

BOARD OF COUNTY COMMISSIONERS

Eric K. Maxwell, Chairman
Randy Ognio, Vice Chairman
Steve Brown
Charles W. Oddo
Charles D. Rousseau



FAYETTE COUNTY, GEORGIA

Steve Rapson, County Administrator
Dennis A. Davenport, County Attorney
Tameca P. White, County Clerk
Marlena Edwards, Deputy County Clerk

140 Stonewall Avenue West
Public Meeting Room
Fayetteville, GA 30214

AGENDA

September 27, 2018

6:30 p.m.

Welcome to the meeting of your Fayette County Board of Commissioners. Your participation in County government is appreciated. All regularly scheduled Board meetings are open to the public and are held on the 2nd and 4th Thursday of each month at 6:30 p.m.

Call to Order

Invocation and Pledge of Allegiance by Commissioner Charles Oddo

Acceptance of Agenda

PROCLAMATION/RECOGNITION:

1. Recognition of Samuel H. Snyder, for his Eagle Scout Service Project for the Fayette County Animal Shelter. (pg. 4-27)
2. Recognition of the leadership role of Marie Washburn who served on the Fayette County Public Library Board of Trustees. (pg. 28)
3. Recognition of Sharia Richelle Baker for reading 1,000 books as part of the "1,000 Books Before Kindergarten" program. (pg. 29)

PUBLIC HEARING:

4. Consideration of staff's recommendation to approve a new 2018 Retail Alcohol Beer and Wine License(C18-00363) for Qadeer Ullah, doing business as Kenwood BP, which is located at 1866 Highway 85N, Fayetteville, Georgia. (pg. 30-49)
5. Consideration of Petition No. 1278-18, Betty Shubert, Owner, and Trent Foster, Agent, request to rezone 48.943 acres from A-R to R-50 to develop a residential subdivision consisting of 36 lots; located in Land Lot 104 of the 7th District and fronts on Dogwood Trail. (pg. 50-74)
6. Consideration of Petition No. 1279B-18, John Richard Halbert, Owner, request to rezone a total of 18.34 acres from A-R to R-80 to develop a Single-Family Residential Subdivision consisting six (6) lots in conjunction with Petition No. 1279A-18; located in Land Lot 228 of the 4th District and fronts on Goza Road. (pg. 75-103)
7. Consideration of Petition No. 1279A-18, John Richard Halbert, Owner, request to rezone a total of 0.29 acres from A-R to R-80 to develop a Single-Family Residential Subdivision consisting six (6) lots in conjunction with Petition No. 1279B-18; located in Land Lot 228 of the 4th District and fronts on SR 85 South. (pg. 104)
8. Consideration Ordinance 2018-03, Amendments to Chapter 110. Zoning Ordinance, Regarding Article I. – In General, Article III. – General Provisions. Article IV. – District Use Requirements and Article V. – Conditional Uses, Nonconformances, Transportation Corridor Overlay Zones and Commercial Development Standards. (pg. 105-187)

CONSENT AGENDA:

9. Approval to authorize staff to acquire all fee simple right-of-way and easements for the 2017 SPLOST; Stormwater; Category II, Tier I Project: 175 Silver Leaf Drive Culvert Replacement. (pg. 188-192)
10. Approval to establish a capital project with funding provided from Environmental Management's Field Equipment budget of \$5,250 and \$10,200 from General Fund contingency project for the purchase of an HD pole camera in the amount \$15,450. (pg. 193-199)
11. Approval of staff's recommendation for Board of Commissioners to approve the bid from Blount Construction Company, Inc. for Bid #1545-B HA 5, High Density Mineral Bond in the amount of \$194,317.21. (pg. 200-204)
12. Approval of the Water Committee's recommendation to approve request from the Flint River Astronomy Club for November 2, 2018 and February 8, 2019 to keep Lake Horton Park open from 6:30 p.m. to 10:00 p.m. and April 12, 2019 from 7:30 p.m. to 11:00 p.m. for the Star Gazing event. (pg. 205)
13. Approval of staff's recommendation to include "Addendum 6-Gospel Under the Stars Festival and Fayette Kindness Rock Project" as an added event to the Intergovernmental Agreement between the City of Fayetteville and Fayette County for use of county owned property. (pg. 206-220)
14. Approval of the September 13, 2018 Board of Commissioners Meeting Minutes. (pg. 221-233)

OLD BUSINESS:

NEW BUSINESS:

15. Consideration of a recommendation of the Selection Committee, composed of Commissioner Steve Brown and Commissioner Charles Rousseau, to appoint James McCarten to the Region Six Mental Health, Developmental Disabilities, and Addictive Diseases Regional Advisory Council for a term beginning March 1, 2018 and expiring February 28, 2021. (pg. 234-254)
16. Consideration of Agreement #1569-S between Fayette County and the U. S. Department of the Interior Geological Survey (USGS) that provides for the required monitoring of water flow, stream monitoring data for quality, and CFS flow monitoring in the amount of \$312,500.00 from October 1, 2018 through September 30, 2019. (pg. 255-262)
17. Consideration of the proposed 2019 Local Maintenance & Improvement Grant (LMIG) project list for unincorporated Fayette County and authorization for the Chairman to sign the LMIG Application and related documents. (pg. 263-267)
18. Consideration of staff's recommendation to award Bid #1536-B, Stonewall Roof Replacement Project (# 3565A), to Dusty Greer Roofing, Inc. in the amount of \$218,000. (pg. 268-273)

PUBLIC COMMENT:

ADMINISTRATOR'S REPORTS:

- A. Contract #1564-S: Design & Specifications for Fire Station 2 (pg. 274-275)
- B. Contract #1431-P: Transportation Engineer of Record Task Order #9: East Fayetteville Bypass Bridge Design (pg. 276)

In accordance with the Americans With Disabilities Act, accommodations are available for those who are hearing impaired and/or in need of a wheelchair. The Board of Commissioners Agenda and supporting material for each item is available on-line through the County's website at www.fayettecountyga.gov. This meeting will be telecast on Comcast Cable Channel 23 and on the internet at www.livestream.com.

- C. Contract #1221-P: Water System Engineer of Record Task Order #FC-19-06: Waterline Construction Drawings-Veterans Parkway (pg. 277)

ATTORNEY'S REPORTS:

COMMISSIONERS' REPORTS:
EXECUTIVE SESSION:

ADJOURNMENT:

COUNTY AGENDA REQUEST

Page 4 of 277

Department:

Presenter(s):

Meeting Date:

Type of Request:

Wording for the Agenda:

Recognition of Samuel H. Snyder, for his Eagle Scout Service Project for the Fayette County Animal Shelter.

Background/History/Details:

In September of 2017, Samuel requested to do a Boy Scout Service Project at the animal shelter. Upon approval of the project concept, Samuel was introduced to Mr. and Mrs. John and Carol Hudson, who was recognized at the October 26, 2017 Board of Commissioners meeting for their donation of \$10,000 towards Samuel's Eagle Scout Service Project.

The project that was requested was to build a 20 foot by 24 foot covered pavilion on the property that could be used to place dogs in while cleaning the shelter. Samuel excepted the challenge and brought plans and got the necessary permits with the assistance of a contractor and started the project. The project took 10 months to complete with countless man hours in the project.

Fayette County thanks Samuel for his service on the project, it is something that can be used by the shelter for many years to come.

What action are you seeking from the Board of Commissioners?

Recognition of Samuel H. Snyder for his work on the Eagle Scout Service Project

If this item requires funding, please describe:

Has this request been considered within the past two years?

If so, when?

Is Audio-Visual Equipment Required for this Request?*

Backup Provided with Request?

**** All audio-visual material must be submitted to the County Clerk's Office no later than 48 hours prior to the meeting. It is also your department's responsibility to ensure all third-party audio-visual material is submitted at least 48 hours in advance.***

Approved by Finance

Reviewed by Legal

Approved by Purchasing

County Clerk's Approval

Administrator's Approval

Staff Notes:

ANIMAL CONTROL BSA PROJECT

PROJECT DONE BY SAMUEL H. SNYDER



THANKS FOR YOUR WORK

THIS PROJECT WAS A BIG UNDERTAKING AND HAD A LOT OF MOVING PARTS GETTING WITH CONTRACTORS AND SUPPLIERS, ALONG WITH DOING THE CONSTRUCTION PART. THE TIME THAT WAS PUT INTO THIS PROJECT SHOWS THE DEDICATION AND ATTENTION TO DETAIL TO COMPLETE SUCH A LARGE PROJECT.

THIS BUILDING WILL BE A GREAT BENEFIT TO THE ANIMALS AND THE SHELTER FOR YEARS TO COME.

THE PROJECT IS STARTED











THE SLAB IS READY











AND THE REAL WORK BEGANS



A POSE FOR THE CAMERA















WE ARE ALMOST DONE





THE COMPLETED PROJECT



COUNTY DEPARTMENT AGENDA REQUEST

Page 28 of 277

Department:

Presenter(s):

Meeting Date:

Type of Request:

Wording for the Agenda:

Recognition of the leadership role of Marie Washburn who served on the Fayette County Public Library Board of Trustees.

Background/History/Details:

Marie Washburn is a graduate of the University of Knoxville, Tennessee and a retired principal with the the Fulton County School System. She has been serving on the library board of trustees since 2004 - first as a member, vice chairman, chairman and representative to the regional library board. Under her steadfast leadership, she helped to revised the outdated Participating Regional Agreement between Fayette County libraries and Flint River Regional Library System, and she assisted in writing the revision of the Bylaws and Articles of the library board members. Marie has constantly and consistently been a strong advocate for the community. Marie served on the 20 members task force to write the library's Long Rang Plan in 2005. Marie's dedication and commitment to excellence as a trustees will never be forgotten.

The library board always gave the staff a Christmas party and we will miss Marie's stuffed shells chicken salad! Marie will retire October 2018.

What action are you seeking from the Board of Commissioners?

Recognition of the leadership role of Marie Washburn who served on the Fayette County Public Library Board of Trustees.

If this item requires funding, please describe:

No

Has this issue come before the Commissioners in the past?

If so, when?

Do you need audio-visual for the presentation?

Back-up Material Submitted?

STAFF USE ONLY

Approved by Finance

Reviewed by Legal

Approved by Purchasing

Approved by County Clerk

Administrator's Approval

Staff Notes:

COUNTY DEPARTMENT AGENDA REQUEST

Page 29 of 277

Department:

Presenter(s):

Meeting Date:

Type of Request:

Wording for the Agenda:

Recognition of Sharia Richelle Baker for reading 1,000 books as part of the "1,000 Books Before Kindergarten" program.

Background/History/Details:

Sharia is the daughter of Daren and Meredith Baker born July 20, 2103 and a member of the Light of Joy Church. Sharia visits the library at least twice a month to check out books she is able to read on her own. She is encouraged to read at least two books daily after school and gets a bedtime story every night. Her grandmother, Mimi Phillips registered her for the early Literacy initiative 1,000 Books Before Kindergarten in 2015 and every book read to little Sharia by her parents and grandparents was recorded on the program sheet. She received her certificate of completion on June 11, 2018. Sharai has an intense love for reading. Numerous books were read to her during the nine months before her birth. After her timely arrival, she listened to reading of 12 books per day five days a week. Initially her favorite books were "The Chocolate Cake", Emily Loves to Bounce"and "Brown Bear, Brown Bear," What Do You See?" Now, as a mature and articulate 5 year old her personal selections and favorite books include "Disney's Doc McStuffins and Pinkalicious and Fancy Nancy" series. Sharia attended many of the Sing and Play programs with Miss Ada, the Children's librarian at the Fayette County Public Library. Sharia is currently a kindergarten student at Landmark Christian School in Fairburn and Miss Wilke and Mrs. Lee are her teachers.

What action are you seeking from the Board of Commissioners?

Recognition of Sharia Richelle Baker for reading 1,000 books as part of the "1,000 Books Before Kindergarten" program.

If this item requires funding, please describe:

No

Has this issue come before the Commissioners in the past?

If so, when?

Do you need audio-visual for the presentation?

Back-up Material Submitted?

STAFF USE ONLY

Approved by Finance

Reviewed by Legal

Approved by Purchasing

Approved by County Clerk

Administrator's Approval

Staff Notes:

COUNTY AGENDA REQUEST

Page 30 of 277

Department: Code Enforcement

Presenter(s): Harold Myers, Chief Marshal

Meeting Date: Thursday, September 27, 2018

Type of Request: Public Hearing #4

Wording for the Agenda:

Consideration of staff's recommendation to approve a new 2018 Retail Alcohol Beer and Wine License (C18-00363) for Qadeer Ullah, doing business as Kenwood BP, which is located at 1866 Highway 85N, Fayetteville, Georgia.

Background/History/Details:

The applicant has met all requirements as require in the County Code and the Applicant has been approved by the Code Enforcement Department.

There are no outstanding violations.

What action are you seeking from the Board of Commissioners?

Approval a new 2018 Retail Alcohol Beer and Wine License(C18-00363)for Qadeer Ullah,doing business as Kenwood BP,which is located at 1866 Hwy.85N, Fayetteville, Ga

If this item requires funding, please describe:

Not Applicable

Has this request been considered within the past two years? No

If so, when?

Is Audio-Visual Equipment Required for this Request?* No

Backup Provided with Request? Yes

**** All audio-visual material must be submitted to the County Clerk's Office no later than 48 hours prior to the meeting. It is also your department's responsibility to ensure all third-party audio-visual material is submitted at least 48 hours in advance.***

Approved by Finance Not Applicable

Reviewed by Legal

Approved by Purchasing Not Applicable

County Clerk's Approval Yes

Administrator's Approval

Staff Notes:



C13.00363

ALCOHOLIC BEVERAGE LICENSE APPLICATION

Date Application Received: 8/23/2018

Date sent to Comm. Off. 8/28/2018

Fees

Retail Package Sales

- ♦ Beer and Wine License - \$1,000.00
- ♦ Beer only - \$750.00
- ♦ Wine only—\$400.00
- ♦

- ♦ On-Premise (Beer/Wine) - \$1,000.00
- ♦ On-Premise (Wine only) - \$500.00
- ♦ On-Premise (Beer Only) - \$750.00
- ♦ On-Premise (Distilled Spirits) - \$1500.00
- ♦ OnPremise(distilled,malt,wine) \$2500.00

Alcohol beverage catering—\$250.00 annual
Malt/wine—\$25.00 per event
Distilled Spirits—\$50.00 per event
Malt/wine/distilled spirits—\$ 75.00 per event

Approved on premises location fee-

Application fee—\$200.00

Annual Fee—\$200.00

Special Event fee— Limit 3 times annually

Malt—\$75.00

Wine - \$50.00

Distilled—\$ 125.00

Malt/wine/distilled \$ \$200.00

OTHER FEES

Administrative/Investigative fee \$200.00
(non refundable)

Employee Permits—\$ 30.00

Fingerprint fee -\$44.25

FAYETTE COUNTY
CODE ENFORCEMENT140 Stonewall Ave. West
Suite 202
Fayetteville, GA 30214Phone: 770-305-5417
Fax: 770-305-5305
E-mail:

CODEVIOLATIONS@FAYETTECOUNTY.GA

Office Use Only

- ☐ Approved
- ☐ Denied

Officer's Initials

Remarks

() Alcohol beverage Catering () On premises approved location

- ☐ On-Premise () Brew Pub () Wholesale
- () Alcohol beverage catering

- ☒ Retail Package Sales () Alcohol catering
- () Approved location—on premise catering

1. Occupational Tax No: _____ (Added after approval by BOC)

2. Trade name of business for which license is applied: Trillium Wood Inc.

3. Business Name and Store Number: Kenwood B.P.

4. Street Address: 1866 Highway 85N

City: Fayette State: GA Zip Code 30214

5. Mailing Address: 4202 Trillium Wood Trail

City: Snellville State: GA Zip Code 30039

6. Phone Number: [REDACTED]

7. Fax Number: [REDACTED]

8. E-mail Address: [REDACTED]

9. Web Address: N/A

10. Name and address of each person, firm and corporation having any ownership interest in business and the amount of such interest:

Name	Residence	Interest/Amount
Badeet Ullah	4202 Trillium Wood Trail	100 %
	Snellville GA-30039	

Name	Residence	Interest/Amount

Name	Residence	Interest/Amount

Name	Residence	Interest/Amount

Name	Residence	Interest/Amount

11. How much of the capital of this business is borrowed and from: (Attach exhibits if necessary)

Amount	Lender	Interest
None		

Amount	Lender	Interest

Amount	Lender	Interest

12. (A) Will this business be owned by the applicant as a sole proprietorship? (Circle) ☒ Yes ☐ No

(B) If this business will be owned in whole or in part by a partnership, , list the names and address of all general partners, as well as the name and addresses of the licensee, and the license representative.

Name	Address	Interest
N/A		

Name	Address	Interest

13. If business is operated by a close corporation list names and addresses of all officers, directors and stockholders, as well as the names and addresses of the licensee and the license representative

Name	Address	City	State	Title
Badeet Ullah	4202 Trillium Wood Tr	Snellville	GA	owner/manager

Name	Address	City	State	Title

14. If business is operated by a corporation, other than a close corporation, the name of the corporation, the address of the corporate office, the name and address of the registered agent for service of process for the corporation and the names and addresses of the licensee and the license representative ☒ N/A

15. Has applicant and/or licensee ever had its/his/her license to sell alcoholic beverage suspended two or more times during the past five years or revoked by any state or political subdivision hereof? Provide any such other appropriate information as may be required by the governing body or Code Enforcement

☐ Yes
☒ No

16. Copy of Georgia Secretary of State Registration for a Corporation, Limited Liability company or Limited Partnership attached? ☒ Yes *Attached*

17. (A) Is the applicant and/or license holder the owner of the building where business is to be conducted?

☐ Yes
☒ No

(B) Are you also the owner of the land?

☐ Yes
☒ No

(C) If your answer is "NO", to either question, state whether you lease, sub-lease, and/or rent the building and whether you lease, or sub-lease the land or both.

Lease Building

18. State the full name and address of the owner of the building and the name and address of the owner of the land and the name and address of all leasers and sub-leasers and attach copies of all lease agreement.

*May & Carter Oil Company 109 Hanover St.
 Jackson GA. 30233*

19. Has the applicant and/or license holder entered into an agreement or contract with either the owner or owners, leasers and sub-leasers for either the building or land or both, which provides for the payment of rent on a percentage or profit sharing basis?

☒ Yes *Rent*
☐ No

20. Name the manager of the business for which this application is filed and state how he is compensated. Page 14 of 27

GADDER 41194 4202 Trillium Wood Tr. Snellville GA 30039
Name Address

Weekly
Compensation

21. Has any place of business engaged in the sale of distilled spirits, wine or beer with which you have been associated ever been cited or charged at any time with any violation of Georgia law or federal law or municipal law or any rule or regulation or ordinance concerning the sale of such products?

☐ Yes

☒ No

Date	Authority Issuing Citation	Violation	Alleged Result

Fayette County

ALCOHOLIC BEVERAGE LICENSE LICENSEE APPLICATION

PART 2

INSTRUCTIONS:

Fill in all blanks with complete and accurate information or your application will not be processed and your fee will be forfeited.

1. Last Name: ULLAH First: QADEER Middle: _____
2. List maiden name and all married names: _____
3. Age: 56 Date of Birth: 1962 Social Security No: [REDACTED]
4. Place of Birth: PAKISTAN State: Punjab Country: PAKISTAN
5. U.S. Citizen: Yes _____ No X Alien Registration No: [REDACTED]
6. Date and Port of Entry: JULY 17 2001
7. If naturalized, when: JAN. 23-2012
8. Business Name and Address where you are employed and the permit is required:
 Business Name: Trillium Wood Trail Inc.
 Street Address: 1866 HWY 85N
 City: Fayetteville State: GA Zip Code: 30214
9. Your position or job at the above address: MANAGER
10. Your home street address: 4202 Trillium Wood Trail
 City: Snellville State: GA Zip Code: 30138
11. Your home telephone number: [REDACTED] Work: 678171787
12. Your e-mail address: [REDACTED]
13. Your mailing address: Same
 City: _____ State: _____ Zip Code: _____
14. Resident of: Snellville County: Gwinnett State: GA
15. Is the above address your bona fide place of domicile? (Circle) Yes No
16. How long have you lived at the above address? 37 years
17. If less than 10 years, give your previous and legal address and the length of time you resided at said residence? 3640 Buford HWY Atlanta 30329 (6) years
3296 WESLOCK Ciry Decatur GA. 30034 (5) years

18. In the spaces provided below, list all convictions including pleas of nolo contendere, first offender, forfeiture of bond, etc., for any felony or misdemeanor, relating to the sale or use of alcoholic beverages, crimes of moral turpitude, gambling, sexual offenses, assault, battery, Family Violence, or illegal drugs within the five years

Date of Offense	Place of Offense	Type	Disposition
1.			
2.			
3.			
4.			

If additional space is required, attach a sheet with the additional offenses and information concerning

Under Georgia Criminal Code Section 16-10-20, any person who knowingly and willfully falsifies, conceals, or covers up any trick, scheme, or device, makes a false, fictitious, or fraudulent statement or representation, shall, upon conviction therefore, be punished by a fine of not more than \$1,000.00 or by imprisonment for not less than one year nor more than five years, or both.

J.U. You must initial that you have read this statement.

I have read and understand that any falsehood or half-truth submitted in this application is a felony and will render me ineligible to serve alcoholic beverages in this County. I also understand that any falsehood or half-truth discovered by investigators during the term of this permit (which is one year from the date of the application) is grounds for its revocation and my subsequent prosecution.

Shaden Makh Signature of Applicant 8.23.2018 Date

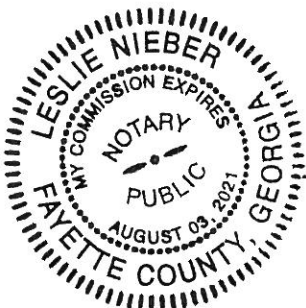
I hereby authorize the Fayette County Marshal's Office to receive any criminal history record information pertaining to me which may be in the files of any state or local criminal justice agency in Georgia.

SHADDER ULLAH Full Name Printed

4202 Trillium Wood Tr. Snellville GA 30089 Address

Sex: male Race: Asian Date of Birth: [REDACTED] Social Security No. [REDACTED]

Notary: Leslie Nieber Date: 8/23/18



Verification

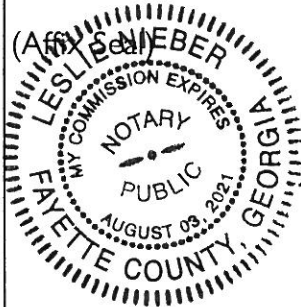
I, ULLAH, QADEER,
 applicant, do solemnly swear, subject to criminal penalties for false swearing,
 that the statements and answers made by me to the foregoing questions in
 this application for a County of Fayette license as a dealer in alcoholic
 beverages, are true, and no false or fraudulent statement or answer is made
 therein to procure the granting of such license.

Qadeer Ullah

Applicant's Signature
 (full name signed in ink)

I certify that ULLAH, QADEER has
 provided me with proper documentation as verification of his/her identity;
 documentation being: Georgia Drivers License. I also certify that
 he/she signed his/her name to the foregoing application after stating to me
 that he/she knew and understood all statements and answers made therein,
 and under oath actually administered by me, has sworn that said statements
 and answers are true.

This 23rd day of August, 2018.



Leslie Weber
 Notary Public

Alcoholic Beverage Ordinance

- ♦ My signature acknowledges that I have received a copy of the New Fayette County Alcoholic Beverage License Ordinance.
- ♦ It is my responsibility to know its content.
- ♦ This ordinance is strictly enforced.

Should you have any questions, please call this office at 770-305-5417.

A handwritten signature in ink, appearing to read "Sadia Malik", written over a horizontal line.

Applicant's Signature
(full name signed in ink)

MANAGEMENT FEE STATION LEASE (BRANDED)

(Convenience Store)(Shared Maintenance)

This Management Fee Station Lease (Branded) (Convenience Store)(Shared Maintenance) (the "Lease") made this 1st day of July, 2018, between May & Carter Oil Company, with a business address of 109 Hanover Street, Jackson, GA 30233 (hereinafter "Lessor") and Trillium Wood, Inc., with a business address of 4202 Trillium Wood Trail, Snellville, GA 30039 (hereinafter "Lessee").

WITNESSETH:

1. Lease of Premises. Pursuant to the terms and conditions of this Lease, Lessor hereby leases to Lessee, and Lessee leases from Lessor, the premises located at 1866 Hwy 85 North in the City (or Town) of Fayetteville, in the County (or Parish) of Fayette, in the State of Georgia (referred to hereinafter as the "Premises"), which Premises are to be employed for the purposes of operating Lessee's convenience store business, subject to the right of Lessor, or Lessor's affiliate, to conduct its motor fuel dispensing business as set forth more fully in the accompanying Management Fee Agreement executed concurrently herewith. The term "Supplier" used in this Lease shall have the same meaning as said term has in the Management Fee Agreement. Lessee shall permit Lessor or Lessor's affiliate, and the carrier thereof, unimpeded access to the Premises to deliver product covered under the Management Fee Agreement.
2. Term. The term of this Lease shall be FIVE (5) years, commencing on July 1, 2018, and expiring on July 1, 2023 (the "Term"). There shall be ONE (1), FIVE (5) year option on the Lease.
3. Rent. (a) The monthly rent for the Term of this Lease is FIVE THOUSAND TWO HUNDRED & 0/100 DOLLARS (\$5,000.00), payable, without setoff, deduction, notice, or demand, on the first (1st) day of each and every calendar month during the effective life of this Lease, or on any other day that Lessor may require from time to time. The rent shall increase every year on the anniversary date by the Consumer Price Index Increase. The rent shall never decrease.
 (b) To secure timely payment of rent, and other sums due under this Lease or any other agreement between Lessee and Lessor, Lessee shall, upon execution of this Lease, provide Lessor with a security deposit in the amount of \$20,000.00, and/or other forms of security acceptable to Lessor, at Lessor's sole option, including without limitation a letter of credit or personal guaranty. If Lessee is required to furnish a security deposit, Lessor may retain said security deposit for a period of no more than sixty (60) days following the termination, expiration or nonrenewal of this Lease, at which time Lessor shall return said security deposit to the Lessee, less any amounts due and owing to Lessor. Security Deposit can be used for both Lease and Management Fee Agreement or any indebtedness to May & Carter or any of its subsidiaries.
 (c) Lessee shall pay said rent in accordance with Lessor's payment terms in effect from time to time. Lessor may require that Lessee pay the rent by means of cash, cashier's check, certified check, electronic funds transfer ("EFT"), or other means acceptable to Lessor. Where Lessor requires payment via EFT, Lessee will establish a commercial account with a financial institution that provides EFT services and will authorize Lessor to initiate transfers of funds between Lessee's account and Lessor's account for payment of all amounts due to Lessor under this Lease. Lessee shall not use, or permit to be used, said commercial account for personal, family, or household purposes. Lessee will provide Lessor with all information and authorization necessary to debit and credit Lessee's account. Lessee shall maintain at all times funds in its account sufficient to make payments to Lessor at the time of the EFT transaction. Should any EFT transaction be rejected by Lessee's financial institution for Lessee's failure to maintain sufficient funds in Lessee's account, in addition to any rights Lessor may have under this Lease or the law, Lessor may collect a service charge for each occurrence of such rejection by the financial institution, whether or not payment is subsequently paid by Lessee. Lessor may, at its sole discretion, require that subsequent payments be made by means of cash, certified or cashier's check, money order, or other means satisfactory to Lessor. Lessee shall indemnify, defend and hold Lessor harmless for any losses, costs, or damages arising out of any breach or violation of this subparagraph (c).
 (d) Because of the dynamic nature of the motor fuel retailing industry, Lessee acknowledges and agrees that Lessor may, during the term of this Lease, determine that the Premises should be opened to provide the goods and services preferred by customers which may include, but shall not be limited to, gas only, total self serve, car wash operations or other operations. Lessor shall have the right to make these alterations, modifications or changes at any time during the term of this Lease and to alter the rental fees consistent with the terms and conditions contained herein. Such a change in mode of operation will not affect the Lessee's right, subject to compliance with all the terms and condition hereof, to continue in the Premises for the full term of this Lease.
4. Independent Business. Lessee is an independent businessman with the exclusive right to direct and control its convenience store business operation at the above Premises. Lessor reserves no control over said convenience store business at the above Premises. Lessee has no authority to employ anyone as an employee or agent of Lessor for any purpose.
5. Mutual Satisfaction. The parties to this Lease have discussed the provisions herein and find them fair and mutually satisfactory and further agree that in all respects the provisions are reasonable and of material significance to the relationship of the parties hereunder. Any breach of a provision of this Lease shall be grounds for termination or non-renewal of the relationship.
6. Surrender of Premises. (a) Lessee shall surrender possession of the Premises immediately upon termination, expiration, or non-renewal of this Lease. Lessee shall leave the Premises in the same condition that existed at the commencement of this Lease or in the same condition to

Lessor _____
 Lessee: g.u.

IN WITNESS WHEREOF, the parties hereto have duly executed this Lease as of the date first above written.

LESSOR: May & Carter Oil Company

By: [Signature]
 Title: VP

Witness: _____

LESSEE: Trillium Wood Inc.

By: [Signature]
 Title: owner

Witness: _____

LESSEE: _____

By: _____

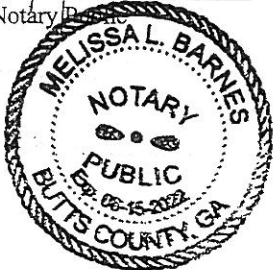
Title: _____

Witness: _____

WITNESS the hand and seal of the authorized representative of the Undersigned, effective the 10th day of July, 2018.

Signed, sealed and delivered
 in the presence of:

[Signature: Melissa L. Barnes]
 Notary Public



Lessor: [Signature]
 Lessee: [Signature]

SCHEDULE OF LESSEE'S EQUIPMENT (STATION LEASE)

This Schedule of Lessee's Equipment (Station Lease) is attached to, and made a part of, the Lease between Lessee and Lessor for the Premises. Unless otherwise indicated, the capitalized terms used in this Schedule of Lessee's Equipment shall have the same meaning used in said Lease. Lessor owns and retains title to all equipment on the Premises with the exception of the following equipment, which equipment is the property of Lessee:

Title to such items listed herein above shall at all times remain with Lessee. This Schedule of Lessee's Equipment is not to be deemed exclusive *per se* and may be amended by mutual acknowledgement of the parties.

LESSOR: May & Carter Oil Company

By: [Signature]

Title: VP

Witness: _____

LESSEE: Trillium Wood Inc.

By: [Signature]

Title: Owner - Manager

Witness: _____

LESSEE: _____

By: _____

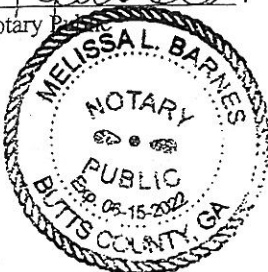
Title: _____

Witness: _____

WITNESS the hand and seal of the authorized representative of the Undersigned, effective the 10th day of July, 2018.

Signed, sealed and delivered
in the presence of:

Melissa Barnes
Notary Public



2018_0126

Fayette County Fire

Fire Safety Compliance Certificate

Trillium Wood Inc.

1866 Hwy 85 N

This permit is subject to the condition(s) cited below:

Valid, provided the internal or external features of the building are not materially altered, the type of occupancy remains unchanged or there has been no fire of serious consequence, or other hazard discovered. Certificate not transferable.

Effective: 7/20/2018

Expires: 7/20/2068

Fee \$50

X



James D. Hall, Fire Marshal



July 19, 2018

Trillium Wood Inc.
1866 Hwy 85 N
Fayetteville, GA 30214

RE: CERTIFICATE OF FIRE SAFETY COMPLIANCE

Dear Owner/Occupant:

Enclosed is your Certificate of Fire Safety Compliance for your business. Please display this with your business license. The certificate will be issued only once and it must be posted in plain view and remain on premises at all times.

Sincerely,

Fayette County Bureau of Fire Prevention

James D. Hall
Fire Marshal

JH: cn

Enclosure

Hank Derbyshire

From: Hank Derbyshire
Sent: Friday, August 24, 2018 9:34 AM
To: 'legals@fayette-news.com'
Subject: ad for Commissioners meeting 09-27-2018

To: Fayette Daily News
From: Fayette County Code Enforcement
Date: 8/24/18
Subject: Billing Legal Ad

Legal Ad to Run: 8/29/18

Billing Address: Fayette County Code Enforcement
140 Stonewall Avenue West
Suite 202
Fayetteville, GA 30214

Notice of Application for Retail License to Sell Alcoholic Beverages

An application has been submitted to the Fayette County Board of Commissioners for a retail license to sell alcoholic beverages at the following location: 1866 Hwy.85N, Fayetteville, GA 30214. The business name is KENWOOD BP., QADEER ULLAH have requested to be appointed as the licensee. The Board of Commissioners will consider the proposed application on **Thursday, September 27, 2018 at 6:30 p.m.**

Hank Derbyshire
Fayette County Code Enforcement
140 Stonewall Ave, West Suite 202
Fayetteville, Georgia 30214
Office: (770)305-5159
Email: hderbyshire@fayettecountyga.gov

MISCELLANEOUS PAYMENT RECPT#: 6352056

Page 46 of 277

FAYETTE COUNTY, GA
140 Stonewall Avenue, West
BE
FAYETTEVILLE GA 30214

DATE: 07/11/18 TIME: 08:16
CLERK: 9597bbut DEPT:
CUSTOMER#: 0

COMMENT: ALCOHOL BACKGROUND
CHG:

321100 ALCOHOL BACKGRO 244.50

AMOUNT PAID: 244.50

PAID BY: QADEER ULLAH
PAYMENT METH: CHECK
168

REFERENCE: 7/11/2018

AMT TENDERED: 244.50
AMT APPLIED: 244.50
CHANGE: .00

Control Number : 18078455

STATE OF GEORGIA

Secretary of State

Corporations Division

313 West Tower

2 Martin Luther King, Jr. Dr.

Atlanta, Georgia 30334-1530

CERTIFICATE OF INCORPORATION

I, **Brian P. Kemp**, the Secretary of State and the Corporation Commissioner of the State of Georgia, hereby certify under the seal of my office that

TRILLIUM WOOD INC

a Domestic Profit Corporation

has been duly incorporated under the laws of the State of Georgia on **06/22/2018** by the filing of articles of incorporation in the Office of the Secretary of State and by the paying of fees as provided by Title 14 of the Official Code of Georgia Annotated.

WITNESS my hand and official seal in the City of Atlanta and the State of Georgia on **06/26/2018**.



A handwritten signature in dark ink, appearing to read "B: P. Kemp".

Brian P. Kemp
Secretary of State

ARTICLES OF INCORPORATION

Electronically Filed
Secretary of State
Filing Date: 6/22/2018 3:23:31 AM

BUSINESS INFORMATION

CONTROL NUMBER	18078455
BUSINESS NAME	TRILLIUM WOOD INC
BUSINESS TYPE	Domestic Profit Corporation
EFFECTIVE DATE	06/22/2018
SHARES	1000

PRINCIPAL OFFICE ADDRESS

ADDRESS	4202 TRILLIUM WOOD TRAIL, SNELLVILLE, GA, 30039, USA
---------	--

REGISTERED AGENT

NAME	ADDRESS	COUNTY
QADEER ULLAH	4202 TRILLIUM WOOD TRAIL, SNELLVILLE, GA, 30039, USA	Gwinnett

INCORPORATOR(S)

NAME	TITLE	ADDRESS
QADEER ULLAH	INCORPORATOR	4202 TRILLIUM WOOD TRAIL, SNELLVILLE, GA, 30039, USA

OPTIONAL PROVISIONS

N/A

AUTHORIZER INFORMATION

AUTHORIZER SIGNATURE	QADEER ULLAH
AUTHORIZER TITLE	Incorporator

September 12, 19, 26,
October 3, 2018

14. FAYETTE COUNTY

gpn02
Legal 22109

**Notice of Application for Retail
License to Sell Alcoholic Beverages**

An application has been submitted to the Fayette County Board of Commissioners for a retail license to sell alcoholic beverages at the following location: 1866 Hwy.85N, Fayetteville, GA 30214. The business name is KENWOOD BP., QADEER ULLAH have requested to be appointed as the licensee. The Board of Commissioners will consider the proposed application on Thursday, September 27, 2018 at 6:30 p.m.

September 12, 2018

COUNTY AGENDA REQUEST

Page 50 of 277

Department:

Presenter(s):

Meeting Date:

Type of Request:

Wording for the Agenda:

Consideration of Petition No. 1278-18, Betty Shubert, Owner, and Trent Foster, Agent, request to rezone 48.943 acres from A-R to R-50 to develop a residential subdivision consisting of 36 lots; located in Land Lot 104 of the 7th District and fronts on Dogwood Trail.

Background/History/Details:

Staff recommends approval with one (1) condition.

Brian Haren made a motion to recommend approval of Petition No. 1278-18 with one (1) condition. John Culbreth seconded the motion. The motion passed 4-0. Al Gilbert was absent.

RECOMMENDED CONDITION

1. That a 20 foot buffer shall be established along the southern boundary of the stormwater detention facility adjacent to Peachtree City to screen it from existing residential lots in Peachtree City. Said buffer should be undisturbed to preserve existing vegetation and where existing vegetation is disturbed or is insufficient to create a screen, said buffer shall be planted per Article V Nonresidential Development

What action are you seeking from the Board of Commissioners?

Approval of Petition No. 1278-18, Betty Shubert, Owner, and Trent Foster, Agent, request to rezone 48.943 acres from A-R to R-50 to develop a residential subdivision consisting of 36 lots; located in Land Lot 104 of the 7th District and fronts on Dogwood Trail with one condition.

If this item requires funding, please describe:

Has this request been considered within the past two years?

If so, when?

Is Audio-Visual Equipment Required for this Request?*

Backup Provided with Request?

*** All audio-visual material must be submitted to the County Clerk's Office no later than 48 hours prior to the meeting. It is also your department's responsibility to ensure all third-party audio-visual material is submitted at least 48 hours in advance.**

Approved by Finance

Reviewed by Legal

Approved by Purchasing

County Clerk's Approval

Administrator's Approval

Staff Notes:

PLANNING COMMISSION RECOMMENDATION**DATE:** September 6 , 2018**TO:** Fayette County Commissioners

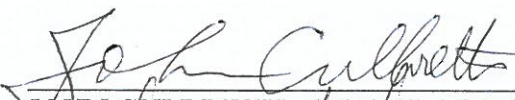
The Fayette County Planning Commission recommends that Petition No. 1278-18, the application of Betty Shubert to rezone 48.943 acres from A-R to R-50, be:

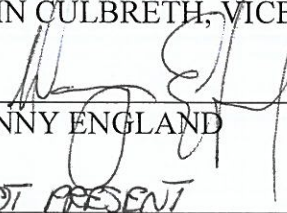
4-0 X Approved _____ Withdrawn _____ Denied

_____ Tabled until _____

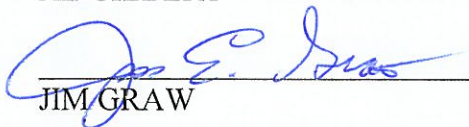
This is forwarded to you for final action.


BRIAN HAREN, CHAIRMAN


JOHN CULBRETH, VICE-CHAIRMAN


DANNY ENGLAND

NOT PRESENT
AL GILBERT


JIM GRAW

Remarks:

**STATE OF GEORGIA
COUNTY OF FAYETTE**

RESOLUTION

NO. 1278-18

WHEREAS, Betty Shubert, Owner, and Trent Foster, Agent, having come before the Fayette County Planning Commission on September 6 , 2018, requesting an amendment to the Fayette County Zoning Map pursuant to "The Zoning Ordinance of Fayette County, Georgia, 2010"; and

WHEREAS, said request being as follows: Request to rezone 48.943 acres from A-R to R-50, in the area of Dogwood Trail, Land Lot 104 of the 7th District, for the purpose of developing a Residential Subdivision; and

WHEREAS, the Fayette County Planning Commission having duly convened, and considered said request;

BE IT RESOLVED that the decision of the Fayette County Planning Commission, that said request be **APPROVED**.

This decision is based on the following reasons:


In compliance with the Fayette County Comprehensive Plan.
Compatible with the surrounding area.

**PLANNING COMMISSION
OF
FAYETTE COUNTY**

ATTEST:



BRIAN HAREN, CHAIRMAN



3. Consideration of Petition No. 1278-18, Betty Shubert, Owner, and Trent Foster, Agent, request to rezone 48.943 acres from A-R to R-50 to develop a residential subdivision consisting of 36 lots. This property is located in land lot 104 of the 7th District and fronts on Dogwood Trail.

Trent Foster stated that he was the authorized agent for the Shubert family.

Chairman Haren stated there was not a full board present this evening but there is a quorum. He said under the rules you have the right to request a tabling to wait for a full board. He asked if he would like to continue.

Trent Foster replied yes we'll continue. He stated we request a rezoning from A-R to R-50. He said that it works with your new Comprehensive Plan that you all voted on and approved on last August one (1) unit per one (1) acre. He added based on the concept plan we're requesting 36 lots because of the soils and topo. He stated there was a lot of pre-work put into it and knows that there is a lot of history on this land. He said they were the developer/homebuilder of the Stonecrest Reserve that didn't come before them because it is in the City of Tyrone. He added that everyone said that they were crazy and that they were going to bring the property value down in the area and now there average sell price in that area is \$575,000. He stated that all of the homeowners in the surrounding areas that were concern have now come over and talked to them and said that there home values have risen some 15-20 percent along Farr Road. He said they do quality work and have worked well with the City of Tyrone and Mayor Dial. He added in the last four (4) to five (5) months we've done several small things in the County, Brooks, and South Fayette where I live. He stated that we've developed a good working relationship with Pete and Chanelle as far as communication and I believe both of them know that we are above board; as far as when we say we are going to do something we're going to do it. He said we asked that you consider this motion based on your Comprehensive Plan of one (1) unit per one (1) acre. He added I will take any questions that you have.

Charles MacMitton stated that he was the brother of Betty Sue MacMitton Shubert and their families grew up in Fayette County and Tyrone. He said that their parents had five (5) children and we all grew up here. He added that she graduated from Fayette County in 1958, and he in 1961. He stated he was a deputy sheriff in Fayette County from 1968 to 1971 and went on to be with the GBI for 30 plus years and went on to the Department of Justice with a total of 48 years in law enforcement. He said Betty and Young bought this property at 376 Dogwood Trail in 1960. He added that they raised their two (2) children there and it has been there home for a long time. He stated that his sister is 81 years old and is disabled and she wants to sell this property; so she will be able to financially handle her disabilities and go somewhere else to live to help her be able to do the things to continue out her life.

Chairman Haren asked if anyone else would like to speak in favor of the petition. Hearing nothing, he asked if anyone would like to speak in opposition. Hearing nothing, he brought it back to the board.

Chairman Haren asked why the R-50 zoning district for this area.

Trent Foster replied the zoning district has one acre lot.

Chairman Haren asked if there was a condition for the rezoning.

Trent Foster replied yes for the undisturbed around the rear retention pond leading to catering hills which we have no issues with that. He stated that they usually landscape around them 20 feet to hide them so leaving it undisturbed is fine with us.

Chairman Haren asked if he agreed with the condition.

Trent Foster replied yes.

Chairman Haren stated that there was some discussion in the package about removing structures.

Trent Foster stated that the structures would be removed and that Pete has received a letter from him regarding that.

Jim Graw asked if the structures were on the lot facing Dogwood Trail.

Trent Foster replied yes sir.

Jim Graw asked if that was going to be one (1) of the lots for the subdivision.

Trent Foster stated that the home would be removed the trailer and the barn all septic tanks and wells would be incapacitated by the County standards.

Jim Graw asked if the retention pond was on the lot; the southern part.

Trent Foster replied yes, that is the one (1) that Peachtree City asked to leave undisturbed.

Jim Graw stated that it looks like lots 136 and 137 that are in Peachtree City those are the only two that would be affected.

Trent Foster replied correct.

Jim Graw asked if the buffer would be aligning lots 136 and 137.

Trent Foster replied it would be around the whole pond all four sides. He stated that they may have to get in there to disturb the front side of it and then it will be buffered with plantings; because someone living on our lot that borders it doesn't want to be looking right into it retention. He reiterated that they have no issue with it and is common practice with them. He stated they are not about to leave an eye-sore and sell homes on them.

Jim Graw stated the requested rezoning does comply with the Comprehensive Plan.

Danny England read Peachtree City's recommendation: As the Dogwood Trail corridor continues to develop into residential use, the City would encourage the County to require inter-parcel access between these developments. He stated that we don't have anything to cover that, but if you look

at the size and shape of these pieces of property; you have your piece which is 50 acres that is long and skinny and the ones on either side are the same based on size and shape. He said we are going to get in that situation where we can't go trick-or-treating in the neighborhood next door unless we go out to Dogwood and then back down; I think that is something we ought to look at in the future for something like this.

Pete Frisina stated that I think I explained in the report why we don't have any inter-parcel access for residential development. He said we don't have any regulations or standards for it. He added that we do require it for non-residential. He stated that there have been some instances in the County where people have left strips or stub streets in a residential subdivision and woe to the person that suggest another subdivision hook up to one of those stub streets. He added that it has happened before many years ago and anybody that even suggests hooking up to it and the public meeting room fills up. He stated they would have to have standards that set it and they never had it.

Trent Foster stated that what you will have if they are required to do that is a person who have paid premium for a cul-de-sac lot that is no longer a cul-de-sac lot.

Danny England stated that if they recommended it being tied in at the cul-de-sac that's not necessarily how it would work it could be somewhere in-between. He said when you get into these developments that are really skinny and really deep at some point it would be nice to hang a right or left and get into the neighborhood next to us. He added that he thinks that comes from defining at what point do we cross the threshold that's required; and if you have standards you can say this is just the way we do things. He stated in denser environments it's more reciprocal to do that right? He said that it is something that we sometimes plan for and then we come and do phase two and say oh look; here's a place right here where my road should go. He added that it is frustrating; because I use to deliver pizza here years ago and you get into these subdivisions and you can't get back out because there is one (1) way in and one (1) way out of these subdivisions. He stated that the trick-or-treat thing is real too; I have all these house on my street but my neighbor next door I can't actually get to them. He added it seems like something that we should definitely think about, because we're only going to be building more houses with lots that have more density and more cars on every street. He said that it is such a shame to force people all the way out to Dogwood just for them to come back to the future development that will no doubt be on either side of you, and could be you that trigger some of this stuff in the future. He stated he saw it and from a planning standpoint it would be a good principle; we should try and get in front of that and talk about it a little bit I think.

Pete Frisina replied that it is something we could talk about but it is difficult.

Danny England replied that it is, and they said the same thing about one (1) acre lots years ago right? He stated that the topography drops down the closer you get to Dogwood. He said that Dogwood is 12 feet or more above the level of the road there. He added that he doesn't know if he has gotten that deep into the planning yet. He asked how you are going to tie in the road and get it landscaped around there.

Trent Foster replied we haven't gotten that far yet.

Danny England stated that he was imagining the road coming out and hitting at grade and how that would be done out there because that works great now because it rolls right down.

Trent Foster replied the engineer will take care of it.

Chairman Haren stated if there are no more questions or comments let's bring it to a vote. He asked for a motion.

Brian Haren made a motion to recommend approval of Petition No. 1278-18 with one (1) condition. John Culbreth seconded the motion. The motion passed 4-0. Al Gilbert was absent.

PETITION NO: 1278-18

REQUESTED ACTION: A-R to R-50

PROPOSED USE: Residential

EXISTING USE: Residential

LOCATION: Dogwood Trail

DISTRICT/LAND LOT(S): 7th District, Land Lot(s) 104

OWNER: Betty Shubert

AGENT: Trent Foster

PLANNING COMMISSION PUBLIC HEARING: September 6 , 2018

BOARD OF COMMISSIONERS PUBLIC HEARING: September 27, 2018

APPLICANT'S INTENT

Applicant proposes to develop a Residential Subdivision consisting of 36 lots on 48.943 acres.

STAFF RECOMMENDATION

Approval with One (1) Condition

1.

1278-18

INVESTIGATION

A. PROPERTY SITE

The subject property is a 48.943 acre tract fronting on Dogwood Trail in Land Lot 104 of the 7th District. Dogwood Trail is classified as a Collector road on the Fayette County Thoroughfare Plan. The subject property contains a single-family residence, mobile home and barn and is currently zoned A-R.

History: The subject property was a portion of rezoning 1256-16. The request was to rezone from A-R to R-50 to develop a single-family residential subdivision consisting of 68 lots on 100.967 acres. The request was denied by the Board of Commissioners on June 23, 2016.

B. SURROUNDING ZONING AND USES

The general situation is a 48.943 acres tract that is zoned A-R. In the vicinity of the subject property is land which is zoned A-R and R-75. See the following table and also the attached Zoning Location Map.

The subject property is bound by the following adjacent zoning districts and uses:

Direction	Acreage	Zoning	Use	Comprehensive Plan
North (across Dogwood Trail)	39.23	R-20 (Tyrone)	Proposed one acre subdivision	Rural-Estate Residential (Tyrone)
	11.8	A-R	Single-Family Residential	Low Density Residential (1Unit/1 Acre)
	6.0	A-R	Single-Family Residential	
	18.17	R-75	Undeveloped	
South	Three lots in Kedron Hills Sub-division (PTC) ranging in size from .8 to 1.06 acres	R-22 (Peachtree City)	Single-Family Residential	Single Family Medium (.25 to 1.0 acres) (PTC)
East	51.89	A-R	Undeveloped	Low Density Residential (1Unit/1 Acre)
West	44.4	A-R	Single-Family Residential	Low Density Residential (1Unit/1 Acre)

The dimension requirements for the R-50 and similar one (1) acre zoning districts are as follows:

Zoning District	Zoning Setbacks	Minimum Lot Size	Minimum House Size	Lot Width at Building Line	Maximum Height
R-50 Single-Family Residential	Front - 100' Arterial Front - 75' Collector Front - 50' Local Side - 20' Rear - 30'	1 Acre* 1.5 Acres**	2,100 square feet	150' Arterial 150' Collector 125' Minor	35 feet
R-45 Single-Family Residential	Front - 60' Arterial Front - 60' Collector Front - 40' Local Side - 20' Rear - 40'	1 Acre* 1.5 Acres**	1,800 square feet	125'	35 feet
R-40 Single-Family Residential	Front - 60' Arterial Front - 60' Collector Front - 40' Local Side - 15' Rear - 30'	1 Acre* 1.5 Acres**	1,500 square feet	150' Arterial 150' Collector 125' Minor	35 feet
R-20 Single-Family Residential	Front - 60' Arterial Front - 60' Collector Front - 40' Local Side - 15' Rear - 30'	1 Acre* 1.5 Acres**	1,200 square feet	150' Arterial 150' Collector 125' Minor	35 feet

* Where a central water distribution system and a private septic system are provided. (County water/septic)

** Where public water system is not available. (Well/septic)

C. COMPREHENSIVE PLAN

The subject property lies within an area designated for Low Density Residential (1 Unit / 1 Acre) and Environmentally Sensitive Areas (floodplain). This request conforms to the Fayette County Comprehensive Plan.

D. ZONING/REGULATORY REVIEW

The applicant seeks to rezone A-R from to R-50 for the purpose of developing a Residential Subdivision. A survey of the property, submitted with the rezoning, indicates a single-family residence, mobile home and barn located on the subject property. Some of these structures appear to be non-conforming. The applicant has indicated to Staff that the existing structures will be removed from the subject property. Staff will not approve the Final Plat until the existing structures have been removed from the subject property or have been shown to be in compliance.

Peachtree City Comments

It is a practice to notify municipalities of rezoning requests that abut the municipal limits. The Peachtree City Planner submitted the following comments:

1. The length of the cul-de-sac is excessively long (over ½ mile). Should any flooding or other emergency events occur that block this road, residents do not have a safe alternative option for exiting the property. For public safety, the City has adopted an ordinance that limits the length of a cul-de-sac to 1,200 feet.

(Sec. 104-597, (5) a. of the Fayette County Subdivision Regulations states the following:

Subdivision entrances and street length. No street or portion of a street may provide access to more than 75 lots unless 1) a second means of access to the lots is provided by another street; or 2) a two-way divided road is used at the entrance and extended to all points within the subdivision until the number of lots being served is 75 or less. Amenity and common areas (e.g., green space) are excluded from the 75-lot limit. Of the two options, use of a second means of access is preferred and shall be provided unless it is determined not feasible by the county engineer due to the lack of adequate road frontage, limited sight distance, or significant environmental constraints.

County regulations do not address the length of a cul-de-sac but instead regulates the number of lots that can be within a subdivision on one entrance. The proposed subdivision does not meet the 75 lot threshold for a second entrance.)

2. As the Dogwood Trail corridor continues to develop into residential use, the City would encourage the County to require inter-parcel access between these developments. A 50-foot wide right-of-way strip should be preserved between the cul-de-sac and the east and west property lines to allow future residential development on adjacent parcels to tie into the proposed cul-de-sac.

(Fayette County regulations do not require inter-parcel access for residential development nor has the County required it otherwise.)

3. The detention pond is located adjacent to the City boundary. We request that the perimeter of the facility be screened with evergreen landscaping to buffer all adjacent residents from the pond.

(Staff is recommending a condition that a 20 foot buffer be established along the southern boundary of the stormwater detention facility adjacent to Peachtree City to screen it from existing residential lots in Peachtree City. Said buffer should be undisturbed to preserve existing vegetation and where existing vegetation is disturbed or is insufficient to create a screen, said buffer shall be planted per Article V Nonresidential Development Landscape requirements.)

4. Peachtree City sewer is located within 250 feet of this property

(The Concept Plan states under General Site Data #6 “All lots to be served by individual septic system and drain field.”)

