS
FAYETTE COUNTY, GEORGIA

_____
HERBERT FRADY, CHAIRMAN

ATTEST:

_____
CLERK/DEPUTY CLERK