Platting

Should this request be approved, the applicant is reminded that before any lots can be sold or building permits issued for the proposed subdivision, the subject property must be platted per the Fayette County Subdivision Regulations, as applicable.

Access

The Concept Plan submitted indicates one (1) access from Dogwood Trail.

E. REVIEW OF CONCEPT PLAN

The applicant is advised that the Concept Plan is for illustration purposes only. Any deficiencies must be addressed at the time of submittal of the Preliminary Plat, Final Plat, and/or Site Plan, as applicable.

Deficiencies include, but not limited to:

Rear yard setbacks shown as 30 feet on lots 1 and 36 are actually side yard setbacks with a 20 foot setback as these lots are corner lots.

F. DEPARTMENTAL COMMENTS

Water System

Water available.

Public Works/Engineering

1. The Fayette County Thoroughfare Plan classifies Dogwood Road as a collector. As such, a Right-of-Way dedication shall be provided, as needed, to provide a uniform R/W width of 40 feet as measured from the existing centerline of Dogwood Road to the parcel's front property line.
2. Access to Dogwood Trail for these lots will be predominately from SR 74 and Tyrone Road. There is a traffic signal at Dogwood Trail and SR 74. The intersection of Dogwood Trail and Tyrone Road is stop-controlled on Dogwood.
3. According to GDOT on-line traffic data, Dogwood Trail has an annual average daily traffic count of 3,230 vpd. The project, with 36 lots, would add approximately 340 trips per day. This would increase the existing traffic on Dogwood Trail by 10.5%.

4. Even though the percent increase in traffic is above 8%, Engineering is not recommending a Traffic Impact Study be provided. The traffic signal to the west is GDOT's and the additional traffic from the development should have minimal impact on its operation. To the east, the intersection of Dogwood Trail and Tyrone Road is part of the Tyrone Road Corridor Study (SPLOST Project No. 17TAQ) and has some existing geometry concerns. Over a 24-hour period, the project is expected to add 85 additional vehicles (~ a 5.2% increase) on Dogwood that turn left or right onto Tyrone Road, and that's not enough to consider mitigation work at the intersection.
5. Minimum sight distances, as required by the Development Regulations, will have to be provided for the proposed new road intersection. That information is provided by the Developer, and checked by Engineering, at the Preliminary Plat stage.

Environmental Management

- 1) State water determination report will be required.
- 2) Watershed protection ordinance applies. Tributaries of Flat Creek buffer = 50'; setback = 25'.
- 3) Floodplain Management ordinance applies. The base flood elevation shall be included in the hydrology report.
- 4) Post-development Stormwater Management ordinance applies.

Environmental Health Department

No objections.

Fire

Must show fire hydrant locations.

STAFF ANALYSIS

This request is based on the petitioner's intent to rezone said property from A-R to R-50 for the purpose of developing a Residential Subdivision. Per Section 110-300 of the Fayette County Zoning Ordinance, Staff makes the following evaluations:

1. The subject property lies within an area designated for Low Density Residential (1 Unit / 1 Acre) and Environmentally Sensitive Areas (floodplain). This request conforms to the Fayette County Comprehensive Plan.
2. The proposed rezoning will not adversely affect the existing use or usability of adjacent or nearby property.
3. The proposed rezoning will not result in a burdensome use of roads, utilities, or schools.
4. Existing conditions and the area's development as a single-family residential district support this petition.

Based on the foregoing Investigation and Staff Analysis, Staff recommends **Approval with One (1) Condition.**

RECOMMENDED CONDITIONS

If this petition is approved by the Board of Commissioners, it should be approved R-50 **CONDITIONAL** subject to the following enumerated conditions. Where these conditions conflict with the provisions of the Zoning Ordinance, these conditions shall supersede unless otherwise specifically stipulated by the Board of Commissioners.

1. That a 20 foot buffer shall be established along the southern boundary of the stormwater detention facility adjacent to Peachtree City to screen it from existing residential lots in Peachtree City. Said buffer should be undisturbed to preserve existing vegetation and where existing vegetation is disturbed or is insufficient to create a screen, said buffer shall be planted per Article V Nonresidential Development Landscape requirements

Allegiance Homes, LLC

PO Box 3852

Peachtree City, GA 30269

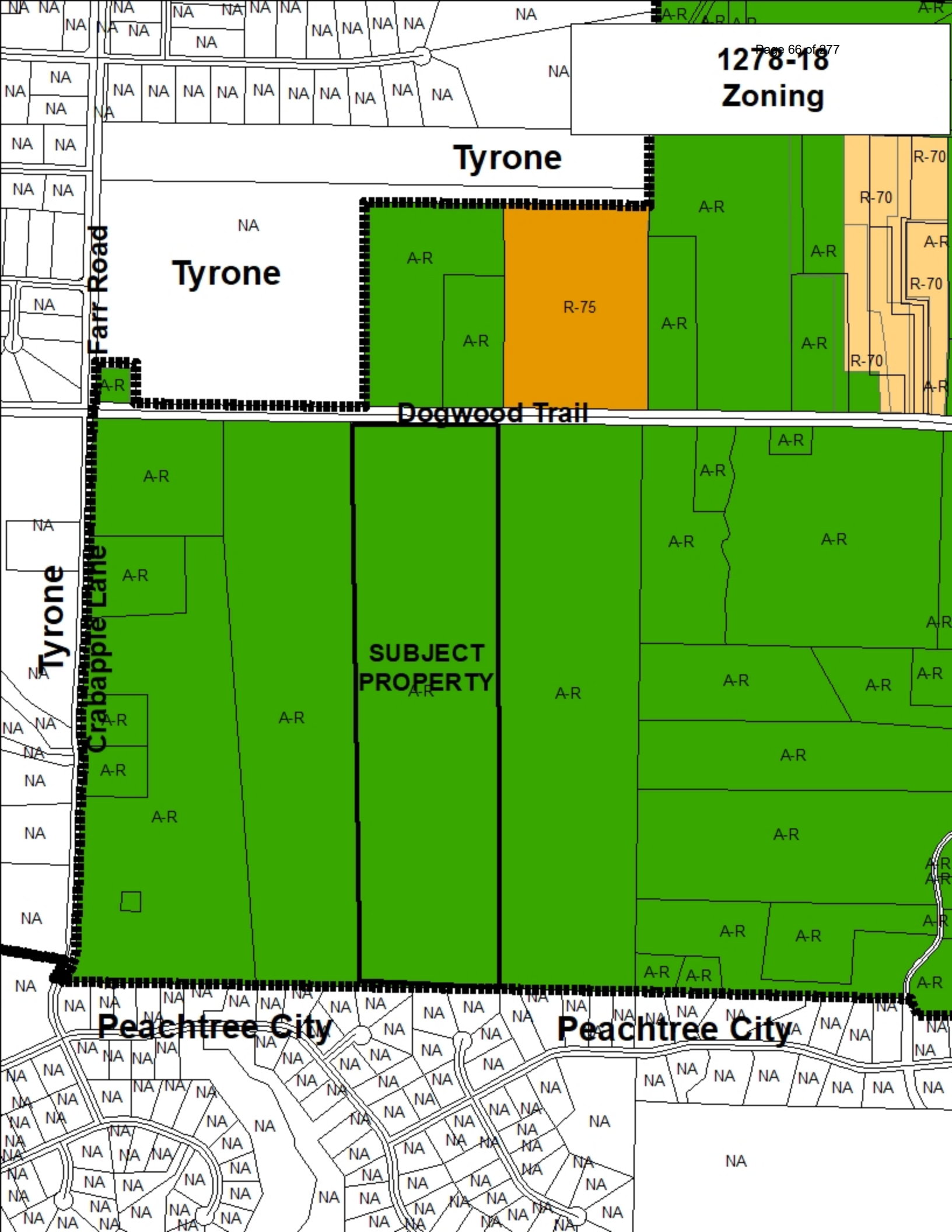
To whom it may concern:

Our intentions on the Shubert Property is do demolish and remove all existing buildings and properly dispose of septic systems and wells.

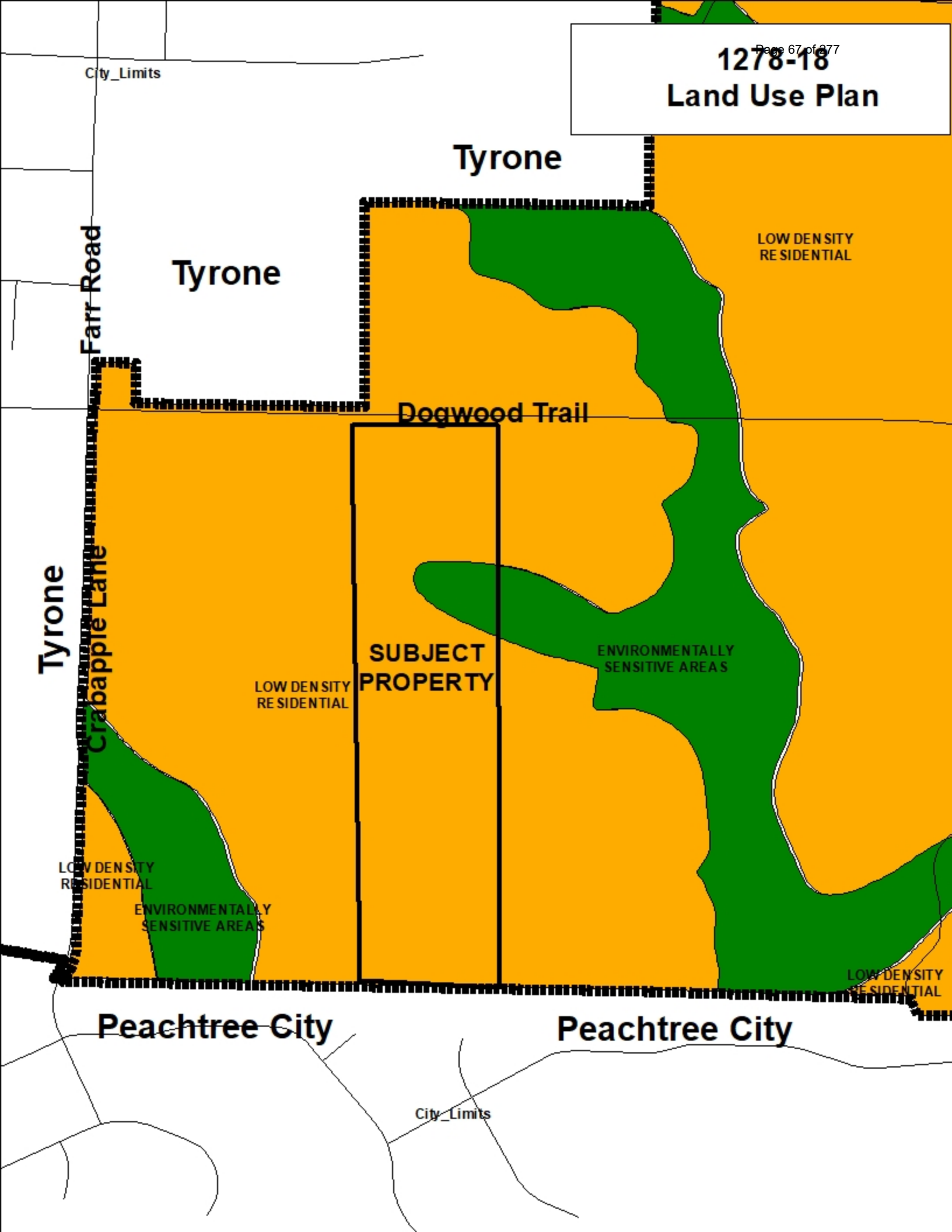
Trent Foster

Page 66 of 277

1278-18
Zoning

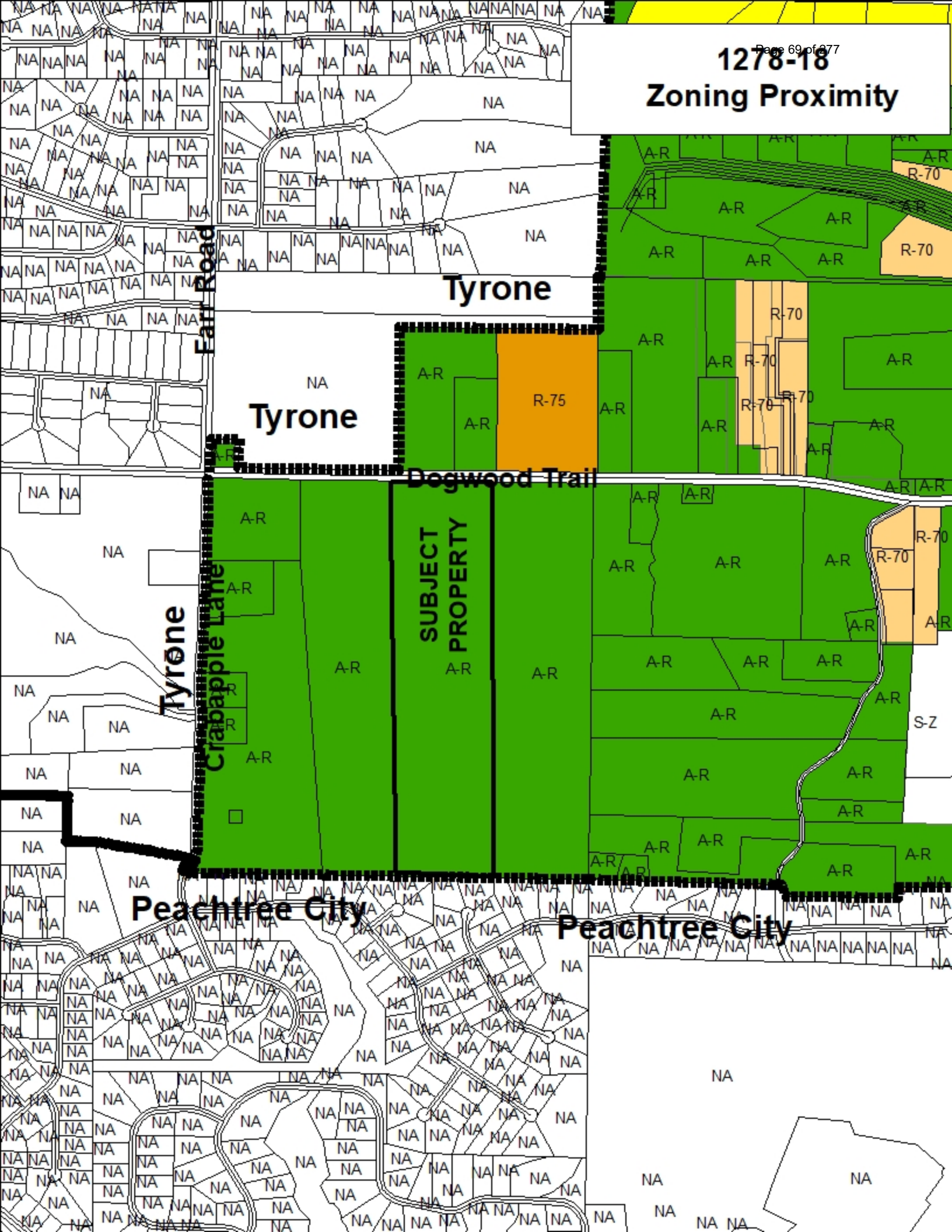


1278-18 Land Use Plan





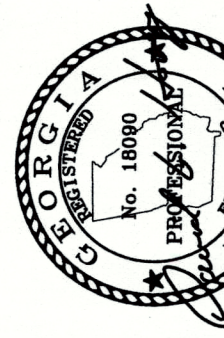
Zoning Proximity



PREPARED FOR:
OWNER / DEVELOPER
24 HOUR CONTACT

**ALLEGANCE
DEVELOPMENT, LLC**

P.O. BOX 3852
PEACHTREE CITY, GA 30269
24 HOUR CONTACT:
TRENT FOSTER
PHONE: 678-633-9928



NO.	DATE	DESCRIPTION
1		
2		
3		
4		
5		
6		
7		

SCALE: HORIZ. 1" = 100'

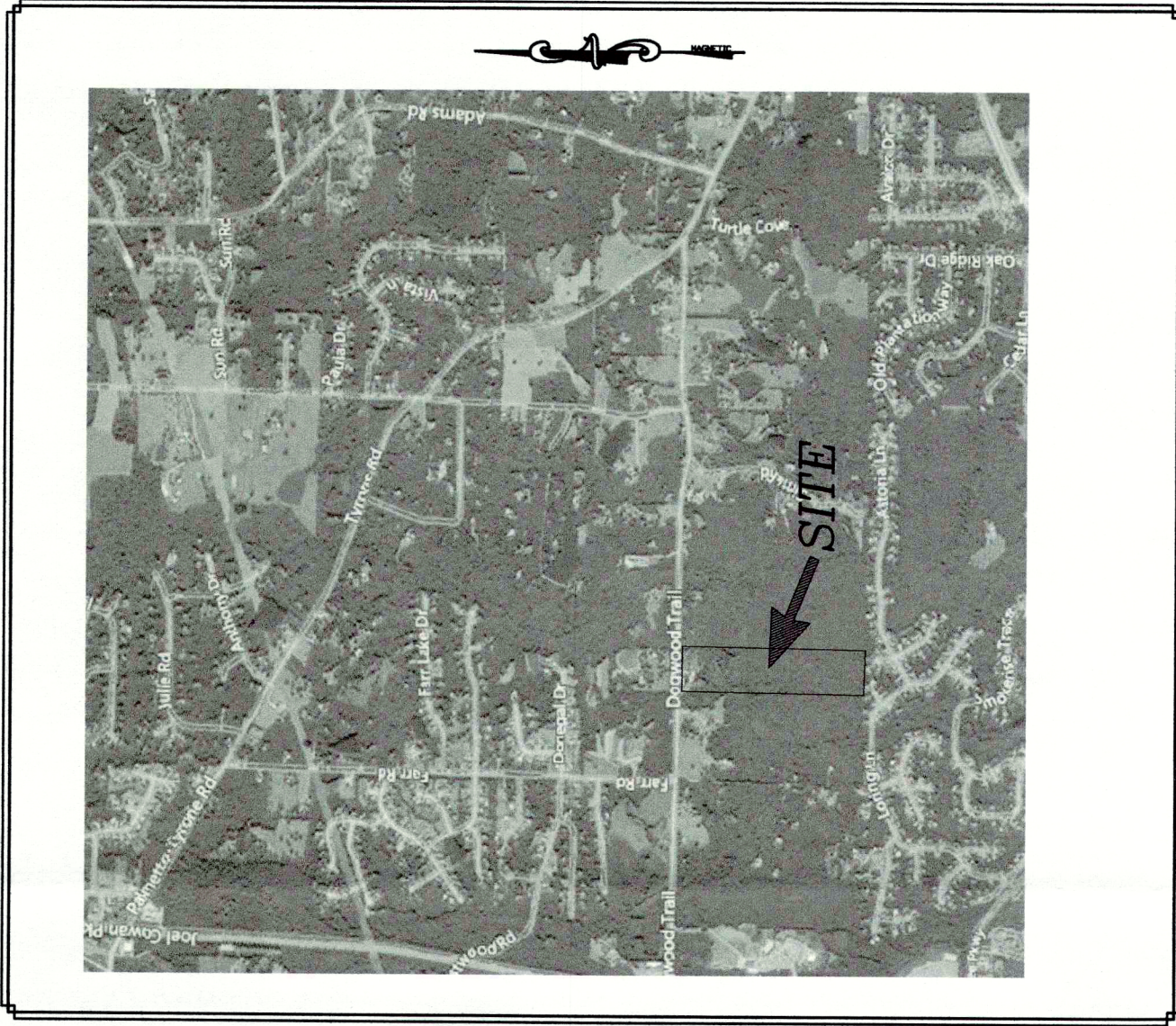
VERT.

DRAWN BY:	E.A. MILLER
DESIGNED BY:	D. HOVEY
CHECKED BY:	D. HOVEY
ISSUE DATE	07/31/2018
PROJECT NUMBER	00000000



SHUBERT PROPERTY
376 DOGWOOD TRAIL, TYRONE GA
LAND LOT 104, 7th DISTRICT
FAYETTE, COUNTY GA
CONCEPT LAYOUT FOR REZONING

SHEET
C1.1



Vicinity Map (Not to Scale)

PLAN VIEW
HORIZ: SCALE: 1" =

HORZ: SCALE: 1" = 100'

TAX PARCEL NO. 0729 010
CLAUDINE B. MORRIS &
CHRISTINE B. THORNTON
ZONED: A-R - AGRICULTURAL RESIDENTIAL

CHRISTINE B. THORNION
ZONED: A-R - AGRICULTURAL RESIDENTIAL

OPEN SPACE
14984.52 SQ. FT.
0.34 ACRES

PROPOSED ROAD
60' R/W
AREA = 4.07 AC

Approximate location of pond taken graphically

50' UNDISTURBED BUFFER FROM EDGE OF LAKE

25' IMPERVIOUS SETBACK

GENERAL SITE DATA:

1. TOTAL AREA OF SITE: 48.84 ACRES.
2. PROPERTY IS CURRENTLY ZONED AS
PROPERTY PROPOSED ZONING: R-50
3. MIN. FRONT SETBACK: 100' FROM ADJACENT THOROUGFARE
MIN. SIDE SETBACK: 50' FROM ADJACENT THOROUGFARE
MIN. REAR SETBACK: 50' FROM ADJACENT THOROUGFARE
MIN. LOT AREA: 43,160 S.F. (1 ACRE)
MIN. LOT WIDTH: 135'
4. TOTAL NO. OF LOTS FOR SITE: 38.
5. ALL LOTS TO BE SERVED BY AN EXTENSION OF THE FAIETTE
COUNTY WATER SYSTEM.
6. ALL LOTS TO BE SERVED BY INDIVIDUAL SEPTIC SYSTEM AND DRAIN
FIELD.
7. PROVIDE INFORMATION PROVIDED BY FOUR CORNERS LAND
SURVEYING.
8. TOPOGRAPHIC INFORMATION TAKEN FROM FAIETTE COUNTY
GIS--JUNIOR TOPOGRAPHY.
9. ALL EXISTING LOTS AND SEPTIC SYSTEMS ON PROPOSED LOTS
4 AND 5 SHALL BE DISPOSED OF PROPERLY.

**APPLICATION TO AMEND
TO AMEND THE OFFICIAL ZONING MAP OF FAYETTE COUNTY, GA**

PROPERTY OWNERS: Betty Shubert

MAILING ADDRESS: 376 Dogwood TR.

PHONE: [REDACTED] E-MAIL: _____

AGENT FOR OWNERS: Trent Foster

MAILING ADDRESS: 100 Glendalough Crt. B8 Tyrone GA. 30290

PHONE: 678-633-9928 E-MAIL: trent.foster@alllegiancedevelop.com

PROPERTY LOCATION: LAND LOT 104 LAND DISTRICT 7th PARCEL 0729009
LAND LOT _____ LAND DISTRICT _____ PARCEL _____

TOTAL NUMBER OF ACRES REQUESTED TO BE REZONED: 49.9

EXISTING ZONING DISTRICT: AR PROPOSED ZONING DISTRICT: R50

ZONING OF SURROUNDING PROPERTIES: AR | Low Density Residential (7 Unit / 1 Acre)

PRESENT USE OF SUBJECT PROPERTY: residence

PROPOSED USE OF SUBJECT PROPERTY: Single Family Development

LAND USE PLAN DESIGNATION: 1 unit / per 1 acre

NAME AND TYPE OF ACCESS ROAD: Dogwood TR. | County

LOCATION OF NEAREST WATER LINE: At the road

(THIS AREA TO BE COMPLETED BY STAFF): PETITION NUMBER: 1278-18

☐ Application Insufficient due to lack of: _____

by Staff: _____ Date: _____

☒ Application and all required supporting documentation is Sufficient and Complete

by Staff: [Signature] Date: 8/1/2018

DATE OF PLANNING COMMISSION HEARING: September 6, 2018

DATE OF COUNTY COMMISSIONERS HEARING: September 27, 2018

Received from Trent Foster a check in the amount of \$ 470.00 for application filing fee, and \$ 450.00 for deposit on frame for public hearing sign(s). 20.00

Date Paid: 8/1/2018 Receipt Number: 6382283 - Application
6382284 - Sign

NAME: Trent Foster PETITION NUMBER: _____ADDRESS: 100 Glendalough Crt. BB, Tyrone GA 30290

PETITION FOR REZONING CERTAIN PROPERTY IN THE UNINCORPORATED AREAS OF FAYETTE COUNTY, GEORGIA.

Trent Foster affirms that he is the owner or the specifically authorized agent of the property described below. Said property is located in a(n) AR Zoning District. He/She respectfully petitions the County to rezone the property from its present classification and tenders herewith the sum of \$ to cover all expenses of public hearing. He/She petitions the above named to change its classification to R50.

This property includes: (check one of the following)

☒ See attached legal description on recorded deed for subject property or

☒ Legal description for subject property is as follows: attached pages

PUBLIC HEARING to be held by the Planning Commission of Fayette County on the 6th day of September, 20 18 at 7:00 P.M.

PUBLIC HEARING to be held by the Board of Commissioners of Fayette County on the 27th day of September, 20 18 at 6:30 P.M.

SWORN TO AND SUBSCRIBED BEFORE ME THIS 1st DAY OF August, 20 18

George Ann Brown
NOTARY PUBLIC

[Signature]
APPLICANT'S SIGNATURE

PROPERTY OWNER CONSENT AND AGENT AUTHORIZATION FORM Page 73 of 277
(Applications require authorization by ALL property owners of subject property).

Name(s) of All Property Owners of Record found on the latest recorded deed for the subject property:

Betty Shubert

Please Print Names

Property Tax Identification Number(s) of Subject Property: 0729-009

(I am) (we are) the sole owner(s) of the above-referenced property requested to be rezoned. Subject property is located in Land Lot(s) 104 of the 7th District, and (if applicable to more than one land district) Land Lot(s) of the District, and said property consists of a total of 48.943 acres (legal description corresponding to most recent recorded plat for the subject property is attached herewith).

(I) (We) hereby delegate authority to Trent Foster to act as (my) (our) Agent in this rezoning. As Agent, they have the authority to agree to any and all conditions of zoning which may be imposed by the Board.

(I) (We) certify that all of the information filed with this application including written statements or showings made in any paper or plans submitted herewith are true and correct to the best of (my) (our) knowledge and belief. Further, (I) (We) understand that this application, attachments and fees become part of the official records of the Fayette County Zoning Department and may not be refundable. (I) (We) understand that any knowingly false information given herein by me/us will result in the denial, revocation or administrative withdrawal of the application. (I) (We) further acknowledge that additional information may be required by Fayette County in order to process this application.

Betty S. Shubert
Signature of Property Owner 1

Address

Signature of Property Owner 2

Address

Signature of Property Owner 3

Address

[Signature]
Signature of Authorized Agent

PO Box 3852 Peachtree City Ga 30269
Address

[Signature]
Signature of Notary Public
7-25-2018
Date

Signature of Notary Public

Date

Signature of Notary Public

Date

George Ann Brown
Signature of Notary Public

8-1-18
Date

AGREEMENT TO DEDICATE PROPERTY FOR FUTURE RIGHT-OF-WAY

I/We, Betty Shubert, said property owner(s) of subject property requested to be rezoned, hereby agree to dedicate, at no cost to Fayette County, 80 feet of right-of-way along Dogwood TR1. as measured from the centerline of the road.

Based on the Future Thoroughfare Plan Map streets have one of the following designations and the Fayette County Development Regulations require a minimum street width as specified below:

Local Street (Minor Thoroughfare) 60 foot right-of-way (30' measured from each side of road centerline)

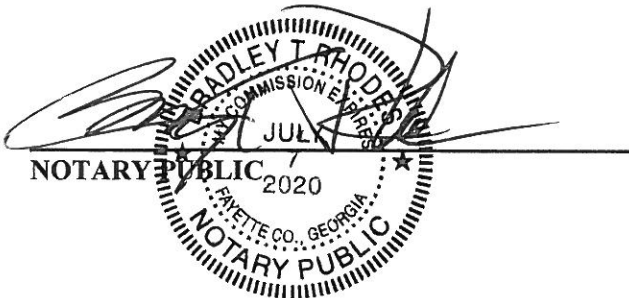
Collector Street (Major Thoroughfare) 80 foot right-of-way (40' measured from each side of road centerline)

Arterial Street (Major Thoroughfare) 100 foot right-of-way (50' measured from each side of road centerline)

Sworn to and subscribed before me this 25th day of July, 2018.

Betty S. Shubert
SIGNATURE OF PROPERTY OWNER

SIGNATURE OF PROPERTY OWNER



COUNTY AGENDA REQUEST

Page 75 of 277

Department:

Presenter(s):

Meeting Date:

Type of Request:

Wording for the Agenda:

Consideration of Petition No. 1279B-18, John Richard Halbert, Owner, request to rezone a total of 18.34 acres from A-R to R-80 to develop a Single-Family Residential Subdivision consisting six (6) lots in conjunction with Petition No. 1279A-18; located in Land Lot 228 of the 4th District and fronts on Goza Road.

Background/History/Details:

Staff recommends approval with one (1) condition.

Jim Graw made a motion to recommend approval of Petition No. 1279B-18 with one (1) condition. John Culbreth seconded the motion. The motion passed 4-0. Al Gilbert was absent.

RECOMMENDED CONDITION

1. The owner/developer shall provide, at no cost to Fayette County, ten (10) feet of right-of-way on Goza Road and said dedication area shall be shown on the Final Plat. (This condition based on comments from Public Works/Engineering.)

What action are you seeking from the Board of Commissioners?

Approval of of Petition No. 1279B-18 with one (1) condition to rezone a total of 18.34 acres from A-R to R-80 to develop a Single-Family Residential Subdivision consisting six (6) lots in conjunction with Petition No. 1279A-18.

If this item requires funding, please describe:

Has this request been considered within the past two years?

If so, when?

Is Audio-Visual Equipment Required for this Request?*

Backup Provided with Request?

*** All audio-visual material must be submitted to the County Clerk's Office no later than 48 hours prior to the meeting. It is also your department's responsibility to ensure all third-party audio-visual material is submitted at least 48 hours in advance.**

Approved by Finance

Reviewed by Legal

Approved by Purchasing

County Clerk's Approval

Administrator's Approval

Staff Notes:

PLANNING COMMISSION RECOMMENDATION

DATE: September 6 , 2018

TO: Fayette County Commissioners


The Fayette County Planning Commission recommends that Petition No. 1279A-18, the application of Rick Halbert to rezone .29 acres from A-R to R-80, be:

11/0 ^{w/ CONDITIONS} Approved _____ Withdrawn _____ Denied

_____ Tabled until _____

This is forwarded to you for final action.


BRIAN HAREN, CHAIRMAN


JOHN CULBRETH, VICE-CHAIRMAN


DANNY ENGLAND

NOT PRESENT
AL GILBERT


JIM GRAW

Remarks:

PETITION NO: 1279A-18 & 1279B-18

REQUESTED ACTION: A-R to R-80

PROPOSED USE: Residential

EXISTING USE: Residential

LOCATION: Goza Road and SR 85

DISTRICT/LAND LOT(S): 4th District, Land Lot(s) 228

OWNER: Rick Halbert

PLANNING COMMISSION PUBLIC HEARING: September 6 , 2018

BOARD OF COMMISSIONERS PUBLIC HEARING: September 27, 2018

APPLICANT'S INTENT

Applicant proposes to develop a Residential Subdivision consisting of 6 lots on 18.63 acres.

STAFF RECOMMENDATION

**Approval of Petition 1279A-18 with One (1) Condition
Approval of Petition 1279B-18 with One (1) Condition.**

INVESTIGATION

A. PROPERTY SITE

The subject property consists of a 18.34 acre tract fronting on Goza Road and a .29 acre tract fronting on SR 85, both tracts total 18.63 acres and will be heard as two (2) separate rezoning petitions. Goza Road is classified as a Minor Arterial and SR 85 is classified as Major Arterial road on the Fayette County Thoroughfare Plan. The subject property contains two single-family residences and several other structures.

B. SURROUNDING ZONING AND USES

The general situation is a 18.63 acre tract that is zoned A-R. In the vicinity of the subject property is land which is zoned A-R. See the following table and also the attached Zoning Location Map.

The subject property is bound by the following adjacent zoning districts and uses:

Direction	Acreage	Zoning	Use	Comprehensive Plan
North	1.5 81.3	A-R A-R	Single-Family Residential Undeveloped Board of Education Property	Rural Residential-3 (1 Unit/ 3 Acres)
South (across Goza Road)	6.0	A-R	Single-Family Residential	Rural Residential-3 (1 Unit/ 3 Acres)
East	4.68	A-R	Undeveloped	Rural Residential-3 (1 Unit/ 3 Acres)
West	2.9	A-R	Single-Family Residential	Rural Residential-3 (1 Unit/ 3 Acres)

The dimension requirements for the R-80 and R-85 zoning districts are as follows:

Zoning District	Zoning Setbacks	Minimum Lot Size	Minimum House Size	Lot Width at Building Line	Maximum Height
R-85 Single-Family Residential	Front - 100' Arterial Front - 75' Collector Front - 50' Local Side - 25' Rear - 50'	3 Acres	3,000 square feet	125'	35 feet
R-80 Single-Family Residential	Front - 75' Arterial Front - 75' Collector Front - 50' Local Side - 30' Rear - 50'	3 Acres	2,500 square feet	175'	35 feet

C. COMPREHENSIVE PLAN

The subject property lies within an area designated for Rural Residential-3 (1 Unit/ 3 Acres). This request conforms to the Fayette County Comprehensive Plan.

D. ZONING/REGULATORY REVIEW

The applicant seeks to rezone A-R from to R-80 for the purpose of developing a Residential Subdivision. A survey of the property, submitted with the rezoning, indicates several structures on the subject properties. Some of these structures appear to be non-conforming. The applicant has submitted a letter stating that it is his intent to remove all of the structures. Staff will not approve the Final Plat until the non-conforming structures are removed or have been shown to be in compliance.

Platting

Should this request be approved, the applicant is reminded that before any lots can be sold or building permits issued for the proposed subdivision, the subject property must be platted per the Fayette County Subdivision Regulations, as applicable.

E. REVIEW OF CONCEPT PLAN

The applicant is advised that the Concept Plan is for illustration purposes only. Any deficiencies must be addressed at the time of submittal of the Preliminary Plat, Final Plat, and/or Site Plan, as applicable.

F. DEPARTMENTAL COMMENTS**Water System**

Water Available.

Public Works/Engineering

1. The Fayette County Thoroughfare Plan classifies Goza Road as an arterial. As such, a Right-of-Way dedication shall be provided, as needed, to provide a uniform R/W width of 50 feet as measured from the existing centerline of Goza Road to the parcel's front property line.
2. The nearest Goza Road intersections for this parcel are SR 85 to the west and Old Greenville Road to the east. There is a Goza Road stop sign with right turn lane at SR 85. Goza Road is free-flow at Old Greenville. There are no turn lanes at Old Greenville Road.
3. According to GDOT on-line traffic data, Goza Road has an annual average daily traffic count of 4,300 vpd. The project, 6 lots, would add approximately 55 trips per day. This would increase the existing traffic on Goza by 1.3%.

4. Minimum sight distances, as required by the Development Regulations, will have to be provided for each proposed lot. I conducted a site visit to the proposed rezoning tract, between SR 85 and BOE property. The roadway is gently sloped each way from a low point towards the eastern side of the property. The property is located on the outside portion of a curve. I did not notice any obvious problems with sight distance from any point on the property. However, this was not a detailed study, more of a cursory visit. More detailed studies might be required at the time of Final Plat submittal. That information is provided by the Developer, and checked by Engineering, at the Final Plat stage.
5. The Applicant is advised to check for minimum contiguous area on lots 3 and 4 once buffers are applied around the pond.
6. Recommended condition of rezoning: There shall be no access to the parcel(s) from SR 85.

Environmental Management

- 1) State water determination report will be required.
- 2) Watershed Protection Ordinance applies. Buffer = 50'; setback = 25'.
- 3) Floodplain Management Ordinance applies. Backwater area inundated by the 100 yr. storm event shall be called out.
- 4) Stormwater Management Ordinance may apply if determined there may be significant impacts on downstream properties.

Environmental Health Department

Our department has no comment on the rezoning request. We did communicate with Mr. Halbert by phone on August 9, 2018 and based on soil studies that he initiated is familiar with soil quality challenges that exist on portions of the property.

Fire

Must show fire hydrant locations.

GDOT

The existing access for the proposed new lot 1 from SR 85 can only access lot 1, no inter-parcel connectivity can be obtained across lot 1 to any of the other proposed lots, the access for the other lots should be obtained from Goza road.

STAFF ANALYSIS

This request is based on the petitioner's intent to rezone said property from A-R to R-80 for the purpose of developing a Residential Subdivision. Per Section 110-300 of the Fayette County Zoning Ordinance, Staff makes the following evaluations:

1. The subject property lies within an area designated for Rural Residential-3 (1 Unit/ 3 Acres). This request conforms to the Fayette County Comprehensive Plan.
2. The proposed rezoning will not adversely affect the existing use or usability of adjacent or nearby property.
3. The proposed rezoning will not result in a burdensome use of roads, utilities, or schools.
4. Existing conditions and the area's development as a single-family residential district support this petition.

Based on the foregoing Investigation and Staff Analysis, Staff recommends **Approval of Petition 1279A-18 with One (1) Condition and Approval of Petition 1279B-18 with One (1) Condition.**

RECOMMENDED CONDITIONS

If this petition is approved by the Board of Commissioners, it should be approved R-80 **CONDITIONAL** subject to the following enumerated conditions. Where these conditions conflict with the provisions of the Zoning Ordinance, these conditions shall supersede unless otherwise specifically stipulated by the Board of Commissioners.

Petition 1279A-18

1. There shall be no driveway access to the parcel(s) from SR 85. *(This condition based on comments from Public Works/Engineering and GDOT.)*

Petition 1279B-18

1. The owner/developer shall provide, at no cost to Fayette County, ten (10) feet of right-of-way on Goza Road and said dedication area shall be shown on the Final Plat. *(This condition based on comments from Public Works/Engineering.)*

**STATE OF GEORGIA
COUNTY OF FAYETTE**

RESOLUTION

NO. 1279A-18

WHEREAS, Rick Halbert, Owner, and , Agent, having come before the Fayette County Planning Commission on September 6 , 2018, requesting an amendment to the Fayette County Zoning Map pursuant to "The Zoning Ordinance of Fayette County, Georgia, 2010"; and

WHEREAS, said request being as follows: Request to rezone .29 acres from A-R to R-80, in the area of Goza Road and SR 85, Land Lot 228 of the 4th District, for the purpose of developing a Residential Subdivison; and

WHEREAS, the Fayette County Planning Commission having duly convened, and considered said request;

BE IT RESOLVED that the decision of the Fayette County Planning Commission, that said request be **APPROVED**.

This decision is based on the following reasons:

In compliance with the Fayette County Comprehensive Plan.
Compatible with the surrounding area.

**PLANNING COMMISSION
OF
FAYETTE COUNTY**

ATTEST:



BRIAN HAREN, CHAIRMAN



PLANNING COMMISSION RECOMMENDATION

DATE: September 6 , 2018

TO: Fayette County Commissioners

The Fayette County Planning Commission recommends that Petition No. 1279B-18, the application of Rick Halbert to rezone 18.34 acres from A-R to R-80, be:

4-0 Approved ^{w/conditions} Withdrawn Denied

Tabled until _____

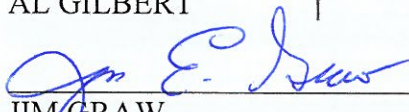
This is forwarded to you for final action.


BRIAN HAREN, CHAIRMAN


JOHN CULBRETH, VICE-CHAIRMAN


DANNY ENGLAND

NOT PRESENT
AL GILBERT


JIM GRAW

Remarks:

**STATE OF GEORGIA
COUNTY OF FAYETTE**

RESOLUTION

NO. 1279B-18

WHEREAS, Rick Halbert, Owner, and , Agent, having come before the Fayette County Planning Commission on September 6 , 2018, requesting an amendment to the Fayette County Zoning Map pursuant to "The Zoning Ordinance of Fayette County, Georgia, 2010"; and

WHEREAS, said request being as follows: Request to rezone 18.34 acres from A-R to R-80, in the area of Goza Road and SR 85, Land Lot 228 of the 4th District, for the purpose of developing a Residential Subdivison; and

WHEREAS, the Fayette County Planning Commission having duly convened, and considered said request;

BE IT RESOLVED that the decision of the Fayette County Planning Commission, that said request be **APPROVED**.

This decision is based on the following reasons:

In compliance with the Fayette County Comprehensive Plan.
Compatible with the surrounding area.

**PLANNING COMMISSION
OF
FAYETTE COUNTY**

ATTEST:



BRIAN HAREN, CHAIRMAN



STATE OF GEORGIA

- 4. Consideration of Petition No. 1279A-18, John Richard Halbert, Owner, request to rezone a total of .29 acres from A-R to R-80 to develop a Single-Family Residential Subdivision consisting six (6) lots in conjunction with Petition No. 1279B-18. This property is located in Land Lot 228 of the 4th District and fronts on SR 85 South.**
- 5. Consideration of Petition No. 1279B-18, John Richard Halbert, Owner, request to rezone a total of 18.34 acres from A-R to R-80 to develop a Single-Family Residential Subdivision consisting six (6) lots in conjunction with Petition No. 1279A-18. This property is located in Land Lot 228 of the 4th District and fronts on Goza Road.**

Chairman Haren said the next two rezoning items are related so they can be discussed together but would require separate motions.

Rick Halbert said his intent is to rezone the property to R-80 and develop six (6) lots. He added that he has worked in Fayette County as a developer, contractor and real estate agent for the last 30 years and lived in Fayette County since 1986. He stated that he lives on Goza Road about a mile from the subject property. He said the property needs to be cleaned up as it has several old structures that need to be removed and he is working with the County to get demo permits to tear down the structures. He stated that they have done soil testing and the soils are good but not great and he is in agreement with the two (2) recommended conditions. He said the Comprehensive Plan calls for three (3) acre density and this rezoning fits the plan.

Chairman Haren said he forgot to ask but asked the applicant if he wanted to continue as there was not a full board present tonight or table to the next meeting.

Rick Halbert said he wanted to continue with the public hearing.

Chairman Haren asked if there was anybody who would like to speak in support of these petitions. Hearing none he asked if there was anybody who would like to speak in opposition to these petitions. Hearing none he said he would bring it back to the board.

Jim Graw asked if all of the structures presently on the property will be torn down and removed.

Rick Halbert stated that all of the structures will be removed from the subject property.

Chairman Haren read the recommended condition for Petition No. 1279A-18 that there shall be no driveway access to the parcel(s) from SR 85 and the recommended condition for Petition No. 1279B-18 that the owner/developer shall provide, at no cost to Fayette County, ten (10) feet of right-of-way on Goza Road.

Rick Halbert said he agreed with the two (2) conditions.

Jim Graw stated that these rezoning requests complied with the Comprehensive Plan.

Jim Graw made a motion to recommend approval of Petition No. 1279A-18 with one (1) condition.

John Culbreth seconded the motion. The motion passed 4-0. Al Gilbert was absent.

Jim Graw made a motion to recommend approval of Petition No. 1279B-18 with one (1) condition.
John Culbreth seconded the motion. The motion passed 4-0. Al Gilbert was absent.



August 16, 2018

Fayette County Planning and Zoning
140 W Stonewall Avenue
Fayetteville, GA 30214

RE: 1726 HWY 85 SOUTH

Mr. Pete Frisina,

The 18.6-acre tract was recently acquired for the purposes of possibly re-zoning and developing the property from the present state of condition. There are currently several structures on the property such as houses, sheds, mobile homes, out buildings, pool and other trash piles. There is an over grown fishing pond and pond shed along with several years of undergrowth, saplings, and weeds.

The plan is within the next few weeks to start the clean-up process. With mowing and cleaning. The plan is to demolish and remove the other structures prior to or during the re-zoning application process. The proper testing and procedures are in progress to enable demolition permitting. Once proper permits are acquired the demolition and removal process will begin.

Our goal, is to clean and beautify this property from its existing state as quickly as possible. It has been unattended for far too long.

If you have any questions or concerns, please contact me at 770-616-8574

Thank you,

A handwritten signature in blue ink, appearing to read 'Rick Halbert'.

Rick Halbert

**1279A&B-18
Zoning**

R-70

R-70

R-70

A-R

R-70

R-70

R-40

R-40

R-70

R-70

R-70

A-R

A-R

A-R

A-R

SR 85

A-R

1279A-18

A-R

A-R

**SUBJECT
PROPERTY**

A-R

1279B-18

A-R

Goza Road

A-R

A-R

A-R

A-R

A-R

A-R

A-R

A-R

A-R

A-R

A-R

1279A&B-18 Land Use Plan

PUBLIC
FACILITIES/INSTITUTION

SR 85

1279A-18

**SUBJECT
PROPERTY**

1279B-18

RURAL
RESIDENTIAL
-3

Goza Road

1279A&B-18 Aerials

1279A-18

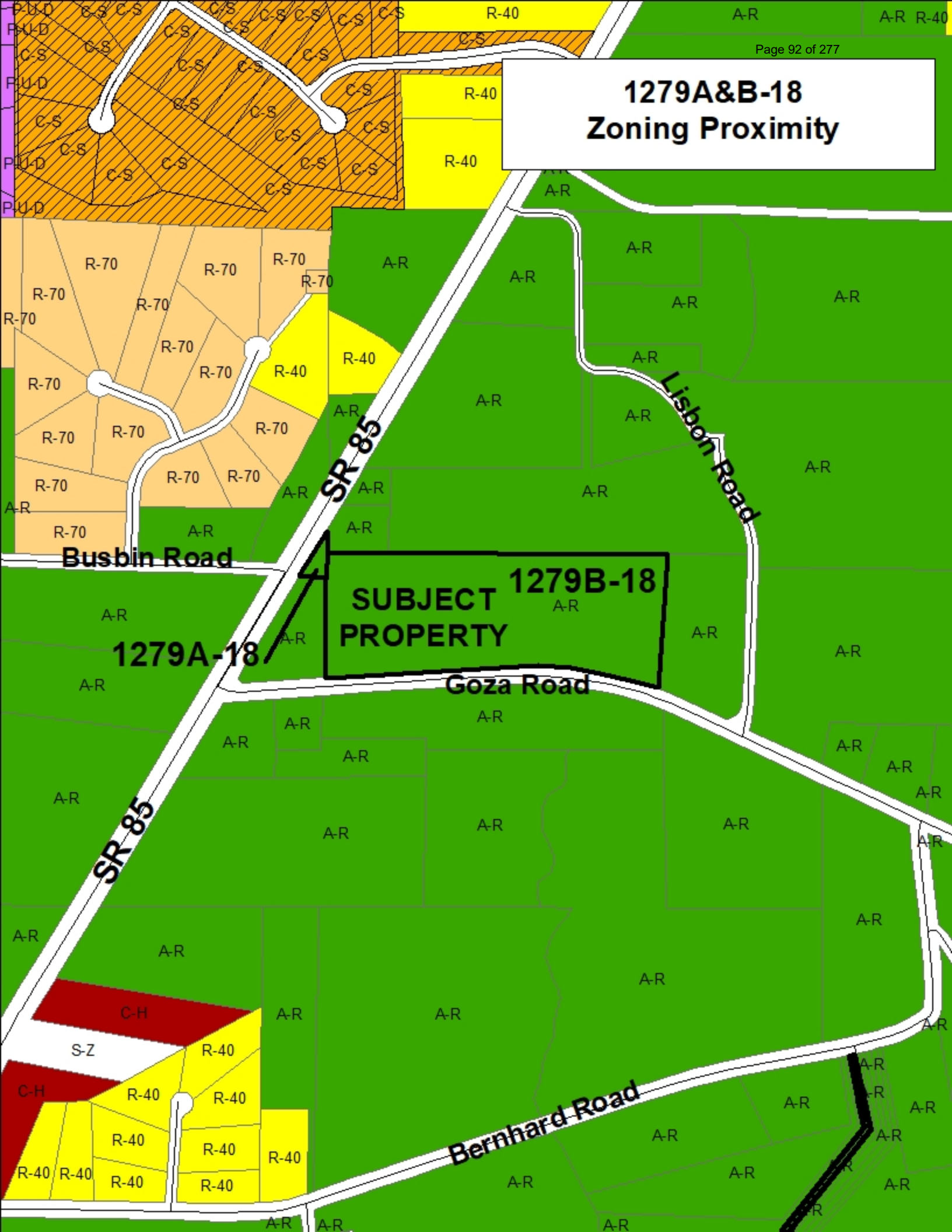
SR 85

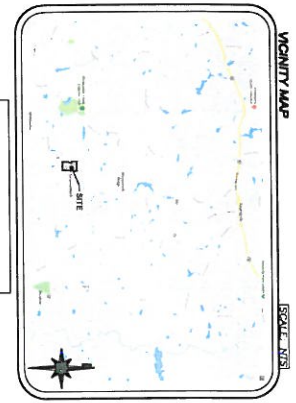
SUBJECT
PROPERTY

1279B-18

Goza Road

1279A&B-18 Zoning Proximity

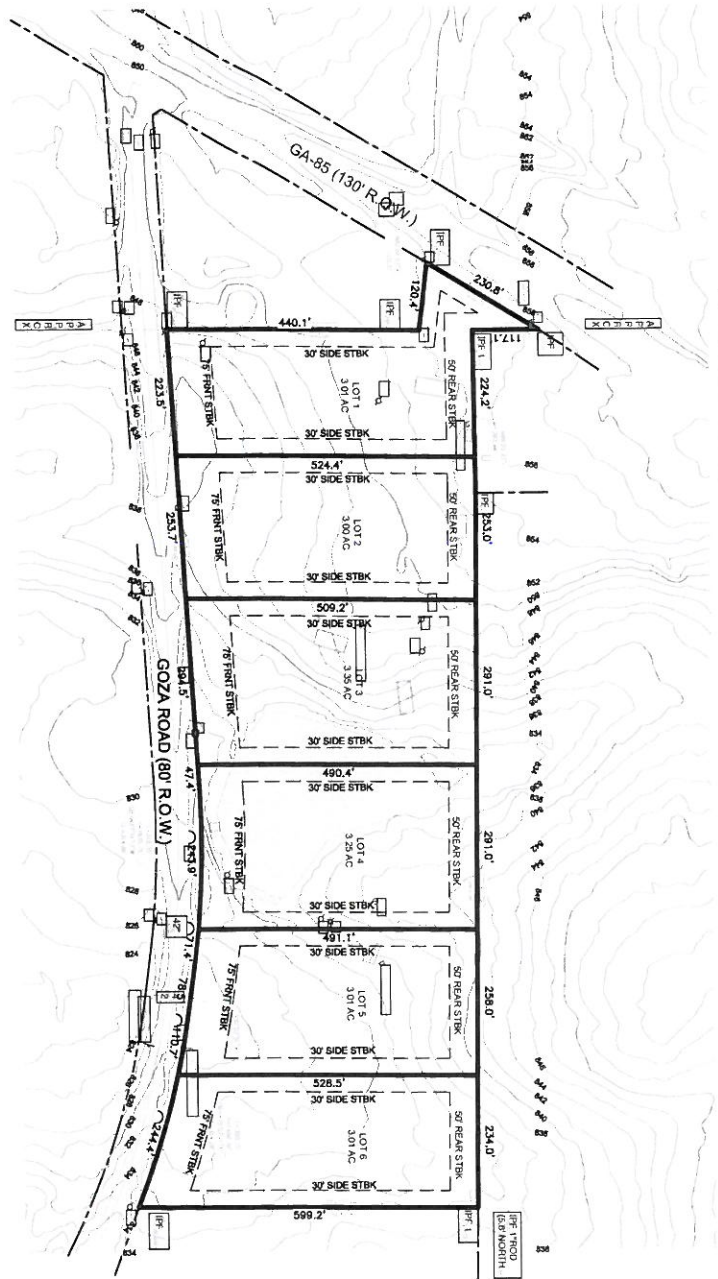




PROPERTY ADDRESS
1066 GOZA ROAD
FAYETTEVILLE, GA 30215

GPS LOCATION
LAT N33.374
LONG W84.479

NO PORTION OF THIS PROPERTY IS LOCATED IN A FLOOD HAZARD ZONE AS PER FEMA FLOOD INSURANCE RATE MAP OF FAYETTE COUNTY, GEORGIA, DATED SEPTEMBER 26, 2008.



DEVELOPER:
HALBERT DEVELOPMENT

24 HOUR CONTACT:
RICK HALBERT
770-616-8774

ENGINEERING CONTACT:
ROCHESTER & ASSOCIATES, INC.
286 HIGHWAY 314, SUITE A
FAYETTEVILLE, GA 30214
JEFF COLLINS
770-718-0600

SURVEY CONTACT:
ROCHESTER & ASSOCIATES, INC.
WAYNE POWERS, RLS
(770) 718-0600

SITE DATA TABLE	
ZONING (EXISTING)	A-1
ZONING (PROPOSED)	R-10
FUTURE LAND USE	RURAL RESIDENTIAL
MIN. LOT AREA	3 ACRES
EXISTING LOT AREA	18.63 ACRES
SETBACKS	
FRONT	75 FT
SIDE	30 FT
REAR	30 FT
MAX. BLDG HEIGHT	35 FT
MIN. BLDG AREA	2500

NOTES:
1. SUBDIVISION PLANS INCLUDE REQUIRED RE-ZONING FROM A-1 TO R-10. THE RE-ZONING PROCESS IS THE RESPONSIBILITY OF THE OWNER. THE ENGINEER WILL BE RESPONSIBLE FOR ITS OWN STORMWATER MANAGEMENT. ARE NOT INCLUDED IN THE DESIGN OF THE PLANNED LOTS.

AUG 1 2018

GEORGIA811
www.georgia811.com

FOR REVIEW ONLY
07/18/18

GOZA ROAD SUBDIVISION
RICK HALBERT

Rochester & Associates, Inc.
286 Highway 314, Suite A • Fayetteville, Georgia 30214
(770) 718 0600 (770) 718 9090 Fax • www.rochester-assoc.com

**APPLICATION TO AMEND
TO AMEND THE OFFICIAL ZONING MAP OF FAYETTE COUNTY, GA**

PROPERTY OWNERS: RICK HALBERT

MAILING ADDRESS: 440 OLD GREENVILLE ROAD, FAYETTEVILLE, GA 30215

PHONE: 770-616-8574 E-MAIL: _____

AGENT FOR OWNERS: N/A

MAILING ADDRESS: _____

PHONE: _____ E-MAIL: _____

PROPERTY LOCATION: LAND LOT 228 LAND DISTRICT 4 PARCEL TRACT 2
LAND LOT _____ LAND DISTRICT _____ PARCEL _____

TOTAL NUMBER OF ACRES REQUESTED TO BE REZONED: .29 ATTACHED TO 18.34

EXISTING ZONING DISTRICT: AR PROPOSED ZONING DISTRICT: R80

ZONING OF SURROUNDING PROPERTIES: A-R 2500SF / 3 ACRES

PRESENT USE OF SUBJECT PROPERTY: ABANDONED HOUSE

PROPOSED USE OF SUBJECT PROPERTY: Single-Family Residential

LAND USE PLAN DESIGNATION: Rural Residential (1 Unit / 3 acres)

NAME AND TYPE OF ACCESS ROAD: Hwy 85 & Goza Rd.

LOCATION OF NEAREST WATER LINE: _____

(THIS AREA TO BE COMPLETED BY STAFF): PETITION NUMBER: 1279-18 A

☐ Application Insufficient due to lack of: _____

by Staff: _____ Date: _____

☒ Application and all required supporting documentation is Sufficient and Complete

by Staff: [Signature] Date: 8/2/2018

DATE OF PLANNING COMMISSION HEARING: Sept. 6, 2018

DATE OF COUNTY COMMISSIONERS HEARING: Sept 27, 2018

Received from Rick Halbert a check in the amount of \$ 270.00 for application filing fee, and \$ 2.50.00 for deposit on frame for public hearing sign(s). 20.00

Date Paid: 8/1/2018 Receipt Number: 6383722 - sign
6383720 - app.

PROPERTY OWNER CONSENT AND AGENT AUTHORIZATION FORM
(Applications require authorization by ALL property owners of subject property).

Name(s) of All Property Owners of Record found on the latest recorded deed for the subject property:

Please Print Names

Property Tax Identification Number(s) of Subject Property: 0450011

(I am) (we are) the sole owner(s) of the above-referenced property requested to be rezoned. Subject property is located in Land Lot(s) 228 of the 4 District, and (if applicable to more than one land district) Land Lot(s) N/A of the _____ District, and said property consists of a total of .29 acres (legal description corresponding to most recent recorded plat for the subject property is attached herewith).

ATTACHED

(I) ~~(We)~~ hereby delegate authority to Russ Hubbard to act as (my) (our) Agent in this rezoning. As Agent, they have the authority to agree to any and all conditions of zoning which may be imposed by the Board.

(I) (We) certify that all of the information filed with this application including written statements or showings made in any paper or plans submitted herewith are true and correct to the best of (my) (our) knowledge and belief. Further, (I) (We) understand that this application, attachments and fees become part of the official records of the Fayette County Zoning Department and may not be refundable. (I) (We) understand that any knowingly false information given herein by me/us will result in the denial, revocation or administrative withdrawal of the application or permit. (I) (We) further acknowledge that additional information may be required by Fayette County in order to process this application.


 Signature of Property Owner 1

Address

Signature of Property Owner 2

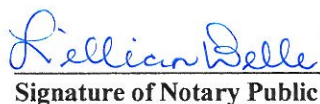
Address

Signature of Property Owner 3

Address

Signature of Authorized Agent

Address


 Signature of Notary Public

8/1/18
 Date

Signature of Notary Public

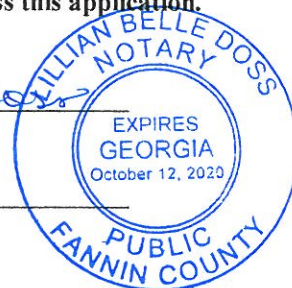
Date

Signature of Notary Public

Date

Signature of Notary Public

Date



NAME: JOHN RICHARD HALBERT PETITION NUMBER: _____ADDRESS: 440 OLD GREENVILLE ROAD, FAYETTEVILLE, GA
30215

PETITION FOR REZONING CERTAIN PROPERTY IN THE UNINCORPORATED AREAS OF FAYETTE COUNTY, GEORGIA.

JOHN RICHARD HALBERT affirms that he is the owner or the specifically authorized agent of the property described below. Said property is located in a(n) _____ Zoning District. He/She respectfully petitions the County to rezone the property from its present classification and tenders herewith the sum of \$ _____ to cover all expenses of public hearing. He/She petitions the above named to change its classification to _____.

This property includes: (check one of the following)

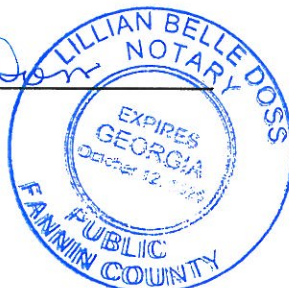
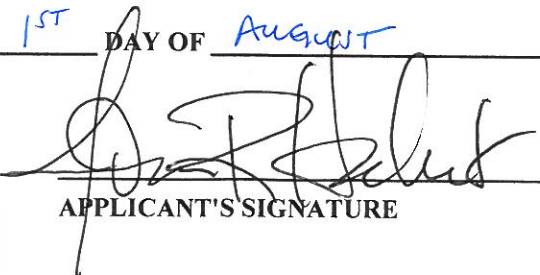
☒ See attached legal description on recorded deed for subject property or☐ Legal description for subject property is as follows:

PUBLIC HEARING to be held by the Planning Commission of Fayette County on the _____ day of _____, 20____ at 7:00 P.M.

PUBLIC HEARING to be held by the Board of Commissioners of Fayette County on the _____ day of _____, 20____ at 7:00 P.M.

SWORN TO AND SUBSCRIBED BEFORE ME THIS 1ST DAY OF August, 2018,Lillian Belle Don

NOTARY PUBLIC



 APPLICANT'S SIGNATURE

AGREEMENT TO DEDICATE PROPERTY FOR FUTURE RIGHT-OF-WAY

I/We, JOHN RICHARD HALBERT, said property owner(s) of subject property requested to be rezoned, hereby agree to dedicate, at no cost to Fayette County, _____ feet of right-of-way along _____ as measured from the centerline of the road.

Based on the Future Thoroughfare Plan Map streets have one of the following designations and the Fayette County Development Regulations require a minimum street width as specified below:

Local Street (Minor Thoroughfare) 60 foot right-of-way (30' measured from each side of road centerline)

Collector Street (Major Thoroughfare) 80 foot right-of-way (40' measured from each side of road centerline)

Arterial Street (Major Thoroughfare) 100 foot right-of-way (50' measured from each side of road centerline)

Sworn to and subscribed before me this 15th day of AUGUST, 2018.


SIGNATURE OF PROPERTY OWNER

SIGNATURE OF PROPERTY OWNER

Lillian Belle Doss
NOTARY PUBLIC



DISCLOSURE STATEMENT

Please check one:

Campaign contributions - ☐ No ☒ Yes (see attached disclosure report)

TITLE 36. LOCAL GOVERNMENT PROVISIONS APPLICABLE TO COUNTIES AND MUNICIPAL CORPORATIONS CHAPTER 67A. CONFLICT OF INTEREST IN ZONING ACTIONS

O.C.G.A. § 36-67A-3 (2011)

§ 36-67A-3. Disclosure of campaign contributions

(a) When any applicant for rezoning action has made, within two years immediately preceding the filing of that applicant's application for the rezoning action, campaign contributions aggregating \$250.00 or more to a local government official who will consider the application, it shall be the duty of the applicant to file a disclosure report with the governing authority of the respective local government showing:

(1) The name and official position of the local government official to whom the campaign contribution was made; and *CHARLES ROSSO Board of Commissioners*

(2) The dollar amount and description of each campaign contribution made by the applicant to the local government official during the two years immediately preceding the filing of the application for the rezoning action and the date of each such contribution. *\$1000*

(b) The disclosures required by subsection (a) of this Code section shall be filed within ten days after the application for the rezoning action is first filed.

(c) When any opponent of a rezoning action has made, within two years immediately preceding the filing of the rezoning action being opposed, campaign contributions aggregating \$250.00 or more to a local government official of the local government which will consider the application, it shall be the duty of the opponent to file a disclosure with the governing authority of the respective local government showing:

(1) The name and official position of the local government official to whom the campaign contribution was made; and *Charles*

(2) The dollar amount and description of each campaign contribution made by the opponent to the local government official during the two years immediately preceding the filing of the application for the rezoning action and the date of each such contribution.

(d) The disclosure required by subsection (c) of this Code section shall be filed at least five calendar days prior to the first hearing by the local government or any of its agencies on the rezoning application.

HISTORY: Code 1981, § 36-67A-3, enacted by Ga. L. 1986, p. 1269, § 1; Ga. L. 1991, p. 1365, § 1; Ga. L. 1993, p. 91, § 36.

**APPLICATION TO AMEND
TO AMEND THE OFFICIAL ZONING MAP OF FAYETTE COUNTY, GA**

PROPERTY OWNERS: Rick Haubert

MAILING ADDRESS: 440 OLD GREENVILLE ROAD, FAYETTEVILLE, GA 30215

PHONE: 770-616-8574 E-MAIL: RICK@HAUBERTDEVELOPMENT.COM

AGENT FOR OWNERS: N/A

MAILING ADDRESS: _____

PHONE: _____ E-MAIL: _____

PROPERTY LOCATION: LAND LOT 228 LAND DISTRICT 4th PARCEL TRACT 1
 LAND LOT _____ LAND DISTRICT _____ PARCEL _____

TOTAL NUMBER OF ACRES REQUESTED TO BE REZONED: 18.34 ATTACHED TO: 29

EXISTING ZONING DISTRICT: AR PROPOSED ZONING DISTRICT: R-80
3AC / 2500 SF

ZONING OF SURROUNDING PROPERTIES: A-R

PRESENT USE OF SUBJECT PROPERTY: ABANDONED HOMESITES / POOL

PROPOSED USE OF SUBJECT PROPERTY: Single Family Residential

LAND USE PLAN DESIGNATION: Rural Residential (1 Unit / 3 acres)

NAME AND TYPE OF ACCESS ROAD: Hwy 85 + Goza Rd.

LOCATION OF NEAREST WATER LINE: _____

(THIS AREA TO BE COMPLETED BY STAFF): PETITION NUMBER: 1279-18B

☐ Application Insufficient due to lack of: _____

by Staff: _____ Date: _____

☒ Application and all required supporting documentation is Sufficient and Complete

by Staff: [Signature] Date: 8/2/2018

DATE OF PLANNING COMMISSION HEARING: Sept. 6, 2018

DATE OF COUNTY COMMISSIONERS HEARING: Sept. 27, 2018

Received from Rick Haubert a check in the amount of \$ 370.00 for
 application filing fee, and \$ 350.00 for deposit on frame for public hearing sign(s). 20.00
 Date Paid: 8/1/2018 Receipt Number: 63833947-51gn
6383763-App.

PROPERTY OWNER CONSENT AND AGENT AUTHORIZATION FORM
(Applications require authorization by ALL property owners of subject property).

Name(s) of All Property Owners of Record found on the latest recorded deed for the subject property:

Rick John Richard Hauber

Please Print Names

Property Tax Identification Number(s) of Subject Property: 0450011

(I am) ~~(we are)~~ the sole owner(s) of the above-referenced property requested to be rezoned. Subject property is located in Land Lot ~~(s)~~ 228 of the 4th District, and (if applicable to more than one land district) Land Lot(s) N/A of the N/A District, and said property consists of a total of 18.24 acres (legal description corresponding to most recent recorded plat for the subject property is attached herewith).

ATTACHED

(I) ~~(We)~~ hereby delegate authority to Rick Hauber to act as (my) (our) Agent in this rezoning. As Agent, they have the authority to agree to any and all conditions of zoning which may be imposed by the Board.

(I) (We) certify that all of the information filed with this application including written statements or showings made in any paper or plans submitted herewith are true and correct to the best of (my) (our) knowledge and belief. Further, (I) (We) understand that this application, attachments and fees become part of the official records of the Fayette County Zoning Department and may not be refundable. (I) (We) understand that any knowingly false information given herein by me/us will result in the denial, revocation or administrative withdrawal of the application or permit. (I) (We) further acknowledge that additional information may be required by Fayette County in order to process this application.

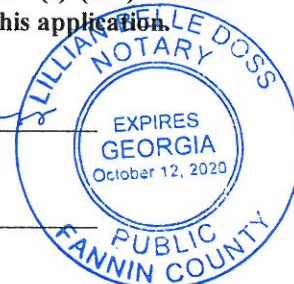
[Signature]
 Signature of Property Owner 1

Address

[Signature]
 Signature of Notary Public

Date

Aug 1, 2018



Signature of Property Owner 2

Address

Signature of Notary Public

Date

Signature of Property Owner 3

Address

Signature of Notary Public

Date

Signature of Authorized Agent

Address

Signature of Notary Public

Date

NAME: JOHN RICHARD HALBERT PETITION NUMBER: _____ADDRESS: 440 OLD GREENVILLE ROAD, FAYETTEVILLE, GA 30215

PETITION FOR REZONING CERTAIN PROPERTY IN THE UNINCORPORATED AREAS OF FAYETTE COUNTY, GEORGIA.

JOHN RICHARD HALBERT affirms that he is the owner or the specifically authorized agent of the property described below. Said property is located in a(n) 4 Zoning District. He/~~She~~ respectfully petitions the County to rezone the property from its present classification and tenders herewith the sum of \$ _____ to cover all expenses of public hearing. He/She petitions the above named to change its classification to _____.

This property includes: (check one of the following)

☒ See attached legal description on recorded deed for subject property or☐ Legal description for subject property is as follows:

PUBLIC HEARING to be held by the Planning Commission of Fayette County on the _____ day of _____, 20____ at 7:00 P.M.

PUBLIC HEARING to be held by the Board of Commissioners of Fayette County on the _____ day of _____, 20____ at 7:00 P.M.

SWORN TO AND SUBSCRIBED BEFORE ME THIS 1ST DAY OF AUGUST, 2018.

William Belle Doss
NOTARY PUBLIC



[Signature]
APPLICANT'S SIGNATURE

AGREEMENT TO DEDICATE PROPERTY FOR FUTURE RIGHT-OF-WAY

I/We, JOHN RICHARD HARBERT, said property owner(s) of subject property requested to be rezoned, hereby agree to dedicate, at no cost to Fayette County, _____ feet of right-of-way along _____ as measured from the centerline of the road.

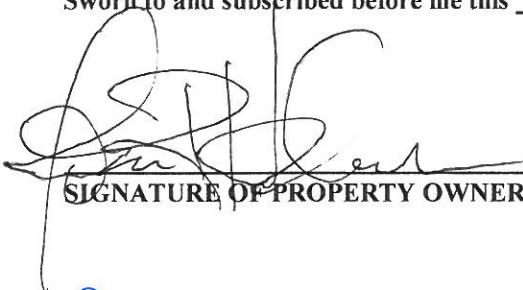
Based on the Future Thoroughfare Plan Map streets have one of the following designations and the Fayette County Development Regulations require a minimum street width as specified below:

Local Street (Minor Thoroughfare) 60 foot right-of-way (30' measured from each side of road centerline)

Collector Street (Major Thoroughfare) 80 foot right-of-way (40' measured from each side of road centerline)

Arterial Street (Major Thoroughfare) 100 foot right-of-way (50' measured from each side of road centerline)

Sworn to and subscribed before me this _____ day of _____, 20____.


SIGNATURE OF PROPERTY OWNER

SIGNATURE OF PROPERTY OWNER

Lillian Belle Doss
NOTARY PUBLIC



DISCLOSURE STATEMENT

Please check one:

Campaign contributions - ☐ No ☐ Yes (see attached disclosure report)

TITLE 36. LOCAL GOVERNMENT
PROVISIONS APPLICABLE TO COUNTIES AND MUNICIPAL CORPORATIONS
CHAPTER 67A. CONFLICT OF INTEREST IN ZONING ACTIONS

O.C.G.A. § 36-67A-3 (2011)

§ 36-67A-3. Disclosure of campaign contributions

(a) When any applicant for rezoning action has made, within two years immediately preceding the filing of that applicant's application for the rezoning action, campaign contributions aggregating \$250.00 or more to a local government official who will consider the application, it shall be the duty of the applicant to file a disclosure report with the governing authority of the respective local government showing:

(1) The name and official position of the local government official to whom the campaign contribution was made; and CHARLES ROUSSO

(2) The dollar amount and description of each campaign contribution made by the applicant to the local government official during the two years immediately preceding the filing of the application for the rezoning action and the date of each such contribution.

(b) The disclosures required by subsection (a) of this Code section shall be filed within ten days after the application for the rezoning action is first filed.

(c) When any opponent of a rezoning action has made, within two years immediately preceding the filing of the rezoning action being opposed, campaign contributions aggregating \$250.00 or more to a local government official of the local government which will consider the application, it shall be the duty of the opponent to file a disclosure with the governing authority of the respective local government showing:

(1) The name and official position of the local government official to whom the campaign contribution was made; and

(2) The dollar amount and description of each campaign contribution made by the opponent to the local government official during the two years immediately preceding the filing of the application for the rezoning action and the date of each such contribution.

(d) The disclosure required by subsection (c) of this Code section shall be filed at least five calendar days prior to the first hearing by the local government or any of its agencies on the rezoning application.

HISTORY: Code 1981, § 36-67A-3, enacted by Ga. L. 1986, p. 1269, § 1; Ga. L. 1991, p. 1365, § 1; Ga. L. 1993, p. 91, § 36.

COUNTY AGENDA REQUEST

Page 104 of 277

Department:

Presenter(s):

Meeting Date:

Type of Request:

Wording for the Agenda:

Consideration of Petition No. 1279A-18, John Richard Halbert, Owner, request to rezone a total of 0.29 acres from A-R to R-80 to develop a Single-Family Residential Subdivision consisting six (6) lots in conjunction with Petition No. 1279B-18; located in Land Lot 228 of the 4th District and fronts on SR 85 South.

Background/History/Details:

Staff recommends approval with one (1) condition.

Jim Graw made a motion to recommend approval of Petition No. 1279A-18 with one (1) condition. John Culbreth seconded the motion. The motion passed 4-0. Al Gilbert was absent.

RECOMMENDED CONDITION

1. There shall be no driveway access to the parcel(s) from SR 85. (This condition based on comments from Public Works/Engineering and GDOT.)

What action are you seeking from the Board of Commissioners?

Approval of Petition No. 1279A-18, John Richard Halbert, Owner, request to rezone a total of 0.29 acres from A-R to R-80 to develop a Single-Family Residential Subdivision consisting 6 lots in conjunction with Petition No. 1279B-18; located in Land Lot 228 of the 4th District and fronts on SR 85 South.

If this item requires funding, please describe:

Has this request been considered within the past two years?

If so, when?

Is Audio-Visual Equipment Required for this Request?*

Backup Provided with Request?

*** All audio-visual material must be submitted to the County Clerk's Office no later than 48 hours prior to the meeting. It is also your department's responsibility to ensure all third-party audio-visual material is submitted at least 48 hours in advance.**

Approved by Finance

Reviewed by Legal

Approved by Purchasing

County Clerk's Approval

Administrator's Approval

Staff Notes:

COUNTY AGENDA REQUEST

Page 105 of 277

Department:

Presenter(s):

Meeting Date:

Type of Request:

Wording for the Agenda:

Consideration Ordinance 2018-03, Amendments to Chapter 110. Zoning Ordinance, Regarding Article I. – In General, Article III. – General Provisions. Article IV. – District Use Requirements and Article V. – Conditional Uses, Nonconformances, Transportation Corridor Overlay Zones and Commercial Development Standards.

Background/History/Details:

On September 26, 2017, Bill Beckwith, then ZBA Chairman, sent a letter requesting that the County review the regulations for accessory structures on corner lots due to a number of variance requests for new and existing accessory structures. Staff and the Planning Commission, with assistance of Bill Beckwith, reviewed the regulations and are recommending amendments.

On March 22, 2018, the BOC voted to send the recommended amendments back to Staff and the Planning Commission for more review.

Staff and Planning Commission have finished this review and now submit the recommended amendments.

Jim Graw made a motion to recommend approval of the amendments to the Chapter 110. Zoning Ordinance, Regarding Article I. – In General, Article III. – General Provisions. Article IV. – District Use Requirements and Article V. – Conditional Uses, Nonconformances, Transportation Corridor Overlay Zones and Commercial Development Standards. John Culbreth seconded the motion. The motion passed 4-0. Al Gilbert was absent.

Also attached is a proposed brochure titled "Residential Lot Configuration, Yard and Setback Illustrations."

What action are you seeking from the Board of Commissioners?

Approval of Ordinance 2018-03, Amendments to Chapter 110. Zoning Ordinance, Regarding Article I. – In General, Article III. – General Provisions. Article IV. – District Use Requirements and Article V. – Conditional Uses, Nonconformances, Transportation Corridor Overlay Zones and Commercial Development Standards.

If this item requires funding, please describe:

Has this request been considered within the past two years?

If so, when?

Is Audio-Visual Equipment Required for this Request?*

Backup Provided with Request?

*** All audio-visual material must be submitted to the County Clerk's Office no later than 48 hours prior to the meeting. It is also your department's responsibility to ensure all third-party audio-visual material is submitted at least 48 hours in advance.**

Approved by Finance

Reviewed by Legal

Approved by Purchasing

County Clerk's Approval

Administrator's Approval

Staff Notes:

BOARD OF COUNTY COMMISSIONERS

MINUTES - March 22, 2018, 6:30 p.m.

4. Consideration of Ordinance 2018-03, Amendments to Chapter 110. Zoning Ordinance, Regarding Section 110-3. – Definitions and Section 110-79. - Accessory Structures and Uses.

Mr. Frisina stated that in September 2017, the Board, Planning Commission and staff received a letter from Bill Beckwith, the Zoning Board of Appeals Chairman. He stated that he had seen a lot of appeal request for corner lots. He asked staff to look at corner lots to find solution for how to allow accessory structures on a corner lot. Mr. Frisina presented various example diagrams. He stated that staff looked at trying to subdivide the two front yards into a “primary” front yard and a “secondary” front yard, in which flexibility to build accessory structures in the secondary front yard. He stated that the primary front yard would be based on the orientation of the home; the front door to the street. He stated that he was offering an amendment that was placed on the dais.

He stated that when a house did not directly face the street, staff went by where the address accesses the driveway to create a primary front yard. He stated that he rewrote the definition as provided in the agenda package.

Commissioner Brown stated that Mr. Frisina was using the driveway to determine the primary front, but if it was fronting three streets, it was an alley entrance to the back of the garage. He asked if an exception could be made. Mr. Frisina stated that he was going by where the address access was located. He stated that in a typical subdivision the access would be off the local road and not the exterior road.

Commissioner Brown asked if landscaping could be required. Mr. Frisina stated that staff had not talked about requiring landscaping.

Vice Chairman Ognio stated that he would like to see this item sent back to the Planning Commission to get better details and clarification. He stated that if the process was not spelled out correctly it would be very confusing. He stated that code system would not allow drawings, but that he would like to do research to see if the drawings could be included in the ordinance.

Vice Chairman Ognio moved to have Ordinance 2018-03, Amendments to Chapter 110. Zoning Ordinance, Regarding Section 110-3. – Definitions and Section 110-79. - Accessory Structures and Uses sent back to the Planning Commission. Commissioner Charles Rousseau seconded.

Commissioner Rousseau expressed his concern regarding items being placed on the dais the day of the meeting. He agreed that the better approach was to send it back to the Planning Commission. He continued that, in addition, the citizens did not have the opportunity to review the items on the dais.

Vice Chairman Ognio stated that there are things in the ordinance that he was told that it was existing language. He stated that it talked about not being able to have an electrical meter on the detached garage, unless otherwise required per Department of Building and Safety. He stated it was wasted text and he did not see a need for it. He continued that the ordinance called it a detached garage and then it

stated that it “shall connect to the principle structure by at least one of the following methods”. He stated that was not a detached garage.

Mr. Frisina stated that the images were presented as an example. He stated that he did not want anyone to think it was the only way that it could happen. He stated that staff was planning to provide a publication in the department with different images to help determine how to figure out the primary and secondary yards. He stated that this would give him the opportunity to change it when needed.

Travis and Sabrina Williamson spoke regarding this item. Mrs. Williamson stated that she wanted to build a pool in the back yard and their home was on a corner lot. She stated that she was told everything had to stay directly behind the house, but the problem was that the house was not as wide as it was long. She continued that there was a good buffer and she just wanted to show her home as an example.

Chairman Maxwell stated that the motion was to send this item back to the Planning Commission and that she may want to go the Planning Commission to discuss her concerns.

Tom Waller stated that the issue of curb cuts and the driveways should be included in any rewrite and the curb cuts should be on the secondary roads. He stated that should be pinned down when the subdivision was created.

Commissioner Brown stated that he would suggest that we use whatever leverage to juxtapose the houses on the corner and assume that an accessory structure would be built and try to put it in the right place to best suit that type of addition.

Mr. Frisina stated that staff did make that suggestion.

Vice Chairman Ognio moved to have Ordinance 2018-03, Amendments to Chapter 110. Zoning Ordinance, Regarding Section 110-3. – Definitions and Section 110-79. - Accessory Structures and Uses sent back to the Planning Commission. Commissioner Charles Rousseau seconded. The motion passed 5-0.

5. Consideration of Ordinance 2018-04, amendments to Article XV.- Subdivision Regulations, regarding Section 104-593. - Definitions and Section 104-603. -Procedure for the Establishment of Front, Side and Rear Yards on a Flag Lot or a Nonconforming Landlocked Lot.

Mr. Frisina stated that out of the discussion of corner lots, Mr. Beckwith was attending the Planning Commission meetings and there was variance requests for flag lots. He stated that Mr. Larry Blanks, Zoning Board of Appeals member, suggested staff to review. He gave examples. He stated that staff came up with a creative way of creating an ordinance within the subdivision regulations, the Planning Commission has purview and they created lots through final plats and permanent plats and the Planning Commission have final approval. He stated that this would have a procedure within the subdivision regulations to give the property owner the right to come in to speak with the Planning Commission. He stated that it would use the front of the house as the front yard. He stated that staff had not done anything like this before, but given the range of how these things were developed over the years, it was the solution that staff came up with for now.

Vice Chairman Ognio stated that he would like for this one to be sent back to the Planning Commission as well and to have a coordination between the drawing and the text included in the code. He stated that the issue that he had was determining the front of one house, may put the backyard at the front of the house next door. He stated that he did not see anything that referenced the houses around it.

Mr. Frisina stated that most of the flag lots were very large lots; five, eight and ten acres. He stated that what he would define as the front yard and what the property owner would define as the front yard could be two different things. He stated that he was trying to get this right so that staff did not have to “hammer” them when trying to do something on the lot and having to get a variance.

Vice Chairman Ognio moved to have Ordinance 2018-04, amendments to Article XV.- Subdivision Regulations, regarding Section 104-593. - Definitions and Section 104-603. -Procedure for the Establishment of Front, Side and Rear Yards on a Flag Lot or a Nonconforming Landlocked Lot sent back to the Planning Commission to have a coordination between the drawing and the text. Commissioner Oddo seconded.

Chairman Maxwell stated that he agreed with Commissioner Rousseau. He stated that he received the information on the dais and he did not think it had been published to the public and it was hard to digest the information when that happened.

Vice Chairman Ognio moved to have Ordinance 2018-04, amendments to Article XV.- Subdivision Regulations, regarding Section 104-593. - Definitions and Section 104-603. -Procedure for the Establishment of Front, Side and Rear Yards on a Flag Lot or a Nonconforming Landlocked Lot sent back to the Planning Commission to have a coordination between the drawing and the text. Commissioner Oddo seconded.

Commissioner Brown asked how would the Board request drawings. Vice Chairman Ognio stated that he was not sure, but that if staff had drawings it needed to be included.

Commissioner Rousseau stated that he knew the drawings were for visual and discussion purposes, but that it included language changes. He stated that it was not good for the Board to have things that are not available to the public.

Vice Chairman Ognio moved to have Ordinance 2018-04, amendments to Article XV.- Subdivision Regulations, regarding Section 104-593. - Definitions and Section 104-603. -Procedure for the Establishment of Front, Side and Rear Yards on a Flag Lot or a Nonconforming Landlocked Lot sent back to the Planning Commission to have a coordination between the drawing and the text. Commissioner Oddo seconded. The motion passed 5-0.

THE FAYETTE COUNTY PLANNING COMMISSION met on April 5, 2018 at 7:00 P.M. in the Fayette County Administrative Complex, 140 Stonewall Avenue West, Fayetteville, Georgia.

1. Discussion of Amendments to Chapter 110. Zoning Ordinance, Regarding Sec. 110-3. – Definitions and Sec. 110-79. - Accessory Structures and Uses.

Pete Frisina stated that on page two (2) Section 110-79. Accessory Structures and Uses he amended the farm out building section to state the regulation shall not apply to farm outbuildings, including horse stables, auxiliary structures, and commercial greenhouses as are regulated as conditional uses under article Sec. 110-125. - A-R, Agricultural-Residential District and VII Sec. 110-169. - Conditional use approval of this chapter and shall be allowed in the A-R zoning district only. He further added that a semi-trailer may be utilized as a farm outbuilding as regulated under Sec. 110-125. - A-R, Agricultural-Residential District. He said these aforementioned buildings/structures shall be allowed in the A-R zoning district only. He also said these regulations shall not apply to those nonresidential uses allowed in A-R and residential zoning districts. Pete Frisina stated that there was some old verbiage allowing a semi-trailer to be used as a farm out building in A-R. He said he decided to take out any A-R related uses out of the accessory use category and put them in the A-R section. He also stated that a commissioner asked why Fayette County didn't require landscaping along a building in a secondary front yard. He said that is difficult to enforce, and he's not in favor of pushing it.

Brian Haren asked if Fayette County can require it if the accessory structure is in the secondary front.

Pete Frisina replied that administratively it's a tough thing to enforce. He further said the Board of Commissioners wanted examples of flag lots. He also said they wanted to know how a flag lot affects the neighbor.

No action was taken on this item and the discussion will be continued at a future meeting.

2. Discussion of Amendments to Article XV. - Subdivision Regulations, Regarding Sec. 104-593. - Definitions and Sec. 104-603. Procedure for the Establishment of Front, Side and Rear Yards on a Flag Lot or a Nonconforming Landlocked Lot.

Pete Frisina stated that the Board of Commissioners had some questions about some changes made and the Amendments to Chapter 110. Zoning Ordinance was sent back to the Planning Commission for more consideration. He said the definition of a building line means a line running parallel to the street which touches the nearest point of the principal structure to the street. He added that a front yard is a primary means on a corner lot, the area between a property line adjacent to a street of which the front door of the principal structure is oriented to or if the front door is not oriented to one street, the street in which the driveway accesses and the front building line, extending the full width of the lot. He stated that he looked at the amended version of Chapter 110. Zoning Ordinance from 3/22/2018 and it says *front yard primary* means on a corner lot, the area between a property line adjacent to a street of which the front door of the principal structure is oriented to or if the front door is not clearly oriented to one street, the street in which the addressed driveway accesses and a line

running parallel to the street from the nearest and furthest points of the principal structure to the street extending the full width of the lot. He further added that the amendment is to protect the front plane of the yard.

Jim Graw said this amendment takes away the ability to utilize some of the front yard.

Pete Frisina replied that it does. He also added that the amendment from 4/2/2018 says *front yard, primary* means on a corner lot, the area between a property line adjacent to a street of which the front door of the principal structure is oriented to or if the front door is not clearly oriented to one street, the primary front yard shall be determined by a perpendicular line running from the midpoint of the principal structure to a street, and a line running parallel to the street from the nearest and furthest points of the principal structure to the street extending the full width of the lot. He stated that it takes away the driveway access.

Danny England asked where an accessory can be on a lot that has a primary and secondary front.

Pete Frisina replied that it can be in the secondary yard, not in the setback, and it has to be more than 20 feet from the primary front yard setback. He said the perpendicular line from the front of the house may be a better determinant for the orientation of the front of the house. He added that the 4/2/2018 definition states that if the area between a property line adjacent to a street of which the front door of the principal structure is oriented to or if the front door is not clearly oriented to one street, the primary front yard shall be determined by a perpendicular line running from the midpoint of the principal structure to a street, and a line running parallel to the street from the nearest and furthest points of the principal structure to the street extending the full width of the lot. He said there are three ways to determine the front yard, two are based on address access.

Jim Graw asked if the property owner could only build in the secondary front yard and the side yard.

Pete Frisina replied yes. He said he believed amendment 4/22/2018 is an easier approach.

Danny England said the front plane of the house extends until it hits the front of the house. He stated that everything in front of the front plane of the house is classified as the front.

Jim Graw said that's very simple. He asked if the property owner would still have a secondary front.

Pete Frisina said yes, there would still be a secondary front.

No action was taken on this item and the discussion will be continued at a future meeting.

THE FAYETTE COUNTY PLANNING COMMISSION met on April 19, 2018 at 7:00 P.M. in the Fayette County Administrative Complex, 140 Stonewall Avenue West, Fayetteville, Georgia.

1. Discussion of Amendments to Chapter 110. Zoning Ordinance, Regarding Sec. 110-3. – Definitions and Sec. 110-79. - Accessory Structures and Uses.

Pete Frisina stated that the front plane of the structure should be looked at to be considered the primary front yard. He said the 20 foot additional setback should also be used for the increased setback. He added that the front plane of the house defines the primary front yard. He suggested using the definition of *Front yard, primary* means on a corner lot, the area between a property line adjacent to a street of which the front of the principal structure is oriented to and the front building line or, if the angle of the front of the principal structure to the street is 20 degrees or greater, a line running parallel to the front plane of the principal structure extending the full width of the lot shall be considered the primary front yard in determining the area of the property.

Brian Haren said that may over complicate the issue.

Pete Frisina stated that to simplify wording the definition will state that on corner lots the front plane of the house would dictate the front yard.

Brian Haren asked if there would ever be a situation where there was a back yard.

Pete Frisina replied no, there would be two fronts and two sides. He said he also added a paragraph about signage reading *Signage shall be posted on property for which the procedure is sought. One sign is required for each street frontage/access of said property and one sign shall be placed on the building portion of the property. The signage shall be posted not more than 45 calendar days, nor less than 15 calendar days prior to the meeting to consider the procedure before the planning commission.*

Brian Haren asked how often you think we would have petitions to determine front yards.

Pete Frisina replied he'd only seen it a few times, but he sees a need to come up with a solution.

No action was taken on this item and the discussion will be continued at a future meeting.

2. Discussion of Amendments to Article XV. - Subdivision Regulations, Regarding Sec. 104-593. - Definitions and Sec. 104-603. Procedure for the Establishment of Front, Side and Rear Yards on a Flag Lot or a Nonconforming Landlocked Lot.

Jim Graw asked if there is wording talking about flag lots in the ordinance.

Pete Frisina said nothing explicit.

Jim Graw asked how flag lots get approved.

Pete Frisina replied that these lots meet all the requirements for a legal lot.

Jim Graw asked which definition will apply to flag lots.

Pete Frisina replied *Due to the various development patterns of flag lots in the past and their irregular shapes, and that nonconforming land locked lots have no road frontage, a property owner may request that the planning commission establish the front, side and rear yards on an*

existing flag lot and a proposed flag lot in conjunction with the Final Plat and Minor Subdivision Plat approval process that would be different than the yards per existing County regulations, and establish the front, side and rear yards on a nonconforming landlocked lot. This procedure is applicable to existing flag lots, proposed flag lots and nonconforming landlocked lots. The front, side and rear orientation of the residence (existing or proposed) on the flag lot or nonconforming landlocked lot and/or the orientation of the lot access will be considered in this establishment of front, side and rear yards. The establishment of yards through this procedure will require the revision of a Minor Subdivision Plat or Final Plat, as applicable.

No action was taken on this item and the discussion will be continued at a future meeting.

THE FAYETTE COUNTY PLANNING COMMISSION met on May 3, 2018 at 7:00 P.M. in the Fayette County Administrative Complex, 140 Stonewall Avenue West, Fayetteville, Georgia

1. Discussion of Amendments to Chapter 110. Zoning Ordinance, Regarding Sec. 110-3. – Definitions and Sec. 110-79. - Accessory Structures and Uses.

Pete Frisina stated the *Front yard, primary means on a corner lot, the area between a property line adjacent to a street and a line running parallel to the front plane of the principal structure, extending the full width.*

Front yard, secondary means on a corner lot, the area between a property line adjacent to a street and the principal structure outside of the primary front yard.

Principal structure, front means the wall/plane of the principal structure in which the front door is located. He said this is the simplest, most direct way to describe it. He added that the Planning Commission should set up a meeting with the Board of Commissioners in June to discuss this.

No action was taken on this item and the discussion will be continued at a future meeting.

2. Discussion of Amendments to Article XV. - Subdivision Regulations, Regarding Sec. 104-593. - Definitions and Sec. 104-603. Procedure for the Establishment of Front, Side and Rear Yards on a Flag Lot or a Nonconforming Landlocked Lot.

Pete Frisina stated that there was a complaint from one of the Commissioners about the signs being posted so I added the paragraph signage which states *Signage shall be posted on property for which the procedure is sought. One sign is required for each street frontage/access of said property and one sign shall be placed on the building portion of the property. The signage shall be posted not more than 45 calendar days, nor less than 15 calendar days prior to the meeting to consider the procedure before the planning commission.*

No action was taken on this item and the discussion will be continued at a future meeting.

THE FAYETTE COUNTY PLANNING COMMISSION met on July 5, 2018 at 7:00 P.M. in the Fayette County Administrative Complex, 140 Stonewall Avenue West, Fayetteville, Georgia.

1. Discussion of Amendments to Chapter 110. Zoning Ordinance, Regarding Sec. 110-3. – Definitions, Sec. 110-79. - Accessory Structures and Uses, Sec. 110-125. – Agricultural-

residential and Sec. 110-169. – Conditional Use Approval.

Pete Frisina stated that he has added the definition of flag lots to say *Lot, flag, means a lot shaped like a flag on a pole with the pole portion of the lot fronting on a street and the flag portion being where the minimum lot width is met.* He said the language on page three (3) pertaining to front yards has been struck out and moved to page six (6). He added that the verbiage about lot size is separate, and it applies to all buildings. He stated that he has decided not to come up with a procedure for the Planning Commission to determine front yard, but to go by *Sec. 110-106. Front, side and rear yards on a flag lot or a nonconforming landlocked lot which states that due to the various development patterns of flag lots in the past and their irregular shapes, and that nonconforming land locked lots have no road frontage, flag lots and nonconforming land locked lots shall not have a designated front, side or rear yard. All setbacks will be the distance of the side setback per the zoning district of the property or the required front setback as measured from the closest right-of-way and whichever is greater shall apply. Minor Subdivision Plats and Final Plats containing flag lots which were recorded prior to the effective date of this section shall be required to be revised for this section to apply.* He said zoning is geared to suburban development; the pattern that's been picked for flag lots pushes the house back from the road. He stated that that type of development makes sense when the house fronts the road, but you lose that orientation with a flag lot.

Jim Graw asked if there is an illustration reflecting the proposed lot orientation.

Pete Frisina relied yes.

Dennis Davenport stated that there should be a minimum threshold for people developing flag lots.

Jim Graw stated that the decision making process pertaining to flag lots has been taken away from the Planning Commission.

Pete Frisina replied that flag lots have been taken out of the subdivision regulations.

Jim Graw said he liked it.

No action was taken on this item and the discussion will be continued at a future meeting.

2. Discussion of Amendments to Article XV. - Subdivision Regulations, Regarding Sec. 104-593. - Definitions and Sec. 104-603. Procedure for the Establishment of Front, Side and Rear Yards on a Flag Lot or a Nonconforming Landlocked Lot.

No action was taken on this item and the discussion will be continued at a future meeting.

THE FAYETTE COUNTY PLANNING COMMISSION met on July 19, 2018 at 7:00 P.M. in the Fayette County Administrative Complex, 140 Stonewall Avenue West, Fayetteville, Georgia.

1. Discussion of Amendments to Chapter 110. Zoning Ordinance, Regarding Sec. 110-3. – Definitions, Sec. 110-79. - Accessory Structures and Uses, Sec. 110-125. – Agricultural-residential and Sec. 110-169. – Conditional Use Approval.

Pete Frisina stated that on page one (1), the definition *Lot width, means the required width of a lot as specified by a zoning district*. He said the terms *yard* and *setback* had been used interchangeable in the ordinance, however, *Setback means a required open space on a lot that is left unoccupied with structures and facilities, except as otherwise permitted herein*, and we'll do away with the definition of *yard*. He added that

Sec. 110-65. -Reduction of lot area

No lot shall be reduced in size so that the lot size, width, depth, or any other requirement of this chapter is not maintained. This restriction shall not apply when a portion of a lot is acquired for a public purpose;

Sec. 110-71. - Setback not to be encroached upon.

No setback shall be encroached upon or reduced in any manner except in conformity with the setback, off-street parking spaces, and such other regulations required for the zoning district in which such building is located. Landscaping, driveways, vehicle parking areas, multi-use path connections, walkways and associated steps, boat docks and bridges, retaining walls, walls and fences, curbs, and planted buffer strips shall not be construed to be encroachments.

Sec. 110-72. - Permitted encroachments of setbacks.

Architectural features connected to a structure such as cornices, eaves, steps, landings, ramps, gutters, and fire escapes may project not more than three feet beyond any required setback line, except where such projections would obstruct driveways. One flagpole per lot shall also be allowed to encroach into the front yard setback, provided it is not located within 15 feet of the right-of-way. Flagpoles which encroach the front yard setback shall be required to have a signed and sealed affidavit from an architect or engineer registered in the state with the actual location and setback of the flagpole and inspection approval of the footing to be submitted to the planning and zoning department prior to placement of the flagpole.

Sec. 110-74. - Side and rear setbacks and buffers not required next to railroad.

Within any nonresidential zoning district, side setbacks, rear setbacks, and buffers shall not be required adjacent to railroad rights-of-way.

Sec. 110-77. - Lot width,

The lot width shall be met at the required setback and shall be met maintained for a depth of 80 feet. On a lot where the lot width is not met at the required setback, the setback will then be where the lot width is met and said lot width shall be maintained for a depth of 80 feet. Lot width shall be determined as the distance between lot lines either measured in a straight line parallel to the adjoining street right-of-way or tangent and perpendicular to the mid-point of the right-of-way in the case of the turnaround portion of a cul-de-sac along the front minimum building line (see graphic). The principal structure shall be constructed within this area. Accessory structures do not have to comply with the lot width at the building line; however, they shall comply with the required setbacks and location requirements.

Pete Frisina also said that with regards to the flag lots and nonconforming lots,

Sec. 110-106. Front, side and rear yards on a flag lot or a nonconforming landlocked lot.

Due to the various development patterns of flag lots in the past and their irregular shapes, and that nonconforming land locked lots have no road frontage, flag lots and nonconforming land locked lots shall not have a designated front, side or rear yard. All setbacks will be the distance of the side

setback per the zoning district of the property or the required front setback per the zoning district of the property as measured from the closest right-of-way and whichever is greater shall apply. Minor Subdivision Plats and Final Plats containing flag lots which were recorded prior to the effective date of this section shall be required to be revised for this section to apply.

The Planning Commission took no official action on this item and will continue the discussion at a future meeting.

THE FAYETTE COUNTY PLANNING COMMISSION met on August 16, 2018 at 7:00 P.M. in the Fayette County Administrative Complex, 140 Stonewall Avenue West, Fayetteville, Georgia.

1. Discussion of Amendments to Chapter 110. Zoning Ordinance, Regarding Sec. 110-3. – Definitions, Sec. 110-79. – Accessory Structures and Uses, Sec. 110-125. – Agricultural-residential and Sec. 110-169. – Conditional Use Approval.

Pete Frisina said he wants to use the term “residential accessory structure” for Sec. 110-79 because differentiates it from the structures allowed in A-R such as agricultural structures but a residential accessory structure is also allowed in A-R. He added that the definition of “lot width” has been amended to coincide with the way it is administered. He stated that the definitions for “setback” and “yard” have been amended for clarification as they were being used interchangeably. Sec. 110-73 is being deleted in its entirety. He said in Sec. 110-79 all of the references for structures allowed exclusively in A-R are being taken out of this section and added to Sec. 110-125. - A-R, Agricultural-Residential District. He added that the maximum size limit of 900 square feet for a detached garage allowed in a primary front yard is being deleted and there would be no size limit as the 900 square feet came from when the zoning ordinance did allow any residential structure to be greater than 900 square feet. He stated that residential accessory structures will be allowed in a front yard in the A-R zoning district on lot of five or more acres as currently A-R structures such as barns, greenhouses, stables, etc. are not restricted from being in a front yard in A-R and that most of the recent variance requests for new and existing residential accessory structures have been for A-R properties where in some cases the house is 400 or 500 feet from the road.

Jim Graw asked if staff was aware of anyone using a semi-trailer for the storage of agricultural items.

Pete Frisina said this has been in the ordinance probably since it was created and there are most likely cases of this in the County.

He said that all of the corresponding amendments have been made to Sec. 110-169 for conditional uses. He added that some of the amendments to Sec. 110-169 are housekeeping in nature. He stated that a new Sec. 110-106. Titled “Yards on a flag lot or a nonconforming landlocked lot” is being added that will define yards and setbacks as side yards and side setbacks on flag lots and nonconforming landlocked lots.

Pete Frisina presented the illustrated pamphlet for lot configurations, yards and typical setback configurations. He stated that he plans to add illustrations based on actual lots in the County.

Jim Graw asked if there are any other lot types that need to be included in the pamphlet.

Pete Frisina said he is considering including illustrations to explain the minimum lot width regulations. He added that some of the current amendments will address lot width and that can be depicted to better

illustrate the concept to the public.

The consensus among the Planning Commission was the illustrated pamphlet looked good and would help the public to understand the concepts.

The consensus among the Planning commission was to move to public hearings.

Pete Frisina said if the Planning Commission members had any other suggestions that they please send them to him so he could incorporate them in the amendments or the pamphlet. He added that the pamphlet would not be approved and adopted through the public hearing process as it was not an ordinance but a copy will be submitted to the BOC with the aforementioned amendments.

Jim Graw asked if the pamphlet will be referenced in the ordinance.

Pete Frisina said it would not be referenced in the ordinance but it would be used by staff to explain regulations to the public and it will also be available on the website.

THE FAYETTE COUNTY PLANNING COMMISSION met on September 6, 2018 at 7:00 P.M. in the Fayette County Administrative Complex, 140 Stonewall Avenue West, Fayetteville, Georgia.

6. Consideration of amendments to Chapter 110. Zoning Ordinance, Regarding Article I. – In General, Article III. – General Provisions. Article IV. – District Use Requirements and Article V. – Conditional Uses, Nonconformances, Transportation Corridor Overlay Zones and Commercial Development Standards.

Pete Frisina said these proposed amendments are a result of letter from Bill Beckwith, then Chairman of the Zoning Board of Appeals, asking the Board of Commissioners to consider amendments to the zoning ordinance due to the number of variance requests the ZBA was receiving concerning accessory structures, corner lots and front yards. He stated this was the case especially in A-R where individuals wanted to build accessory structures in a front yard as defined in the zoning ordinance or as lots were being platted in the southern part of the county accessory structures were discovered which had in some cases been there for many years. He added staff and Planning Commission presented amendments to the Board of Commissioners on March 22, 2018 and the BOC sent the amendments back to staff and the Planning Commission for more review. He stated that staff and Planning Commission have finished that review and moving ahead with amendments that basically involve two areas of the zoning ordinance and that is accessory structures and the A-R zoning district because there is cross over with structures that are only allowed in A-R so we are trying to separate these in the ordinance. He added that there are also a number of housekeeping amendment being proposed. He said the title of Sec. 110-79 is being changed from “Accessory structures and uses” to “Residential accessory structures and their uses” to differentiate them from the additional accessory structures such as barns and auxiliary structures allowed in A-R. He stated there are a lot of amendments where the term “accessory structure” is being changed to “residential accessory structure.”

Pete Frisina outlined the amendments per section of the zoning ordinance as follows:

Sec. 110-3. Definitions – new definitions for flag lot, principal structure front, primary front yard, and secondary front yard were added. The definitions for “yard” and “setback” are clarified as they were used interchangeably in the ordinance. Definitions for dog pen/run, corner lot, landlocked lot, lot width, front yard, rear yard, and side yard are amended for clarification. Portions of the lot width definition along with the graphic will be moved to Sec. 110-77.

Sec. 110-65. - Reduction of lot area. – is amended for clarification of terms “yard” and “setback.”

Sec. 110-71. - Yard not to be encroached upon. - is amended for clarification of terms “yard” and “setback.”

Sec. 110-72. - Permitted encroachments of yards and setbacks. - is amended for clarification of terms “yard” and “setback.”

Sec. 110-73. - Yard service, required open space to one building. - is being deleted as staff finds no purpose for the regulations.

Sec. 110-74. - Side and rear setbacks yards and buffers not required next to railroad.- is amended for clarification of terms “yard” and “setback.”

Sec. 110-77. - Lot width, minimum. - is amended for clarification along with the graphic under Definitions.

Sec. 110-79. – Accessory structures and uses. – is being changed to Sec. 110-79. – Residential accessory structures and their uses and the term “residential accessory structure” will be used throughout this section. References to accessory structures (farm outbuildings, horse stables, auxiliary structures, greenhouses and semi-trailer/box truck utilized as a farm outbuilding) only allowed only in A-R are being deleted from this section or clarified and will be addressed under the A-R zoning district requirements. In turn, residential accessory structures will be allowed in a front yard on an A-R lot with five or more acres because currently all aforementioned accessory structures allowed only in A-R are allowed in a front yard. The 900 square foot limit for a detached garage in a primary front yard is being deleted as this was the old limit for all residential accessory structures but all other requirements will remain. A residential accessory structure in a secondary front yard will have an addition 20 feet added to the setback when it is located on an internal local street (subdivision street) to better align it with adjacent single-family residences.

Sec. 110-86. - Raising and keeping of horses in residential districts. – amended to reference the term “Horse quarters” to Sec. 110-169. - Conditional use approval.

Sec. 110-106. Yards on a flag lot or a nonconforming landlocked lot. – This is a new section to address yard configuration and setbacks on a flag lot and land locked lot. The orientation of front and rear yards is related to the lot being adjacent to a street but flag lots and landlocked have little relationship to a street as they are usually behind lots that front a street. This has been an issue for years in zoning and few property owners understand the logic of a front yard when they are far removed from a county road and in some cases use a common private drive to access their property. Staff is proposing that all yards and setbacks on a flag lot or landlocked lot be considered side

yards with side setbacks and this is being proposed instead of the previous proposal of creating a procedure of a property owner going before the Planning Commission to determine the orientation of a flag lot or landlocked lot through the Subdivision Regulations.

Sec. 110-125. - A-R, Agricultural-Residential District.- these amendments are in conjunction with the aforementioned amendments to Sec. 110-79 to differentiate A-R accessory structures from residential accessory structures.

Sec. 110-128. - R-85, Single-Family Residential District through Sec. 110-149. - Planned unit development are housekeeping to change “accessory structure” to “residential accessory structure.”

Article V. - Conditional Uses, Nonconformances, Transportation Corridor Overlay Zone, and Commercial Development Standards is being amended to Conditional Uses, Nonconformances, and Transportation Corridor Overlay Zone as the commercial development standards were deleted when the area they applied to (SR hospital area) was annexed into Fayetteville.

Sec. 110-169. - Conditional use approval.

Farm outbuildings, including horse stables, auxiliary structures, and greenhouses. (x.) these amendments are in conjunction with the aforementioned amendments to Sec. 110-79 to differentiate A-R accessory structures from residential accessory structures. In addition, under an auxiliary structure there is a requirement for uses that have the potential of generating noise levels audible to the adjacent properties that acoustical treatment (soundproofing) shall be required to mitigate the volume of sound but there are no standards for soundproofing construction/materials so staff recommends deleting this requirement and relying on the Noise Ordinance to control any problems

Private school (mm.) – amendments to the zoning ordinance concerning buffers between the uses of a Cemetery, human or pet, Child care facility, Church and/or other place of worship, College and/or university, Hospital, Private school, or Recreation centers owned by nonprofit organizations as so registered with the Georgia Secretary of State Office were made in 2015. This section for private schools was omitted by mistake and is being amended for consistency.

Self-storage facility (ss.) – this section is being deleted as staff cannot find that this has ever been required and believes it is excessive.

Single-family residence (vv.) - these amendments are in conjunction with the aforementioned amendments to Sec. 110-79 to change “accessory structure” to “residential accessory structure.”

Chairman Haren asked if the pamphlet illustrating lot configurations and setbacks will be sent to the BOC.

Pete Frisina said the pamphlet will be sent to the BOC to give them an idea of what staff is proposing to educate the public on this subject.

Chairman Haren ask if there was anybody who would like to speak in support these amendments. Hearing none he asked if there was anybody who like to speak in opposition to these amendments. Hearing none he said he would bring it back to the board.

Jim Graw made a motion to recommend approval of the amendments to the Chapter 110. Zoning Ordinance, Regarding Article I. – In General, Article III. – General Provisions. Article IV. – District Use Requirements and Article V. – Conditional Uses, Nonconformances, Transportation Corridor Overlay Zones and Commercial Development Standards. John Culbreth seconded the motion. The motion passed 4-0. Al Gilbert was absent.

ZONING ORDINANCE AMENDMENTS - REDLINE

Sec. 110-3. Definitions

*Dog pen/run means, for the purposes of section 110-79, **residential** accessory structures and **their** uses, an outside open air enclosure, consisting of 400 square feet or less of space per animal, used for the purpose of containing animals.*

*Lot, corner, means a lot located at the intersection of two **or more** streets.*

Lot, flag, means a lot shaped like a flag on a pole with the pole portion of the lot fronting on a street and the flag portion being where the lot width is met.

Lot, landlocked, means a lot ~~of record~~ having no frontage on a street.

*Lot width, **minimum**, means the required width of a lot as specified by a zoning district. ~~minimum distance between side lot lines either measured in a straight line parallel to the street right-of-way or tangent and perpendicular to the mid-point of the right-of-way in the case of the turnaround portion of a cul-de-sac along the front minimum building line (see graphic).~~ (Move graphic to Sec.110-77)*

Principal structure front means the wall/plane of the principal structure in which the front door is located.

Setback means a required open space on a lot that is left unoccupied with structures and facilities, except as otherwise permitted herein. ~~the area as designated by this chapter in which a structure may not be erected, as measured from the property boundaries of the lot or from the buffer line if a buffer is required.~~

~~Yard means a required open space on a lot that is left unoccupied with structures and facilities, except as otherwise permitted herein.~~

*Yard, front, means the area between a property line adjacent to a **thoroughfare** street and the **front** building line, extending the full width of the lot.*

Yard, primary front, means on a corner lot, the area between a property line adjacent to a street and a line running parallel to the principal structure front, extending the full width of the lot.

Yard, rear, means the area between the rear property line and the rear ~~building line of the principal structure~~, extending the full width of the lot.

Yard, secondary front, means on a corner lot, the area parallel to the street between a property line adjacent to a street and the principal structure outside of the primary front yard.

Yard, side, means the area between the side property line and the side ~~building-line of the principal structure~~, extending from the front yard to the rear yard ~~or extending from a front yard to the side yard or front yard, in the case of a corner lot.~~

Sec. 110-65. - Reduction of lot area.

No lot shall be reduced in size so that the lot size, width, ~~or~~ depth, ~~size of yard setback, lot area per family~~, or any other requirement of this chapter is not maintained. This restriction shall not apply when a portion of a lot is acquired for a public purpose.

Sec. 110-71. - ~~Yard Setback~~ not to be encroached upon.

No ~~yard setback~~ shall be encroached upon or reduced in any manner except in conformity with the setback, off-street parking spaces, and such other regulations required for the zoning district in which such building is located. Landscaping, driveways, vehicle parking areas, multi-use path connections, walkways and associated steps, boat docks and bridges, retaining walls, walls and fences, curbs, and planted buffer strips shall not be construed to be encroachments.

Sec. 110-72. - Permitted encroachments of ~~yards and setbacks~~.

Architectural features connected to a structure such as cornices, eaves, steps, landings, ramps, gutters, and fire escapes may project not more than three feet beyond any required setback line, except where such projections would obstruct driveways. One flagpole per lot shall also be allowed to encroach into the front yard setback, provided it is not located within 15 feet of the right-of-way. Flagpoles which encroach the front yard setback shall be required to have a signed and sealed affidavit from an architect or engineer registered in the state with the actual location and setback of the flagpole and inspection approval of the footing to be submitted to the planning and zoning department prior to placement of the flagpole.

~~Sec. 110-73. - Yard service, required open space to one building.~~

~~No part of any yard, other open space, or off-street parking or loading space required, about or in connection with, any building, structure, or use shall be included as part of a required yard, open space, off-street parking, or loading space similarly required for any other building, structure, or use except as provided herein.~~

Sec. 110-74. - Side and rear ~~setbacks yards~~ and buffers not required next to railroad.

Within any nonresidential zoning district, side ~~setbacks yards~~, rear ~~setbacks yards~~, and buffers shall not be required adjacent to railroad rights-of-way.

Sec. 110-77. - Lot width, ~~minimum~~.

The lot width shall be met at the required setback ~~building-line~~ and shall be ~~met~~ maintained for a depth of 80 feet. On a lot where the lot width is not met at the required setback, the setback will then be where the lot width is met and said lot width shall be maintained for a depth of 80 feet. Lot width shall be determined as the distance between lot lines either measured in a straight line parallel to the adjoining street right-of-way or

tangent and perpendicular to the mid-point of the right-of-way in the case of the turnaround portion of a cul-de-sac along the front minimum building line (see graphic). The principal structure shall be constructed within this area ~~provided the required setbacks are met~~. Residential accessory structures and farm outbuildings, horse stables, auxiliary structures, and greenhouses allowed in the A-R zoning district do not have to comply with the lot width at the building line; however, they shall comply with ~~the required applicable~~ setbacks and location requirements.

Sec. 110-79. – Residential Accessory structures and their uses.

(a) The following residential accessory structures ~~and uses~~ are permitted in A-R, ~~and~~ all residential zoning districts ~~and properties regulated under Sec. 110-169.~~ - Conditional use approval - Single-family residence and residential accessory structures and/or uses.

~~These regulations shall not apply to farm outbuildings, including horse stables, auxiliary structures, and commercial greenhouses as are regulated as conditional uses under article Sec. 110-125. - A-R, Agricultural-Residential District and VII Sec. 110-169. - Conditional use approval of this chapter, and shall be allowed in the A-R zoning district only. One a semi-trailer/box truck may be utilized as a farm outbuilding as regulated under Sec. 110-125. - A-R, Agricultural-Residential District and horse quarters as regulated under Sec, 110-169. – Conditional use approval. provided the property is zoned A-R and the semi-trailer is being used to store agricultural items.~~ These regulations shall not apply to structures associated with ~~these~~ nonresidential uses allowed in A-R and residential zoning districts.

(b) Structure limitations. Construction of a residential accessory structure shall occur concurrently with or after the construction of the principal structure. Residential accessory structures shall not be used as dwelling units or for lodging purposes, except a guesthouse.

(c) *Number and size.* The number and size of residential accessory structures shall conform to the requirements described herein.

- (1) Residential accessory structures shall be limited to one of the following options:
 - a. Two residential accessory structures, per individual lot, that shall not exceed a combined total footprint of 1,800 square feet or a combined total footprint of 3,600 square feet on a lot with a minimum of five acres and a minimum contiguous area of two acres clear of zoning setbacks, watershed protection buffers and setbacks, jurisdictional wetlands, 100-year floodplain area, and easements of any kind. One of these residential accessory structures may include up to 700 square feet of heated and finished floor area to be utilized as a guesthouse. A residential accessory structure combined with a

guesthouse, under this option, shall be deemed as one **residential** accessory structure;

- b. One **residential** accessory structure, per individual lot, footprint not to exceed 1,800 square feet. This **residential** accessory structure may include up to 700 square feet of heated and finished floor area to be utilized as a guesthouse. A **residential** accessory structure combined with a guesthouse, under this option, shall be deemed as one **residential** accessory structure; or
- c. One **residential** accessory structure, per individual lot with a minimum of five acres and a minimum contiguous area of two acres clear of zoning setbacks, watershed protection buffers and setbacks, jurisdictional wetlands, 100-year floodplain area, and easements of any kind, footprint not to exceed 3,600 square feet. This **residential** accessory structure may include up to 700 square feet of heated and finished floor area to be utilized as a guesthouse. A **residential** accessory structure combined with a guesthouse, under this option, shall be deemed as one **residential** accessory structure. Under this option, a **residential** accessory structure shall be located only to the rear of the principal structure.

(2) At least 50 percent of the square footage of a **residential** accessory structure building shall be fully enclosed, except as otherwise provided herein. Said enclosed area shall be surrounded by connecting adjacent walls constructed of solid materials attached to the foundation and roof.

(3) A well/pump house, dog house, or playhouse consisting of 70 square feet or less; dog pen/run; swimming pool, hot tub, or recreational court; aircraft hangar, farm outbuilding, greenhouse, horse stable, auxiliary structure **or one semi-trailer/box truck** (as regulated **in A-R under article V of this chapter Sec. 110-125. - A-R, Agricultural-Residential District and VII Sec. 110-169. - Conditional use approval**); ground/pole-mounted solar panel consisting of less than 200 square feet or ground-mounted wind turbine/windmill; uncovered outdoor kitchen, fireplace; patio; underground storm shelter; **horse quarters (as regulated under Sec. 110-169 - Conditional use approval)**; or beehive shall not be included in determining the number of **residential** accessory structures provided herein.

(d) Location on lot. **Residential** accessory structures shall conform to the dimensional requirements within each zoning district. **A well/pump house of 70 square feet or less may be located within the setbacks. No structure shall be located in the front yard except: a detached garage (see subsections (d)(1) and (2) of this section for requirements); well/pump house consisting of 70 square feet or less; or farm outbuildings, including horse stables, auxiliary structures, and greenhouses located in an A-R zoning district, where the lot consists of five acres or more. A well/pump house of 70 square feet or less may be located within the setbacks.**

(e) *Residential accessory structures located in a front yard.* On a single frontage lot, the area between the street and the front building line shall be treated as a front yard with regard to the location of **residential** accessory structures. On a corner lot, the area between ~~both of~~ the streets and ~~both of~~ the front building lines shall be treated as a primary front yard ~~and or a~~ secondary front yard(s) with regard to the location of **residential** accessory structures. On a through lot, **only** the area between the street from which the lot is accessed and the front building line shall be treated as a front yard with regard to the location of **residential** accessory structures.

No residential accessory structure shall be located in a front yard except: a well/pump house consisting of 70 square feet or less; a detached garage on a single frontage lot, a through lot or in the primary front yard of a corner lot (see subsection (1) of this section for requirements); a residential accessory structure in a secondary front yard of a corner lot (see subsection (2) of this section for requirements); or a residential accessory structure on a lot in the A-R zoning district which consists of five or more acres.

(1) *Detached garage located in the front yard of a single frontage lot, ~~and a through lot, or a primary front yard on a corner lot.~~* ~~A detached~~ Said detached garage ~~located in the front yard~~ shall meet the following requirements:

- a. ~~Footprint shall not exceed 900 square feet.~~
- b. ~~The detached garage shall not be located~~~~no~~ more than 35 feet from the principal structure;
- c. The design of the detached garage shall match with the general residential architectural style inherent in the existing principal structure, including, but not limited to: roof pitch, roof facade, facade, residential windows, and residential doors. Elevation drawings denoting compliance with these requirements shall be submitted as part of the building permit application.
- d. The detached garage shall have at least one opening for vehicular access.
- e. The detached garage shall be connected to the principal structure by at least one of the following and elevation drawings denoting compliance with the following requirements shall be submitted as part of the building permit application:
 1. *An attached or detached breezeway.* Said breezeway shall be a minimum of six feet in width and a minimum of eight feet in height (interior measurement). A detached breezeway shall be constructed within six inches of the principal structure and the detached garage;
 2. *An attached raised deck.* Said attached raised deck shall be a minimum height of 15 inches. The deck shall have a minimum width of six feet. Said deck shall have guard rails measuring a minimum of three feet in height; or

3. *An attached or detached pergola.* Said pergola shall consist of parallel colonnades supporting an open roof of beams and crossing rafters, shall be a minimum of six feet in width and a minimum of eight feet in height (interior measurement). A detached pergola shall be constructed within six inches of the principal structure and the detached garage.
- (2) ~~Detached garage located in the front yard of a corner lot.~~ *Residential accessory structure located in the secondary front yard of a corner lot.* When a residential accessory structure is located in a secondary front yard adjacent to a street that is designated as an Internal Local the required setback shall be increased by 20 feet.
- a. ~~Primary front yard. The location of the front door of the principal structure shall establish the primary front yard. If the front door is not oriented to a street, the driveway access shall be utilized to establish the primary front yard. The primary front yard is the area between the street and the front building line in which an accessory structure is prohibited, except in the case of a detached garage which shall comply with the requirements of a single frontage lot; and~~
 - b. ~~Secondary front yard. Consequently, the other frontage shall be the secondary front yard. The secondary front yard is the area between the street and the front building line in which an accessory structure is prohibited, except in the case of a detached garage which shall comply with the following requirements:~~
 1. ~~Shall not exceed 900 square feet of floor area;~~
 2. ~~Located no more than 35 feet from the principal structure; and~~
- ~~(3) Architectural standards for a detached garage located in all front yards. The garage shall maintain a residential character. Elevation drawings denoting compliance with the following requirements shall be submitted as part of the building permit application:~~
- a. ~~The design of the garage shall match with the general architectural style inherent in the existing principal structure, including, but not limited to: roof pitch, roof facade, facade, residential windows, and residential doors.~~
 - b. ~~The garage shall have at least one opening for vehicular access.~~
 - c. ~~A separate electrical meter is not permitted, unless otherwise required per the building permits and inspections department.~~
 - d. ~~The garage shall be connected to the principal structure by at least one of the following:~~
 1. ~~An attached or detached breezeway. Said breezeway shall be a minimum of six feet in width and a minimum of eight feet in height (interior measurement). A detached breezeway shall be constructed within six inches of the principal structure and the garage;~~
 2. ~~An attached raised deck. Said attached raised deck shall be a minimum height of 15 inches. The deck shall have a minimum width of six feet.~~

~~Said deck shall have guard rails measuring a minimum of three feet in height; or~~

~~3. An attached or detached pergola. Said pergola shall consist of parallel colonnades supporting an open roof of beams and crossing rafters, shall be a minimum of six feet in width and a minimum of eight feet in height (interior measurement). A detached pergola shall be constructed within six inches of the principal structure and the garage.~~

- (f) *Guesthouses.* Only one guesthouse is allowed per individual lot. Any living area included in a **residential** accessory structure is a guesthouse. A guesthouse shall not be used as tenant space. A guesthouse shall not exceed 700 square feet of heated and finished floor area.
- (g) *Architectural standards.* All **residential** accessory structures of 200 square feet or greater, except a detached garage located in the front yard, shall be constructed in a residential character consisting of a facade of fiber-cement siding, wood siding, wood textured vinyl siding, brick/brick veneer, rock, stone, cast-stone, stucco, or synthetic stucco, or finished/baked enamel aluminum/metal siding which establishes a horizontal pattern. These standards shall not apply to an addition to an existing **residential** accessory structure that is nonconforming in terms of these standards. Any addition to an existing nonconforming **residential** accessory structure shall match the architectural design of the existing nonconforming **residential** accessory structure. Elevation drawing denoting compliance shall be submitted as part of the building permit application.
- (h) *Temporary accessory storage.* Portable on-demand storage units are only allowed on a temporary basis and only in conjunction with an ongoing renovation project for the purpose of storage of household items for a period not to exceed one year. Portable on-demand storage units are defined as any container, storage unit, or other portable structure, other than a **residential** accessory ~~structure building or shed~~ complying with ~~this Section all building codes~~, used to store household items. Only two portable on-demand storage units are allowed per lot.
- (j) *Cabana/pool house, boat house, covered patio, and covered deck.* The cabana, covered patio, and covered deck may contain an outdoor kitchen, fireplace, spa/hot tub, bathroom/changing room, and/or pool pump/filter but shall not be utilized as a carport, garage, storage building, open storage, or living area. Said structures shall, at a minimum, consist of a roof with supporting posts/columns, not to exceed one story, and comply with the architectural standards for a **residential** accessory structure of 200 square feet or greater.
- (n) *Nonconformance.* All **residential** accessory structures or uses which had a building permit issued prior to January 24, 2008, are legally nonconforming and shall be allowed to be maintained and rebuilt to current size and in the existing location. All **residential** accessory structures or uses permitted after January 24, 2008, shall comply with the current requirements.

Sec. 110-86. - Raising and keeping of horses in residential districts.

The raising and keeping of no more than one horse on a lot consisting of a minimum of three acres and one additional horse for each additional acre shall be allowed on any lot for which single-family residential is a permitted use (EST, R-85, R-80, R-78, R-75, R-72, R-70, R-55, R-50, R-45, R-40, R-20, PUD-PRD, and C-S). An accessory structure related to the shelter of horses shall be allowed **as a conditional use per Sec. 110-169. - Conditional use approval, Horse quarters.** ~~as long as, such accessory structure complies with this article.~~ The boarding of horses and commercial riding lessons shall be prohibited.

Sec. 110-106. Yards on a flag lot or a nonconforming landlocked lot.

~~Due to the various development patterns of flag lots in the past and their irregular shapes, and that nonconforming land locked lots have no road frontage, flag lots and nonconforming land locked lots shall not have a designated front, side or rear yard. All setbacks will be the distance of the side setback per the zoning district of the property or the required front setback per the zoning district of the property as measured from the closest right-of-way and whichever is greater shall apply. Minor Subdivision Plats and Final Plats containing flag lots which were recorded prior to the effective date of this section shall be required to be revised for this section to apply.~~

Sec. 110-125. - 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) **Residential** accessory structures and uses (see article III of this chapter);
- (3) Growing of crops and the on-premises sale of produce and agricultural products, provided 50 percent of the produce/products sold shall be grown on-premises;
- (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; **and**
- (6) **One semi-trailer/box truck utilized as a farm outbuilding provided the property is a minimum of five (5) acres and the semi-trailer/box truck is only used to store agricultural items.**

(e) *Special regulations.* Prior to the issuance of development and/or building permits, a site plan, **as applicable**, shall be submitted to the zoning

administrator and approved by the appropriate county officials. This requirement shall apply to all permitted uses and conditional uses allowed in the A-R zoning district except single-family dwellings; residential accessory ~~buildings structures and uses~~; growing crops and the on-premises sale of produce at agricultural stands of 100 square feet or less of floor area; growing and seasonal sale of Christmas trees; plant nursery, landscape tree farm, or greenhouse operations existing prior to the effective date of June 26, 2003; and the raising and/or selling of livestock.

Sec. 110-128. - R-85, Single-Family Residential District.

(b) (2) Residential accessory structures and uses (see article III of this chapter); and

Sec. 110-129. - R-80, Single-Family Residential District.

(b) (2) Residential accessory structures and uses (see article III of this chapter); and

Sec. 110-130. - R-78, Single-Family Residential District.

(b) (2) Residential accessory structures and uses (see article III of this chapter); and

Sec. 110-131. - R-75, Single-Family Residential District.

(b) (2) Residential accessory structures and uses (see article III of this chapter); and

Sec. 110-132. - R-72, Single-Family Residential District.

(b) (2) Residential accessory structures and uses (see article III of this chapter); and

Sec. 110-133. - R-70, Single-Family Residential District.

(b) (2) Residential accessory structures and uses (see article III of this chapter); and

Sec. 110-134. - R-55, Single-Family Residential District.

(b) (2) Residential accessory structures and uses (see article III of this chapter); and

Sec. 110-135. - R-50, Single-Family Residential District.

(b) (2) Residential accessory structures and uses (see article III of this chapter); and

Sec. 110-136. - R-45, Single-Family Residential District.

(b) (2) Residential accessory structures and uses (see article III of this chapter); and

Sec. 110-137. - R-40, Single-Family Residential District.

(b) (2) **Residential** accessory structures and uses (see article III of this chapter); and

Sec. 110-138. - R-20, Single-Family Residential District.

(b) (2) **Residential** accessory structures and uses (see article III of this chapter); and

Sec. 110-139. - DR-15, One- and Two-Family Residential District. R-45, Single-Family Residential District.

(b) (2) **Residential** accessory structures and uses (see article III of this chapter); and

Sec. 110-141. - MHP, Manufactured Home Park District.

(b) (2) **Residential** accessory structures and uses (see article III of this chapter); and

Sec. 110-142. - O-I, Office-Institutional District.

(d) (13) Single-family residence and **residential** accessory structures and/or uses (see article III of this chapter).

Sec. 110-143. - C-C, Community Commercial District.

(c) (18) Single-family residence and **residential** accessory structures and/or uses (see article III of this chapter); and

Sec. 110-144. - C-H, Highway Commercial District.

(c) (27) Single-family residence and **residential** accessory structures and/or uses (see article III of this chapter); and

Sec. 110-145. - L-C-1, Limited-Commercial (1) District.

(c) (1) Single-family residence and **residential** accessory structures and/or uses (see article III of this chapter); and

Sec. 110-145.5. - L-C-2, limited-commercial (2) district.

(c) (2) Single-family residence and **residential** accessory structures and/or uses (see article III of this chapter); and

Sec. 110-146. - M-1, Light Industrial District.

(c) (12) Single-family residence and **residential** accessory structures and/or uses (see article III of this chapter); and

Sec. 110-147. - M-2, Manufacturing and Heavy Industrial District.

(c) (8) Single-family residence and **residential** accessory structures and/or uses (see article III of this chapter); and

Sec. 110-148. - BTP, Business Technology Park District.

(c) (1) Single-family residence and **residential** accessory structures and/or uses (see article III of this chapter); and

Sec. 110-149. - Planned unit development.

(d) (2) Permitted residential uses. Planned residential developments may contain single-family dwellings, two-family dwellings, townhouses, or a combination thereof. Residential accessory ~~structures~~ **buildings** and uses shall also be allowed per article III of this chapter.

(g) (2) a. Single-family dwelling and **residential** accessory uses and structures associated with the single-family dwelling exclusively as per article III of this chapter;

Sec. 110-150. - G-B, General-Business District.

(c) (1) Single-family residence and **residential** accessory structures and/or uses (see article III of this chapter); and

**ARTICLE V. - CONDITIONAL USES, NONCONFORMANCES, ~~AND~~
TRANSPORTATION CORRIDOR OVERLAY ZONE, ~~AND~~ ~~COMMERCIAL~~
DEVELOPMENT STANDARDS**

Sec. 110-169. - Conditional use approval.

x. Farm outbuildings, including horse stables, auxiliary structures, and greenhouses. Allowed in the A-R zoning district. **These aforementioned buildings/structures shall be exempt from Sec. 110-79. - Accessory structures and their uses.**

1. Farm outbuilding. All structures permitted in this category shall be structures related to a bona fide farming operation and shall be utilized as a barn for livestock, storing farm equipment, and any other agricultural purposes. ~~Farm outbuildings shall be exempt from architectural standards (see article III of this chapter)~~
2. Greenhouses. All structures permitted in this category shall be structures related to a bona fide cultivation or production of landscape planting

materials. ~~Greenhouses shall be exempt from architectural standards (see article III of this chapter).~~

3. Horse stables. All structures permitted in this category shall be related to the bona fide shelter and/or boarding of horses. Riding lessons and boarding only shall be permitted; however, a site plan shall be required for these uses. ~~Horse stables are exempt from architectural standards (see article III of this chapter).~~
4. Auxiliary structures. All structures permitted in this category shall comply with the following:
 - (i) Auxiliary structures shall be utilized for personal use only by the residents of the principal structure.
 - (ii) Auxiliary structures may be utilized as a noncommercial indoor training facility and/or artist studio.
 - ~~(iii) For those uses that have the potential of generating noise levels audible to the adjacent properties acoustical treatment (soundproofing) shall be required to mitigate the volume of sound.~~
 - (iv) Commercial/retail activity shall not be permitted.
 - (v) An auxiliary structure shall not be utilized in conjunction with a home occupation.
 - ~~(vi) Auxiliary structures are exempt from architectural standards (see article III of this chapter).~~
6. Lot size five to ten acres, one detached farm outbuilding, auxiliary structure, greenhouse, or horse stable consisting of a maximum of 3,600 square feet in size. ~~Farm outbuildings, auxiliary structures, horse stables and greenhouses may have plumbing and electricity, but shall not be used for residential purposes. Farm outbuildings, auxiliary structures, horse stables and greenhouses shall not be located within 100 feet of the principal residential structure or connected to any structures on site. Farm outbuildings, horse stables, and/or greenhouses may be constructed prior to the principal residential structure.~~
7. ~~Farm outbuildings, auxiliary structures, horse stables and greenhouses may have plumbing and electricity, but shall not be used for residential purposes. Farm outbuildings, horse stables, and/or greenhouses may be constructed prior to the principal residential structure.~~

mm. Private school, including, but not limited to: classrooms, administration, playground, housing, athletic facility, gymnasium, and/or stadium. Allowed in A-R, R-85, R-80, R-78, R-75, R-72, R-70, R-55, R-50, R-45, R-40, R-20, DR-15, O-I, C-C, G-B, and C-H zoning districts.

3. If the side or rear yard abuts a residential or A-R zoning district, a minimum 50-foot buffer shall be provided adjacent to the lot line. The side yard setback shall be 50 feet. The rear yard setback shall be 75 feet. The setback shall be measured from the buffer. Said requirements shall apply to all structures, outdoor playground areas, and/or athletic facilities. ~~A buffer shall not be required along the common boundary where the side or rear yard abuts property developed for the following Conditional uses in a residential or A-R zoning district as regulated in Sec. 110-169: Cemetery, human or pet, Child care facility, Church and/or other place of worship, College and/or university, Hospital, Private school, or Recreation centers owned by nonprofit organizations as so registered with the Georgia Secretary of State Office.~~

ss. *Self-storage facility.* Allowed in M-1 and C-H zoning districts.

~~5. The accessory use of truck rental parking may be allowed within the front yard provided the landscaping along the front property line includes a two-foot berm with double the minimum planting requirements.~~

vv. Single-family residence and ~~residential~~ accessory structures and/or uses. ~~See article III of this chapter.~~ Allowed in the C-C, C-H, L-C-1, ~~L-C-2~~, M-1, M-2, O-I, G-B, and BTP zoning districts.

1. Said residence shall be a single-family detached residence.

2. Said residence shall not be less than 1,200 square feet, and said residence shall not be allowed in subdivision developments as defined in chapter 104, article XV.

3. ~~All residential accessory structures shall comply with Sec. 110-179. - Residential accessory structures and their uses.~~

ZONING ORDINANCE AMENDMENTS – CLEAN VERSION

Sec. 110-3. Definitions

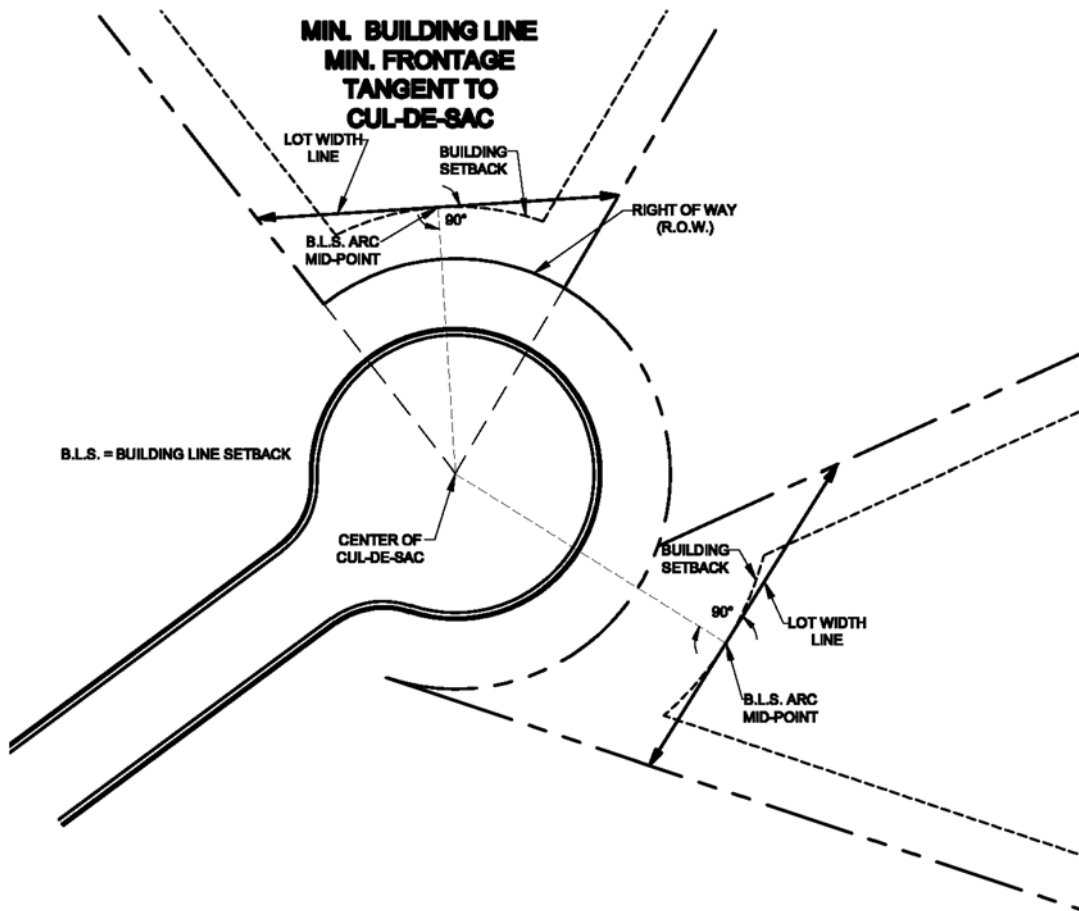
Dog pen/run means, for the purposes of section 110-79, residential accessory structures and their uses, an outside open air enclosure, consisting of 400 square feet or less of space per animal, used for the purpose of containing animals.

Lot, corner, means a lot located at the intersection of two or more streets.

Lot, flag, means a lot shaped like a flag on a pole with the pole portion of the lot fronting on a street and the flag portion being where the lot width is met.

Lot, landlocked, means a lot having no frontage on a street.

Lot width, means the required width of a lot as specified by a zoning district. (NOTE: Move graphic to Sec. 110-77)



Principal structure front means the wall/plane of the principal structure in which the front door is located.

Setback means a required open space on a lot that is left unoccupied with structures and facilities, except as otherwise permitted herein.

Yard, front, means the area between a property line adjacent to a street and the front building line, extending the full width of the lot.

Yard, primary front, means on a corner lot, the area between a property line adjacent to a street and a line running parallel to the principal structure front, extending the full width of the lot.

Yard, rear, means the area between the rear property line and the rear of the principal structure, extending the full width of the lot.

Yard, secondary front, means on a corner lot, the area parallel to the street between a property line adjacent to a street and the principal structure outside of the primary front yard.

Yard, side, means the area between the side property line and the side of the principal structure, extending from the front yard to the rear yard or extending from a front yard to the side yard or front yard, in the case of a corner lot.

Sec. 110-65. - Reduction of lot area.

No lot shall be reduced in size so that the lot size, width, depth, setback, or any other requirement of this chapter is not maintained. This restriction shall not apply when a portion of a lot is acquired for a public purpose.

Sec. 110-71. - Setback not to be encroached upon.

No setback shall be encroached upon or reduced in any manner except in conformity with the setback, off-street parking spaces, and such other regulations required for the zoning district in which such building is located. Landscaping, driveways, vehicle parking areas, multi-use path connections, walkways and associated steps, boat docks and bridges, retaining walls, walls and fences, curbs, and planted buffer strips shall not be construed to be encroachments.

Sec. 110-72. - Permitted encroachments of setbacks.

Architectural features connected to a structure such as cornices, eaves, steps, landings, ramps, gutters, and fire escapes may project not more than three feet beyond any required setback line, except where such projections would obstruct driveways. One flagpole per lot shall also be allowed to encroach into the front yard setback, provided it is not located within 15 feet of the right-of-way. Flagpoles which encroach the front yard setback shall be required to have a signed and sealed affidavit from an architect or engineer registered in the state with the actual location and setback of the flagpole and inspection approval of the footing to be submitted to the planning and zoning department prior to placement of the flagpole.

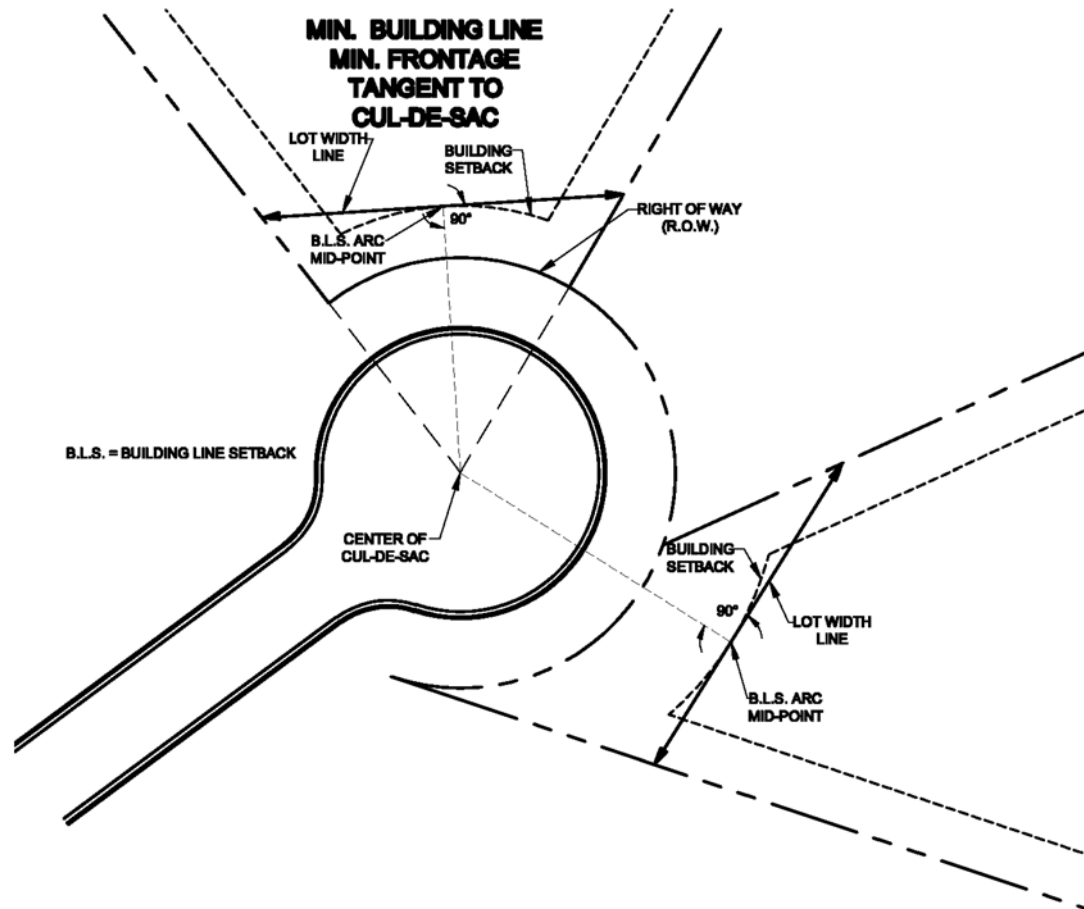
Sec. 110-74. - Side and rear setbacks and buffers not required next to railroad.

Within any nonresidential zoning district, side setbacks, rear setbacks, and buffers shall not be required adjacent to railroad rights-of-way.

Sec. 110-77. - Lot width.

The lot width shall be met at the required setback and shall be maintained for a depth of 80 feet. On a lot where the lot width is not met at the required setback, the setback will then be where the lot width is met and said lot width shall be maintained for a depth of 80 feet. Lot width shall be determined as the

distance between lot lines either measured in a straight line parallel to the adjoining street right-of-way or tangent and perpendicular to the mid-point of the right-of-way in the case of the turnaround portion of a cul-de-sac along the front minimum building line (see graphic). The principal structure shall be constructed within this area. Residential accessory structures do not have to comply with the lot width at the building line; however, they shall comply with the applicable setbacks and location requirements. (NOTE: Graphic moved from definition of lot width in Sec. 110-3)



Sec. 110-79. – Residential accessory structures and their uses.

- (a) The following residential accessory structures are permitted in A-R, all residential zoning districts and properties regulated under Sec. 110-169. - Conditional use approval - Single-family residence and residential accessory structures.
- (1) Well/pump house;
 - (2) Guesthouse;
 - (3) Greenhouse, permanent or temporary (see (n) temporary greenhouse);
 - (4) Swimming pool, hot tub, pool deck, pool equipment enclosure, and pool screen enclosure;
 - (5) Garage;
 - (6) Recreational court;
 - (7) Gazebo;
 - (8) Cabana/pool house, boat house, covered patio, and covered deck;

- (9) Storage building;
- (10) Carport;
- (11) Solar panel (ground-mounted);
- (12) Wind turbine/windmill (ground-mounted);
- (13) Aircraft hangar, detached (see article V of this chapter);
- (14) Dog house and dog pen/run;
- (15) Playhouse;
- (16) Outdoor kitchen and/or fireplace;
- (17) Patio; and
- (18) Underground storm shelter.

These regulations shall not apply to farm outbuildings, including horse stables, auxiliary structures, and commercial greenhouses as regulated under Sec. 110-125. - A-R, Agricultural-Residential District and Sec. 110-169. - Conditional use approval of this chapter, a semi-trailer/box truck utilized as a farm outbuilding as regulated under Sec. 110-125. - A-R, Agricultural-Residential District and horse quarters as regulated under Sec. 110-169- Conditional use approval. These regulations shall not apply to structures associated with nonresidential uses allowed in A-R and residential zoning districts.

- (b) *Structure limitations.* Construction of a residential accessory structure shall occur concurrently with or after the construction of the principal structure. Residential accessory structures shall not be used as dwelling units or for lodging purposes, except a guesthouse.
- (c) *Number and size.* The number and size of residential accessory structures shall conform to the requirements described herein.
 - (1) Residential accessory structures shall be limited to one of the following options:
 - a. Two residential accessory structures, per individual lot, that shall not exceed a combined total footprint of 1,800 square feet or a combined total footprint of 3,600 square feet on a lot with a minimum of five acres and a minimum contiguous area of two acres clear of zoning setbacks, watershed protection buffers and setbacks, jurisdictional wetlands, 100-year floodplain area, and easements of any kind. One of these residential accessory structures may include up to 700 square feet of heated and finished floor area to be utilized as a guesthouse. A residential accessory structure combined with a guesthouse, under this option, shall be deemed as one residential accessory structure;
 - b. One residential accessory structure, per individual lot, footprint not to exceed 1,800 square feet. This residential accessory structure may include up to 700 square feet of heated and finished floor area to be utilized as a guesthouse. A residential accessory structure combined with a guesthouse, under this option, shall be deemed as one residential accessory structure; or
 - c. One residential accessory structure, per individual lot with a minimum of five acres and a minimum contiguous area of two acres clear of zoning setbacks, watershed protection buffers and setbacks, jurisdictional wetlands, 100-year floodplain area, and easements of any kind, footprint not to exceed 3,600 square feet. This residential accessory structure may include up to 700 square feet of heated and finished floor area to be utilized as a guesthouse. A residential accessory structure combined with a guesthouse, under this option, shall be deemed as one residential accessory structure. Under this option, a residential accessory structure shall be located only to the rear of the principal structure.
 - (2) At least 50 percent of the square footage of a residential accessory structure building shall be fully enclosed, except as otherwise provided herein. Said enclosed area shall be surrounded by connecting adjacent walls constructed of solid materials attached to the foundation and roof.

- (3) A well/pump house, dog house, or playhouse consisting of 70 square feet or less; dog pen/run; swimming pool, hot tub, or recreational court; aircraft hangar, farm outbuilding, greenhouse, horse stable, auxiliary structure or one semi-trailer/box truck (as regulated under Sec. 110-125. - A-R, Agricultural-Residential District and VII Sec. 110-169. - Conditional use approval); ground/pole-mounted solar panel consisting of less than 200 square feet or ground-mounted wind turbine/windmill; uncovered outdoor kitchen, fireplace; patio; underground storm shelter; horse quarters (as regulated under Sec. 110-169 - Conditional use approval); or beehive shall not be included in determining the number of residential accessory structures provided herein.
- (d) *Location on lot.* Residential accessory structures shall conform to the dimensional requirements within each zoning district. A well/pump house of 70 square feet or less may be located within the setbacks.
- (e) *Residential accessory structures located in a front yard.* On a single frontage lot, the area between the street and the front building line shall be treated as a front yard with regard to the location of residential accessory structures. On a corner lot, the area between the streets and the front building lines shall be treated as a primary front yard or secondary front yard(s) with regard to the location of residential accessory structures. On a through lot, only the area between the street from which the lot is accessed and the front building line shall be treated as a front yard with regard to the location of residential accessory structures.

No residential accessory structure shall be located in a front yard except: a well/pump house consisting of 70 square feet or less; a detached garage on a single frontage lot, a through lot or in the primary front yard of a corner lot (see subsection (1) of this section for requirements); a residential accessory structure in a secondary front yard of a corner lot (see subsection (2) of this section for requirements); or a residential accessory structure on a lot in the A-R zoning district which consists of five or more acres.

- (1) *Detached garage located in the front yard of a single frontage lot, a through lot, or a primary front yard on a corner lot.* Said detached garage shall meet the following requirements:
- a. The detached garage shall not be located more than 35 feet from the principal structure;
 - b. The design of the detached garage shall match with the general residential architectural style inherent in the existing principal structure, including, but not limited to: roof pitch, roof facade, facade, residential windows, and residential doors. Elevation drawings denoting compliance with these requirements shall be submitted as part of the building permit application.
 - c. The detached garage shall have at least one opening for vehicular access.
 - d. The detached garage shall be connected to the principal structure by at least one of the following and elevation drawings denoting compliance with the following requirements shall be submitted as part of the building permit application:
 1. *An attached or detached breezeway.* Said breezeway shall be a minimum of six feet in width and a minimum of eight feet in height (interior measurement). A detached breezeway shall be constructed within six inches of the principal structure and the detached garage;
 2. *An attached raised deck.* Said attached raised deck shall be a minimum height of 15 inches. The deck shall have a minimum width of six feet. Said deck shall have guard rails measuring a minimum of three feet in height; or

3. *An attached or detached pergola.* Said pergola shall consist of parallel colonnades supporting an open roof of beams and crossing rafters, shall be a minimum of six feet in width and a minimum of eight feet in height (interior measurement). A detached pergola shall be constructed within six inches of the principal structure and the detached garage.
- (2) *Residential accessory structure located in the secondary front yard of a corner lot.* When a residential accessory structure is located in a secondary front yard adjacent to a street that is designated as an Internal Local the required setback shall be increased by 20 feet
- (f) *Guesthouses.* Only one guesthouse is allowed per individual lot. Any living area included in a residential accessory structure is a guesthouse. A guesthouse shall not be used as tenant space. A guesthouse shall not exceed 700 square feet of heated and finished floor area.
 - (g) *Architectural standards.* All residential accessory structures of 200 square feet or greater, except a detached garage located in the front yard, shall be constructed in a residential character consisting of a facade of fiber-cement siding, wood siding, wood textured vinyl siding, brick/brick veneer, rock, stone, cast-stone, stucco, or synthetic stucco, or finished/baked enamel aluminum/metal siding which establishes a horizontal pattern. These standards shall not apply to an addition to an existing residential accessory structure that is nonconforming in terms of these standards. Any addition to an existing nonconforming residential accessory structure shall match the architectural design of the existing nonconforming residential accessory structure. Elevation drawing denoting compliance shall be submitted as part of the building permit application.
 - (h) *Temporary accessory storage.* Portable on-demand storage units are only allowed on a temporary basis and only in conjunction with an ongoing renovation project for the purpose of storage of household items for a period not to exceed one year. Portable on-demand storage units are defined as any container, storage unit, or other portable structure, other than a residential accessory structure complying with this Section used to store household items. Only two portable on-demand storage units are allowed per lot.
 - (i) *Carport.* The carport shall be used to house motor vehicles and trailers only. Carports shall be constructed of the same material or types of material as the principal structure on the property, or of metal.
 - (j) *Cabana/pool house, boat house, covered patio, and covered deck.* The cabana, covered patio, and covered deck may contain an outdoor kitchen, fireplace, spa/hot tub, bathroom/changing room, and/or pool pump/filter but shall not be utilized as a carport, garage, storage building, open storage, or living area. Said structures shall, at a minimum, consist of a roof with supporting posts/columns, not to exceed one story, and comply with the architectural standards for a residential accessory structure of 200 square feet or greater.
 - (k) *Swimming pool, pool deck, pool equipment enclosure, and pool screened enclosure.* The pool deck, pool equipment enclosure, and pool screened enclosure shall comply with the required setbacks. A pool screen enclosure shall be constructed with insect screening commonly made of plastic, aluminum, or similar lightweight material and shall be exempt from the architectural requirements herein.
 - (l) *Solar panels (ground-mounted).* Ground-mounted solar panels shall be limited to three per lot, the total cumulative square footage of ground-mounted solar panels shall not exceed 900 square feet, shall not exceed ten feet in height, shall comply with the required setbacks, and shall comply with the location of a residential accessory structure/use. Ground-mounted solar panels consisting of less than 200 cumulative square feet shall not count toward the number of residential accessory structures/uses. Ground-mounted solar panels consisting of 200 cumulative square feet up to a maximum of 900 cumulative square feet shall be counted as one residential accessory structure/use.
 - (m) *Wind turbines/windmill (ground-mounted).* Wind turbines/windmills shall not exceed 70 feet in height. The setbacks shall be equal to the height of the wind turbine, including the blades, or the applicable zoning district setbacks, whichever are greater. Each lot is limited to one ground-mounted wind turbine/windmill. The ground-mounted wind turbine/windmill shall not count toward the number

of residential accessory structures/uses. All anchors for guyed towers shall meet the setbacks for the applicable zoning districts.

- (n) *Nonconformance.* All residential accessory structures or uses which had a building permit issued prior to January 24, 2008, are legally nonconforming and shall be allowed to be maintained and rebuilt to current size and in the existing location. All residential accessory structures or uses permitted after January 24, 2008, shall comply with the current requirements.
- (o) *Temporary greenhouse.* Temporary greenhouses shall not exceed ten feet in height. Each lot is limited to one temporary greenhouse. The side yard setback shall be a minimum of 30 feet or the minimum side yard setback of the applicable zoning district, whichever is greater, and the rear yard setback shall be a minimum of 50 feet or the minimum rear yard setback of the applicable zoning district, whichever is greater. The maximum square footage for temporary greenhouses shall be as follows:

Acreage	Square Feet
< 2	600
2 to < 3	800
3 to < 4	1,000
4 to < 5	1,200
5 or greater	2,400

Temporary greenhouses shall be maintained in good condition and the covering shall not be torn and tattered. Temporary greenhouses shall only be used for the purpose of growing or storing plants. Temporary greenhouses shall be exempt from subsections (c)(2) and subsection (f) of this section. One temporary greenhouse of 120 or less square feet on a lot shall not count toward the total square footage or number of residential accessory structures for that lot. Greenhouses built in the A-R zoning district as regulated under article V of this chapter shall be exempt from these requirements.

A temporary greenhouse permit will be required for all temporary greenhouses prior to construction. Scaled drawings shall be submitted to the planning and zoning department which shall include, but not be limited to: temporary greenhouse elevations including height and total square footage and location on the lot including the distance from the property lines.

Sec. 110-86. - Raising and keeping of horses in residential districts.

The raising and keeping of no more than one horse on a lot consisting of a minimum of three acres and one additional horse for each additional acre shall be allowed on any lot for which single-family residential is a permitted use (EST, R-85, R-80, R-78, R-75, R-72, R-70, R-55, R-50, R-45, R-40, R-20, PUD-PRD, and C-S). An accessory structure related to the shelter of horses shall be allowed as a conditional use per Sec. 110-169. - Conditional use approval, Horse quarters. The boarding of horses and commercial riding lessons shall be prohibited.

Sec. 110-106. Front, side and rear yards on a flag lot or a nonconforming landlocked lot.

Due to the various development patterns of flag lots in the past and their irregular shapes, and that nonconforming land locked lots have no road frontage, flag lots and nonconforming land locked lots shall not have a designated front, side or rear yard. All setbacks will be the distance of the side setback per the zoning district of the property or the required front setback per the zoning district of the property as measured from the closest right-of-way and whichever is greater shall apply. Minor Subdivision Plats and Final Plats containing flag lots which were recorded prior to the effective date of this section shall be required to be revised for this section to apply.

Sec. 110-125. - 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) Residential accessory structures and uses (see article III of this chapter);
 - (3) Growing of crops and the on-premises sale of produce and agricultural products, provided 50 percent of the produce/products sold shall be grown on-premises;
 - (4) Plant nurseries and greenhouses (no sales of related garden supplies);
 - (5) Raising of livestock; aquaculture, including pay fishing; apiary (all beehives shall comply with the required setbacks); and the sale thereof; and
 - (6) One semi-trailer/box truck utilized as a farm outbuilding provided the property is a minimum of five (5) acres and the semi-trailer/box truck is only used to store agricultural items.
- (c) *Conditional uses.* The following conditional uses shall be allowed in the A-R zoning district provided that all conditions specified in article VII of this chapter. Conditional uses, nonconformances, transportation corridor overlay zone, and commercial development standards are met:
 - (1) Aircraft landing area;
 - (2) Animal hospital, kennel or veterinary clinic;
 - (3) A-R bed and breakfast inn;
 - (4) A-R wedding/event facility;
 - (5) Cemetery;
 - (6) Church and/or other place of worship;
 - (7) Colleges and university, including, but not limited to: classrooms, administration, housing, athletic fields, gymnasium, and/or stadium;
 - (8) Commercial driving range and related accessories;
 - (9) Child care facility;
 - (10) Deer processing facility.
 - (11) Developed residential recreational/amenity areas;

- (12) Farm outbuildings, including horse stables, auxiliary structures, and greenhouses (permanent or temporary);
 - (13) Golf course (minimum 18-hole regulation) and related accessories;
 - (14) Home occupation;
 - (15) Horse show, rodeo, carnival, and/or community fair;
 - (16) Hospital;
 - (17) Kennel (see animal hospital, kennel, and/or veterinary clinic);
 - (18) Private school, including, but not limited to: classrooms, administration, playground, housing, athletic fields, gymnasium, and stadium;
 - (19) Processing, packaging, or handling of perishable agricultural products (i.e. fruits and vegetables) which are grown on premises;
 - (20) Recreation centers and similar institutions owned by nonprofit organizations as so registered with the state secretary of state office;
 - (21) Religious tent meeting; and
 - (22) Shooting range, outdoor.
- (d) *Dimensional requirements.* The minimum dimensional requirements in the A-R zoning district shall be as follows:
- (1) Lot area: 217,800 square feet (five acres).
 - (2) Lot width: 250 feet.
 - (3) Floor area: 1,200 square feet.
 - (4) Front yard setback:
 - a. Major thoroughfare:
 - 1. Arterial: 100 feet.
 - 2. Collector: 100 feet.
 - b. Minor thoroughfare: 75 feet.
 - (5) Rear yard setback: 75 feet.
 - (6) Side yard setback: 50 feet.
 - (7) a. 35 feet as defined in article III of this chapter.
 - b. The limitation on height shall not apply to agricultural structures such as storage barns, silos, or other types of structure not normally designed for human occupation except that when an agricultural structure exceeds the maximum building height the minimum distance from property lines to any building shall be increased one foot for every two feet or part thereof of building height over 35 feet.
- (e) *Special regulations.* Prior to the issuance of development and/or building permits, a site plan, as applicable, shall be submitted to the zoning administrator and approved by the appropriate county officials. This requirement shall apply to all permitted uses and conditional uses allowed in the A-R zoning district except single-family dwellings; residential accessory structures; growing crops and the on-premises sale of produce at agricultural stands of 100 square feet or less of floor area; growing and seasonal sale of Christmas trees; plant nursery, landscape tree farm, or greenhouse operations existing prior to the effective date of June 26, 2003; and the raising and/or selling of livestock.

(b) (2) Residential accessory structures and uses (see article III of this chapter); and

Sec. 110-129. - R-80, Single-Family Residential District.

(b) (2) Residential accessory structures and uses (see article III of this chapter); and

Sec. 110-130. - R-78, Single-Family Residential District.

(b) (2) Residential accessory structures and uses (see article III of this chapter); and

Sec. 110-131. - R-75, Single-Family Residential District.

(b) (2) Residential accessory structures and uses (see article III of this chapter); and

Sec. 110-132. - R-72, Single-Family Residential District.

(b) (2) Residential accessory structures and uses (see article III of this chapter); and

Sec. 110-133. - R-70, Single-Family Residential District.

(b) (2) Residential accessory structures and uses (see article III of this chapter); and

Sec. 110-134. - R-55, Single-Family Residential District.

(b) (2) Residential accessory structures and uses (see article III of this chapter); and

Sec. 110-135. - R-50, Single-Family Residential District.

(b) (2) Residential accessory structures and uses (see article III of this chapter); and

Sec. 110-136. - R-45, Single-Family Residential District.

(b) (2) Residential accessory structures and uses (see article III of this chapter); and

Sec. 110-137. - R-40, Single-Family Residential District.

(b) (2) Residential accessory structures and uses (see article III of this chapter); and

Sec. 110-138. - R-20, Single-Family Residential District.

(b) (2) Residential accessory structures and uses (see article III of this chapter); and

Sec. 110-139. - DR-15, One- and Two-Family Residential District. R-45, Single-Family Residential District.

(b) (2) Residential accessory structures and uses (see article III of this chapter); and

Sec. 110-141. - MHP, Manufactured Home Park District.

(b) (2) Residential accessory structures and uses (see article III of this chapter); and

Sec. 110-142. - O-I, Office-Institutional District.

- (d) (13) Single-family residence and residential accessory structures and/or uses (see article III of this chapter).

Sec. 110-143. - C-C, Community Commercial District.

- (c) (18) Single-family residence and residential accessory structures and/or uses (see article III of this chapter); and

Sec. 110-144. - C-H, Highway Commercial District.

- (c) (27) Single-family residence and residential accessory structures and/or uses (see article III of this chapter); and

Sec. 110-145. - L-C-1, Limited-Commercial (1) District.

- (c) (1) Single-family residence and residential accessory structures and/or uses (see article III of this chapter); and

Sec. 110-145.5. - L-C-2, limited-commercial (2) district.

- (c) (2) Single-family residence and residential accessory structures and/or uses (see article III of this chapter); and

Sec. 110-146. - M-1, Light Industrial District.

- (c) (12) Single-family residence and residential accessory structures and/or uses (see article III of this chapter); and

Sec. 110-147. - M-2, Manufacturing and Heavy Industrial District.

- (c) (8) Single-family residence and residential accessory structures and/or uses (see article III of this chapter); and

Sec. 110-148. - BTP, Business Technology Park District.

- (c) (1) Single-family residence and residential accessory structures and/or uses (see article III of this chapter); and

Sec. 110-149. - Planned unit development.

- (d) (2) Permitted residential uses. Planned residential developments may contain single-family dwellings, two-family dwellings, townhouses, or a combination thereof. Residential accessory structures buildings and uses shall also be allowed per article III of this chapter.
- (g) (2) a. Single-family dwelling and residential accessory uses and structures associated with the single-family dwelling exclusively as per article III of this chapter;

Sec. 110-150. - G-B, General-Business District.

- (c) (1) Single-family residence and residential accessory structures and/or uses (see article III of this chapter); and

ARTICLE V. - CONDITIONAL USES, NONCONFORMANCES, AND TRANSPORTATION CORRIDOR OVERLAY ZONE

mm. Private school, including, but not limited to: classrooms, administration, playground, housing, athletic facility, gymnasium, and/or stadium. Allowed in A-R, R-85, R-80, R-78, R-75, R-72, R-70, R-55, R-50, R-45, R-40, R-20, DR-15, O-I, C-C, G-B, and C-H zoning districts.

3. *If the side or rear yard abuts a residential or A-R zoning district, a minimum 50-foot buffer shall be provided adjacent to the lot line. The side yard setback shall be 50 feet. The rear yard setback shall be 75 feet. The setback shall be measured from the buffer. Said requirements shall apply to all structures, outdoor playground areas, and/or athletic facilities. A buffer shall not be required along the common boundary where the side or rear yard abuts property developed for the following Conditional uses in a residential or A-R zoning district as regulated in Sec. 110-169: Cemetery, human or pet, Child care facility, Church and/or other place of worship, College and/or university, Hospital, Private school, or Recreation centers owned by nonprofit organizations as so registered with the Georgia Secretary of State Office.*

Sec. 110-169. - Conditional use approval.

- x. Farm outbuildings, including horse stables, auxiliary structures, and greenhouses. Allowed in the A-R zoning district. These aforementioned buildings/structures shall be exempt from Sec. 110-79. - Accessory structures and their uses.
 1. Farm outbuilding. All structures permitted in this category shall be structures related to a bona fide farming operation and shall be utilized as a barn for livestock, storing farm equipment, and any other agricultural purposes.
 2. Greenhouses. All structures permitted in this category shall be structures related to a bona fide cultivation or production of landscape planting materials.
 3. Horse stables. All structures permitted in this category shall be related to the bona fide shelter and/or boarding of horses. Riding lessons and boarding only shall be permitted; however, a site plan shall be required for these uses.
 4. Auxiliary structures. All structures permitted in this category shall comply with the following:
 - (i) Auxiliary structures shall be utilized for personal use only by the residents of the principal structure.
 - (ii) Auxiliary structures may be utilized as a noncommercial indoor training facility and/or artist studio.

- (iii) Commercial/retail activity shall not be permitted.
- (iv) An auxiliary structure shall not be utilized in conjunction with a home occupation.
- 6. Lot size five to ten acres, one detached farm outbuilding, auxiliary structure, greenhouse, or horse stable consisting of a maximum of 3,600 square feet in size.
- 7. Farm outbuildings, auxiliary structures, horse stables and greenhouses may have plumbing and electricity, but shall not be used for residential purposes. Farm outbuildings, horse stables, and/or greenhouses may be constructed prior to the principal residential structure.
- vv. Single-family residence and residential accessory structures. Allowed in the C-C, C-H, L-C-1, L-C-2, M-1, M-2, O-I, G-B, and BTP zoning districts.
 - 1. Said residence shall be a single-family detached residence.
 - 2. Said residence shall not be less than 1,200 square feet, and said residence shall not be allowed in subdivision developments as defined in chapter 104, article XV.
 - 3. All residential accessory structures shall comply with Sec. 110-179. - Residential accessory structures and their uses.

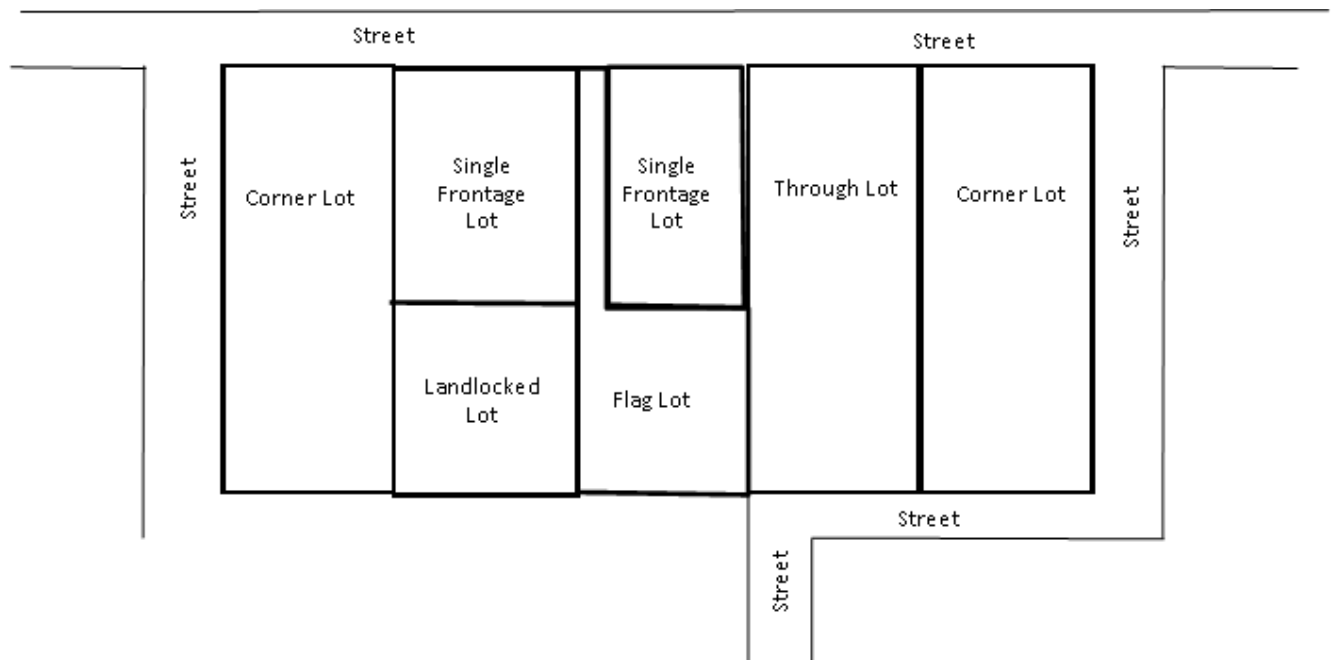


Residential Lot Configuration, Yard and Setback Illustrations

Fayette County Planning and Zoning Department
140 Stonewall Avenue West
Fayetteville, GA 30214
(770) 305-5421

The purpose of this brochure is to clarify and illustrate the various configurations, yards and setbacks on residential lots as regulated in the Fayette County Zoning Ordinance. The lot orientation determines the location of a front yard on a lot and front yards have significance in the placement of accessory structures. **The five basic lots configurations defined in the Fayette County Zoning Ordinance are as follows:**

- **Lot, corner**, means a lot located at the intersection of two or more streets.
- **Lot, flag**, means a lot shaped like a flag on a pole with the pole portion of the lot fronting on a street.
- **Lot, landlocked**, means a lot having no frontage on a street.
- **Lot, single frontage**, means a lot which has frontage on only one street.
- **Lot, through**, means a lot, other than a corner lot, having frontage on more than one street.



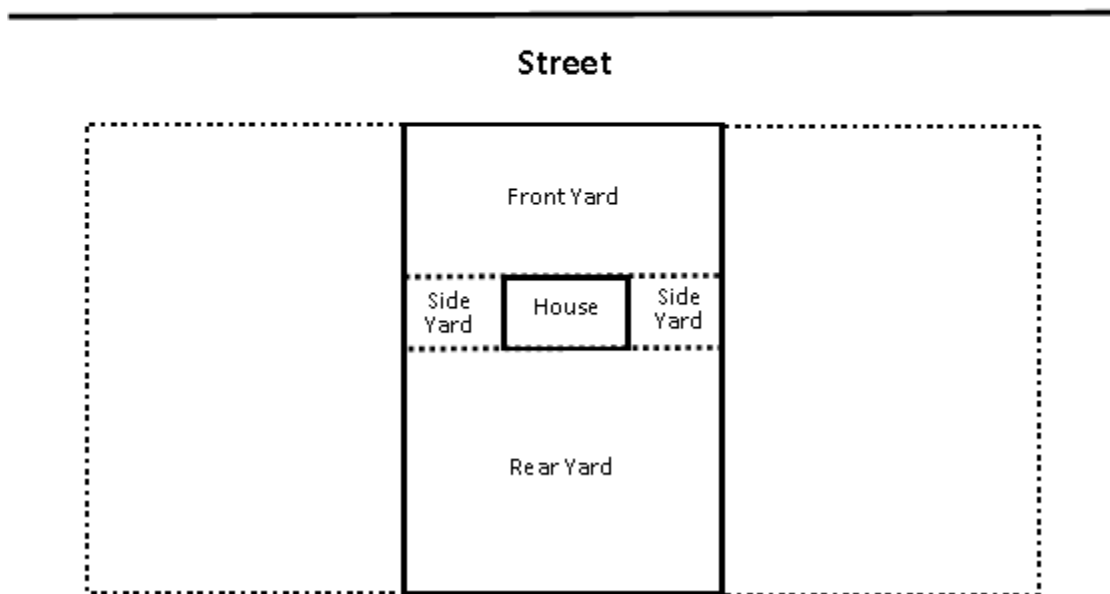
Residential Lot Configuration, Yard and Setback Illustrations

The Fayette County Zoning Ordinance defines “yards” as follows:

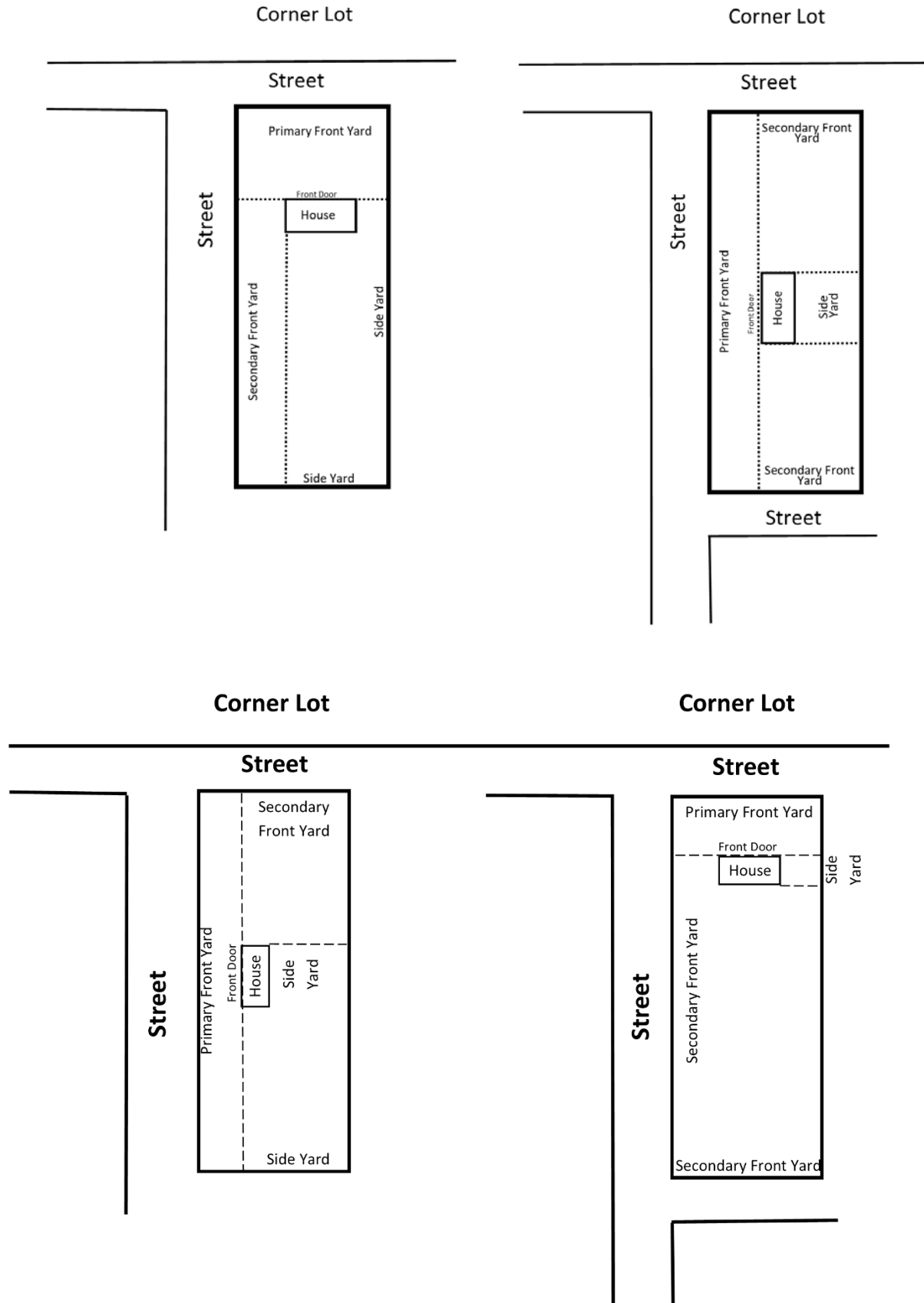
- **Yard, front**, means the area between a property line adjacent to a street and the front building line, extending the full width of the lot.
- **Yard, primary front**, means on a corner lot, the area between a property line adjacent to a street and a line running parallel to the front plane of the principal structure, extending the full width of the lot.
- **Yard, secondary front**, means on a corner lot, the area parallel to the street between a property line adjacent to a street and the principal structure outside of the primary front yard.
- **Yard, side**, means the area between the side property line and the side of the principal structure, extending from the front yard to the rear yard or extending from a front yard to the side yard or front yard, in the case of a corner lot.
- **Yard, rear**, means the area between the rear property line and the rear of the principal structure, extending the full width of the lot.

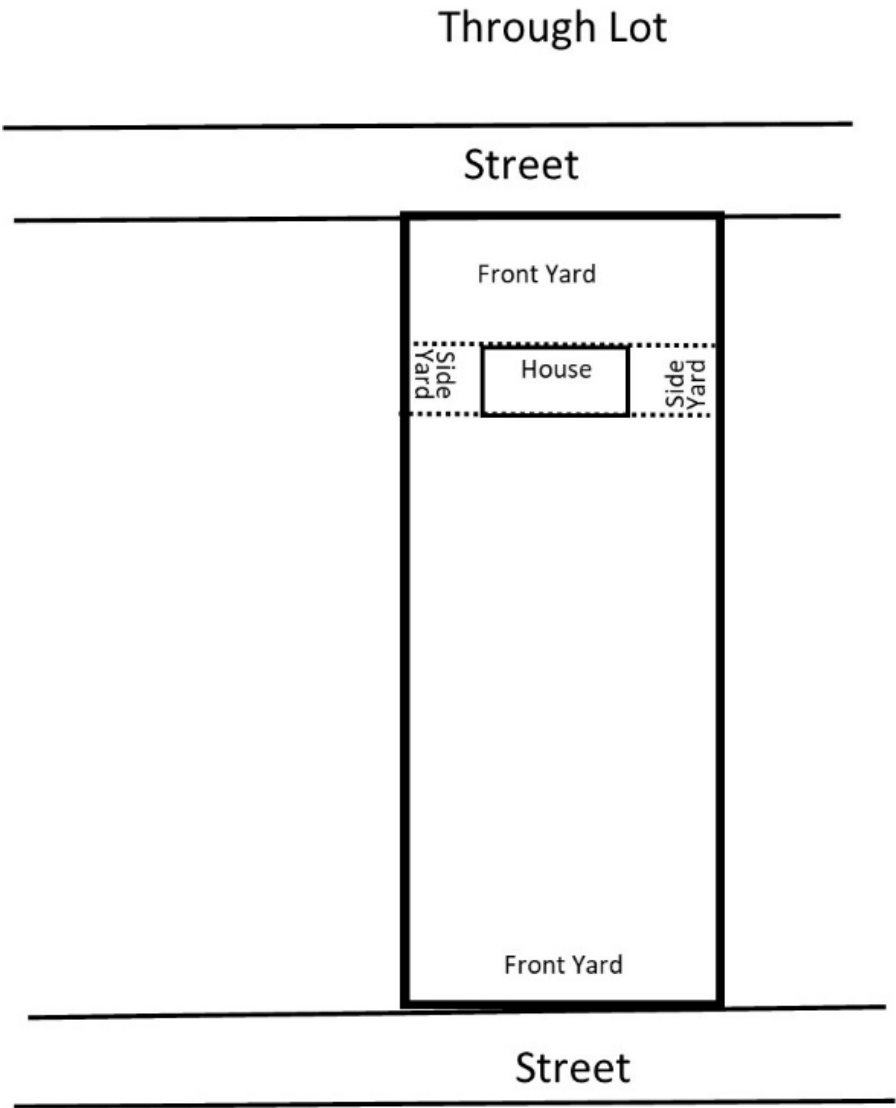
The following illustrations depict the yards defined above on the various lot configurations defined on the previous page:

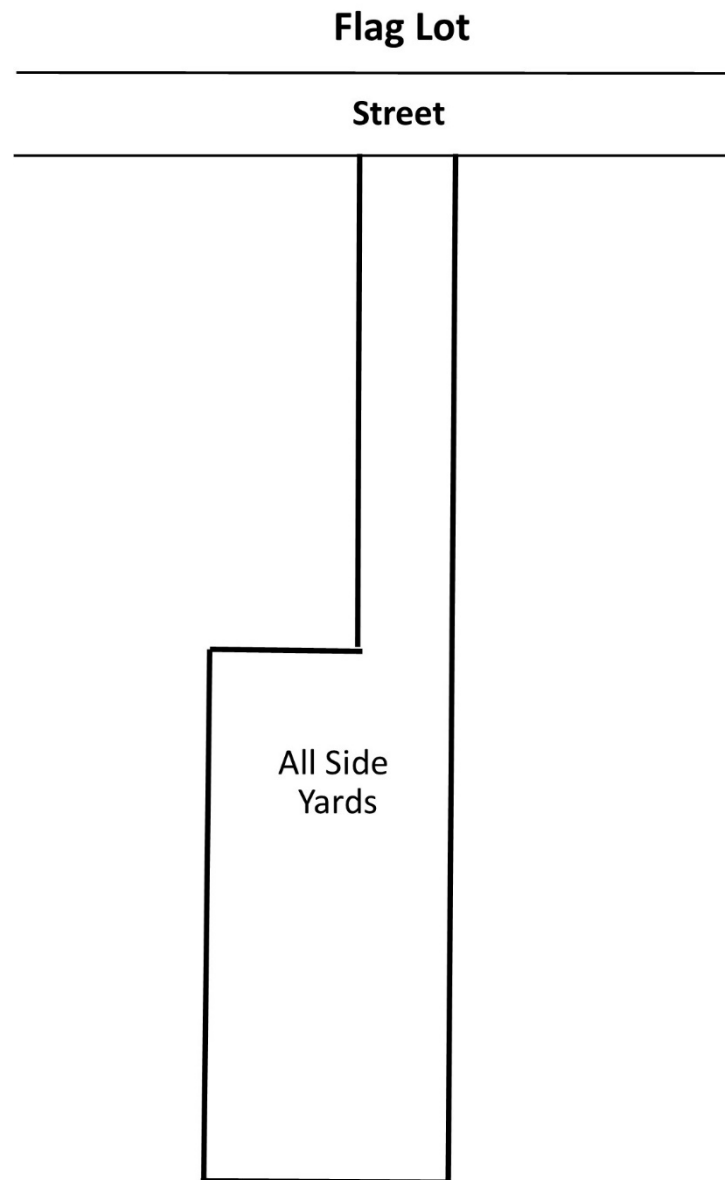
Single Frontage Lot

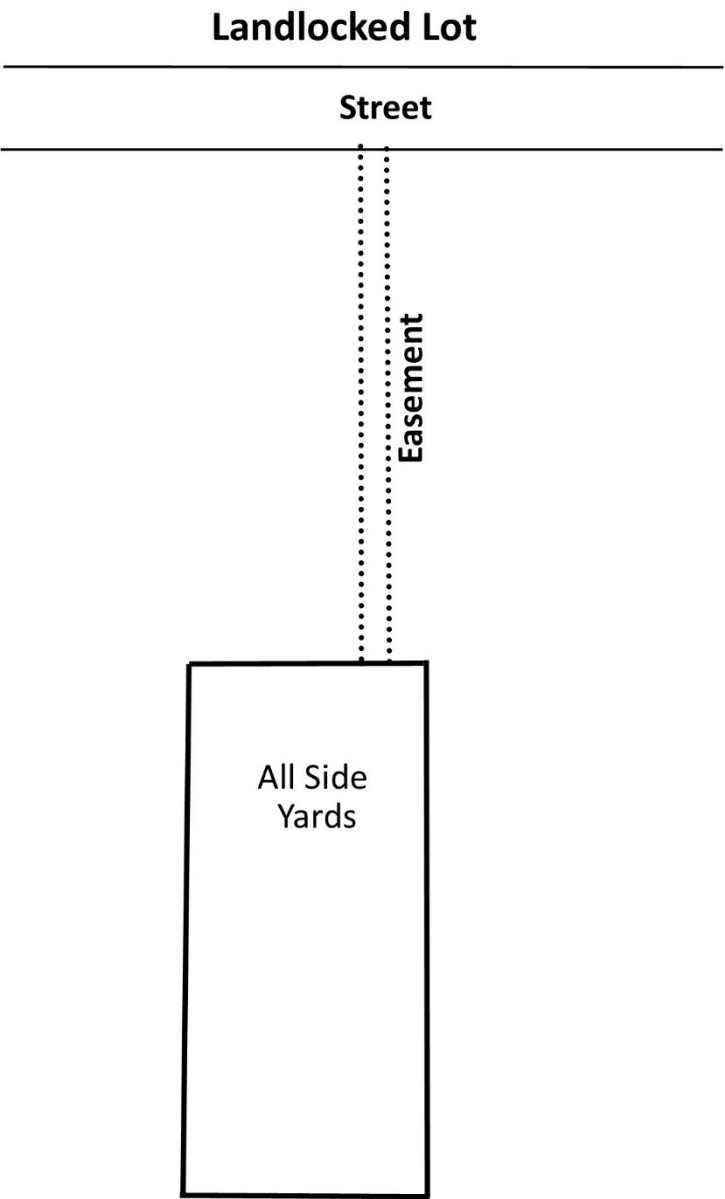


Residential Lot Configuration, Yard and Setback Illustrations









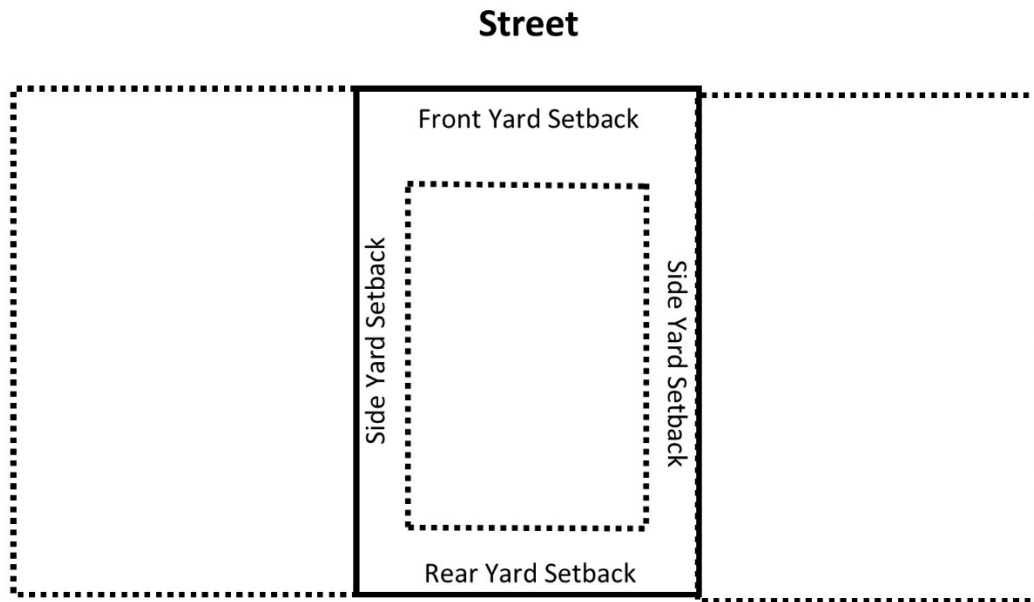
Residential Lot Configuration, Yard and Setback Illustrations

The Fayette County Zoning Ordinance defines “setbacks” as follows:

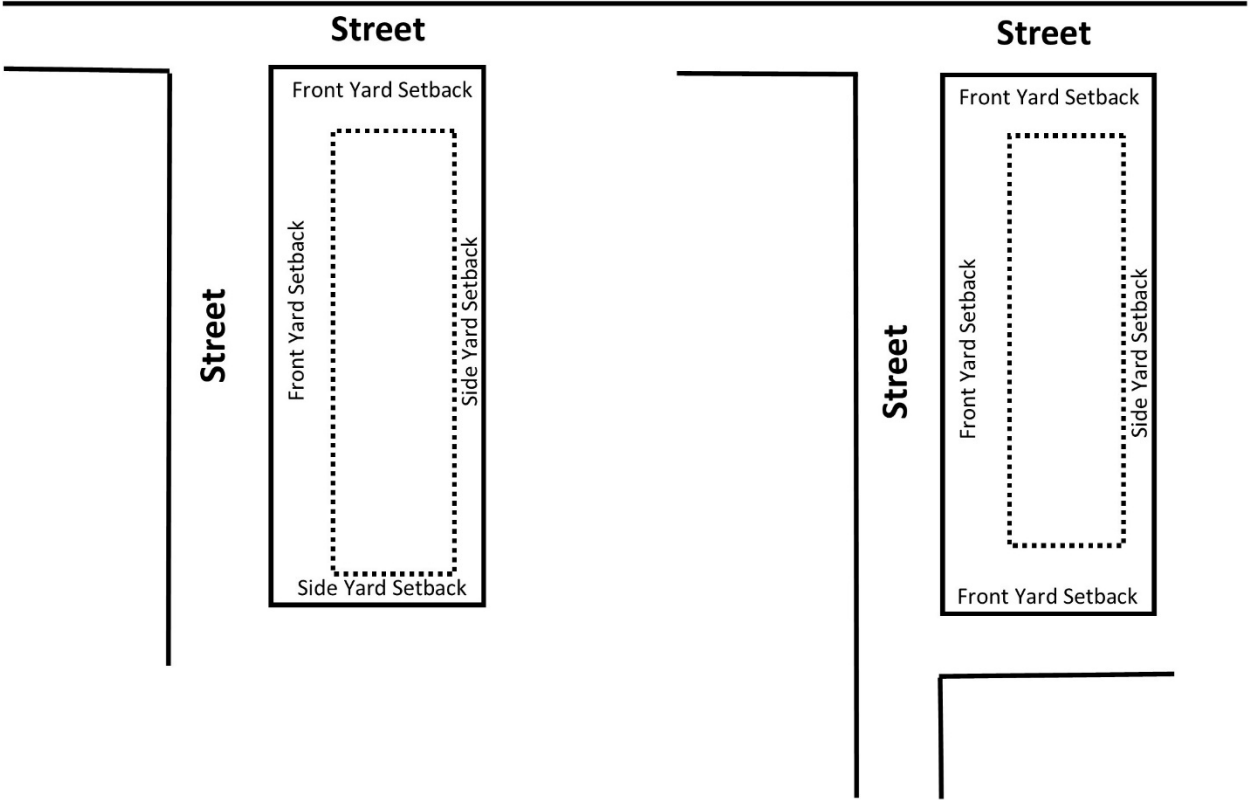
- **Setback** means a required open space on a lot that is left unoccupied with structures and facilities, except as otherwise permitted herein.

The following illustrations depict the typical setbacks on the various lot configurations:

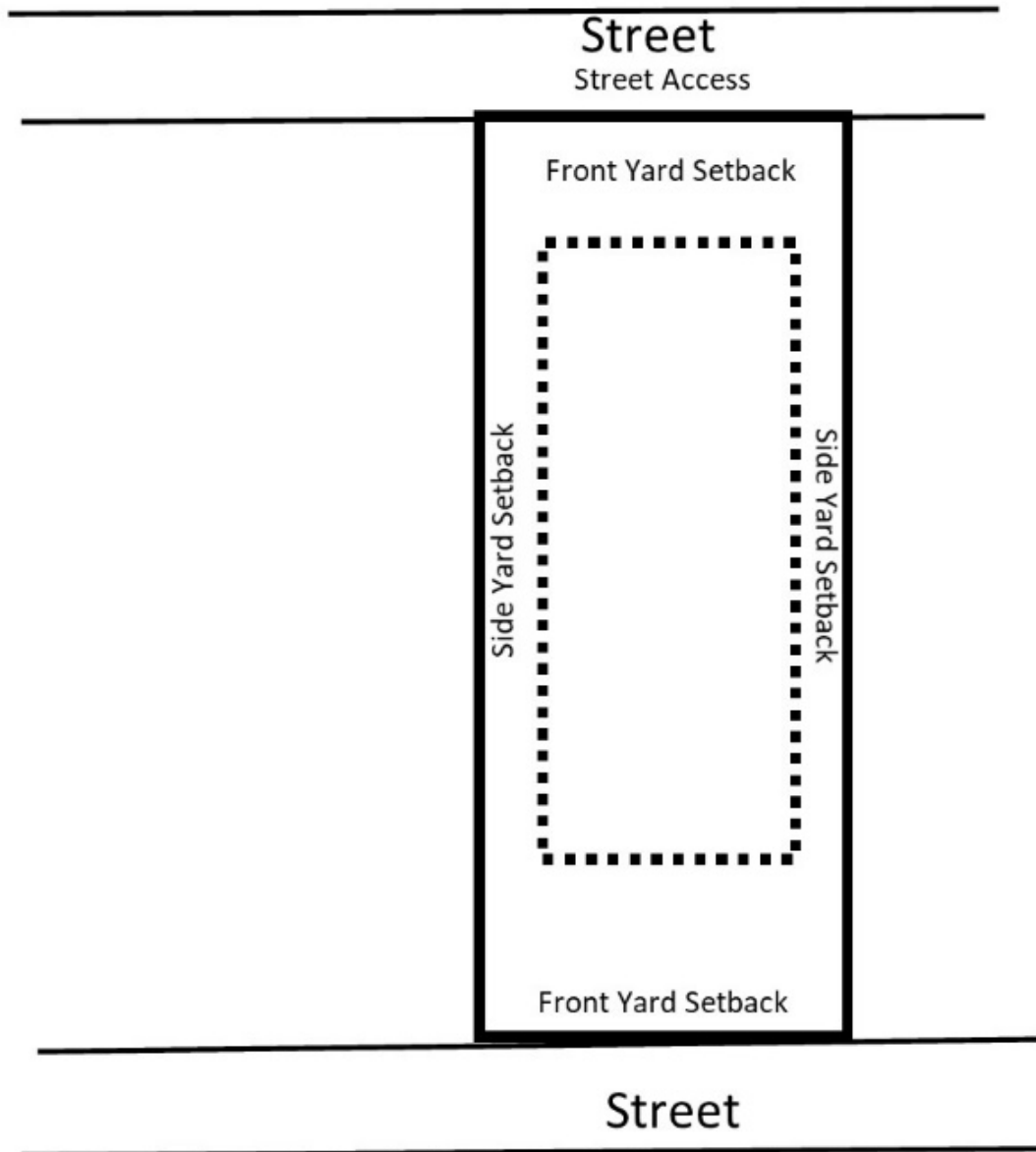
Single Frontage Lot Typical Setback Configuration



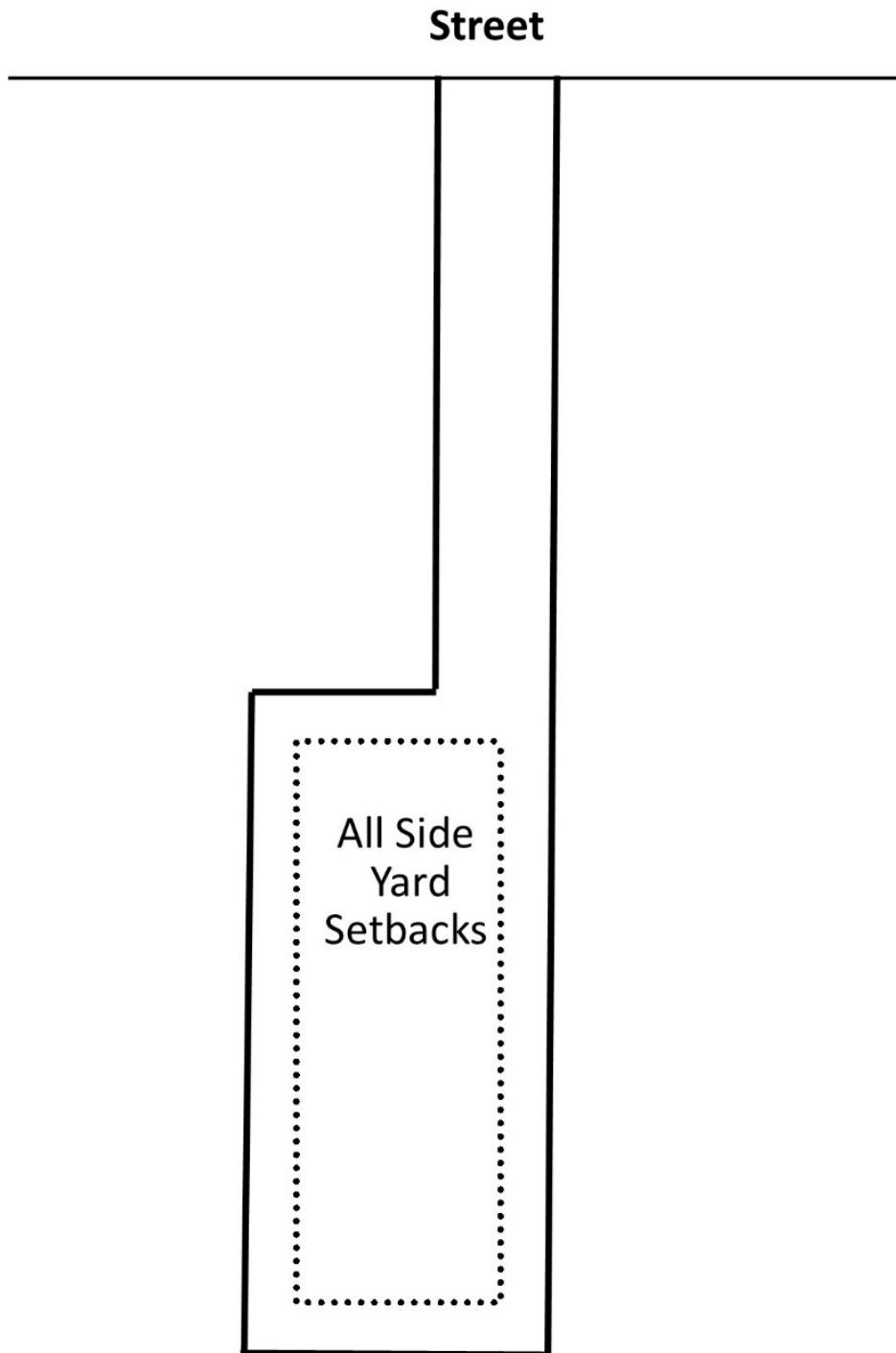
Corner Lot
Typical Setback Configuration



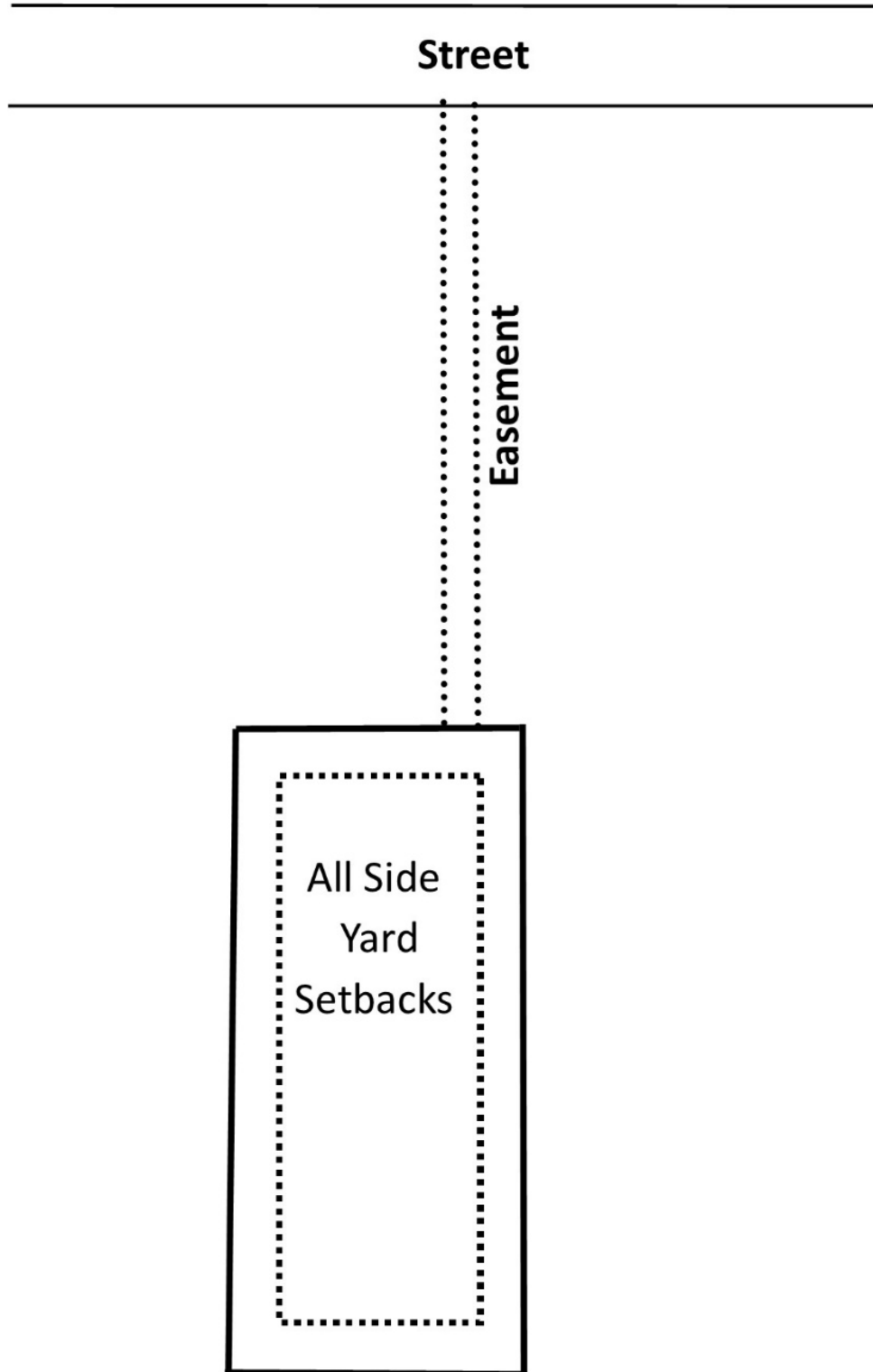
Through Lot Typical Setback Configuration



Flag Lot Typical Setback Configuration



Landlocked Lot Typical Setback Configuration



Residential Lot Configuration, Yard and Setback Illustrations

The following aerial illustration depicts the yards on a single frontage lot:



Residential Lot Configuration, Yard and Setback Illustrations

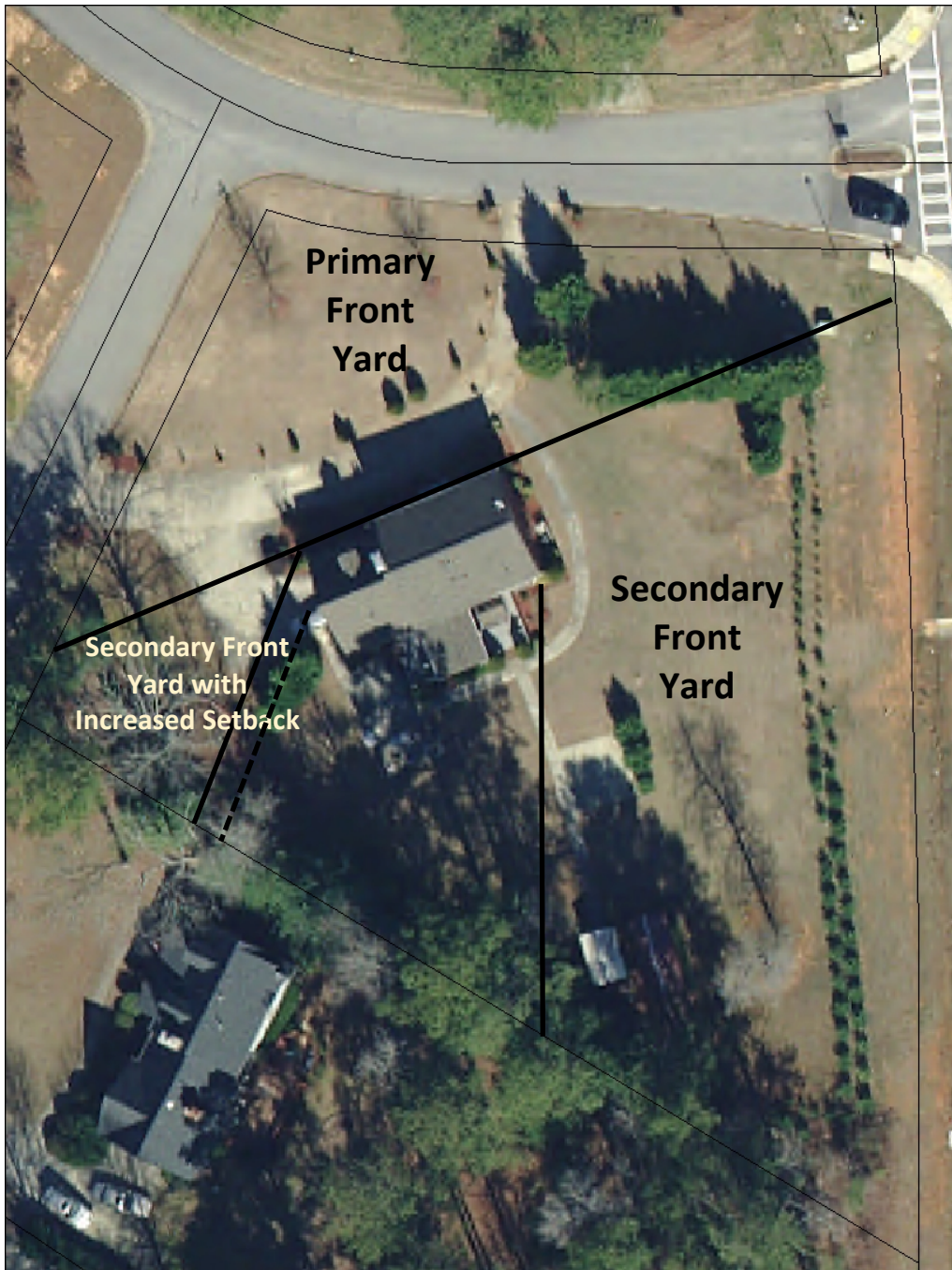
The following aerial illustration depicts the yards on a through lot:



Residential Lot Configuration, Yard and Setback Illustrations

The following aerial illustrations depict the yards and increased setbacks on corner lots:

Corner Lot



Residential Lot Configuration, Yard and Setback Illustrations

Corner Lot



Corner Lot



STATE OF GEORGIA

FAYETTE COUNTY

ORDINANCE

NO. 2018-_____

AN ORDINANCE TO AMEND THE ZONING ORDINANCE FOR FAYETTE COUNTY, GEORGIA; TO REVISE PROVISIONS PERTAINING TO DEFINITIONS; TO REVISE PROVISIONS PERTAINING TO ACCESSORY STRUCTURES AND USES; TO PROVIDE FOR SEVERABILITY; TO PROMOTE THE PUBLIC HEALTH, SAFETY AND WELFARE, AND FOR OTHER PURPOSES.

BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF FAYETTE COUNTY AND IT IS HEREBY ENACTED PURSUANT TO THE AUTHORITY OF THE SAME THAT THE ZONING ORDINANCE OF FAYETTE COUNTY BE AMENDED AS FOLLOWS:

Section 1. By deleting the definitions of “Dog pen/run”, “Lot, corner”, “Lot, landlocked”, “Lot width, minimum” (including the graphic attached to said definition), “Setback”, “Yard”, “Yard, front”, “Yard, rear”, and “Yard, side” from Section 110-3, pertaining to “Definitions”, of Article I of Chapter 110, in their entirety, and by adding new definitions of “Dog pen/run”, “Lot, corner”, “Lot, flag”, “Lot, landlocked”, “Lot width”, “Principal structure front”, “Setback”, “Yard, front”, “Yard, primary front”, “Yard, rear”, “Yard, secondary front”, and “Yard, side” in Section 110-3 of Article I of Chapter 110, with said definitions to be inserted alphabetically as appropriate and to be read as follows:

Dog pen/run means, for the purposes of Section 110-79, pertaining to “Residential accessory structures and their uses”, an outside open air enclosure, consisting of 400 square feet or less of space per animal, used for the purpose of containing animals.

Lot, corner, means a lot located at the intersection of two or more streets.

Lot, flag, means a lot shaped like a flag on a pole with the pole portion of the lot fronting on a street and the flag portion being where the lot width is met.

Lot, landlocked, means a lot having no frontage on a street.

Lot width means the required width of a lot as specified by a zoning district.

Principal structure front means the wall/plane of the principal structure in which the front door is located.

Setback means a required open space on a lot that is left unoccupied by structures and facilities, except as otherwise permitted herein.

Yard, front, means the area between the property line adjacent to a street and the front building line, extending the full width of the lot.

Yard, primary front, means, on a corner lot, the area between a property line adjacent to a street and a line running parallel to the principal structure front, extending the full width of the lot.

Yard, rear, means the area between the rear property line and the rear of the principal structure, extending the full width of the lot.

Yard, secondary front, means, on a corner lot, the area parallel to the street between a property line adjacent to a street and the principal structure outside of the primary front yard.

Yard, side, means the area between the side property line and the side of the principal structure, extending from the front yard to the rear yard or extending from the front yard to the side yard in the case of a corner lot.

Section 2. By deleting Section 110-65, pertaining to “Reduction of lot area”, of Article III of Chapter 110, in its entirety, and by replacing it with a new Section 110-65 in Article III of Chapter 110, to be numbered and read as follows:

Sec. 110-65. Reduction of lot area.

No lot shall be reduced in size so that the lot size, width, depth, setback, or any other requirement of this chapter is not maintained. This restriction shall not apply when a portion of a lot is acquired for a public purpose.

Section 3. By deleting Section 110-71, pertaining to “Yard not to be encroached upon”, of Article III of Chapter 110, in its entirety, and by replacing it with a new Section 110-71 in Article III of Chapter 110, to be numbered and read as follows:

Sec. 110-71. Setback not to be encroached upon.

No setback shall be encroached upon or reduced in any manner except in conformity with the setback, off-street parking spaces, and such other regulations required for the zoning district in which such building is located. Landscaping, driveways, vehicle parking areas, multi-use path connections, walkways and associated steps, boat docks and bridges, retaining walls, walls and fences, curbs, and planted buffer strips shall not be construed to be encroachments.

Section 4. By retitling Section 110-72, pertaining to “Permitted encroachments of yards and setbacks”, of Article III of Chapter 110, so that the title of said Section 110-72 instead reads “Permitted encroachments of setbacks”.

Section 5. By deleting Section 110-73, pertaining to “Yard service, required open space to one building”, of Article III of Chapter 110, in its entirety, and by designating said Section 110-73 as “Reserved”.

Section 6. By deleting Section 110-74, pertaining to “Side and rear yards and buffers not required next to railroad”, of Article III of Chapter 110, in its entirety, and by replacing it with a new Section 110-74 in Article III of Chapter 110, to be numbered and read as follows:

Sec. 110-74. Side and rear setbacks and buffers not required next to railroad.

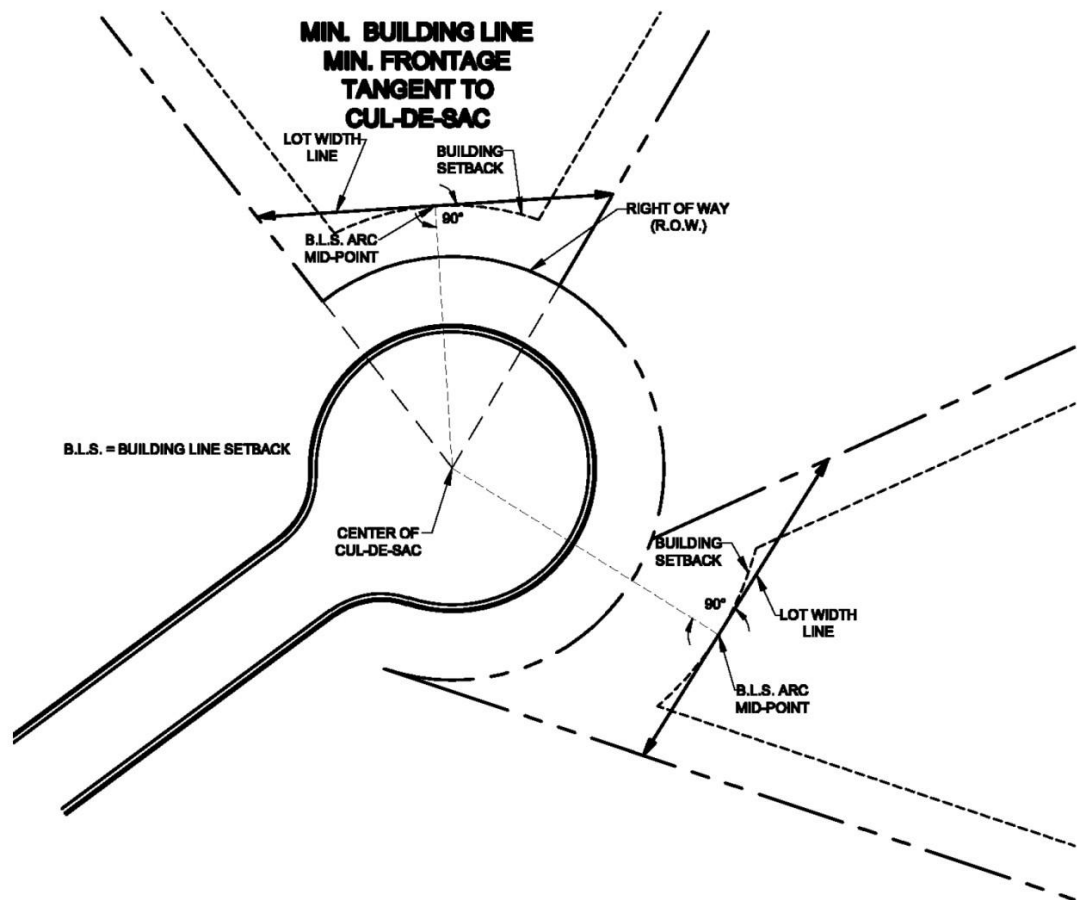
Within any nonresidential zoning district, side setbacks, rear setbacks, and buffers shall not be required adjacent to railroad rights-of-way.

Section 7. By deleting Section 110-77, pertaining to “Lot width, minimum”, of Article III of Chapter 110, in its entirety, and by replacing it with a new Section 110-77 in Article III of Chapter 110, to be numbered and read as follows:

Sec. 110-77. Lot width.

The lot width shall be met at the required setback and shall be maintained for a depth of 80 feet. On a lot where the lot width is not met at the required setback, the setback will then be where the lot width is met and said lot width shall be maintained for

a depth of 80 feet. Lot width shall be determined as the distance between lot lines either measured in a straight line parallel to the adjoining street right-of-way or tangent and perpendicular to the mid-point of the right-of-way in the case of the turnaround portion of a cul-de-sac along the front minimum building line (see graphic). The principal structure shall be constructed within this area. Residential accessory structures and farm outbuildings, horse stables, auxiliary structures and greenhouses allowed in the A-R zoning district do not have to comply with the lot width at the building line; however, they shall comply with applicable setbacks and location requirements.



Section 8. By deleting Section 110-79, pertaining to “Accessory structures and uses”, of Article III of Chapter 110, in its entirety, and by replacing it with a new Section 110-79 in Article III of Chapter 110, to be numbered and read as follows:

Sec. 110-79. Residential accessory structures and their uses.

(a) The following residential accessory structures are permitted in A-R, all residential zoning districts and properties regulated under Sec. 110-169, pertaining to “Conditional use approval – Single-family residence and residential accessory structures and/or uses”.

- (1) Well/pump house;
- (2) Guesthouse;
- (3) Greenhouse, permanent or temporary (see (n) temporary greenhouse);
- (4) Swimming pool, hot tub, pool deck, pool equipment enclosure, and pool screen enclosure;
- (5) Garage;
- (6) Recreational court;
- (7) Gazebo;
- (8) Cabana/pool house, boat house, covered patio, and covered deck;
- (9) Storage building;
- (10) Carport;
- (11) Solar panel (ground-mounted);
- (12) Wind turbine/windmill (ground-mounted);
- (13) Aircraft hangar, detached (see article V of this chapter);
- (14) Dog house and dog pen/run;
- (15) Playhouse;

- (16) Outdoor kitchen and/or fireplace;
- (17) Patio; and
- (18) Underground storm shelter.

These regulations shall not apply to farm outbuildings, including horse stables, auxiliary structures, and commercial greenhouses as regulated under Sec. 110-125, pertaining to “A-R, Agricultural-Residential District”, and Sec. 110-169, pertaining to “Conditional use approval”, of this chapter. A semi-trailer/box truck utilized as a farm outbuilding as regulated under Sec. 110-125, pertaining to “A-R, Agricultural-Residential District”, and horse quarters, as regulated under Sec. 110-169, pertaining to “Conditional use approval”. These regulations shall not apply to structures associated with nonresidential uses allowed in A-R and residential zoning districts.

(b) *Structure limitations.* Construction of a residential accessory structure shall occur concurrently with or after the construction of the principal structure. Residential accessory structures shall not be used as dwelling units or for lodging purposes, except a guesthouse.

(c) *Number and size.* The number and size of residential accessory structures shall conform to the requirements described herein.

- (1) Residential accessory structures shall be limited to one of the following options:
 - a. Two residential accessory structures, per individual lot, that shall not exceed a combined total footprint of 1,800 square feet or a combined total footprint of 3,600 square feet on a lot with a minimum of five acres and a minimum contiguous area of two

acres clear of zoning setbacks, watershed protection buffers and setbacks, jurisdictional wetlands, 100-year floodplain area, and easements of any kind. One of these residential accessory structures may include up to 700 square feet of heated and finished floor area to be utilized as a guesthouse. A residential accessory structure combined with a guesthouse, under this option, shall be deemed as one residential accessory structure;

- b. One residential accessory structure, per individual lot, footprint not to exceed 1,800 square feet. This residential accessory structure may include up to 700 square feet of heated and finished floor area to be utilized as a guesthouse. A residential accessory structure combined with a guesthouse, under this option, shall be deemed as one residential accessory structure; or
- c. One residential accessory structure, per individual lot with a minimum of five acres and a minimum contiguous area of two acres clear of zoning setbacks, watershed protection buffers and setbacks, jurisdictional wetlands, 100-year floodplain area, and easements of any kind, footprint not to exceed 3,600 square feet. This residential accessory structure may include up to 700 square feet of heated and finished floor area to be utilized as a guesthouse. A residential accessory structure combined with a guesthouse, under this option, shall be deemed as one residential accessory structure. Under this option, a residential accessory structure shall

be located only to the rear of the principal structure.

- (2) At least 50 percent of the square footage of a residential accessory structure building shall be fully enclosed, except as otherwise provided herein. Said enclosed area shall be surrounded by connecting adjacent walls constructed of solid materials attached to the foundation and roof.
- (3) A well/pump house, dog house, or playhouse consisting of 70 square feet or less; dog pen/run; swimming pool, hot tub, or recreational court; aircraft hangar, farm outbuilding, greenhouse, horse stable, or auxiliary structure or one semi-trailer/box truck (as regulated under Sec. 110-125, pertaining to “A-R, Agricultural-Residential District”, and Sec. 110-169, pertaining to “Conditional use approval”); ground/pole-mounted solar panel consisting of less than 200 square feet or ground-mounted wind turbine/windmill; uncovered outdoor kitchen, fireplace; patio; underground storm shelter; horse quarters (as regulated under Sec. 110-169, pertaining to “Conditional use approval”) or beehive shall not be included in determining the number of residential accessory structures provided herein.

(d) *Location on lot.* Residential accessory structures shall conform to the dimensional requirements within each zoning district. A well/pump house of 70 square feet or less may be located within the setbacks.

(e) *Residential accessory structures located in a front yard.* On a single frontage lot, the area between the street and the front building line shall be treated as a front yard with regard to the location of residential accessory structures. On a corner lot, the area

between the streets and the front building lines shall be treated as a primary front yard or secondary front yard(s) with regard to the location of residential accessory structures.

On a through lot, only the area between the street from which the lot is accessed and the front building line shall be treated as a front yard with regard to the location of residential accessory structures.

No residential accessory structure shall be located in a front yard except: a well/pump house consisting of 70 square feet or less; a detached garage on a single frontage lot, a through lot or in the primary front yard of a corner lot (see subsection (1) of this section for requirements); a residential accessory structure in a secondary front yard of a corner lot (see subsection (2) of this section for requirements); or a residential accessory structure on a lot in the A-R zoning district which consists of five or more acres.

(1) *Detached garage located in the front yard of a single frontage lot, a through lot, or a primary front yard on a corner lot.* Said detached garage shall meet the following requirements:

- a. The detached garage shall not be located more than 35 feet from the principal structure.
- b. The design of the detached garage shall match with the general residential architectural style inherent in the existing principal structure, including, but not limited to: roof pitch, roof facade, facade, residential windows, and residential doors. Elevation drawings denoting compliance with these requirements shall be submitted as part of the building permit application.

- c. The detached garage shall have at least one opening for vehicular access.
- d. The detached garage shall be connected to the principal structure by at least one of the following and elevation drawings denoting compliance with the following requirements shall be submitted as part of the building permit application:
 - 1. *An attached or detached breezeway.* Said breezeway shall be a minimum of six feet in width and a minimum of eight feet in height (interior measurement). A detached breezeway shall be constructed within six inches of the principal structure and the detached garage;
 - 2. *An attached raised deck.* Said attached raised deck shall be a minimum height of 15 inches. The deck shall have a minimum width of six feet. Said deck shall have guard rails measuring a minimum of three feet in height; or
 - 3. *An attached or detached pergola.* Said pergola shall consist of parallel colonnades supporting an open roof of beams and crossing rafters, shall be a minimum of six feet in width and a minimum of eight feet in height (interior measurement). A detached pergola shall be constructed within six inches of the principal structure and the detached garage.

(2) *Residential accessory structure located in the secondary front yard of*

a corner lot. When a residential accessory structure is located in a secondary front yard adjacent to a street that is designated as an Internal Local the required setback shall be increased by 20 feet.

(f) *Guesthouses.* Only one guesthouse is allowed per individual lot. Any living area included in a residential accessory structure is a guesthouse. A guesthouse shall not be used as tenant space. A guesthouse shall not exceed 700 square feet of heated and finished floor area.

(g) *Architectural standards.* All residential accessory structures of 200 square feet or greater, except a detached garage located in the front yard, shall be constructed in a residential character consisting of a facade of fiber-cement siding, wood siding, wood textured vinyl siding, brick/brick veneer, rock, stone, cast-stone, stucco, or synthetic stucco, or finished/baked enamel aluminum/metal siding which establishes a horizontal pattern. These standards shall not apply to an addition to an existing residential accessory structure that is nonconforming in terms of these standards. Any addition to an existing nonconforming residential accessory structure shall match the architectural design of the existing nonconforming residential accessory structure. Elevation drawing denoting compliance shall be submitted as part of the building permit application.

(h) *Temporary accessory storage.* Portable on-demand storage units are only allowed on a temporary basis and only in conjunction with an ongoing a renovation project for the purpose of storage of household items for a period not to exceed one year. Portable on- demand storage units are defined as any container, storage unit, or other portable structure, other than a residential accessory structure, complying with this Section, used to store household items. Only two portable on-demand storage units

are allowed per lot.

(i) *Carport.* The carport shall be used to house motor vehicles and trailers only.

Carports shall be constructed of the same material or types of material as the principal structure on the property, or of metal.

(j) *Cabana/pool house, boat house, covered patio, and covered deck.* The cabana, covered patio, and covered deck may contain an outdoor kitchen, fireplace, spa/hot tub, bathroom/changing room, and/or pool pump/filter but shall not be utilized as a carport, garage, storage building, open storage, or living area. Said structures shall, at a minimum, consist of a roof with supporting posts/columns, not to exceed one story, and comply with the architectural standards for a residential accessory structure of 200 square feet or greater.

(k) *Swimming pool, pool deck, pool equipment enclosure, and pool screened enclosure.* The pool deck, pool equipment enclosure, and pool screened enclosure shall comply with the required setbacks. A pool screen enclosure shall be constructed with insect screening commonly made of plastic, aluminum, or similar lightweight material and shall be exempt from the architectural requirements herein.

(l) *Solar panels (ground-mounted).* Ground-mounted solar panels shall be limited to three per lot, the total cumulative square footage of ground-mounted solar panels shall not exceed 900 square feet, shall not exceed ten feet in height, shall comply with the required setbacks, and shall comply with the location of an accessory structure/use. Ground-mounted solar panels consisting of less than 200 cumulative square feet shall not count toward the number of accessory structures/uses. Ground-mounted solar panels consisting of 200 cumulative square feet up to a maximum of 900 cumulative

square feet shall be counted as one accessory structure/use.

(m) *Wind turbines/windmill (ground-mounted).* Wind turbines/windmills shall not exceed 70 feet in height. The setbacks shall be equal to the height of the wind turbine, including the blades, or the applicable zoning district setbacks, whichever are greater. Each lot is limited to one ground-mounted wind turbine/windmill. The ground-mounted wind turbine/windmill shall not count toward the number of accessory structures/uses. All anchors for guyed towers shall meet the setbacks for the applicable zoning districts.

(n) *Nonconformance.* All residential accessory structures or uses which had a building permit issued prior to January 24, 2008, are legally nonconforming and shall be allowed to be maintained and rebuilt to current size and in the existing location. All residential accessory structures or uses permitted after January 24, 2008, shall comply with the current requirements.

(o) *Temporary greenhouse.* Temporary greenhouses shall not exceed ten feet in height. Each lot is limited to one temporary greenhouse. The side yard setback shall be a minimum of 30 feet or the minimum side yard setback of the applicable zoning district, whichever is greater, and the rear yard setback shall be a minimum of 50 feet or the minimum rear yard setback of the applicable zoning district, whichever is greater. The maximum square footage for temporary greenhouses shall be as follows:

Acreage	Square Feet
< 2	600
2 to < 3	800
3 to < 4	1,000

4 to < 5	1,200
5 or greater	2,400

Temporary greenhouses shall be maintained in good condition and the covering shall not be torn and tattered. Temporary greenhouses shall only be used for the purpose of growing or storing plants. Temporary greenhouses shall be exempt from subsections (c)(2) and subsection (f) of this section. One temporary greenhouse of 120 or less square feet on a lot shall not count toward the total square footage or number of accessory structures for that lot. Greenhouses built in the A-R zoning district as regulated under article V of this chapter shall be exempt from these requirements.

A temporary greenhouse permit will be required for all temporary greenhouses prior to construction. Scaled drawings shall be submitted to the planning and zoning department which shall include, but not be limited to: temporary greenhouse elevations including height and total square footage and location on the lot including the distance from the property lines.

Section 9. By deleting Section 110-86, pertaining to “Raising and keeping of horses in residential districts”, of Article III of Chapter 110, in its entirety, and by replacing it with a new Section 110-86 in Article III of Chapter 110, to be numbered and read as follows:

Sec. 110-86. Raising and keeping of horses in residential districts.

The raising and keeping of no more than one horse on a lot consisting of a

minimum of three acres and one additional horse for each additional acre shall be allowed on any lot for which single-family residential is a permitted use (EST, R-85, R-80, R-78, R-75, R-72, R-70, R-55, R-50, R-45, R-40, R-20, PUD-PRD, and C-S). An accessory structure related to the shelter of horses shall be allowed as a conditional use per Sec. 110-169, pertaining to “Conditional use approval, Horse quarters”. The boarding of horses and commercial riding lessons shall be prohibited.

Section 10. By adding a new Section 110-106, pertaining to “Yards on a flag lot or a nonconforming landlocked lot”, in Article III of Chapter 110, to be numbered and read as follows:

Sec. 110-106. Yards on a flag lot or a nonconforming landlocked lot.

Due to the various development patterns of flag lots in the past and their irregular shapes, and that nonconforming land locked lots have no road frontage, flag lots and nonconforming land locked lots shall not have a designated front, side or rear yard. All setbacks will be the distance of the side setback per the zoning district of the property or the required front setback per the zoning district of the property as measured from the closest right-of-way and whichever is greater shall apply. Minor Subdivision Plats and Final Plats containing flag lots which were recorded prior to the effective date of this section shall be required to be revised for this section to apply.

Section 11. By deleting Subsection (b) of Section 110-125, pertaining to “A-R, Agricultural-Residential District”, of Article IV of Chapter 110, in its entirety, and by replacing it with a new Subsection (b) in Section 110-125 of Article IV of

Chapter 110, to be numbered and read as follows:

(b) *Permitted uses.* The following permitted uses shall be allowed in the A-R zoning district:

- (1) Single-family dwelling;
- (2) Residential accessory structures and uses (see article III of this chapter);
- (3) Growing of crops and the on-premises sale of produce and agricultural products, provided 50 percent of the produce/products sold shall be grown on-premises;
- (4) Plant nurseries and greenhouses (no sales of related garden supplies);
- (5) Raising of livestock; aquaculture, including pay fishing; apiary (all beehives shall comply with the required setbacks); and the sale thereof; and
- (6) One semi-trailer/box truck utilized as a farm outbuilding, provided the property is a minimum of five (5) acres and the semi-trailer/box truck is only used to store agricultural items.

Section 12. By deleting Subsection (e) of Section 110-125, pertaining to “A-R, Agricultural-Residential District”, of Article IV of Chapter 110, in its entirety, and by replacing it with a new Subsection (e) in Section 110-125 of Article IV of Chapter 110, to be numbered and read as follows:

(e) *Special regulations.* Prior to the issuance of development and/or building permits, a site plan, as applicable, shall be submitted to the zoning administrator and approved by the appropriate county officials. This requirement shall apply to all

permitted uses and conditional uses allowed in the AR zoning district except single-family dwellings; residential accessory structures; growing crops and the on-premises sale of produce at agricultural stands of 100 square feet or less of floor area; growing and seasonal sale of Christmas trees; plant nursery, landscape tree farm, or greenhouse operations existing prior to the effective date of June 26, 2003; and the raising and/or selling of livestock.

Section 13. By deleting the phrase “Accessory structures and uses” or “Accessory structures and/or uses” and replacing it with the phrase “Residential accessory structures and uses” or “Residential accessory structures and/or uses”, as appropriate, in the following locations in Article IV of Chapter 110:

- Paragraph (2) of Subsection (b) of Section 110-128, pertaining to “R-85, Single Family Residential District”;
- Paragraph (2) of Subsection (b) of Section 110-129, pertaining to “R-80, Single Family Residential District”;
- Paragraph (2) of Subsection (b) of Section 110-130, pertaining to “R-78, Single Family Residential District”;
- Paragraph (2) of Subsection (b) of Section 110-131, pertaining to “R-75, Single Family Residential District”;
- Paragraph (2) of Subsection (b) of Section 110-132, pertaining to “R-72, Single Family Residential District”;
- Paragraph (2) of Subsection (b) of Section 110-133, pertaining to “R-70, Single Family Residential District”;

- Paragraph (2) of Subsection (b) of Section 110-134, pertaining to “R-55, Single Family Residential District”;
- Paragraph (2) of Subsection (b) of Section 110-135, pertaining to “R-50, Single Family Residential District”;
- Paragraph (2) of Subsection (b) of Section 110-136, pertaining to “R-45, Single Family Residential District”;
- Paragraph (2) of Subsection (b) of Section 110-137, pertaining to “R-40, Single Family Residential District”;
- Paragraph (2) of Subsection (b) of Section 110-138, pertaining to “R-20, Single Family Residential District”;
- Paragraph (2) of Subsection (b) of Section 110-139, pertaining to “DR-15, One- and Two-Family Residential District”;
- Paragraph (2) of Subsection (b) of Section 110-141, pertaining to “MHP, Manufactured Home Park District”;
- Paragraph (13) of Subsection (d) of Section 110-142, pertaining to “O-I, Office- Institutional District”;
- Paragraph (18) of Subsection (c) of Section 110-143, pertaining to “C-C, Community Commercial District”;
- Paragraph (27) of Subsection (c) of Section 110-144, pertaining to “C-H, Highway Commercial District”;
- Paragraph (1) of Subsection (c) of Section 110-145, pertaining to “L-C-1, Limited-Commercial (1) District”;
- Paragraph (2) of Subsection (c) of Section 110-145.5, pertaining to “L-C-

2, Limited-Commercial (2) District”;

- Paragraph (12) of Subsection (c) of Section 110-146, pertaining to “M-1, Light Industrial District”;
- Paragraph (8) of Subsection (c) of Section 110-147, pertaining to “M-2, Manufacturing and Heavy Industrial District”;
- Paragraph (1) of Subsection (c) of Section 110-148, pertaining to “BTP, Business Technology Park District”;
- Subparagraph a of Paragraph (2) of Subsection (g) of Section 110-149, pertaining to “Planned unit development”; and
- Paragraph (1) of Subsection (c) of Section 110-150, pertaining to “G-B, General- Business District”.

Section 14. By deleting Paragraph (2) of Subsection (d) of Section 110-149, pertaining to “Planned unit development”, of Article IV of Chapter 110, in its entirety, and by replacing it with a new Paragraph (2) in Subsection (d) of Section 110-149 of Article IV of Chapter 110, to be numbered and read as follows:

- (2) *Permitted residential uses.* Planned residential developments may contain single- family dwellings, two-family dwellings, townhouses, or a combination thereof. Residential accessory structures and uses shall also be allowed per article III of this chapter.

Section 15. By deleting Paragraph (2) a. of Subsection (g) of Section 110-149, pertaining to “Planned unit development”, of Article IV of Chapter 110,

in its entirety, and by replacing it with a new Paragraph (2) a. in Subsection (g) of Section 110-149 of Article IV of Chapter 110, to be numbered and read as follows:

- (2) a. Single-family dwelling and residential accessory uses and structures associated with the single-family dwelling exclusively as per article III of this chapter;

Section 16. By deleting Paragraph (1) of Subsection (c) of Section 110-150, pertaining to “Planned unit development”, of Article IV of Chapter 110, in its entirety, and by replacing it with a new Paragraph (1) in Subsection (c) of Section 110-150 of Article IV of Chapter 110, to be numbered and read as follows:

- (1) Single-family residence and residential accessory structures and/or uses (see article III of this chapter); and

Section 17. By retitling Article V, pertaining to “Conditional Uses, Nonconformances, Transportation Corridor Overlay Zone, and Commercial Development Standards”, of Chapter 110, so that the title of said Article V instead reads “Conditional Uses, Nonconformances, and Transportation Corridor Overlay Zone”

Section 18. By deleting Subparagraph x of Paragraph (2) of Section 110-169, pertaining to “Conditional use approval”, of Article V of Chapter 110, in its entirety, and by replacing it with a new Subparagraph x in Paragraph (2) of Section

110-169 of Article V of Chapter 110, to be numbered and read as follows:

- x. *Farm outbuildings, including horse stables, auxiliary structures, and greenhouses.* Allowed in the A-R zoning district. These aforementioned buildings/structures shall be exempt from Sec. 110-79, pertaining to “Residential accessory structures and their uses”.
 - 1. *Farm outbuilding.* All structures permitted in this category shall be structures related to a bona fide farming operation and shall be utilized as a barn for livestock, storing farm equipment, and any other agricultural purposes.
 - 2. *Greenhouses.* All structures permitted in this category shall be structures related to a bona fide cultivation or production of landscape planting materials.
 - 3. *Horse stables.* All structures permitted in this category shall be related to the bona fide shelter and/or boarding of horses. Riding lessons and boarding only shall be permitted; however, a site plan shall be required for these uses.
 - 4. *Auxiliary structures.* All structures permitted in this category shall comply with the following:
 - (i) Auxiliary structures shall be utilized for personal use only by the residents of the principal structure.
 - (ii) Auxiliary structures may be utilized as a noncommercial indoor training facility and/or artist studio.
 - (iii) Commercial/retail activity shall not be permitted.

- (iv) An auxiliary structure shall not be utilized in conjunction with a home occupation.
- 5. Lot size over ten acres, no restriction of size or number of farm outbuildings, horse stables, auxiliary structures, and greenhouses.
- 6. Lot size five to ten acres, one detached farm outbuilding, auxiliary structure, greenhouse, or horse stable consisting of a maximum of 3,600 square feet in size.
- 7. Farm outbuildings, auxiliary structures, horse stables and greenhouses may have plumbing and electricity, but shall not be used for residential purposes. Farm outbuildings, horse stables, and/or greenhouses may be constructed prior to the principal residential structure.

Section 19. By deleting Item 3 of Subparagraph mm of Paragraph (2) of Section 110-169, pertaining to “Conditional use approval”, of Article V of Chapter 110, in its entirety and by replacing it with a new Item 3 in Subparagraph mm of Paragraph (2) of Section 110-169 of Article V of Chapter 110, to be numbered and read as follows:

- 3. If the side or rear yard abuts a residential or A-R zoning district, a minimum 50-foot buffer shall be provided adjacent to the lot line. The side yard setback shall be 50 feet. The rear yard setback shall be 75 feet. The setback shall be measured from the buffer. Said requirements shall apply to all structures, outdoor playground areas, and/or athletic facilities. A buffer shall not be required along

the common boundary where the side or rear yard abuts property developed for the following Conditional uses in a residential or A-R zoning district as regulated in Sec. 110-169: Cemetery, human or pet, Child care facility, Church and/or other place of worship, College and/or university, Hospital, Private school, or Recreation centers owned by nonprofit organizations as so registered with the Georgia Secretary of State Office.

Section 20. By deleting Item 5 of Subparagraph ss of Paragraph (2) of Section 110-169, pertaining to “Conditional use approval”, of Article V of Chapter 110, in its entirety and by renumbering Items 6 and 7 of said Subparagraph ss of Paragraph (2) of Section 110-169 of Article V of Chapter 110 as Items 5 and 6, respectively.

Section 21. By deleting Subparagraph vv of Paragraph (2) of Section 110-169, pertaining to “Conditional use approval”, of Article V of Chapter 110, in its entirety and by replacing it with a new Subparagraph vv of Paragraph (2) of Section 110-169 of Article V of Chapter 110, to be numbered and read as follows:

x. *Single-family residence and residential accessory structures and/or uses.*

Allowed in the C-C, C-H, L-C-1, L-C-2, M-1, M-2, O-I, G-B, and BTP zoning districts.

1. Said residence shall be a single-family detached residence.
2. Said residence shall not be less than 1,200 square feet, and said residence shall not be allowed in subdivision developments as defined in chapter 104, article XV.

3. All residential accessory structures shall comply with Sec. 110-79, pertaining to “Residential accessory structures and their uses”.

Section 22. This ordinance shall become effective immediately upon its adoption by the Board of Commissioners for Fayette County.

Section 23. All other ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

Section 24. In any event any section, subsection, sentence, clause or phrase of this Ordinance shall be declared or adjudged invalid or unconstitutional, such adjudication shall in no manner affect other sections, subsections, sentences, clauses or phrases of this Ordinance, which shall remain in full force and effect as if the section, subsection, sentence, clause or phrase so declared or adjudged invalid or unconstitutional were not a part thereof. The Board of Commissioners hereby declares that it would have passed the remaining parts of this Ordinance if it had known that such part or parts hereof would be declared or adjudged invalid or unconstitutional.

SO ENACTED this _____ day of _____, 2018.

BOARD OF COMMISSIONERS OF
FAYETTE COUNTY

By: _____
Eric K. Maxwell, Chairman

(SEAL)

ATTEST:

Tameca P. White, County Clerk

Approved as to form:

County Attorney

COUNTY AGENDA REQUEST

Page 188 of 277

Department: Environmental Mgt/2017 SPLOST

Presenter(s): Vanessa Birrell, Director

Meeting Date: Thursday, September 27, 2018

Type of Request: Consent #9

Wording for the Agenda:

Approval to authorize staff to acquire all fee simple right-of-way and easements for the 2017 SPLOST; Stormwater; Category II, Tier I Project: 175 Silver Leaf Drive Culvert Replacement.

Background/History/Details:

The culvert beneath Silver Leaf Drive near the Redwood Circle intersection has been damaged beyond repair and has exceeded its serviceable life. The plans call for the installation of a 6' x 4' concrete box culvert. Construction plans are in final design.

This agenda item helps provide the appropriate basis from which the land acquisition activities can be concluded.

What action are you seeking from the Board of Commissioners?

Approval to authorize staff to acquire all fee simple right-of-way and easements for the 2017 SPLOST; Stormwater; Category II, Tier I Project: 175 Silver Leaf Drive Culvert Replacement.

If this item requires funding, please describe:

This is a 2017 SPLOST; Stormwater; Category II, Tier I Project: 175 Silver Leaf Drive Culvert Replacement 32240320-541210-17SAN (Original Budget \$247,827 - Expenditures to date of \$39,837 = \$207,990 available budget as of 09/13/2018).

Has this request been considered within the past two years?

No

If so, when?

Is Audio-Visual Equipment Required for this Request?*

No

Backup Provided with Request?

Yes

*** All audio-visual material must be submitted to the County Clerk's Office no later than 48 hours prior to the meeting. It is also your department's responsibility to ensure all third-party audio-visual material is submitted at least 48 hours in advance.**

Approved by Finance

Yes

Reviewed by Legal

Approved by Purchasing

Not Applicable

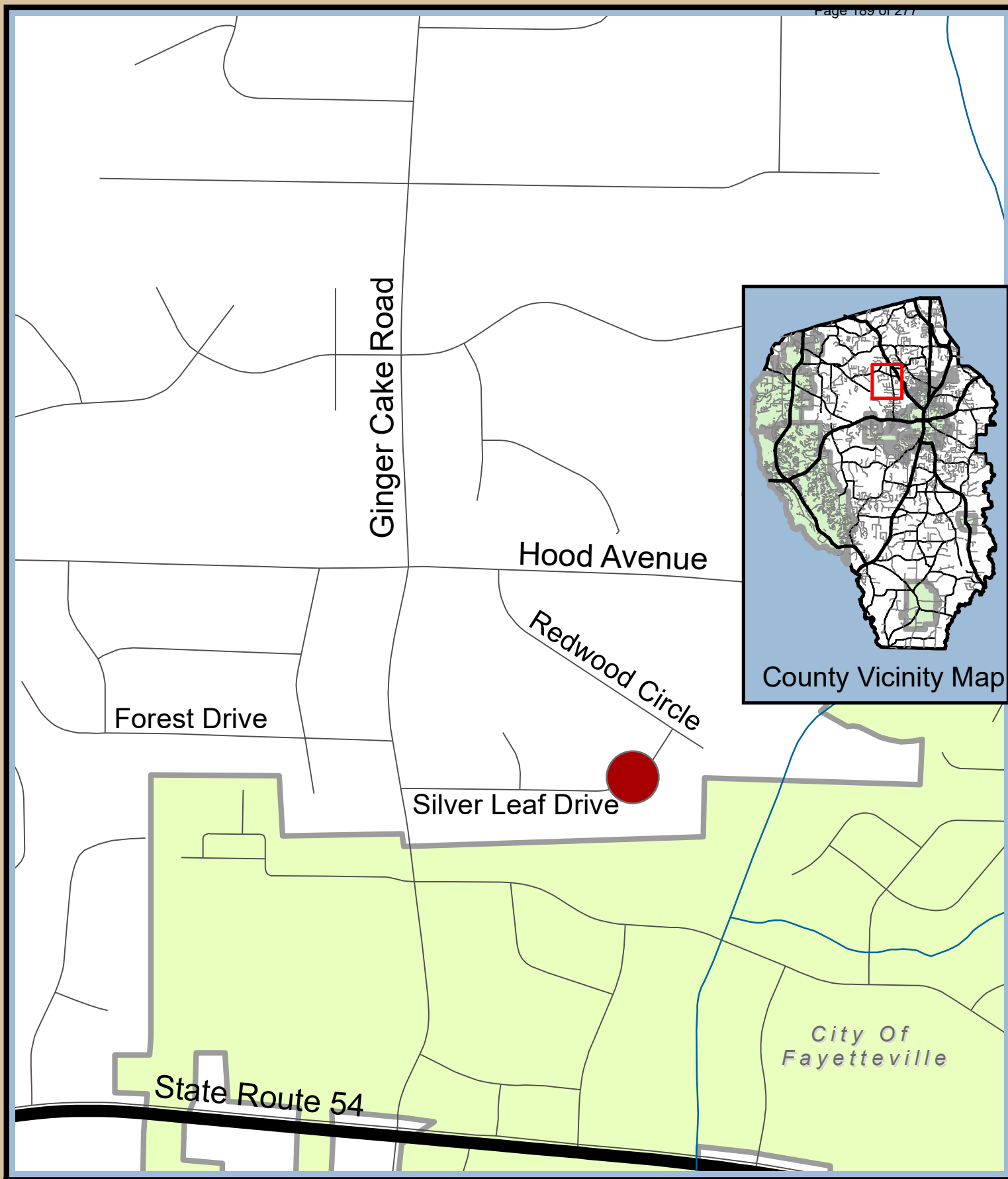
County Clerk's Approval

Yes

Administrator's Approval

Staff Notes:

This is a 2017 SPLOST; Stormwater; Category II, Tier I Project: 175 Silver Leaf Drive Culvert Replacement (Original Budget \$247,827 - Expenditures to date of \$39,837 = \$207,990 available budget as of 09/06/2018).



Project Location

Fayette County 2017 SPLOST
175 Silver Leaf Drive - 17SAN
Stormwater Culvert Replacement





Photo 1:



Photo 2:

175 Silver Leaf Drive

Photo Date:

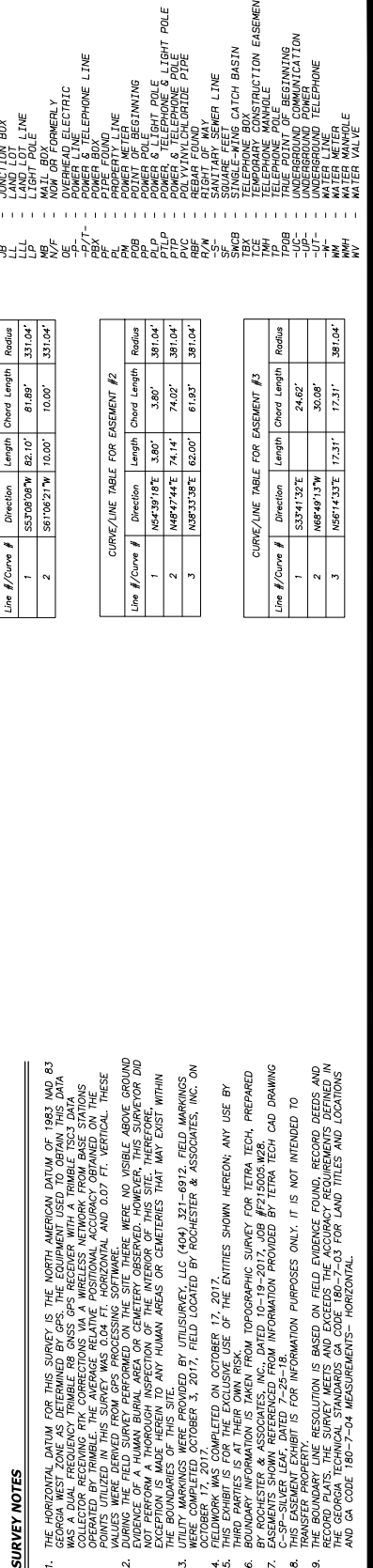
5/21/2013

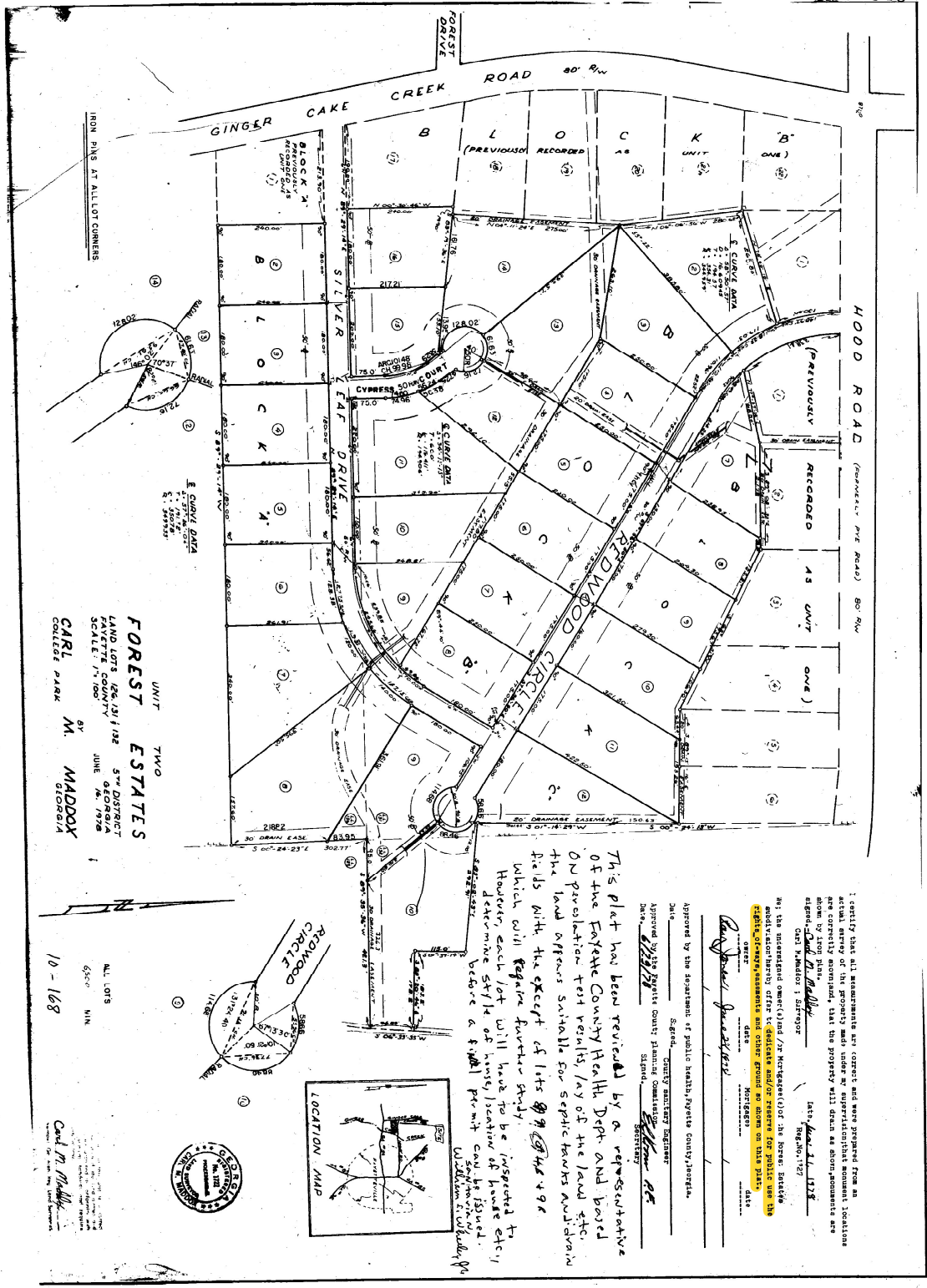
Taken By:

David King

Page:

1





This plat has been reviewed by a representative of the Fayette County Health Dept. and based on population test results, lay of the land and the land appears suitable for septic tanks and drain fields with the exception of lots 126, 127, 128 and 129. However, each lot will have to be inspected to determine style of house location of house etc. before a final permit can be issued.

Signature: *William H. Williams*

I certify that all measurements are correct and were prepared from an actual survey of the property and were prepared from monument locations and correct monuments, that the property will conform to the plat and the plat is correct.

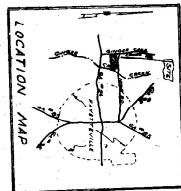
Signature: *Carl M. Maddox* Date: *June 16, 1968*

Signature: *Carl M. Maddox* Date: *June 16, 1968*

Signature: *Carl M. Maddox* Date: *June 16, 1968*

FOREST ESTATES
UNIT TWO
LAND LOTS 126, 127, 128
FAYETTE COUNTY, GEORGIA
SCALE: 1"=100'
BY **CARL M. MADDOX**
JUNE 16, 1968
COLLECTOR: **M. MADDOX**
GEORGIA

ALL LOTS
50' MIN
10-168



COUNTY AGENDA REQUEST

Page 193 of 277

Department: Environmental Management

Presenter(s): Vanessa Birrell, Director

Meeting Date: Thursday, September 27, 2018

Type of Request: Consent #10

Wording for the Agenda:

Approval to establish a capital project with funding provided from Environmental Management's Field Equipment budget of \$5,250 and \$10,200 from General Fund contingency project for the purchase of an HD pole camera in the amount \$15,450.

Background/History/Details:

Environmental Management (EMD) currently uses a quickview haloptic pole camera to inspect, assess and prioritize stormwater sewer rehabilitation for SPLOST, environmental compliance and resolution of customer service problems and extent of service issues. The current pole camera was purchased in 2011.

In the 2019 FY approved budget (EMD) budgeted \$5,250 to purchase an accessory air pack that allows wireless transmission to the stormwater pipe photo to the camera rather than having a cord tethered to the camera. The wire connecting from the pole cam to the camera sometimes can present itself as a tripping hazard.

An upgraded HD pole camera is now available that additionally allows substantially improved (HD) still camera shots and video of stormwater infrastructure and software enhancements that allow field annotation and sharing in the field. This new camera also has remote centering (instead of pulling the camera out of hole and performing manual repositioning and reinserting into the hole) and motorized HD zoom and tilt capabilities. The lowest quote for this new camera is \$15,450. This purchase amount needs to be accounted for as a capital project and requires additional funding as outlined.

What action are you seeking from the Board of Commissioners?

Approval to establish a capital project with funding provided from Environmental Management's Field Equipment budget of \$5,250 and \$10,200 from General Fund contingency project for the purchase of an HD pole camera in the amount \$15,450.

If this item requires funding, please describe:

Funding of \$5,250 is available in 10040250-542140 (Env Mgt Field Equip) with the remaining funding of \$10,200 to come from General Fund project contingency.

Has this request been considered within the past two years? Yes

If so, when? 2019 Budget Request

Is Audio-Visual Equipment Required for this Request?* No

Backup Provided with Request? Yes

*** All audio-visual material must be submitted to the County Clerk's Office no later than 48 hours prior to the meeting. It is also your department's responsibility to ensure all third-party audio-visual material is submitted at least 48 hours in advance.**

Approved by Finance Yes

Reviewed by Legal

Approved by Purchasing Not Applicable

County Clerk's Approval Yes

Administrator's Approval

Staff Notes:

Current balance in General Fund project contingency is \$514,840 as of Sept 19, 2018.



**ENVIRONMENTAL PRODUCTS
GEORGIA**

Proposal Summary

Prepared for:

Fayette County, GA

***Envirosight* LLC**



Envirosight Sewer Inspection Cameras

Quickview Air HD Pole Camera



**Fayette County, GA
July 13th, 2018**

Envirosight Sewer Inspection Cameras

Environmental Products Georgia would like to thank you for the opportunity to present **Envirosight's Sewer Inspection Camera Equipment**.

Environmental Products Group is the sole provider of Envirosight Pipeline Inspection in the state of Georgia, as well as many other leading industry product lines including: Vactor Sewer Cleaning Equipment, Elgin Street Sweepers, Petersen Grapple Loaders, PB Asphalt Pothole Patchers, Madvac Sweepers and Vacuums, and a host of parts, tools and accessories for all your needs.

Environmental Products Group prides itself on our local parts, service, and training capabilities. With multiple full-service locations throughout Florida, Georgia, and Memphis, Tennessee; including Vactor, Elgin, and Envirosight repair centers, extensive parts inventory, factory-trained technicians, mobile parts and service, rentals, turnkey maintenance packages, leasing options, and much more... we are ready to service your every need.

Thank you for your consideration.

ATLANTA

4410 Wendell Dr SW
Atlanta, GA 30336
P: 404.693.9700
F: 404.693.9690

CORPORATE

2525 Clarcona Rd.
Apopka, FL 32703
P: 407.798.0004
F: 407.798.0013



The following proposal is based off of the **NJPA Contract #022014 - EVS**

Product Description

QuickView Air HD System - includes Wireless Camera Head with built in Wi-Fi, 16' Carbib Fiber Pole, 6' Extension Pole, Bipod, Spring Loaded Standoff, 2 Batteries, and Battery Charger

Standard Features

Components

- Camera Head
- Pole
- Standoff
- BiPod
- Battery (2)
- Battery Charger

Video System

- Imager- 1 / 2.8-Type CMOS
- Zoom- 360x(30 x Optical, 12 x Digital)
- Resolution- 1280x720 Pixels (2.38 Megapixels)
- Functions
 - Zoom
 - Focus (Auto/Manual)
 - Shutter (Auto/Manual)
 - Sensitivity Mode
- Field of View- 63.7 deg. (Wide) – 2.3 deg. (Tele)
- Sensitivity- 1.4 lux

Illumination

- System- Quad Haloptic (Four LED/Reflector Pairs)
- Illumination Type- Coaxial, Coilluminated
- Reflector- Proprietary

Camera Head

- Connections- 4-Pin Auxiliary Port
- Depth Rating- 10' (3m)
- Construction- Aluminum, Rubber, Acrylic
- Sensors- Temperature, Pressure, Incline

Wireless System

- Wi-Fi Standard- IEEE 802.11b/g/n
- Frequency Range- 2.400-2.483 GHz
- Operating Channels- 1-11

Centering Support

- Extension Range- 18.9" (480mm)
- Pipe Diameter Compatibility- 6-48" (DIN 150-1200)
- Mechanism- Gas Spring with Reciprocating Ratchet

Battery/Charger

- Battery Quantity- 2
- Battery Capacity- 3.4 A-Hr.
- Battery Charger- Mains Power

Pole/BiPod

- Length (Collapsed/Extended)- 4'/16' (Nominal)
- Stabilization- Detachable Hands-Free Support

Tablet and App

- Connection- Connects to Any Quickview Air HD in Range
- Status Bar- Monitor Illumination, Zoom and Tilt, Wi-Fi Signal Strength, Battery (for Tablet and Camera)
- Capture- Record Video and Capture Still Images
- Media Library- Browse Thumbnails, Review, Annotate and Share Footage
- Text Overlay- Configure On-Screen Display of Text, Including Variables like Zoom, Tilt and GPS Coordinates
- App- Android, iOS, Windows Compatible

Additional Features

- Delivery and Training Included

SALE PRICE = \$15,450.00

Options

- * **Laser Measurement Tool - \$1,600.00**
- * **Air Pressurization Kit - \$350.00**

Please don't hesitate to call with questions, or if you need any additional information. Thank you for your interest and the opportunity to earn your business.

Signature

Date



National Joint Powers Alliance® (NJPA) is a national municipal contracting agency committed to serving its Members purchasing needs. NJPA is driven to provide efficient public service through our national contract purchasing solutions and other related programs. NJPA is able to do this as they work together, creating a unified purchasing alliance that is valued by both NJPA Members and contracted suppliers.

Warranty

Envirosight LLC (Envirosight) guarantees this product to be free from defects in materials and manufacturing. Envirosight's obligation under this Warranty shall be limited to the repair or exchange of any part or parts thereof which may prove to be defective under normal use and service within one (1) years from the date of original purchase and which our examination, at our facility, shall disclose, to our satisfaction, to be defective. This Warranty is expressly in lieu of all other warranties, express or implied, including the warranties of merchantability and fitness for use and of all other obligations or liabilities on our parts, and we neither assume nor authorize any other person to assume for us, any other liability in connection with the sale of Envirosight's equipment. This Warranty shall not apply to any equipment that has been subject to accident, negligence, alteration, abuse, unauthorized repair, improper storage or other misuse. This Warranty applies only to the original purchaser and cannot be assigned or transferred to any third party without express written consent of Envirosight. The warranty does not apply to expendable items or normal wear and tear or failure due to overheating or radiation exposure. Additionally, Envirosight assumes no responsibility, either expressed or implied, regarding the improper usage of this equipment or interpretation of test data derived from this product. Envirosight's responsibility and obligations, in all cases, are limited strictly to the repair and/or replacement cost as outlined above. This warranty shall be governed by the laws of the State of New Jersey. Note: In the event that the equipment cannot be returned to Envirosight, for whatever reason, the customer agrees to pay for all travel and living expenses incurred to have an Envirosight LLC representative evaluate, assess or affect a field warranty repair.

Steps for Warranty Assessment:

1. Call Envirosight at 973.252.6700 and state that you are calling regarding a warranty issue.
2. After receiving a return authorization number (RA#), ship the product to: Service Manager – [RA#], Envirosight, 111 Canfield Avenue, Unit B1-3, Randolph, NJ 07869

Envirosight is not responsible for shipping costs. After receiving and evaluating the product, Envirosight's product manager will contact you to discuss the warranty claim.

COUNTY AGENDA REQUEST

Page 200 of 277

Department:

Presenter(s):

Meeting Date:

Type of Request:

Wording for the Agenda:

Approval of staff's recommendation for Board of Commissioners to approve the bid from Blount Construction Company, Inc. for Bid #1545-B HA 5, High Density Mineral Bond in the amount of \$194,317.21.

Background/History/Details:

HA5 is a High Density Bond is a pavement preservation treatment that significantly extends pavement life on residential roadways and parking surfaces. The following subdivisions and roads pavement is structurally in good shape but is in the early stages of showing the effects of age and weathering. HA5, High Density Mineral Bond is an unique tool that when installed extends the life of low load/volume pavement at a reduce cost than the traditional asphalt overlay.

The following sub-divisions and roads are listed on this bid:

- 1.) Milbourne Estates Subdivision - Victor Lane
- 2.) Grier Woods Subdivision - Mercedes Trail and Benz Court
- 3.) New Hope Landing Subdivision - Hedgerow Trail, Foxtail Court, Meadow Sage Lane and Lantana Lane
- 4.) Applewood Way Subdivision - Applewood Way, Perry Creek Drive and Chitwood Court
- 5.) Serenity Lake Subdivision - Serenity Place
- 6.) Platinum Ridge Subdivision - Platinum Ridge Point and Diamond Point
- 7.) Chantilly Subdivision - Chantilly Lane and Lace Court

What action are you seeking from the Board of Commissioners?

Approval of staff's recommendation for Board of Commissioners to approve the bid from Blount Construction Company, Inc. for Bid #1545-B HA 5, High Density Mineral Bond in the amount of \$194,317.21.

If this item requires funding, please describe:

This item does not require funding. Road Department has designated funding available for HA5 in its FY2019 budget.

Has this request been considered within the past two years?

If so, when?

Is Audio-Visual Equipment Required for this Request?*

Backup Provided with Request?

**** All audio-visual material must be submitted to the County Clerk's Office no later than 48 hours prior to the meeting. It is also your department's responsibility to ensure all third-party audio-visual material is submitted at least 48 hours in advance.***

Approved by Finance

Reviewed by Legal

Approved by Purchasing

County Clerk's Approval

Administrator's Approval

Staff Notes:

Finance - Roads has an approved FY 2019 budget amount of \$277,648 for pavement preservation services in account 10040220-521316.



Purchasing Department
 140 Stonewall Avenue West, Ste 204
 Fayetteville, GA 30214
 Phone: 770-305-5420
www.fayettecountyga.gov

To: Steve Rapson

From: Ted L. Burgess

Date: September 27, 2018

Subject: Invitation to Bid #1545-B: HA5 High Density Mineral Bond – Fall 2018

HA5® is a high density mineral bond road treatment that was developed by Holbrook Asphalt Company in St. George, Utah. It prevents cracking and loss of the bond between the aggregate and the binder, thus extending the life of the road. At this time, it is the only product that complies with a specification produced by the American Public Works Association. The Road Department seeks a contractor to apply HA5 to streets in Milbourne Estates, Grier Woods, New Hope Landing, Applewood Way, Serenity Lake, Platinum Ridge, and Chantilly subdivisions.

There is currently one HA5 contractor in Georgia – Blount Construction Company, Inc. In an effort to find additional competition for a contract this size, the Purchasing Department issued Invitation to Bid #1545-B. Emails were sent to five companies. We advertised through the Georgia Procurement Registry, Georgia Local Government Marketplace website (glga.org), the Greater Georgia Black Chamber of Commerce, Channel 23, and Fayette News.

Two contractors submitted bids (Attachment 1). Including this Invitation to Bid, the Purchasing Department has issued eight solicitations for HA5 application since June 2015. Each time, only one or two companies responded, as follows:

Date	Contract Executed	Contract Number	Work Location	Blount Construction (Georgia)		Whitaker Contracting (Alabama)		Holbrook Asphalt Co. (Utah)	
				Sq Yd	Total	Sq Yd	Total	Sq Yd	Total
6/12/2015		975-A	Lawson Lane & S. Morning Dove Drive	2.62	13,135.88	-	-	5.03	39,453.45
8/25/2015		1005-B	Horseman's Run subdivision	1.98	107,451.48	1.95	92,753.56	-	-
5/4/2016		1093-A	210 Hilo Road & Sr. Center parking lot	2.57	17,191.00	-	-	-	-
10/19/2016		1203-A	Kiwanis Park: Parking lot at administrative offices	2.65	16,353.90	-	-	-	-
4/24/2017		1273-B	Northern Oaks, Northridge, Newton Plantation, Felton Court, & Forest Hall Lane	1.94	157,098.72	-	-	-	-
9/7/2017		1362-B	A) Kiwanis Park: Parking, roads, and paths other than at admin. Building. B) Sheriff's Office parking.	2.19	132,533.89	-	-	-	-
2/9/2018		1426-B	Brechin Park, Providence, Glen Grove, Shoreline Trace, & Still Brook Estates subdivisions.	2.38	230,222.18	2.80	291,691.82	-	-
TBD		1545-B	Milbourne Estates, Grier Woods, New Hope Landing, Applewood Way, Serenity Lake, Platinum Ridge, & Chantilly subdivisions.	2.50	194,317.21	3.35	310,965.60	-	-

NOTE: Total contract price shown includes items other than HA5, e.g. crack seal, mobilization, striping and traffic control where applicable.

The Road Department recommends the low bidder, Blount Construction, for this project. As demonstrated by their Contractor Performance Evaluation (Attachment 2), they are satisfied with Blount Construction's performance.

Specifics of the proposed contract are as follows:

Contract Name	1545-B: HA5 High Density Mineral Bond – Fall 2018
Vendor	Blount Construction Company
Not-to-Exceed Amount	\$194,317.21

Budget:

Fund	100	General Fund
Org. Code	10040220	Road Department
Object Code	521316	Technical Services
Project Code	N/A	
Available Budget	\$277,648.00	

ATTACHMENT 1

Invitation to Bid #1545-B**HA5 High Density Mineral Bond - Fall 2018**

COMPANY	HIGH DENSITY MINERAL BOND (69,200 Sq Yds)		CRACK SEAL (4.6 Linear Miles)		MOBILIZATION & TRAFFIC CONTROL	TOTAL BID PRICE
	UNIT	EXTENDED	UNIT	EXTENDED		
WHITAKER CONTRACTING CORP.	\$3.35	\$231,820.00	\$6,336.00	\$29,145.60	\$50,000.00	\$310,965.60
BLOUNT CONSTRUCTION COMPANY, INC.	\$2.50	\$173,000.00	\$3,274.22	\$15,061.41	\$6,255.80	\$194,317.21

FAYETTE COUNTY, GEORGIA CONTRACTOR PERFORMANCE EVALUATION

Page 1

1. Use this form to record contractor performance for any contract of \$50,000 or above.
2. The person who serves as project manager or account manager is the designated party to complete the evaluation.
3. This form is to be completed and forwarded to the Purchasing Department not later than 30 days after completion or expiration of a contract. Past performance is considered on future contracts.

VENDOR INFORMATION	COMPLETE ALL APPLICABLE INFORMATION
Company Name: Blount Construction Company	Contract Number: 1426-B
Mailing Address: 1730 Sands Place	Contract Description or Title: High Density Mineral Bond for Five Subdivisions
City, St, Zip Code: Marietta, GA 30067	Contract Term (Dates) From: Feb 2018 To: June 2018
Phone Number:	Task Order Number:
Cell Number:	Other Reference:
E-Mail Address:	

DEFINITIONS

OUTSTANDING – Vendor considerably exceeded minimum contractual requirements or performance expectations of the products/services; The vendor demonstrated the highest level of quality workmanship/professionalism in execution of contract.

EXCELLENT (Exc) - Vendor exceeded minimum contractual requirements or performance expectations of the products/services.

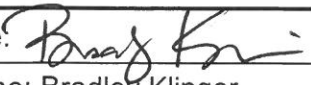
SATISFACTORY (Sat) - Vendor met minimum contractual requirements or performance expectations of the products/services.

UNSATISFACTORY (UnSat) - Vendor did not meet the minimum contractual requirements or performance expectations of the products and/or services; Performed below minimum requirements

EVALUATIONS (Place "X" in appropriate box for each criterion.)

Criteria (includes change orders / amendments)	Out-standing	Exc	Sat	Un-Sat	Not Apply
1. Work or other deliverables performed on schedule		X			
2. Condition of delivered products		X			
3. Quality of work		X			
4. Adherence to specifications or scope of work		X			
5. Timely, appropriate, & satisfactory problem or complaint resolution		X			
6. Timeliness and accuracy of invoicing		X			
7. Working relationship / interfacing with county staff and citizens		X			
8. Service Call (On-Call) response time					
9. Adherence to contract budget and schedule					
10. Other (specify):					
11. Overall evaluation of contractor performance		X			

EVALUATED BY

Signature: 	Date of Evaluation: 8-24-18
Print Name: Bradley Klingler	Department/Division: Road
Title: Assistant Director	Telephone No: 770-320-6039

COUNTY AGENDA REQUEST

Page 205 of 277

Department:

Presenter(s):

Meeting Date:

Type of Request:

Wording for the Agenda:

Approval of the Water Committee's recommendation to approve request from the Flint River Astronomy Club for November 2, 2018 and February 8, 2019 to keep Lake Horton Park open from 6:30 p.m. to 10:00 p.m. and April 12, 2019 from 7:30 p.m. to 11:00 p.m. for the Star Gazing event.

Background/History/Details:

Two events were held earlier this year, June 22, 2018, July 27, 2018, and they were a success with an attendance of over 300 people.

What action are you seeking from the Board of Commissioners?

Approval of request from the Flint River Astronomy Club for November 2, 2018 and February 8, 2019 to keep Lake Horton Park open from 6:30 p.m. to 10:00 p.m. and April 12, 2019 from 7:30 p.m. to 11:00 p.m. for the Star Gazing event.

If this item requires funding, please describe:

Not applicable.

Has this request been considered within the past two years?

If so, when?

Is Audio-Visual Equipment Required for this Request?*

Backup Provided with Request?

**** All audio-visual material must be submitted to the County Clerk's Office no later than 48 hours prior to the meeting. It is also your department's responsibility to ensure all third-party audio-visual material is submitted at least 48 hours in advance.***

Approved by Finance

Reviewed by Legal

Approved by Purchasing

County Clerk's Approval

Administrator's Approval

Staff Notes:

COUNTY AGENDA REQUEST

Page 206 of 277

Department: Administration

Presenter(s): Steve Rapson, County Administrator

Meeting Date: Thursday, September 27, 2018

Type of Request: Consent #13

Wording for the Agenda:

Approval of staff's recommendation to include "Addendum 6-Gospel Under the Stars Festival and Fayette Rocks Kindness Project" as an added event to the Intergovernmental Agreement between the City of Fayetteville and Fayette County for use of county owned property.

Background/History/Details:

At the January 11, 2018 Board of Commissioners meeting, the Board approved the Intergovernmental Agreement between the City of Fayetteville and Fayette County for use of county owned property with instructions to bring back to the Board any addenda for any additional non-city events held on county property.

"Addendum 6-Gospel Under the Stars Festival and Fayette Rocks Kindness Project" is provided as backup.

What action are you seeking from the Board of Commissioners?

Approval of staff's recommendation to include "Addendum 6-Gospel Under the Stars Festival and Fayette Rocks Kindness Project" as an added event to the Intergovernmental Agreement between the City of Fayetteville and Fayette County for use of county owned property.

If this item requires funding, please describe:

Not applicable.

Has this request been considered within the past two years? No

If so, when?

Is Audio-Visual Equipment Required for this Request?* No

Backup Provided with Request? Yes

**** All audio-visual material must be submitted to the County Clerk's Office no later than 48 hours prior to the meeting. It is also your department's responsibility to ensure all third-party audio-visual material is submitted at least 48 hours in advance.***

Approved by Finance Not Applicable

Reviewed by Legal

Approved by Purchasing Not Applicable

County Clerk's Approval Yes

Administrator's Approval

Staff Notes:



REQUEST FOR USE OF COUNTY-OWNED GROUNDS AND BUILDINGS

Request Submitted By: Mount Olive Baptist Church

Address/City/State/Zip: 1565 Highway 92 North (Forrest Avenue), Fayetteville, Georgia 30214

Applicant's Name: Shirley Winters

Date Request Received: Sep 7, 2018

Phone Number: [REDACTED]

Alternative Phone Number: [REDACTED]

Request For: Sign Placement

Location Requested: Historic County Courthouse

From Date: Sep 17, 2018 24

To Date: Sep 29, 2018

This Request is from a: Not-for-Profit Organization

Has Proof of IRS Not-for-Profit Status Been Provided?

No

Description:

Request for placement of 5th annual "Gospel Under the Stars Festival" Banner. Festival is Saturday, September 29, 2018, 2 p.m. to 7 p.m. at 1565 Hwy 92 N (Forrest Ave.), Fayetteville, GA. Admission is Free. Public is welcome.

Gospel Under the Stars is a Mount Olive community outreach initiative. The festival is a family focused event that gives back to our community and surrounding communities while brining friends and families together in music, Christian love, and fellowship.

Festival events include the following: gospel music performances, kid game/activities including mobile video game truck, Cooling Station treats, fish fry station, merchandise and food Vendors, hay ride, special dunking booth, MCs, DJ, drumline, praise dancers, and more.

The Applicant has read the County's policy regarding the use of Public Property, agrees to abide by said policy, and to be held responsible for violation of the policy.

Yes

Applicant's Signature: *Shirley Winters*

COUNTY STAFF USE ONLY

Does this request meet the terms and conditions of the County's established policy for use of county-owned grounds and buildings?

This Request Has Been:

By:

Date:

Signature:

Notes

9-17- to County —

REQUEST FOR USE OF COUNTY-OWNED GROUNDS AND BUILDINGS

Request Submitted By: Fayette Rocks Kindness Project

Address/City/State/Zip: 245 Royal Ridge Way Fayetteville GA 30215

Applicant's Name: Wendy Gallacher

Date Request Received

Phone Number: Alternative Phone [REDACTED] Cell

Number:

Request For: Location Historic Courthouse Lawn

Requested: "Fayette Rocks Paint Hide & Seek Event"

From Date: 9-29 2:00 pm

To Date: 9-29 4:00 pm

This Request is from a: Community Group

Has Proof of IRS Not-for-Profit Status Been Provided?

Description: This will be our 2nd Annual Fayette Rocks Paint Hide and Seek Event on the Historic Courthouse Lawn. Fayette Rocks will provide tables and supplies and allow the community to participate to help us paint Kindness Rocks. Then we will, as a community, spread the Kindness Rocks around the Downtown area. Our project's mission is to spread kindness through the spreading of inspirational, kindness rocks for others to find and rehide or keep.

The Applicant has read the County's policy regarding the use of Public Property, agrees to abide by said policy, and to be held responsible for violation of the policy.

Applicant's Signature: Wendy Gallacher

COUNTY STAFF USE ONLY

Does this request meet the terms and conditions of the County's established policy for use of county-owned grounds and buildings?

This Request Has Been: By:

Signature:

Date:

Notes

CITY OF FAYETTEVILLE**COUNTY OF FAYETTE****USE OF COUNTY-OWNED PROPERTY AGREEMENT**

THIS AGREEMENT made and entered into this 11th day of January, 2018 by and between the CITY OF FAYETTEVILLE, a municipality duly incorporated in the State of Georgia, acting by and through its duly elected Mayor and Council, hereinafter referred to as the "City," and FAYETTE COUNTY, a political subdivision in the State of Georgia, acting by and through its duly elected Board of Commissioners, hereinafter referred to as the "County," for the use of certain County-owned properties (the "Agreement").

WITNESSETH:

WHEREAS, the City holds events on certain County-owned properties, specifically these properties are the Old Courthouse and Square (200 Courthouse Square) and the Fayette County Administrative Complex and grounds including Heritage Park (140 Stonewall Avenue West); and

WHEREAS, the City and the County desire by this writing to set forth the terms of their agreement for the City use of aforementioned County-owned properties;

NOW, THEREFORE, for an in consideration of the mutual premises contained herein, and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged by both parties, both parties agree as follows:

Section 1. Legal Authority

1.1 This Agreement shall constitute a binding, legal contract between the parties hereto, in accordance with the authority granted by Article IX, Section III, Paragraph I of the 1983 Constitution of the State of Georgia. Each of the parties herein covenants that it has the requisite legal authority to provide the services, perform the functions, and otherwise do all things necessary, convenient, and expedient to carry out the obligations and responsibilities herein set forth, either expressly or by reasonable implication.

Section 2. Consent of the County

2.1 The County hereby consents to allow the City to hold and coordinate events, and also to coordinate and collect "use of grounds" fees for non-City events, on the aforementioned County-owned properties through this Agreement in return for the City meeting all stipulations set forth in this Agreement. The County has the right of first refusal on any planned events or activities of any kind.

Section 3. Stipulations

3.1 All applications require up to six (6) weeks-notice prior to any City event being held. The City shall notify and get written approval from the County Administrator or his/her designee of any City event not included in this Agreement (See Attachment A). Notice of event dates reflected in Attachment A will be provided at the beginning of each calendar year for scheduling purposes to the County Administrator or his/her designee. All applications for non-City events shall be subject to final review and written approval by the Board of Commissioners or their designee, and shall be considered non-binding until such approval is received.

3.2 The City shall provide security for any event via the Fayetteville Police Department and ensure coordination on such events with the County Marshal's Department.

3.3 The City shall submit a certificate of insurance for all non-City sponsored events to the County Administrator or his/her designee no later than two (2) weeks prior to the event. The County shall be listed with respect to general liability in the amount of \$1,000,000.

3.4 The City shall provide for trash collection and disposal at the event and shall remove all trash and litter from the County-owned properties after the event.

3.5 The City shall reimburse the County on an event basis for bathroom supplies (i.e., toilet paper, soap, paper towels, etc.) used in bathrooms of the Fayette County Administrative Complex based upon the cost reimbursement (See Attachment B). Payments shall be made to the County on a bi-annual basis.

3.6 The City shall not allow for the anchoring of tents and shade tarps that require driving stakes into County property. Tents, tarps and other items used for weekend events shall not block vehicular drive paths at the Stonewall Complex on weekdays. Items used for weekend events shall not be placed in such areas until after 5 p.m. on Friday and shall be removed no later than 10 a.m. on Monday.

3.7 The City shall not allow anchoring tents or shade tarps by tying said items to trees, shrubs, or light poles in or around the aforementioned properties.

3.8 The City shall consult with the County Administrator or his/her designee for any large structures, including large tent covers or stages that are to be located at the aforementioned properties.

3.9 The City shall notify the County of any special needs for electrical power, above and beyond what is currently provided, for the County's review.

3.10 The County shall allow the sale and consumption of malt beverages and wine at events on the aforementioned County-owned properties under the following stipulations:

- a. The event shall be a City sponsored event;
- b. The City shall issue the local event permit for the sale of malt beverages and wine, and ensure the vendor meets all applicable laws and regulations of the State of Georgia and the City of Fayetteville; and
- c. The City will ensure that police security is present as needed per event.

3.11 The City shall pay the County an amount equal to twenty-five (25)% of any “use of grounds” fees collected for any non-City events on County property. Payments shall be made to Fayette County no later than thirty (30) days after any such event.

3.12 The City shall consult with the County Administrator or his/her designee regarding the placement of signs at the Historic County Courthouse grounds.

Section 4. Indemnification.

4.1 To the extent allowed by law, the City shall indemnify the County against any losses, damages, judgments, interest, settlements, fines, court costs and other reasonable costs and expenses, including attorney fees, and any other liabilities incurred by, imposed upon, or suffered by the County in connection with or resulting from any claim, action, suit, or proceeding arising out of or in conjunction with the performance by the City of its duties and responsibilities under this Agreement.

Section 5. Term of Contract.

5.1 This Agreement shall begin on the Effective Date as set forth on the Agreement page of the contract, and continue through June 30, 2019. Thereafter, this Agreement may be renewed by the County for one-year renewal terms (each a “Renewal Term” and together with the Initial Term, the “Term”), which renewal will be by letter or other written correspondence from the County to the City sixty (60) days prior to expiration of the Initial Term or the then-current Renewal Term. If the County fails to provide notice of renewal, this Agreement will terminate at the end of the Initial Term or the then-current Renewal Term. This Agreement is subject to the multi-year contractual provisions of O.C.G.A. 36-60-13(a).

Section 6. Miscellaneous.

6.1 This Agreement shall constitute the entire agreement of the parties. No representations not contained herein have been relied upon or shall be binding upon either of the parties hereto. This Agreement may not be modified except by written agreement signed by both parties.

IN WITNESSS WHEREOF, the City and the County have caused this Agreement to be executed in their respective corporate names and their respective corporate seals to be hereunto affixed and attested by their duly authorized officers, all as of the date first above written.

(SEAL)



BOARD OF COMMISSIONERS OF
FAYETTE COUNTY, GEORGIA

By:

A blue ink signature of Eric K. Maxwell, written in a cursive style.

ERIC K. MAXWELL, Chairman

ATTEST:

A blue ink signature of Tameca P. White, written in a cursive style.

Tameca P. White, County Clerk



ATTEST:

MAYOR AND COUNCIL FOR
THE CITY OF FAYETTEVILLE

By:

A blue ink signature of Edward Johnson, written in a cursive style.

EDWARD JOHNSON, Mayor

A blue ink signature of Anne Barksdale, written in a cursive style.

Anne Barksdale, City Clerk

Attachment A

CITY OF FAYETTEVILLE

COUNTY OF FAYETTE

AUTHORIZED FAYETTEVILLE MAIN STREET EVENTS

1. Fine Art Show on the Old Courthouse Lawn
2. Taste of Fayette
3. Chili Fest
4. Pumpkin Festival / Trick or Treat on Main Street
5. Downtown Christmas Parade / Tree Lighting
6. Lunch on the Lawn / Dinner on the Lawn
7. Fayette Market Days
8. Movie nights

Attachment B

CITY OF FAYETTEVILLE

COUNTY OF FAYETTE

STONEWALL INVENTORY COST REIMBURSEMENT

Women's Restroom:

1. Rolls toilet tissue - \$3.40
2. Multi fold packs paper towels - \$ 1.35
3. Hard roll paper towels \$3.00
4. Bag in box soap - \$3.35

Men's Restroom:

1. Rolls toilet tissue - \$3.40
 2. Multi fold packs paper towels - \$1.35
 3. Hard roll paper towels \$3.00
 4. Bag box soap - \$3.35
-

Addendum 1

CITY OF FAYETTEVILLE

COUNTY OF FAYETTE

ADDED FAYETTEVILLE MAIN STREET EVENTS

1. Fayetteville First United Methodist Church-Easter Palooza
2. Fayetteville First United Methodist Church-Sunrise Service
3. Beer Fest-Suds on the Square
4. Fayette Master Gardner Association
5. Fayette Love Your Pet Event

Approved March 22, 2018

Addendum 2

**CITY OF FAYETTEVILLE
COUNTY OF FAYETTE**

ADDED FAYETTEVILLE MAIN STREET EVENTS

1. Annual Back to School Expo

Approved April 24, 2018

Addendum 3

**CITY OF FAYETTEVILLE
COUNTY OF FAYETTE**

ADDED FAYETTEVILLE MAIN STREET EVENTS

1. James Waldrop Chapter Daughter of the American Revolution Commemorates
July 4th

Approved May 24, 2018

Addendum 4

**CITY OF FAYETTEVILLE
COUNTY OF FAYETTE**

ADDED FAYETTEVILLE MAIN STREET EVENTS

1. Wedding Ceremony



Addendum 5

CITY OF FAYETTEVILLE

COUNTY OF FAYETTE

ADDED FAYETTEVILLE MAIN STREET EVENTS

1. Blessings of Animals



Addendum 6

CITY OF FAYETTEVILLE

COUNTY OF FAYETTE

ADDED FAYETTEVILLE MAIN STREET EVENTS

1. Gospel Under the Stars Festival-Mount Olive Church
2. Fayette Rocks Kindness Project



BOARD OF COUNTY COMMISSIONERS

Eric K. Maxwell, Chairman
Randy Ognio, Vice Chairman
Steve Brown
Charles W. Oddo
Charles D. Rousseau

**FAYETTE COUNTY, GEORGIA**

Steve Rapson, County Administrator
Dennis A. Davenport, County Attorney
Tameca P. White, County Clerk
Marlena Edwards, Deputy County Clerk

140 Stonewall Avenue West
Public Meeting Room
Fayetteville, GA 30214

Minutes

September 13, 2018
6:30 p.m.

Welcome to the meeting of your Fayette County Board of Commissioners. Your participation in County government is appreciated. All regularly scheduled Board meetings are open to the public and are held on the 2nd and 4th Thursday of each month at 6:30 p.m.

Call to Order

Chairman Eric Maxwell called the September 13, 2018 Board of Commissioners meeting to order at 6:31 p.m. A quorum of the Board was present.

Invocation and Pledge of Allegiance by Chairman Eric Maxwell

Chairman Eric Maxwell offered the Invocation and led the audience and Board in the Pledge of Allegiance.

Acceptance of Agenda

Vice Chairman Ognio moved to approve the agenda with the amendment of adding Constitution Week Proclamation as item 1a. Commissioner Brown seconded. The motion passed 5-0.

PROCLAMATION/RECOGNITION:**1. Recognition of the staff and volunteers that assist with the organization of the Water Guardians program.**

Commissioner Brown, on behalf of the Board, recognized all the hard work and tremendous effort of the Water Guardian participants, volunteers, and staff. The goal of the Water Guardian initiative was to help keep the reservoirs in Fayette County clean; and in turn helping keep the drinking water for Fayette County citizens safe and clean. Fayette County Water Systems Director, Lee Pope also offered thanks and appreciation to all those involved in making the Water Guardian initiative a success; and expressed that he hoped to see it continue for years to come.

PUBLIC HEARING: None**CONSENT AGENDA:**

Commissioner Brown moved to approve the Consent Agenda as written. Commissioner Oddo seconded.
Commissioner Rousseau asked to have item #5 pulled for discussion.
Commissioner Brown amended his motion to approve the Consent Agenda as written with the exception of item #5.
Commissioner Oddo amended his second. The motion passed 5-0.

2. **Approval of staff's recommendation to include "Addendum 5-Blessing of Animals" as an added event to the Intergovernmental Agreement between the City of Fayetteville and Fayette County for use of county owned property.**
3. **Approval of staff's recommendation for the Board of Commissioners to enter into an agreement between Fayette County and the Town of Woolsey for the enforcement of similar Soil Erosion, Sedimentation and Pollution Control Ordinances.**
4. **Approval of staff's recommendation for the Board of Commissioners to enter into an agreement between Fayette County and the Town of Woolsey allowing Fayette County to act on behalf of the Town of Woolsey to maintain compliance with the Metropolitan North Georgia Watershed Planning District Water Management Plan.**
5. **Approval of staff's recommendation to adopt final supplemental budget adjustments for the fiscal year ended June 30, 2018, and authorization to adjust and close capital projects and move remaining funds to project contingency.**

Commissioner Rousseau stated, a concern that was posed to him, was what people often saw as a budget overrun or the county not living within its means; and to the naked eye that may appear as so, but there was plausible explanation in more cases than not.

Commissioner Rousseau stated, he had a brief conversation with the County Administrator, and asked him to provide an overview to demonstrate those starting budgets, amended budgets, and how it appeared on paper that a particular department may have gone over.

County Administrator Steve Rapson stated, that pages 32-37 are the net results of all the budget entries that are outlined on pages 38-41. Mr. Rapson stated that the best way to explain this was to review each of the journal entries that would account for those "over and under". Beginning with page 38, items 1 (A, B and C) all relate to the confiscated property fund (the US Customs Fund and the Federal Confiscated Funds) these are funds we get from confiscations or through legal settlements regarding the Sheriff's Department. Mr. Rapson noted, that because these are separate funds we do not record these at the beginning of the year, which was why these entries were presented. This was staff posting the total revenue and the total expenditures for these particular funds.

Mr. Rapson continues, by outlining items number 3 & 4 which are similar in description and display audit adjustments for revenue. Item number 3 is a direct reflection of a change on the State level. Mr. Rapson explains, that in the past we would (cities and/or counties) pave the roads first, then we would receive our Local Maintenance & Improvement Grant (LMIG) allocation. The State ran into some issues with smaller municipalities that did not have the funds available to spend upfront, then be reimbursed. The State provided the funds in advance. The county received the \$860,000 but did not complete the 3 road paving projects (Ebenezer, Hwy. 85 Connector, and Brooks) that the funds were allocated for by June 30, so we reclassified the year for the remaining \$621,000.

Mr. Rapson states, item number 4 is the Hazard Mitigation Plan, where there is also a timing difference as to when we can record the monies, which resulted in that revenue being pushed into next year as well. He continued that item 5 had to do with legal settlements for Workers' Compensation cases during the course of the entire year. The impact would be to the general funds which was the \$189,600; and the other was Fire Services fund of \$150,000.

Item number 6 was what was typically associated with budget adjustments. There was some over-time in the Administration Department so that was trued up. Items number 6 (B and C) have to do with the Justice Center, at the County Commissioners Retreat, earlier in the year, the Board discussed the increase in jury- trials; so, presented, was the court reporter services and jury trials being impacted. He reiterated that these were estimated at the beginning of the year, which are based on case-load. State Court overages are attributed to a new employee that was hired, and the selections made for the new hire's health care plan.

Mr. Rapson continued the presentation to include discussions of the storm water charges that were discontinued by the county, but not by Peachtree City and the City of Fayetteville and as a result there were charges associated with those charges. He stated that the Coroner Office made a modification of a part-time position in that department, there was a vehicle repair for the Health department, the Road department completed various paving projects, the Library Surcharge Fund had to be trued-up based on the increase in the operating budget. He mentioned the Countywide AEDs, which was an increase from the projected budget. The remaining accounts (item 8; B through E) deal with the closing out of various projects. He stated that water projects had been completed and those residuals are placed in R&E (Renew and Extension Fund) within the Water Department so that those funds remain solely in the Water Department fund balance. He noted that the Net Results of all of this was displayed by the "overs and unders", presented on pages 32-37. He concluded that he was available for any question if there were any.

Commissioner Brown asked, regarding State Courts' new hire, if the \$3,100 overage was caused by them exceeding the scale? Mr. Rapson responded, that no they did not exceed the scale.

Commissioner Rousseau moved to approve staff's recommendation to adopt final supplemental budget adjustments for the fiscal year ended June 30, 2018, and authorization to adjust and close capital projects and move remaining funds to project contingency. Commissioner Oddo seconded. The motion passed 5-0.

- 6. Approval of staff's recommendation to award Contract # 1440-P for Debris Clearing, Removal, and Disposal Services to Ceres Environmental Services, Inc.**
- 7. Approval of staff's recommendation to award Contract #1441-P for Debris Monitoring Services to Thompson Consulting Services, LLC.**
- 8. Approval of staff's recommendation to award RFP #1504-P, Public Works Engineer of Record to Pond & Company for a nine-month contract (approximate) expiring on June 30, 2019 and with provisions for two 12-month extensions.**
- 9. Approval of Election's request to enter into an Intergovernmental Agreement with the City of Fayetteville allowing the Fayette County Board of Elections to act as Superintendent of Elections for the Special Called November 6, 2018 Election, and authorization for the Chairman to sign said Intergovernmental Agreement.**
- 10. Approval of Election's request to enter into an Intergovernmental Agreement with the City of Peachtree City allowing the Fayette County Board of Elections to act as Superintendent of Elections for the Special Called November 6, 2018 Election, and authorization for the Chairman to sign said Intergovernmental Agreement.**
- 11. Approval of the August 23, 2018 Board of Commissioners Meeting Minutes.**

OLD BUSINESS:

In accordance with the Americans With Disabilities Act, accommodations are available for those who are hearing impaired and/or in need of a wheelchair. The Board of Commissioners Agenda and supporting material for each item is available on-line through the County's website at www.fayettecountyga.gov. This meeting will be telecast on Comcast Cable Channel 23 and on the internet at www.livestream.com.

12. Consideration of a request from Kenneth Banner to connect current septic tank system to the City of Fayetteville sewer system.

Mr. Rapson stated that this item was a request from a previous Board of Commissioners Meeting (July 26, 2018). From that meeting the Board asked, which of the surrounding parcels had previously been put onto the City of Fayetteville's sewer system.

Mr. Banner addressed the Board and expressed a correction that the map denoted 435 Forrest Ave., but his actual address was 436 Forrest Ave. Mr. Banner explained that his home had a septic tank, but that a sewer line did run through the back of his property. He contacted the City of Fayetteville sewer department and they advised him to request approval from the Board first, hence, his request to connect his current septic tank system to the City of Fayetteville sewer system. He stated that he was here with the same request about a month ago and the Board asked for additional information. He stated that the map showed that six (6) other homes surrounding his home, had connected to the City of Fayetteville sewer system. This information was provided by the City of Fayetteville.

Mr. Rapson stated that staff checked with the City of Fayetteville and they are in agreement with this request, however, the Board typically approved it first and then the City would review for consideration.

Commissioner Brown asked whether other properties in the County that had received sewer connection, received Board approval.

Mr. Rapson stated that this was protocol, but that this was the first request that he had seen in the six years he had been with the county, however the process was to bring the request of unincorporated properties connecting to the sewer, before the Board for review and approval prior to the connection being granted.

Commissioner Brown stated that he did not remember seeing a request in his eight years as commissioner.

Chairman Maxwell noted that what made this request more unique was that there was an easement on record. He stated that he did not recall in his previous four years as commissioner, approving a sewer-line connection request, but he noted that at some point it had to have been approved because surrounding properties are connected to the City of Fayetteville sewer system. He stated that

Chairman Maxwell motioned to approve request from Kenneth Banner (436 Forrest Ave.) to connect current septic tank system to the City of Fayetteville sewer system. Commissioner Oddo seconded.

Commissioner Brown stated that his concerns and hesitations in regard to the Board allowing sewer extensions from municipalities into the County, approving one could become a catalyst for future requests; especially as it related to the Boards' increase in annexation request and larger developers.

Chairman Maxwell stated, that part of the discussion from the initial meeting on July 26, 2018 regarding this request was that this was not the only place in the County that had connection to the sewer, which was what led him to make his motion as specific as possible noting the actual street address, so that it was limited to this specific property.

County Attorney Dennis Davenport stated the example he used at the July 26, 2018 Board of Commissioners Meeting, was Our Lady of Mercy Catholic School, who requested sewer connection and the reason they received approval was because they had property that straddled the Fulton County-Fayette County line and there was sewer on their part of the property in Fulton County; so the County acquiesced to have the line extended.

Mr. Davenport also stated that generally speaking, cities that have sewer lines did not extend the sewer, unless that property annexed into the City. That was the cities' general policy, and to his knowledge that policy had not changed and was still in effect. He stated that this was a unique situation, in that the request was not seeking to extend a line to property in the County, this was looking at a line that was already there. Mr. Davenport noted that the line was ran by the City of Fayetteville to go from the City of Fayetteville to the City of Fayetteville and it crossed over some unincorporated County property. In order to do that, the City of Fayetteville was required to acquire easements from each of these property owners, and the easement of Mr. Banner's property was of record; and it specifically outlined what was granted and was why the line was there. This was not a force-main or a trunk-line, it was just a sewer line that the City of Fayetteville had people attached to all up and down the line. He stated that the fact that the line happened to be there was what made it unique, generally, when someone requested sewer connection it meant that the City had to run the line to the property and those are the type of request that had been received over the years; someone wanting to have sewer-line run to their property. Unless it was an emergency type of situation it was not favorable received by the County. He stated that with respect to setting a precedent, he did not see this as doing so but if anything, the precedent had already been set by the people that had tapped onto the line already. He continued that it was not something that the county was doing to extend the line further. It doesn't take any extraordinary effort for this gentleman to tap onto this line because it was already there. He stated that the only reason that sewer was not coming into the County now, was because the city with the sewer had decided they did not want it to go into the County. And the County told the cities' they don't want the sewer in the County, and its work out well over the years.

Vice-Chairman Ognio asked to amend the motion slightly, in that, along with noting the specific address the motion also state "connecting to existing sewer-line that was on the property."

Chairman Maxwell stated he was agreeable to amending his motion.

Mr. Rapson stated a suggestion of tying the motion to a single-family residence, based on the concern he heard regarding density.

Commissioner Rousseau stated he saw density more as big picture, and he was more interested in how the county got here; how did the other residences received connections. He stated that his understanding was that the county could not locate a record of such approval being granted.

Mr. Rapson stated that the records for these being approved would exist only if handled in a Commission Meeting, he noted that County Clerk Tameca White looked for such records but was unable to locate such records. Mr. Rapson stated that perhaps such approvals occurred in the 1970's or 1980's with the City of Fayetteville.

Commissioner Rousseau stated to not have any records and for a procedure to had been in place, but somehow it was not adhered to that was troubling to him and that there are ways to maneuver around requesting Board approval. He stated that the Board was seeing the direct result of that, because there were ways to get around it. He stated he was very perplexed, all though nothing could be done about it now, how those procedures were not followed for approximately six (6) separate lots, there were able to tap onto the sewer-line but are in unincorporated Fayette County.

Mr. Rapson responded and confirmed that those lots that were connected are in unincorporated Fayette County.

Commissioner Rousseau stated he had some real concerns on how it happened without Board approval for the six (6) other homes.

Mr. Davenport stated that he did not know that there was a firm procedure in place today. There was nothing in writing to his knowledge. Mr. Davenport stated he was only aware that it had been a practice over the years and by virtue of the property being in the County, the County had over the years made it clear that they wanted to weigh-in on these issues, to the requester that need the sewer-line. He stated that for the record, he believed that Chairman Maxwell agreed to amend his motion, and he needed to make sure that Commissioner Oddo was agreeable to amend his second.

Commissioner Oddo stated he did agree.

Commissioner Rousseau reiterated for his understanding that it was a matter of customary practice, not procedure that the Board would like to weigh-in on such requests. Mr. Davenport stated that is his understanding.

Commissioner Oddo stated that it was uncertain what the procedures were back then. He stated that his house, which was in the unincorporated County, was on sewer and was built in 1981, so this had happened not as general rule. He noted that this was an unusual situation and that the Board was not extending it in order to accommodate a request, but just giving permission.

Additional discussion ensued.

Chairman Maxwell amended his motion to approve request to connect single family house (located at 436 Forrest Avenue) septic tank system to the City of Fayetteville sewer system. Commissioner Oddo amended second. The motion failed 3-2, with Commissioners Ognio, Commissioner Rousseau, and Commissioner Brown voting in opposition.

NEW BUSINESS:

13. Overview from the Board of Elections of the integrity and security of Fayette County Elections.

Fayette County Elections and registration Director, Floyd Jones, provided the Board an overview of the integrity and security of the elections in Fayette County.

Mr. Jones stated that beginning on July 2018, the Fayette County Board of Commissioners, Fayette County Board of Elections, and the Director of Elections and Voter Registration began receiving numbers of emails from a non-profit Organization called Coalition for Good Governance. The emails' information consistently provided the following observations: 1. Georgia's and the nation's election security are an alarming topic of today's news. 2. Boards of Commissioners have the authority and responsibility to immediately secure the county's November Election. 3. Most counties have an adequate supply of optical scanners. Polling places with optical scanning machines are more secure practice. 4. Others can also sideline the Direct Recording Equipment (DREs), such as the Secretary of State, the State Elections Board, County Commissioners, and County Board of Elections.

Mr. Jones stated that The Coalition for Good Governance was in current litigation with the State of Georgia in an effort to have paper balloting utilized in the November election and possibly beyond. Despite the claim that the state and counties can enact paper ballots, it was important to note that there are no known attempts to change from the current method of voting to a paper ballot by either the Secretary of State, the State Elections Board, any of the 159 County Commissions in the State of Georgia, or any Board of Elections. On Tuesday, September 11, 2018, the State Board of Elections voted 4-0 to continue with electronic ballots for the November Election. U.S. District Judge Amy Totenberg held the latest hearing yesterday and stated that she planned to make a ruling on either the upcoming Friday or Monday.

Mr. Jones highlighted for the Board the Fayette County Local Security Measures- GEMS Servers.

Mr. Jones stated there was no network connectivity used with any component of the voting system. The GEMS Server can never be connected to any network. The GEMS Server is very tamper-evident, meaning if someone accessed the system or tried to inject something into the system, they would leave evidence that were there. Access to the GEMS server was controlled and the GEMS Server was locked at all times when not in use. Password protection was implemented at both the operating system and application software level. He continued that the GEMS Server and its memory cards use SSL (Secure Sockets Layer) encryption to ensure that only those cards created on a specific GEMS server can be used on election night for uploading. An election official cannot close out the election until all of the cards that were issued during the preparation of an election are returned on election night. Any counterfeit cards will be detected and rejected. He highlighted for the Board the Fayette County Local Security Measures- Cybersecurity.

Mr. Jones stated given ever-increasing public concerns and on-going, evolving challenges from exploitable technology, the Elections Office is working in concert and cooperation with the Information Technology Department in the following ways: after consulting with Chief Information Officer Phil Frieder, the Elections Office and the Information Technology Department devised a strategic plan to improve the security of the elections infrastructure and management system for the county and its remote voting precincts. The primary goal of the plan was to separate the election infrastructure from all other unnecessary networks; decreasing the overall attack surface while minimizing risk.

The Elections Office and the Information Technology Department joined EI-ISAC (Election Infrastructure- Information Sharing and Analysis Center), thus ensuring both offices are especially kept apprised of the latest threats and of best practices in the industry. Mr. Jones outlined additional safeguards: there was paper documentation of records that could be checked to show discrepancies of total number of votes. (For instance, if a polling place had 250 completed voter certificates, but 600 votes cast on a DRE machine, it could be easily understood.) Sending End of Night Reporting (ENR) results to the Secretary of State does occur over the internet, but only after the data had been separated from the GEMS Server by an "air gap"—that was, data was extracted from GEMS via a secure USB drive and physically moved to a different computer for upload. Furthermore, ENR data is always checked against GEMS data, so any intercepting or manipulation in transit would be instantly obvious. As Georgia has a uniform voting system, any discrepancies would tend to be more obvious while election officials have to safeguard against a single system and process. All Georgia election officials are required to be certified in the use of the voting system. This training included 24 hours of training in the use, maintenance, and security of the voting system. Voter access cards do not contain any personal voter information. The card contains a code that ensures that the ballot to which the voter is entitled to vote is displayed on the DRE, and a counter that is set to "1" when the card is issued to the voter and reset to "0" once a voter casts their ballot. Voters can only cast one ballot when issued a card. He stated that Georgia has a uniform voting system of which all 159 counties follow the same process. The Elections Office performs Logic and Accuracy Testing- The DRE units are tested publicly to demonstrate they are working properly before any voting. All such testing had to be documented. Mr. Jones stated that Computing and Canvassing the votes are done in the Public.

Vice Chairman Ognio asked how the votes got from the Precincts to the GEMS?

Mr. Jones responded, once you cast your vote in a DRE machine, it's saved on the machines memory card. Once the polls are closed at night, the poll manager along with one other person pulls that memory card, it had to be accompanied by two people. Those two individuals will check the memory card into the Election Office, with the actual Board of Elections. They then take the memory card and put it into the GEMS servers. We are protected at that time through the GEMS server, and it calculates the vote at that time.

Vice Chairman Ognio stated that he's been questioned by citizens saying it needed to be connected by the internet or via phone lines.

Mr. Jones stated that from the 36 precincts to the Elections Office there was no connection to internet.

Commissioner Brown stated that there was a connection to the Secretary of the State Office

Mr. Jones stated yes, they are electronically transmitting, but it was not from the GEMS server.

Commissioner Brown stated his concerns regarding the voting machines integrity and vulnerability and expressed his thoughts on the purchase of the machines. He stated that accountability was a major issue and he expressed his concerns of the ability to hack into the voting machines. He stated that he was really worried about the situation in Randolph County, he stated the Commissioners in Randolph County had very poor timing wanting to change the system right before the November Election. He stated, it would have been more advantageous to let the election occur then go into a Precinct consolidation. He stated that the county was also looking into reducing the number of precincts, because we are hiring staff and equipment but not seeing the numbers at the various poll locations, but with a precinct consolidation our expense could be cut. He stated that it needed to be a very transparent process, well publicized, with a possible hearing at the Board of Commissioners Meeting to discuss the process and explain what it was and why we're doing it.

Mr. Jones stated that he did think there were real reasons to consolidate, but it would have to be done in the light of transparency, he stated that he had visited the various parties to speak about it and have hosted numerous hearings as well. It didn't go through last time, and right now the Board of Elections was looking toward the census perhaps, which may be a guiding factor into when to proceed.

Commissioner Brown reiterated his concerns for voting machines integrity and suggested manual security, double locks, vaults to assist in assuring voters that the machines would not be stolen or tampered with.

Commissioner Rousseau stated his appreciation for Mr. Jones and Board of Elections Chairman Mr. Lester for their attendance at the meeting and willingness to provide this overview. He stated that his intent for requesting this Overview from the Board of Elections of the integrity and security of Fayette County Elections, was to discuss voter integrity, voting integrity, and voting participation. He continued that he wanted to focus his concerns on encouraging voter participation and increased public engagement to explain this process was key. He stated that there was still a lot of angst around purging voters' rolls. He suggested adding something to the website, perhaps from the Secretary of the State Office website, which addressed citizen's questions and concern; of which being removed from the rolls was an example. He stated that he encouraged constituent education. Also, Commissioner Rousseau suggested using the large Public Works sign machines advising the public to vote on Election Day.

Vice-Chairman Ognio asked that Mr. Jones explain double election process.

Mr. Jones stated that when the brunch bill was passed it had to be placed on a separate ballot so there would be two sets of machines and two sets of data-banks. Within the municipalities the citizens would cast their votes into two separate machines, one for Federal, State, and County election; and a second for city elections. But within the City of Fayetteville citizens may have to go to two separate locations. Mr. Jones noted that the public would be notified.

Commissioner Rousseau moved to instruct the County Administrator to work with Public Works to make use of the signage machines to encourage voting participation. And make a formal request to cities to follow suit. Commissioner Brown Seconded. The motion passed 5-0.

14. Consideration of a recommendation from the Selection Committee, comprised of Commissioner Charles W. Oddo and Commissioner Charles D. Rousseau, to appoint Frank Destadio to the Fayette County Water Committee for a term beginning immediately and expiring December 31, 2019.

Commissioner Oddo stated that he and Commissioner Charles D. Rousseau were recommending Frank Destadio, be appointed to the Fayette County Water Committee.

Commissioner Oddo moved to approve recommendation from the Selection Committee, comprised of Commissioner Charles W. Oddo and Commissioner Charles D. Rousseau, to appoint Frank Destadio to the Fayette County Water Committee for a term beginning immediately and expiring December 31, 2019. Commissioner Rousseau seconded. The motion passed 5-0.

15. Consideration of a recommendation from the Selection Committee, comprised of Commissioner Charles W. Oddo and Commissioner Charles D. Rousseau, to appoint William "Bill" Holland to the Fayette County Water Committee for a term beginning immediately and expiring December 31, 2021.

Commissioner Oddo stated that he and Commissioner Charles D. Rousseau were recommending William "Bill" Holland, be appointed to the Fayette County Water Committee.

Commissioner Oddo moved to approve recommendation from the Selection Committee, comprised of Commissioner Charles W. Oddo and Commissioner Charles D. Rousseau, to appoint William "Bill" Holland to the Fayette County Water Committee for a term beginning immediately and expiring December 31, 2021. Commissioner Rousseau seconded. The motion passed 5-0.

16. Consideration of the approval to use \$49,000 of residual funding from the Library Roof Replacement (Project 186AK) and \$46,000 of General Contingency Funds to install a new chiller at the Fayette County Library.

Engineering and Buildings & Grounds Director Carlos Christian briefed the Board on the 21-year old air-cooled chiller at the Fayette County Library; which had exceeded its life expectancy which was typically about 15-20 years. The chiller needed to be repaired or replaced to remain operational. He continued that the current estimate was \$95,000 to replace the chiller, there are three (3) funding opportunities that can be considered: (1) Purchase new chiller outright, (2) Purchase new chiller over time - \$49,000 down and balance paid over 2-years, or (3) replace the existing chiller's compressors for \$32,000 to extend chiller life for 5-years, delaying the purchase of a new chiller. Of the three opportunities noted above, staff was recommending purchasing the chiller outright. He stated that the Fayette County Library recently completed a Capital project to replace the roof. This roof project was initially funded in the FY2018 Budget as part of the 5-year capital improvement plan (CIP) for \$110,175. A grant was applied for through the Georgia Public Library Service Major Repair and Renovation Grant Program. Fayette County was awarded a 50/50 grant in the amount of \$61,000 to replace the Library roof. This grant was accepted by the Board on June 14, 2018 and applied to project 186AK. The awarded grant funding created an available balance of \$49,175 that could go toward partial funding of the Library chiller project. The balance of funding (\$46,000) for this project was recommended to come from the General Contingency Funds.

Commissioner Brown asked if we were sure the State was not going to come back and ask for the money back from the Georgia Public Library Service Major Repair and Renovation Grant.

Mr. Carlos stated that was correct, they would not.

Engineering and Building and Grounds Director Carlos Christian stated Commissioner Brown moved to approve to use \$49,000 of residual funding from the Library Roof Replacement (Project 186AK) and \$46,000 of General Contingency Funds to install a new chiller at the Fayette County Library. Commissioner Rousseau seconded. The motion passed 5-0.

17. Consideration of the approval of the revised Division 2. Rules of Procedure provided in the county ordinance.

Mr. Davenport, stated this revision was a revisit to an item he presented at the Retreat in April, entitled Rules of Procedure. He stated that the basic premise of these revisions was that there was a substantial amount of state law language included in the code that was in his opinion, better off being removed. The reason for the removal was because the county was governed by the state law whether we had it in the code or not, but when we have included, and the state law changed now we have to change the codes. Mr. Davenport stated that if the state law had it in place it really preempted us from putting it in our code. He stated his recommendation would be to remove all the state law language. He stated that as he reviewed the document Commissioner Brown pointed out a provision on page 183, which was on page 9 of the redlined document. The provision had to do with the meeting items- what they would be and the order they are in. It was pointed out that the Board was not following that currently and the question was asked could it be removed. He stated that he saw no reason why not, and that was a change in the document from the original Rules of Procedure from the Retreat. He stated that everything else was the same and more of a house keeping change; grammatical issues, form issues and the state law revisions as well.

Commissioner Oddo motioned to approve the revised Division 2. Rules of Procedure provided in the county ordinance. Commissioner Brown seconded. The motion passed 5-0.

18. Discussion of disclosure of possible conflict of interest from the County Attorney in a matter involving Fayette County and the Town of Tyrone, both clients of McNally, Fox, Grant & Davenport, P.C.

Mr. Davenport, stated that this item came up because of his firms' representation of both Fayette County and the Town of Tyrone, occasionally an issue came up that involved both these governmental agencies. Mr. Davenport explained that the possible conflict of interest regarding the potential transaction of the Fire Station in Tyrone; involving Fayette County and the Town of Tyrone, both clients of McNally, Fox, Grant & Davenport, P.C. He stated that although he did not foresee a conflict, he had to do his due diligence in advising his clients of any possible conflict of interest.

Vice Chairman Ognio moved to approved that there is no conflict; and to move forward in the matter involving Fayette County and the Town of Tyrone. Commissioner Oddo seconded. The motion passed 5-0.

Commissioner Rousseau asked if in the future if an issue did arise and/or conflict of interest, what was the backup plan for legal representation.

Mr. Davenport stated that he recommended turning to our partnership with Association of County Commissions of Georgia (ACCG).

Commissioner Brown asked in reference to the Fire Station transaction with the Town of Tyrone if the county would be going through an appraisal process.

Mr. Davenport stated that with government to government transactions there were no rules for guidance. He stated that the Board could choose the direction to go in.

PUBLIC COMMENT: No public Comment

ADMINISTRATOR'S REPORTS:

Board of Health Selection Committee

Mr. Rapson stated he had one item for a selection committee for a Board of Health a citizen position we had the resignation Mrs. Becky Smith, her term expires Dec. 31, 2021.

Commissioner Oddo moved to appoint Commissioner Brown and Vice- Chairman Ognio for the Board of Health selection committee. Motion passed 5-0.

ATTORNEY'S REPORTS:

Notice of Executive Session: County Attorney Dennis Davenport stated there were two items for Executive Session, one item of land acquisition, and the Review of the August 23, 2018 Executive Session Minutes.

COMMISSIONERS' REPORTS:

Commissioner Brown

Commissioner Brown stated that the ARC is hosting the State of the Region Breakfast on November 2, 2018, and they will be speaking on the ATL Transit initiative, and he defiantly wants to go. He advised that there is early bird pricing if we purchase by September 26, 2018.

Commissioner Brown stated that the spillway in Peachtree City is nearing completion and wanted to give them some accolades and kudos on a job well done on the project.

Commissioner Rousseau

Commissioner Rousseau extended his gratitude to the Board for their support in encouraging voter participation and using the signage boards.

Commissioner Rousseau stated he came upon his second accident at 92 and West Bridge and he highly recommends us considering writing letter of importance for safety concerns to GDOT and to our state representative and to put it heavily on the agenda for our legislative packages.

Commissioner Rousseau advises he will be conducting a HOA Bootcamp on October 20.

Vice Chairman Ognio

Vice Chairman Ognio advised that Iman Heritage Days were September 21-23 and encouraged citizen to go because there would be fun for the whole family.

He stated that the problem he wanted to address was grass-cutting along the State Routes. He stated that staff was cutting the grass too often and neglecting our local roads. He's received multiple complaints. Vice-Chairman suggested to adjust the grass-cutting schedule.

He advised that Commissioner Rousseau had organized a presentation for the October 2, 2018 Transportation Meeting which may require a Special Called Meeting, notice of that would be forthcoming.

Vice Chairman Ognio stated that for the McDonough Road Bridge replacement project GDOT replacement policy was the same as coastline and they are offering the county the same conditions to buy the right-of-way; Fayette County and Clayton County would have to comprise an intergovernmental agreement. GDOT would do all the engineer, design, and construction.

He thanked GDOT this consideration project and hopefully we can get Clayton County to pay their share and move forward from there.

Vice Chairman announced for the public that the NAACP is hosting an event on Saturday September 15, 2018 at Sams auditorium beginning at 10:00am.

Commissioner Oddo

Commissioner Oddo wanted to acknowledge that today September 13 was the anniversary of the writing of the Star Spangled Banner, in correlation with Constitution Week.

Chairman Maxwell

Chairman Maxwell noted he attended the ARC Meeting today and had the opportunity to say thank you to GDOT and ARC.

Chairman Maxwell stated the Board had received a letter two weeks ago from GDOT, which stated they had found some funding for the road improvement project at the intersection at Highway 74 and Interstate 85 (although not in Fayette County). Chairman Maxwell noted that visible indications of the project may not be immediate due to the process of right-of-way acquisition, but it is slowly moving forward.

Vice-chairman Ognio added the drawings for the right-of-way acquisition have been approved by GDOT and that's a huge hurdle. He noted now that the funds are there and the drawings are approved the next steps is property acquisition.

Chairman Maxwell stated the issue that stalled this project was a difference in cost for the right-of-way acquisition, initial estimates were \$15 million but ending up being \$31 million more than twice as much as was originally estimated.

Chairman Maxwell stated that GDOT created a unique feature of split funding. With the standard process a project would have to be 100% funded before they started any work. With split funding at the least they can begin the right-of-way acquisition.

EXECUTIVE SESSION:

One item involving land acquisition and the Review of the August 23, 2018 Executive Session Minutes. Chairman Maxwell moved to go into Executive Session. Commissioner Brown seconded. The motion passed 5-0.

The Board recessed into Executive Session at 8:45 p.m. and returned to Official Session at 9:07 p.m.

Return to Official Session and Approval to Sign the Executive Session Affidavit: Vice Chairman Ognio moved to return to Official Session and for the Chairman to sign the Executive Session Affidavit. Commissioner Brown seconded the motion. The motion passed 5-0.

Approval of the August 23, 2018 Executive Session Minutes: Vice Chairman Ognio moved to approve the August 23, 2018 Executive Session Minutes. Commissioner Brown seconded the motion. The motion passed 5-0.

ADJOURNMENT:

Commissioner Brown moved to adjourn the September 13, 2018 Board of Commissioners meeting. Commissioner Ognio seconded the motion. The motion passed 5-0.

The September 13, 2018 Board of Commissioners meeting adjourned at 9:07 p.m.

Marlena Edwards, Deputy County Clerk

Eric K. Maxwell, Chairman

The foregoing minutes were duly approved at an official meeting of the Board of Commissioners of Fayette County, Georgia, held on the 27th day of September 2018. Referenced attachments are available upon request at the County Clerk's Office.

Marlena Edwards, Deputy County Clerk

COUNTY AGENDA REQUEST

Page 234 of 277

Department:

Presenter(s):

Meeting Date:

Type of Request:

Wording for the Agenda:

Consideration of a recommendation of the Selection Committee, composed of Commissioner Steve Brown and Commissioner Charles Rousseau, to appoint James McCarten to the Region Six Mental Health, Developmental Disabilities, and Addictive Diseases Regional Advisory Council for a term beginning March 1, 2018 and expiring February 28, 2021.

Background/History/Details:

The Region Six Mental Health, Developmental Disabilities, and Addictive Diseases Regional Planning Board is a volunteer body composed of three members appointed by the Fayette County Board of Commissioners and by other members appointed by the governing authorities of thirty other counties located in central-western Georgia. The duties of the Regional Planning Board include, but are not limited to, assisting the Region Six Regional Office in preparing an annual plan for the provision of disabilities services in the Region Six area. This assistance may include consulting with families, customers, providers, and advocacy groups in order to identify local needs, gaps in services, and recommended priorities.

One position on the Regional Planning Board remained. Fayette County advertised the vacancy utilizing the Fayette News, The Citizen, the Atlanta Journal-Constitution, and the county's website. There were two applications for this position.

James McCarten would fill a term beginning March 1, 2018 and expiring February 28, 2021.

What action are you seeking from the Board of Commissioners?

Approval to appoint James McCarten to the Region Six Mental Health, Developmental Disabilities, and Addictive Diseases Regional Advisory Council for a term beginning March 1, 2018 and expiring February 28, 2021.

If this item requires funding, please describe:

Not Applicable.

Has this request been considered within the past two years?

If so, when?

Is Audio-Visual Equipment Required for this Request?*

Backup Provided with Request?

*** All audio-visual material must be submitted to the County Clerk's Office no later than 48 hours prior to the meeting. It is also your department's responsibility to ensure all third-party audio-visual material is submitted at least 48 hours in advance.**

Approved by Finance

Reviewed by Legal

Approved by Purchasing

County Clerk's Approval

Administrator's Approval

Staff Notes:

This appointment replaces Mr. Pete Daniel's position on the Board. Mr. Daniel's did not reapply for the position.



APPLICATION FOR APPOINTMENT

Fayette County Region Six Mental Health Development Disabilities and Addictive Diseases (MHDDAD) Regional Advisory Council

Thank you for your interest in being considered for appointment to the **Region Six Mental Health, Development Disabilities, and Addictive Diseases (MHDDAD) Regional Advisory Council**.

The Region Six MHDDAD Council members are appointed by thirty counties to terms lasting three years each. Meetings are typically held every other month, and are generally held on the second Wednesday of said month from 1:00 until 4:00 p.m. The meetings take place at the Upson County Senior Center located at 302 South Bethel Street, Thomaston, Georgia.

Please take a few minutes to complete the form and answer the questions below and return it with a resume, if available, to Tameca White, County Clerk, at twhite@fayettecountyga.gov or 140 Stonewall Avenue, West, Suite 100, Fayetteville, GA 30214 **no later than 5:00 p.m. on Friday, June 8, 2018.**

If you have any questions, please call (770) 305-5103.

NOTE: Information provided on this form is subject to disclosure as a public record under Georgia Open Records Law.

NAME James M. McCarten

ADDRESS 289 Hampton Road

Fayetteville, GA 30215

TELEPHONE (day) [REDACTED]

(evening) [REDACTED]

(email address) [REDACTED]

James M. McCarten
Signature

June 8, 2018
Date



APPLICATION FOR APPOINTMENT
Fayette County Region Six Mental Health Development Disabilities and Addictive
Diseases (MHDDAD) Regional Advisory Council

How long have you been a resident of Fayette County?

SEE ATTACHMENT FOR APPLICATION RESPONSES

1. Why are you interested in serving on the Region Six MHDDAD Council?
2. What qualifications and experience do you possess for appointment to the Region Six MHDDAD Council?
3. List your recent employment experiences to include name of company and position.
4. Do you have any past experience relating to the Region Six MHDDAD Council? If so, please describe.
5. Are you currently serving on a commission/board/authority or in an elected capacity with any government?
6. Have you attended any Region Six MHDDAD Council meetings in the past two years and, if so, how many?
7. Are you willing to attend seminars or continuing education classes at county expense?
8. What is your vision of the county's future related to the duties of the Region Six MHDDAD Council?
9. Would there be any possible conflict of interest between your employment or your family and you serving on the Region Six MHDDAD Council?
10. Are you in any way related to a County Elected Official or County employee? If so, please describe.



APPLICATION FOR APPOINTMENT

Fayette County Region Six Mental Health Development Disabilities and Addictive Diseases (MHDDAD) Regional Advisory Council

SEE ATTACHMENT FOR APPLICATION RESPONSES

11. Describe your current community involvement.

12. Have you been given a copy of the county's Ethics Ordinance?

13. Is there any reason you would not be able to comply with the Ethics Ordinance?

**ATTACHMENT TO THE
FAYETTE COUNTY
APPLICATION FOR APPOINTMENT
FAYETTE COUNTY REGION SIX
MHDDAD REGIONAL ADVISORY COUNCIL**

How long have you been a resident of Fayette County?

As of this June, my wife, Diane, my daughter, Kathryn and I will have been Fayette County Residents for five years.

1. Why are you interested in serving on the Region Six MHDDAD Council?

Kathryn is now a twenty-four year old young adult who deals every day with the challenges of autism and mood disorder. After much work to find the proper individuals to provide her the necessary support and training, Kathryn has her driver's license, is participating in Georgia Special Olympics and is taking on more responsibility than she ever has before. However, such positive achievement was not always the case.

When Kathryn moved into the fifth grade, she was officially diagnosed with autism and mood disorder. Prior to fifth grade, my wife, her older sisters and I had noticed certain social and communication awkwardness, but Diane and I were always told by the school's educational consultants and psychologists that they did not rise to the level of serious concerns; autism was not on our radar until we sought help from other sources. Shortly before her diagnosis, Kathryn became so frustrated with her social interactions at school, especially being regularly, if not daily, bullied and teased by classmates with whom she had previously enjoyed a good relationship. As those frustrations built up, she began to threaten to hurt herself and her mother. That eventually escalated to a level where Kathryn was admitted to a mental health facility by her psychiatrist. Following her release from that facility, Kathryn came back home but her frustrations continued unabated. Her mother and I eventually decided to take her out of the public school system because of those challenges and because she was already twelve years old, we did not believe that we could continue to fight with the local Tennessee school system to get her the support she needed to be successful in school; she was already too far behind.

After looking at a number of private programs in Tennessee, all of which denied Kathryn admission, my wife and I were forced to send our twelve year-old daughter out of state in order to give her the education and social supports she needed. We finally found a residential school program in Pennsylvania which would accept her in its program. That school provided significant behavioral support, around the clock supervision and psychiatric support. We were only able to have Kathryn under the same roof with us during school holidays. Kathryn finally decided that she wanted to come home and started accepting the behavioral training and other counseling. We were

eventually able to bring her home as she was to begin her sophomore year in high school. However, because Kathryn was already so far behind academically, all of the schools in Nashville which offered programs for students with autism or similar intellectual or developmental disabilities refused to accept her into their programs.

Because we were concerned about placing her in a large public school given her frustration when treated poorly by peers, we enrolled her in a homeschooling program which used many special education professionals with special training on how best to teach students with intellectual and/or developmental disabilities. That home schooling program proved successful for Kathryn and she was able to graduate from high school with a regular diploma. She had come home reading at a third grade level and performing other academic work at a fifth grade level and when she graduated high school, she was reading at an eighth or ninth grade level and was performing at the tenth grade level in other academic subjects.

When Kathryn graduated high school, she did not want to continue her academic education, instead she was more interested in getting a job and being out in the community. She began her employment as a part-time bagger at Publix. But because the hours Publix would provide her were so limited and any opportunity to advance to more responsible, more challenging was not made available, we turned to GVRA for help. After GVRA's battery of tests, we had to persistently pester Kathryn's caseworkers and their supervisor to get any response. About a year later, Kathryn was finally admitted to the Roosevelt Warm Springs Residential Program. While a great program for some, its lack of structure when job training and other organized classes/programs were over for the day meant that Roosevelt Warm Springs was not a good fit for Kathryn.

So Kathryn left that program without having made much progress. She returned home and picked back up with her job at Publix. Kathryn quickly became disappointed with her job because she again wanted more hours and more responsibility than Publix was willing to give her. After being unsuccessful in trying to work with Publix ourselves, Diane and I again turned to GVRA for job training and job coaching assistance. For nearly two and one-half years, we made no significant progress in obtaining services for Kathryn. Caseworkers turned over every two to three months (sometimes more quickly) and we would have to start the whole process over. Some of the turnover was due to professionals leaving for better opportunities or merely moving to other states or other Georgia communities. During this time, our interactions with GVRA's supervisors for Fayette County were even more frustrating. The supervisors did little to help us in dealing with caseworkers who were unresponsive or who left without letting us know.

After two plus years of no services, we discovered that we could request that Kathryn's file be transferred to Coweta County which would allow her to attend a job training program in Newnan which included much more individualized job coaching than she had ever had before. She seems to enjoy that program and she finally appears to be progressing with her employability. Still, it is disheartening that it took so long for us to finally access those services.

While the professionals at Roosevelt Warm Springs were very responsive to questions, since leaving that program Kathryn, her mother and I have had a very difficult time working with and finding support from GVRA. After a number of years of constant turnover of caseworkers and unresponsive supervisors, we only recently learned that we could request that her file be transferred to the Newnan office. And, we did not learn about being able to transfer her file out of the GVRA Fayette County office. We have been and continue to be pleased that the Newnan-based professionals have been so responsive and that Kathryn is finally in a program which addresses *her* needs.

As a parent and a professional who works with individuals and their families who deal with mental health issues, developmental intellectual disabilities, physical disabilities and related issues, I am always interested in any opportunity to help make life better and supports more accessible for other children, young adults and older individuals who need MHDDAD services, thereby helping their families. This best describes the motivation behind my interest in seeking appointment to the Fayette County seat on the Region Six Advisory Council. I hope to use my experience as a parent, as well as my experience as a tax and estate planning attorney to improve services for our Fayette families.

2. What qualifications and experience do you possess for appointment to the Region Six MHDDAD Council?

As parents of a young adult dealing with the challenges of autism and mood disorders, life has provided my wife Diane and me with significant experience, both self-taught and learned, about the needs of families of individuals with a disability and how the life of everyone in such families can be positively impacted by, and alternatively, negatively impacted when government supports fail. I have also gained a fair amount of experience and education in these areas by serving on the Board of the Arc of Davidson County, Tennessee and on the Advisory Board for the Arc, Georgia.

As an attorney and estate planning professional, I taught myself the basics of special needs planning, from both a financial and legal standpoint, because my wife and I needed to know and understand that process. With that as my starting point, I began to assist individuals and their families with the legal and financial planning needed for their family member with a disability. I have also been involved in numerous pro bono programs supporting families dealing with the same struggles which Diane and I have dealt with over the years. In both Georgia and Tennessee, I have been active in and involved with organizations supporting individuals with a disability and their families, providing such charitable organizations and their members with educational programs regarding a number of topics encompassed under the special needs planning umbrella, by drawing on my family's experiences with state government agencies tasked with supporting such individuals and such families. That includes my time assisting the Atlanta Legal Aid Society by providing consultation to its lawyers and some of its clients regarding various aspects of special needs planning and government benefits eligibility, as well as representing its clients in guardianship and/or conservatorship proceedings.

Professionally, I am an active member of the Special Needs Alliance ("SNA"), an invitation only organization of lawyers regularly engaged in providing special needs planning, including consultation regarding and representation to obtain or retain government benefits. Along with being a member of SNA, I have spoken on issues impacting the DD/ID community at numerous professional educational programs; some of which have included the Georgia Bar Association, the Atlanta Bar Association, the Knoxville and Nashville Financial Planners Associations, members of the Arc of Davidson County, Tennessee and the Arc Tennessee. Within Fayette County, I have spoken to Exceptional Ops, at several church sponsored programs for the Chattahoochee-Flint Transition Alliance (Columbus, Georgia and surrounding counties) and the Exceptional Family program at several military installations. On a national level, I have presented on special needs planning issues at the Heckerling Institute on Estate Planning (sponsored by the University of Miami (FL) School of Law) which hosts three thousand or more attorneys each year, and at the Stetson University Law School's Special Needs Trust program, one of the premiere special needs planning programs in the country. I've also spoken at several DD/ID national organization annual meetings with respect to special needs planning.

As both a parent and a professional involved in issues impacting the DD/ID community, I believe I could bring a unique perspective to the Region Six Advisory Council.

3. List your recent employment experiences to include name of company and position.

I have been a partner with the Southeast regional law firm of Burr Forman, LLP in both the Nashville, Tennessee and Atlanta, Georgia offices. The primary focus of my practice is tax and estate planning, including special needs planning.

4. Do you have any past experience relating to the Region Six MHDDAD Council? If so, please describe.

None.

5. Are you currently serving on a commission/board/authority or in and elected capacity with any government?

No, I am not currently serving on an official government commission/board/authority or in any elected governmental capacity.

While I have no such government experience, I have asked for and attended meetings with officials from the Georgia Department of Community Health and the Georgia Department of Behavioral Health and Developmental Disabilities arranged by others. Finally, I am currently serving as the President of the Advisory Board of the Arc Georgia

As a parent, but also as a financial services professional, I recognize that governments need to balance the provision of services against realistic budgetary constraints and still provide necessary services to Georgia residents with a disability and their families. While money is tight, I believe there are significant opportunities to improve the delivery of such services. While other Fayette County parents and families have indicated that GVRA and Georgia's Medicaid waiver professionals have made significant strides in becoming more responsive to individuals and families, those agencies still have a long way to go in order to be as helpful as they should be to those they serve. It is my hope that by participating in the Region Six Advisory Council, I would be able to bring some helpful ideas as well as information about the services provided in other states. It is inexcusable for organizations such as GVRA to allow a client to go without services for well over two years without regular communication and follow-up, much less any access to services because of employee turnover or supervisors unwilling to push caseworkers to help each other in order to provide timely information and services to clients.

6. **Have you attended any Region Six MHDDAD Council meetings in the past two years and, if so, how many?**

No.

7. **Are you willing to attend seminars or continuing education classes at county expense?**

Absolutely.

8. **What is your vision of the county's future related to the duties of the Region Six MHDDAD Council?**

It is my hope that the Advisory Council can help those in state and local agencies serving the MHDDAD community can become better organized to support each other and their MHDDAD clients, especially to keep in better contact with their clients (and check in with them regularly whether they are currently receiving services or have merely requested help). I also believe the Advisory Council should be able to make sure that families and individuals living independently are aware of the types of services available to them at all stages of a client's life.

9. **Would there be any possible conflict of interest between your employment or your family and you serving on the Region Six MHDDAD Council?**

None that I am aware of.

10. **Are you in any way related to a County Elected Official or County employee? If so, please describe.**

No.

11. Describe your current community involvement.

In addition to regularly meeting and networking with Fayette County families and charitable organizations, I have presented educational programs for the members of such charitable organizations and have helped raise money for some organizations. Additionally, I am the representative member for Burr Forman in the Fayette Chamber of Commerce and currently serve as the Chair of the Government Relations Committee (I've been a member of that committee for the past four or five years). I also actively participated in and provided legal counsel regarding the initial organization of Fayette Visioning.

Within Metropolitan Atlanta, I am a regular participant in the Health Law Partnership pro bono program sponsored by the Atlanta Legal Aid Society and the Atlanta Bar Association and several health provider organizations.

12. Have you been given a copy of the county's Ethics Ordinance?

Yes.

13. Is there any reason you would not be able to comply with the Ethics Ordinance?

No.

JAMES M. MCCARTEN

BURR & FORMAN LLP

Email: [REDACTED]

Atlanta: 171 17th Street, NW•Suite 1100•Atlanta, GA 30363
Telephone (404) 532-7236•Facsimile: (404) 817-3244

Nashville: 222 Second Avenue South•Suite 2000•Nashville, TN 37201
Telephone (615) 724-3236•Facsimile: (615) 724-3336

BURR & FORMAN LLP --- MEMBER

Nashville, Tennessee and Atlanta, Georgia; 2011 – Present

Mr. McCarten's practice concentrates in estate and business succession planning (including probate and trust matters) as well as civil and criminal federal and state tax controversies. Other significant areas of practice: exempt organizations (including private foundations); defense of preparer penalties; IRS Director of Practice administrative proceedings; charitable giving; state and local, partnership, corporate and transactional tax matters; and special needs planning for families and individuals with a disability.

PROFESSIONAL ACTIVITIES

- Fellow, *American College of Trust and Estate Counsel*.
- Member, *Special Needs Alliance*
- Included in *The Best Lawyers in America* Litigation & Controversy-Tax, Non-Profit/Charities Law, Tax Law, and Trusts and Estates (2003-2018)
 - Named 2018's "Lawyer of the Year" for the Atlanta area in Non-Profit / Charities Law (**Best Lawyers**).
 - Named 2017's Lawyer of the Year - Litigation and Controversy Tax, Atlanta Area (**Best Lawyers**).
 - Named 2017 Corporate Lawyer of the Year, Tennessee (**Corp America Magazine**).
- Named "50 Hour Star" by the Atlanta Legal Society (October, 2017)
- Mid-South *Super Lawyers*, Estate Planning & Probate (2006-2014)
- Twice named a Top 100 Tennessee Super Lawyers by *Mid South Super Lawyers Magazine* - included in the Super Lawyers List (2006-2013)
- U.S. Department of Justice Outstanding Attorney Award 1986
- Director, Autism Tennessee (f/k/a Autism Society of Middle Tennessee) (2007-2012).
- Director, The Arc of Davidson County (2009-2012).
- Member, Franklin-Williamson County Chamber of Commerce (2008-2012).
- Middle Tennessee Estate Planning Council (2007-2015).
- Frequent speaker for various national and regional tax and special needs planning institute and conferences as well as civic and professional organizations on topics dealing with various aspects of federal and state income and estate taxation as well as special

needs planning including the following: *the Tennessee Federal Tax Conference, the Alabama Federal Tax Conference, Vanderbilt's Hartman State and Local Tax Forum, the Arc National Conference and the Tennessee NAMI Chapters' annual meeting*

- Adjunct Professor of Accounting, University of Tennessee (Fall 1992-1994; 2006).
- Author of a number of articles on tax issues for professional journals and seminars, including the *Tennessee CPA, Limited Liability Companies Planning Alert, The Practical Accountant, Taxation for Accountants, Taxation for Lawyers, Journal of Taxation of Estates & Trusts, Corporate Controller, Corporate Taxation, The Journal of Bank Taxation, and Advanced Institute on Corporate Taxation.*
- Adjunct Professor of Accounting, Georgia State University M.S. Accounting-Taxation program (1987-1990).

WHITE & REASOR, PLC --- MEMBER

Nashville, Tennessee; June 2007 - 2011

WOOLF, MCCLANE, BRIGHT, ALLEN & CARPENTER, PLLC --- MEMBER

Knoxville, Tennessee; June, 1994 - 2007

BAKER, WORTHINGTON, CROSSLEY, STANSBERRY & WOOLF--PARTNER

Knoxville, Tennessee; 1991 - 1994

CHAMBERLAIN, HRDLICKA, WHITE, JOHNSON & WILLIAMS

Atlanta, Georgia; 1989 - 1991

HURT, RICHARDSON, GARNER, TODD & CADENHEAD

Atlanta, Georgia; 1987 - 1989

UNITED STATES DEPARTMENT OF JUSTICE

*Trial Attorney; Tax Division, Office of Special Litigation
Washington, D.C.; 1984 - 1987*

Represented the United States in negotiations, motion practice and trials on substantive and procedural tax issues, primarily abusive tax shelter related items, including I.R.C. Sections 6694, 6695, 6700 and 6701 penalty refund suits, jeopardy and termination assessments and related proceedings, as well as administrative summons enforcement proceedings.

COOPERS AND LYBRAND (Kansas City and Houston)

Experience in financial auditing and accounting as well as corporate, individual and estate and gift tax return preparation.

EDUCATION

EMORY UNIVERSITY, Atlanta Georgia
L.L.M. Taxation, January 1991

UNIVERSITY OF MISSOURI -- KANSAS CITY
Juris Doctorate, May 1984

UNIVERSITY OF KANSAS, LAWRENCE, KANSAS
B.S. Accounting, May 1979

SELECTED PUBLICATIONS

- "The Impact of Tax Reform on Special Needs Planning" Special Needs Alliance (March, 2018)
- "A Place of Her Own (Part II): The 2014 CMS Home and Community-Based Settings Rule" Special Needs Alliance (January, 2017)
- •"A Place of Her Own" Special Needs Alliance (November, 2016)
- •"Strategies for Funding a Special Needs Trust," Special Needs Alliance (March, 2016)
- •Burr Alert: Our Military and Special Needs Trusts for Dependents (January, 2016)

SELECTED SPEAKING ENGAGEMENTS

- "The Tax Cut and Jobs Act of 2017 (with a focus on its provisions affecting those with disabilities) and A Non-Tax Update on Special Needs Planning, Exceptional Ops, Fayetteville, Georgia (January, 2018)
- "Beyond the Special Needs Trust: Essential New Developments in Special Needs Planning", 52nd Annual Heckerling Institute on Estate Planning, Orlando, Florida (January, 2018)
- "Beyond the Special Needs Trust: Essential New Developments in Special Needs Planning", State Bar of Georgia ICLE, Atlanta, Georgia (January, 2018)
- "Income, Which Income? Longing for Simpler Days", 2017 Stetson National Conference, St. Petersburg, Florida (October, 2017)
- "Trusts and Taxpayer Identification Numbers: Which Trusts, Why, When and How", 2017 Stetson National Conference, St. Petersburg, Florida (October, 2017)
- "Financial and Legal Planning for Adulthood", Nalls Sherbakoff, Knoxville, Tennessee (September, 2017)
- "Special Children, Special Lives, Special Needs, Special Planning", Atlanta Alumni of Revenue Agents, Atlanta, Georgia (August, 2017)
- "Mom, Dad, What Happens When I Turn 18?", Southside Support Transition Day Program, Fayetteville, Georgia (March, 2017)
- "A Place of My Own: Exploring Housing Options for Individuals with Disabilities", State Bar of Georgia ICLE, Atlanta, Georgia (February, 2017)
- "ABLE Accounts: What Are They and What Do They Add?," Special Needs Trusts, ICLE in Georgia, State Bar of Georgia, Atlanta, GA (February 10, 2016)
- "Special Children, Special Lives, Special Needs, Special Planning," The Chattahoochee Flint Transition Alliance, Columbus, GA (March 12, 2015)
- "Administering Special Needs Trusts: Special Trusts for Special People Require Special Consideration," Synovus Trust Company, N.A. 2015 Fiduciary Conference, Columbus, GA (March 11, 2015)
- "Special Children, Special Lives, Special Needs, Special Planning," Exceptional Family Member Program, Ft. Benning, Georgia (September 12, 2014)
- "Special Children, Special Lives, Special Needs, Special Planning," Chattanooga Estate Planning Council, Chattanooga, TN (March 27, 2014)
- "Special Children, Special Lives, Special Needs, Special Planning," Mitchell's Place, Army Community Service Exceptional Family Member Program, Fort Benning, Georgia (February 21, 2014)

- "Special Children, Special Lives, Special Needs, Special Planning," Oak Ridge National Lab Employee's Conference Hosted by Hallman Walters Wealth Management (November 13, 2013)
- "Special Children, Special Lives, Special Needs, Special Planning," The Fort Campbell Army Community Service Exceptional Family Member Program (November 5, 2013)
- "Special Children, Special Lives, Special Needs, Special Planning," Muscular Dystrophy Association, Atlanta, GA (October 24-26, 2013)
- "Special Children, Special Lives, Special Needs, Special Planning," National Alliance on Mental Illness, Murfreesboro, TN (May 9, 2013)
- "A Bike Ride for Bobby, A Concert for Cathy: Unintended Consequences of Fundraisers for Promoters and for Beneficiaries," 2013 ACTEC Southern Regional Meeting, Jackson, MS (April 19-21, 2013)
- "Special Children, Special Lives, Special Needs, Special Planning," Mitchell's Place, Birmingham, Alabama (April 19, 2013)
- "Special Children, Special Lives, Special Needs, Special Planning," Muscular Dystrophy Association, Vanderbilt University (April 4/6, 2013)
- "Special Children, Special Lives, Special Needs, Special Planning," Northeast Georgia Disability Expo & Transition Conference (March 20, 2013)
- "After the Fundraiser: Special Needs Planning After The Fact." Special Needs Alliance 2012 Spring Meeting (March 30-31, 2012)

OTHER APPLICANT

APPLICATION FOR APPOINTMENT

**Fayette County Region Six Mental Health Development Disabilities and Addictive Diseases (MHDDAD)
Regional Advisory Council**

How long have you been a resident of Fayette County? 21 years



1. Why are you interested in serving on the Region Six MHDDAD Council?

My 26 year old daughter has a developmental disability. I recently retired after a 33 year business career and am looking for more ways to get more involved and give back. I see this an opportunity to learn more about the MHAAD business model while giving back to those in need.

2. What qualifications and experience do you possess for appointment to the Region Six MHDDAD Council?

33+ years of business experience with focus on process improvement and business transformation. My only experience to date with MHDDAD is as a parent of an adult with a developmental disability.

3. List your recent employment experiences to include name of company and position.

See attached resume

4. Do you have any past experience relating to the Region Six MHDDAD Council? If so, please describe.

no

5. Are you currently serving on a commission/board/authority or in and elected capacity with any government?

no

6. Have you attended any Region Six MHDDAD Council meetings in the past two years and, if so, how many?

no

7. Are you willing to attend seminars or continuing education classes at county expense?

yes

8. What is your vision of the county's future related to the duties of the Region Six MHDDAD Council?

Ensure the Region 6 Council drives a program that provides quality services to all citizens in the Region requiring these services

9. Would there be any possible conflict of interest between your employment or your family and you serving on the Region Six MHDDAD Council?

no

APPLICATION FOR APPOINTMENT

**Fayette County Region Six Mental Health Development Disabilities and Addictive Diseases (MHDDAD)
Regional Advisory Council**

10. Are you in any way related to a County Elected Official or County employee? If so, please describe.

no

11. Describe your current community involvement.

Board Chairman, Exceptional Ops

12. Have you been given a copy of the county's Ethics Ordinance?

13. Is there any reason you would not be able to comply with the Ethics Ordinance?

APPLICATION FOR APPOINTMENT - R Scott Johnson

**Fayette County Region Six Mental Health Development Disabilities and Addictive Diseases (MHDDAD)
Regional Advisory Council**

How long have you been a resident of Fayette County? 21 years

1. Why are you interested in serving on the Region Six MHDDAD Council?

My 26 year old daughter has a developmental disability. I recently retired after a 33 year business career and am looking for more ways to get more involved and give back. I see this an opportunity to learn more about the MHAAD business model while giving back to those in need.

2. What qualifications and experience do you possess for appointment to the Region Six MHDDAD Council?

33+ years of business experience with focus on process improvement and business transformation. My only experience to date with MHDDAD is as a parent of an adult with a developmental disability.

3. List your recent employment experiences to include name of company and position.

See attached resume

4. Do you have any past experience relating to the Region Six MHDDAD Council? If so, please describe.

no

5. Are you currently serving on a commission/board/authority or in and elected capacity with any government?

no

6. Have you attended any Region Six MHDDAD Council meetings in the past two years and, if so, how many?

no

7. Are you willing to attend seminars or continuing education classes at county expense?

yes

8. What is your vision of the county's future related to the duties of the Region Six MHDDAD Council?

Ensure the Region 6 Council drives a program that provides quality services to all citizens in the Region requiring these services

9. Would there be any possible conflict of interest between your employment or your family and you serving on the Region Six MHDDAD Council?

no

APPLICATION FOR APPOINTMENT

**Fayette County Region Six Mental Health Development Disabilities and Addictive Diseases (MHDDAD)
Regional Advisory Council**

10. Are you in any way related to a County Elected Official or County employee? If so, please describe.

no

11. Describe your current community involvement.

Board Chairman, Exceptional Ops (volunteer)

ExceptionalOps is a non-profit organization located in Fayette County Georgia which advocates for people with developmental disabilities and their families. We are devoted to promoting the improvement and expansion of supports and services for people with DD

12. Have you been given a copy of the county's Ethics Ordinance?

yes

13. Is there any reason you would not be able to comply with the Ethics Ordinance?

no

R. Scott Johnson

Senoia, GA 30276

www.linkedin.com/in/scott-johnson2

EXECUTIVE BUSINESS CONSULTANT

Throughout career, consistently delivered superior strategic thinking, business change management, process integration, program management and business technology integration skills.

- Drove process integration for largest vertical integration/acquisition in US CPG industry
- Delivered all master data required to complete one of largest ever refranchising initiatives
- Planned and delivered a \$45 million information system business plan
- Negotiated multi-million dollar asset and services purchases.
- Developed, launched and executed division-wide change management methodology
- Crafted and executed division-wide information strategies & led development and implementation of strategic information systems

In semi-retirement, seek to leverage skills and experience in charitable endeavors and the occasional for-profit consulting opportunity

CAREER HIGHLIGHTS

The Coca-Cola Company (TCCC), Atlanta, Georgia 30301

1995 – 2018 (retired)

2014 – 2018: Group Director, 21st Century Beverage Partnership

Developed program, processes and resources required and delivered all master data to enable territory sales to 20+ large US bottlers - customer, finished goods, cold drink equipment, fleet, suppliers.

- Led delivery of 4M+ data records into 2 new multi-tenant IT solutions across 50+ separate territory transitions – all delivered on-time, within budget and to specification

2013 - 2014: Director – Planning, Delivery & Governance

Led resource planning and acquisition for global cross-functional team supplying enabling software and process model to franchise Coca-Cola Bottlers

- Managed all Bottler agreements from draft thru execution to fee collection
- Delivered business enabling SAP software and best practice consulting services to global Bottlers

2013: Director – Strategic Initiatives

Led process and decision rights definition with C-suite leaders for organization transformation across brands, marketing, commercial planning/direction and sales execution

- Launched and led cross-functional Operating Team of SVPs focused on transformation execution and identifying next wave of process improvement initiatives
- With C-Suite leaders, led development of overall shared services destination and strategy

2010 – 2012: Group Director – Process Integration

Led process and decision rights definition for 2010 vertical integration of Coca-Cola North America and Coca-Cola Enterprises North America businesses across C-suite leadership team (brand ideation, commercial planning thru sales execution)

- Designed and deployed operating model, explaining the desired interactions between all functions to create value across all associates
- Drove detailed assessment of current state processes of acquired bottler and identified best practices for possible export to territories
- Launched/chaired C-Suite leader team focused on maintaining shared services alignment across Finance, IT & HR

2006 – 2010: Group Director – Process Integration and Change Management

Led transformational end to end process design and implementation of consumer marketing, R&D, commercial and back office operations enabling \$25B+ North America business system to transition four vertical business units to one integrated, process-centered operating unit

- Established and led Change Management COE – drove communications, user readiness and training for major process & technology deployments including SAP across manufacturing (20 plants, 3000 associates), financial and procurement operations

2002 – 2006: Director – Business Process Improvement

Established and led COE to enable the transition to common, repeatable and sustainable business processes across the enterprise

- Developed and stewarded enterprise process model, collaborating with business units and IT to insure adherence and appropriate refinement of the process model
- Led development and implementation of Enterprise Architecture Review Process for all Global IT development efforts

EDUCATION

Georgia Institute of Technology, Atlanta, Georgia

Bachelor of Industrial Engineering; graduated with honors in the Cooperative Program; 3.3 grade point average of possible 4.0; Dean's List 11 of 12 quarters while working part-time to fund my education.

COMMUNITY SERVICE

2011- Present: Exceptional Ops, President – Board of Directors, Peachtree City, Georgia

Non-profit: focused on serving people with developmental disabilities

COUNTY AGENDA REQUEST

Page 255 of 277

Department:

Presenter(s):

Meeting Date:

Type of Request:

Wording for the Agenda:

Consideration of Agreement #1569-S between Fayette County and the U. S. Department of the Interior Geological Survey (USGS) that provides for the required monitoring of water flow, stream monitoring data for quality, and CFS flow monitoring in the amount of \$312,500.00 from October 1, 2018 through September 30, 2019.

Background/History/Details:

The Georgia Department of Natural Resources requires that our Water System (and all others) monitor the flow of water in our raw water sources, below where Fayette County takes out water for storage, treatment and distribution. The U.S. Geological Survey(USGS), Water Resources Division, performs this type of work. Therefore, Fayette County contracts with USGS for their services. USGS has the only acceptable method for stream flow monitoring that is used for reporting and compliance monitoring of open channel streams. Several of these sites are also monitored for water quality. There are sixteen "monitoring stations" at locations on the Flint River, two on Line Creek, and one on Shoal Creek. Monitoring ensures adequate water flow below the the County's facilities. The volume of water in a stream effects plant and animal life. Due to the aquatic requirements a predetermined 7Q10 is required to maintain aquatic life. These monitors will not only ensure we are protecting the environment but will also give us data that we can use along with our Environmental Management Team to eliminate those activities that are negatively affecting the waters as they pass through our county. With that being said this data can also be used to remove 303D listed streams and give data that proves they are supporting of aquatic life. The proposed monitoring project with the FCWS is designed to fulfill the monitoring requirements as outlined by the Metropolitan North Georgia Water Planning District (MNGWPD) and the Georgia Environmental Protection Division (GaEPD). This agreement will cover October 1, 2018 through September 30, 2019.

What action are you seeking from the Board of Commissioners?

Approval to enter into Agreement #1569-S between Fayette County and the U. S. Department of the Interior Geological Survey (USGS) that provides for the required monitoring of water flow, stream monitoring data for quality, and CFS flow monitoring in the amount of \$312,500.00 from October 1, 2018 through September 30, 2019.

If this item requires funding, please describe:

Funding was budgeted in the Water System's M&O Budget under 50543061-521212 License and Professional Fees,1 payment at \$75,600.00 and 3 payments at \$78,125.00, a transfer of \$10,935.00 will be from Technical Services 50543061-521316.

Has this request been considered within the past two years?

If so, when?

Is Audio-Visual Equipment Required for this Request?

Backup Provided with Request?

STAFF USE ONLY

Approved by Finance

Reviewed by Legal

Approved by Purchasing

County Clerk's Approval

Administrator's Approval

Staff Notes:

Agreement with USGS for the annual monitoring of sixteen sites including the Flint River, Line Creek and Shoal Creek , Morning Creek, Whitewater Creek, Lake Kedron, Flat Creek, Lake Horton, Camp Creek and Nash Creek to help maintain and record quality of water as it enters and leaves Fayette County.



Purchasing Department
 140 Stonewall Avenue West, Ste 204
 Fayetteville, GA 30214
 Phone: 770-305-5420
www.fayettecountyga.gov

To: Steve Rapson

From: Ted L. Burgess

Date: September 27, 2018

Subject: Contract #1569-S: USGS Water Flow & Stream Monitoring – FY 2019

Dissolved oxygen in the water of the county's lakes, rivers, creeks, and streams is important to the quality of the water. One can expect the amount of dissolved oxygen in the water to be lowest during times of low flow in the waterways. A common measure of low flow is called "7Q10" which is the lowest stream flow over a seven-day period that can be expected every ten years.

Each year, the U.S. Department of the Interior, U.S. Geological Survey (USGS) and the county enter into an agreement whereby the USGS maintains real-time stream gauges that are placed in various locations throughout the county, which facilitate the 7Q10 calculation.

The locations of the stream gauges, and the price to maintain each, are as follows:

Stream Gauge Locations	FY 2016	FY 2017	FY 2018	FY 2019	Change 2018-2019
Flint River at Woolsey Road	14,000	14,250	14,600	15,100	3.4%
Line Creek downstream of GA 54	14,000	14,250	19,900	15,100	-24.1%
Shoal Creek at GA 54	14,000	14,250	14,600	15,100	3.4%
Line Creek below Lake McIntosh	49,800	51,000	48,000	53,800	12.1%
Morning Creek at Westbridge Road	19,000	19,400	19,900	20,400	2.5%
Whitewater Creek at Eastin Road	14,000	14,250	14,600	15,100	3.4%
Whitewater Creek at Sherwood Road	14,000	14,250	14,600	15,100	3.4%
Whitewater Creek below Starrs Mill Dam	19,000	19,400	19,900	20,400	2.5%
Lake Kedron near Peachtree City	6,600	6,800	7,000	7,000	0.0%
Flat Creek downstream of Lake Kedron	41,700	43,800	35,100	40,200	14.5%
Lake Peachtree at Peachtree City	6,600	6,800	7,000	7,000	0.0%
Flat Creek below Lake Peachtree	49,800	51,000	53,300	53,800	0.9%
Lake Horton near Peachtree City	6,600	6,800	7,000	7,000	0.0%
Lake Horton (Talrace) near Fayetteville	NA	NA	7,000	7,000	0.0%
Camp Creek at Helmer Road	14,000	14,250	14,600	15,100	3.4%
Nash Creek (bacteria only)	5,000	5,150	5,300	5,300	0.0%
	288,100	295,650	302,400	312,500	3.3%

The Water System states that the USGS has the only accepted method for reporting and compliance monitoring of open-channel streams. For this reason, they recommend contracting with USGS each year for the service. They report that they are satisfied with the services provided by the USGS, as seen in the attached Contractor Performance Evaluation.

For budget and expense purposes, it should be noted that the contract follows the Federal fiscal year, which begins on October 1 and ends on September 30 each year. Specifics of the proposed contract are as follows:

Contract Name	1569-S: USGS Water Flow & Stream Monitoring – FY 2019		
Vendor	U.S. Geological Survey		
Contract Term	10/1/2018 to 9/30/2019 Corresponding with Fed Fiscal Year		
Firm Fixed Price	\$312,500.00 For the Federal Fiscal Year		
Budget:			
Fund	505	Water System	
Org.	50543061	Water Laboratory	
Object	521212	Licenses & Professional Fees	
Currently Available	\$299,040.00	Budget balance	
Requested Transfer	<u>10,935.00</u>	From Technical Services	
Total Available FY 2019	\$309,975.00	To pay current fiscal year invoices*	

*First quarterly payment, at previous contract rate	\$75,600.00
Second quarterly payment, at new contract rate	78,125.00
Third quarterly payment, at new contract rate	78,125.00
Fourth quarterly payment, at new contract rate	<u>78,125.00</u>
Total for County Fiscal Year 2018	<u>\$309,975.00</u>

FAYETTE COUNTY, GEORGIA CONTRACTOR PERFORMANCE EVALUATION

Page 1

1. Use this form to record contractor performance for any contract of \$50,000 or above.
2. The person who serves as project manager or account manager is the designated party to complete the evaluation.
3. This form is to be completed and forwarded to the Purchasing Department not later than 30 days after completion or expiration of a contract. Past performance is considered on future contracts.

VENDOR INFORMATION	COMPLETE ALL APPLICABLE INFORMATION
Company Name: U.S. Dept. of the Interior, U.S. Geological Survey	Contract Number: 1385-S
Mailing Address: South Atlantic Water Science Center, 1170 Corporate Drive, Suite 500	Contract Description or Title: USGS Water Flow & Stream Monitoring - 2018
City, St, Zip Code: Norcross, GA 30093	Contract Term (Dates) From: 10/1/2017 To: 9/30/2018
Phone Number: 678-924-6691	Task Order Number: N/A
Cell Number:	Other Reference: Agreement #16MPJFA00000001; Project MPOO
E-Mail Address:	

DEFINITIONS

OUTSTANDING – Vendor considerably exceeded minimum contractual requirements or performance expectations of the products/services; The vendor demonstrated the highest level of quality workmanship/professionalism in execution of contract.

EXCELLENT (Exc) - Vendor exceeded minimum contractual requirements or performance expectations of the products/services.

SATISFACTORY (Sat) - Vendor met minimum contractual requirements or performance expectations of the products/services.

UNSATISFACTORY (UnSat) - Vendor did not meet the minimum contractual requirements or performance expectations of the products and/or services; Performed below minimum requirements

EVALUATIONS (Place "X" in appropriate box for each criterion.)

Criteria (includes change orders / amendments)	Out-standing	Exc	Sat	Un-Sat	Not Apply
1. Work or other deliverables performed on schedule			X		
2. Condition of delivered products			X		
3. Quality of work			X		
4. Adherence to specifications or scope of work			X		
5. Timely, appropriate, & satisfactory problem or complaint resolution			X		
6. Timeliness and accuracy of invoicing			X		
7. Working relationship / interfacing with county staff and citizens			X		
8. Service Call (On-Call) response time			X		
9. Adherence to contract budget and schedule			X		
10. Other (specify):					X
11. Overall evaluation of contractor performance			X		

EVALUATED BY

Signature: <i>Lisa Speegle</i>	Date of Evaluation: 9/14/18
Print Name: Lisa Speegle	Department/Division: Water System
Title: Financial Manager	Telephone No: 770-320-6018

CONTRACTOR PERFORMANCE EVALUATION

Explanation of Outstanding or Unsatisfactory Ratings

Page 2

Company Name:

Contract Number:

EXPLANATIONS / COMMENTS

1. Do not submit page 2 without page 1.
2. Use this page to explain evaluations of *Outstanding* or *Unsatisfactory*.
3. Be specific (include paragraph and page numbers referenced in the applicable contract, etc.). Continue on separate sheet if needed (show company name and contract number or other reference)

Purchasing Department Comments (e.g. did the vendor honor all offers; submit insurance, bonds & other documents in a timely manner; and provide additional information as requested?):



United States Department of the Interior

U.S. GEOLOGICAL SURVEY
 South Atlantic Water Science Center
 1770 Corporate Drive, Suite 500
 Norcross, Georgia 30093
 Phone: (678) 924-6700 Fax: (678) 924-6710
<http://ga.water.usgs.gov>

Customer Number: 6000001126
 Agreement Number:
 19MPJFA00000001
 TIN: 586000826
 Fixed Cost Agreement: YES

August 13, 2018

Mr. Lee Pope, Director
 Fayette County Water System
 245 McDonough Road
 Fayetteville, Georgia 30214

Dear Mr. Pope:

Enclosed please find two copies of a Joint Funding Agreement (JFA) with original signatures for the project entitled "maintenance of the following real-time streamgages:

#02344396	Flint River at Woolsey Road, near Woolsey, GA	\$15,100
#02344605	Linc Creek downstream of GA 54, near Peachtree City, GA	\$15,100
#02344620	Shoal Creek at GA 54, near Sharpsburg, GA	\$15,100
#02344630	Linc Creek below Lake McIntosh, near Peachtree City, GA.	\$53,800
#02344327	Morning Creek at Westbridge Road	\$20,400
#02344724	Whitewater Creek at Eastin Road	\$15,100
#02344736	Whitewater Creek at Sherwood Road	\$15,100
#02344748	Whitewater Creek blw Starrs Mill Dam	\$20,400
#02344650	Lake Kedron near Peachtree City	\$7,000
#02344655	Flat Creek downstream of Lake Kendron	\$40,200
#02344671	Lake Peachtree at Peachtree City	\$7,000
#02344673	Flat Creek below Lake Peachtree, Peachtree City	\$53,800
#02344423	Lake Horton near Peachtree City	\$7,000
#02344424	Lake Horton (Talrace) near Fayetteville	\$7,000
#02344280	Camp Creek at Helmer Road	\$15,100
# 02344364	Nash Creek (bacteria only)	\$5,300

This agreement is entered into by the USGS under authority of 43 USC 36C; 43 USC 50; and 43 USC 50b.

This JFA covers the period beginning on October 1, 2018, and ending on September 30, 2019, at a total cost of \$312,500 provided by Fayette County Water System, Fayette County, Georgia.

Please have both copies signed by an authorized official(s), retaining one copy for your records, and returning the other to the attention of Angel Spencer, Administrative Officer, at the address shown above. Work cannot be started or continued until we receive the signed agreement. All work performed with funds from this agreement will be conducted on a fixed-price basis. Billing for this JFA will be rendered quarterly. Please do not send a check at this time as you will be billed at a later date which will include payment instructions with the address for mailing your check. The results of all work under this agreement will be available for publication by the U.S. Geological Survey. Any party may terminate this agreement by providing 60 day's written notice to the other party.

If you have any questions or require additional information please contact Brian E. McCallum, Assistant Director for Data – Georgia Acting Director, at 678-924-6672 or via email at bemccall@usgs.gov.

Sincerely,

Eric Strom, Director
 USGS South Atlantic Water Science Center

U.S. Department of the Interior
U.S. Geological Survey
Joint Funding Agreement
FOR
Water Resource Investigations

Fixed Cost Agreement YES[X] NO[]

THIS AGREEMENT is entered into as of the October 1, 2018, by the U.S. GEOLOGICAL SURVEY, South Atlantic Water Science Center, UNITED STATES DEPARTMENT OF THE INTERIOR, party of the first part, and the Fayette County Water System party of the second part.

1. The parties hereto agree that subject to the availability of appropriations and in accordance with their respective authorities there shall be maintained in cooperation Water Resource Investigations (per attachment), herein called the program. The USGS legal authority is 43 USC 36C; 43 USC 50, and 43 USC 50b.

2. The following amounts shall be contributed to cover all of the cost of the necessary field and analytical work directly related to this program. 2(b) include In-Kind-Services in the amount of \$0.00

- (a) \$0 by the party of the first part during the period
October 1, 2018 to September 30, 2019
- (b) \$312,500 by the party of the second part during the period
October 1, 2018 to September 30, 2019
- (c) Contributions are provided by the party of the first part through other USGS regional or national programs, in the amount of: \$0

Description of the USGS regional/national program:

- (d) Additional or reduced amounts by each party during the above period or succeeding periods as may be determined by mutual agreement and set forth in an exchange of letters between the parties.
- (e) The performance period may be changed by mutual agreement and set forth in an exchange of letters between the parties.

3. The costs of this program may be paid by either party in conformity with the laws and regulations respectively governing each party.

4. The field and analytical work pertaining to this program shall be under the direction of or subject to periodic review by an authorized representative of the party of the first part.

5. The areas to be included in the program shall be determined by mutual agreement between the parties hereto or their authorized representatives. The methods employed in the field and office shall be those adopted by the party of the first part to insure the required standards of accuracy subject to modification by mutual agreement.

6. During the course of this program, all field and analytical work of either party pertaining to this program shall be open to the inspection of the other party, and if the work is not being carried on in a mutually satisfactory manner, either party may terminate this agreement upon 60 days written notice to the other party.

7. The original records resulting from this program will be deposited in the office of origin of those records. Upon request, copies of the original records will be provided to the office of the other party.

8. The maps, records or reports resulting from this program shall be made available to the public as promptly as possible. The maps, records or reports normally will be published by the party of the first part. However, the party of the second part reserves the right to publish the results of this program, and if already published by the party of the first part shall, upon request, be furnished by the party of the first part, at cost, impressions suitable for purposes of reproduction similar to that for which the original copy was prepared. The maps, records or reports published by either party shall contain a statement of the cooperative relations between the parties. The Parties acknowledge that scientific information and data developed as a result of the Scope of Work (SOW) are subject to applicable USGS review, approval, and release requirements, which are available on the USGS Fundamental Science Practices website (<https://www2.usgs.gov/fsp/>).

U.S. Department of the Interior
U.S. Geological Survey
Joint Funding Agreement
FOR
Water Resource Investigations

Customer #: ~~6000001126~~ 277
Agreement #: 19MPJFA00000001
Project #: MP00
TIN #: 58-6000826

9. Billing for this agreement will be rendered **quarterly**. Invoices not paid within 60 days from the billing date will bear Interest, Penalties, and Administrative cost at the annual rate pursuant the Debt Collection Act of 1982, (codified at 31 U.S.C. § 3717) established by the U.S. Treasury.

USGS Technical Point of Contact

Name: Brian McCallum
GA Data Chief
Address: 1770 Corporate Drive Suite 500
Norcross, GA 30093
Telephone: (678) 924-6672
Fax: (678) 924-6710
Email: bemccall@usgs.gov

Customer Technical Point of Contact

Name: Lee Pope
Director
Address: 245 McDonough Road
Fayetteville, GA 30214
Telephone: (770) 320-6016
Fax:
Email: lpope@fayettecountyga.gov

USGS Billing Point of Contact

Name: Crystal Stallworth
Budget Analyst
Address: 1770 Corporate Drive Suite 500
Norcross, GA 30093
Telephone: (678) 924-6691
Fax: (678) 924-6710
Email: castallw@usgs.gov

Customer Billing Point of Contact

Name: Lee Pope
Director
Address: 245 McDonough Road
Fayetteville, GA 30214
Telephone: (770) 320-6016
Fax:
Email: lpope@fayettecountyga.gov

U.S. Geological Survey
United States
Department of Interior

Fayette County Water System

Signature

By ERIC STROM Digitally signed by ERIC STROM
Date: 2018.08.22 08:17:26
-04'00' Date: 08/13/2018
Name: Eric W. Strom
Title: Director

Signatures

By _____ Date: _____
Name:
Title:

By _____ Date: _____
Name:
Title:

By _____ Date: _____
Name:
Title:

COUNTY AGENDA REQUEST

Page 263 of 277

Department:

Presenter(s):

Meeting Date:

Type of Request:

Wording for the Agenda:

Consideration of the proposed 2019 Local Maintenance & Improvement Grant (LMIG) project list for unincorporated Fayette County and authorization for the Chairman to sign the LMIG Application and related documents.

Background/History/Details:

The Georgia Department of Transportation's (GDOT) LMIG program is designed to help local governments make needed improvements to local and state roads. Fayette County's LMIG formula amount for calendar year 2019 is \$837,185.81.

In accordance with LMIG program guidelines, County staff has prepared a project list in excess of this amount. The focus of the 2019 list is on roadway pavement maintenance; including resurfacing, striping, and stone (for gravel roads). A minimum 30% match of the LMIG funding is required on all projects.

Fayette County's LMIG application and project list must be submitted to GDOT by January 1, 2019. A check for the grant, up to \$837,185.81 will then be sent to Fayette County.

What action are you seeking from the Board of Commissioners?

Approval of the proposed 2019 Local Maintenance & Improvement Grant (LMIG) project list for unincorporated Fayette County and authorization for the Chairman to sign the LMIG Application and related documents.

If this item requires funding, please describe:

Currently the \$1,088,341.55 (State portion plus the 30% local match) is available in the Road Department's FY19 M&O budget.

Has this request been considered within the past two years?

If so, when?

Is Audio-Visual Equipment Required for this Request?*

Backup Provided with Request?

*** All audio-visual material must be submitted to the County Clerk's Office no later than 48 hours prior to the meeting. It is also your department's responsibility to ensure all third-party audio-visual material is submitted at least 48 hours in advance.**

Approved by Finance

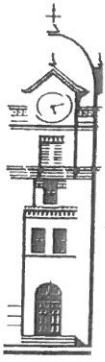
Reviewed by Legal

Approved by Purchasing

County Clerk's Approval

Administrator's Approval

Staff Notes:



Fayette
COUNTY

"WHERE QUALITY
IS A LIFESTYLE"

PUBLIC WORKS DEPARTMENT

115 McDONOUGH ROAD
FAYETTEVILLE, GEORGIA 30214
PHONE: 770-320-6010
www.fayettecountyga.gov

September 12, 2018

Mr. Jack Reed
Local Government Coordinator
115 Transportation Blvd
Thomaston, GA 30286

RE: Fayette County – 2019 LMIG request and status update of 2018 LMIG Projects

Dear Mr. Reed,

Enclosed is Fayette County's Local Maintenance & improvement Grant (LMIG) application package for 2019. Our project list (attached) includes: milling, resurfacing, roadway striping and rock of dirt roads.

2018 Status Update – Fayette County was allocated \$821,817.40 for the 2017 LMIG, with 30% local match for a total program value of \$1,068,362.62. To-date we've had program expenditures totaling \$891,750.81. The remaining funds will be spent by October 1, 2018 to complete the implementation of projects identified in Fayette County's 2018 LMIG application.

A *Statement of Final Expenditures/Status Report* for the 2018 LMIG will be completed as soon as the remaining funds for the program year are utilized. In the meantime, please call Phil Mallon at 770-320-6009 or pmallon@fayettecountyga.gov if you need any additional information.

Fayette County remains appreciative of the LMIG program. It is administered well and the money it provides to local governments is essential for maintaining off-system infrastructure.

Sincerely,

Eric Maxwell, Chairman
Fayette County Board of Commissioners

Enclosures

2019 LMIG PROJECT REPORT
COUNTY/CITY: FAYETTE COUNTY

ROAD NAME	BEGINNING	ENDING	LENGTH (Miles)	DESCRIPTION OF WORK	PROJECT COST
Adams Court	Flat Creek Tr	Dead End	0.30	Milling & Resurfacing	\$31,728.02
Bankstown Road	Morgan Mill Rd	Hwy 85 Conn	3.30	Milling & Resurfacing	\$349,008.26
Becca Court	Weeping Willow	Dead End	0.20	Milling & Resurfacing	\$21,152.02
Bernard Place	SR 85	Goza Road	1.02	Milling & Resurfacing	\$107,875.28
Bernard Road	Goza Road	Redwine Road	3.05	Milling & Resurfacing	\$322,568.24
Brooks Road	County Line	Hwy 85 Conn	1.00	Milling & Resurfacing	\$105,760.08
Chandler Way	Marion Blvd	Waldrop Way	0.50	Milling & Resurfacing	\$52,880.04
County Wide Gravel				Add Gravel to Dirt Roads	\$10,000.00
County Wide Striping				Refresh existing striping	\$10,000.00
Emerald Lane	Eastin Rd	Dead End	0.20	Milling & Resurfacing	\$21,152.02
Evans Way	Grooms Rd	Dead End	0.60	Milling & Resurfacing	\$63,456.05
Farm Lane	Lee's Lake Rd	Dead End	0.30	Milling & Resurfacing	\$31,728.02
Gladys Lane	Winn Way	Dead End	0.40	Milling & Resurfacing	\$42,304.03
Golden Glen Way	Old Magnolia	Dead End	0.10	Milling & Resurfacing	\$10,576.01
Grooms Circle	Grooms Rd	Dead End	0.20	Milling & Resurfacing	\$21,152.02
Grooms Road	Porter Rd	Dirt	0.70	Milling & Resurfacing	\$74,032.06
Homer's Place	Inman Road	Dead End	0.20	Milling & Resurfacing	\$21,152.02
Kay Road	McElroy Road	Dead End	0.40	Milling & Resurfacing	\$42,304.03
Kayla Drive	Antioch Road	Dead End	0.40	Milling & Resurfacing	\$42,304.03
Kenwood Road	SR 85	SR 279	0.50	Milling & Resurfacing	\$52,880.04
Kite Lake Road	Westbridge Rd	Dead End	1.50	Milling & Resurfacing	\$158,640.12
Lakeside Trail	Lee's Lake Rd	Dead End	0.30	Milling & Resurfacing	\$31,728.02
Lee's Lake Road	Lee's Mill Rd	County Line	2.60	Milling & Resurfacing	\$274,976.21
McIntosh Road	Hwy 85 Conn	County Line	1.09	Milling & Resurfacing	\$115,278.49
Melanie Circle	Melanie Lane	Dead End	0.20	Milling & Resurfacing	\$21,152.02
Melanie Lane	Old Ford Rd	Dead End	0.90	Milling & Resurfacing	\$95,184.07
Old Greenville Road	Goza Road	Rising Star Rd	2.80	Milling & Resurfacing	\$296,128.22
Paula Drive	Ellison Road	Dead End	0.20	Milling & Resurfacing	\$21,152.02
Pine Needle Dr	Wood Valley Dr	Dead End	0.15	Milling & Resurfacing	\$15,864.01
Planters Walk	Sandy Creek Rd	Dead End	0.20	Milling & Resurfacing	\$21,152.02
Roxboro Court	Tandy Trace	Dead End	0.20	Milling & Resurfacing	\$21,152.02
South Kite Lake Road	Kite Lake Rd	Kenwood Rd	0.60	Milling & Resurfacing	\$63,456.05
Vinnings Walk	Annelise Park Dr	Annelise Park Dr	0.37	Milling & Resurfacing	\$39,131.23
Vista Lane	Weeping Willow	Dead End	0.30	Milling & Resurfacing	\$31,728.02
Waldrop Way	Dead End	Dead End	0.20	Milling & Resurfacing	\$21,152.02
Walter Way	Carnes Drive	Dead End	0.30	Milling & Resurfacing	\$31,728.02
Weldon Place	Weldon Drive	Dead End	0.10	Milling & Resurfacing	\$10,576.01
Winn Way	Antioch Road	Dead End	0.40	Milling & Resurfacing	\$42,304.03
Wood Valley Dr	SR 54	Dead End	0.20	Milling & Resurfacing	\$21,152.02

2019 Formula Amount \$837,185.81
2019 County Match \$251,155.74
2019 TOTAL \$1,088,341.55

ESTIMATED TOTAL \$2,767,646.88

09/11/2018 15:12
 9597mpar

 FAYETTE COUNTY, GA
 APPROVED BUDGET REQUESTS

 P 1
 bgdeptra

BUDGET PROJECTION 2019 FY 2019 Budget-Annual Funds

ORG	OBJECT PROJ	ACCOUNT DESCRIPTION	CURRENT ADJ BUDGET	PROJECTED ACTUAL	APPROVED	PERCENT CHANGE
10040220521316		TECHNICAL SERVICES	913,626.00	990,013.29	1,022,723.00	11.94
100	-40-40200-40220-00-00-521316-					
		STRIPING AND RPMS	1.00	61,301.00	61,301.00	
		ESTIMATED 12.02 MILES AFTER RESURFACING				
		ASPHALT MILLING, FDR AND ASPHALT	1.00	162,894.00	162,894.00	
		TESTING				
		REPAIR 12.02 MILES BEFORE RESURFACING				
		CONCRETE SERVICES	1.00	10,000.00	10,000.00	
		REPAIR DAMAGED C/G AND SIDEWALKS				
		SPALDING COUNTY INMATE SERVICES	1.00	52,840.00	52,840.00	
		COUNTY WIDE TRASH AND DEAD ANIMAL PICKUP				
		DUST CONTROL	1.00	95,000.00	95,000.00	
		MAINTENANCE ON 31 MILES OF DIRT ROADS				
		PAVEMENT PRESERVATION SERVICES	1.00	307,648.00	307,648.00	
		HA5 5 MILES, REJUVENATOR 10 MILES				
		OUTSIDE CONTRACTOR SERVICES	1.00	70,000.00	70,000.00	
		R/W SERVICES INCL GUARDRAIL, TREE REMOVAL,				
		BEAVERS				
		CURVE SIGNAGE STUDY SERVICES	1.00	20,000.00	20,000.00	
		MEET FEDERAL MANDATE ON REQUIRED CURVE SIGNAGE				
		PAVEMENT INSPECTION AND SIGNAGE SURVEY	1.00	100,000.00	100,000.00	
		SIGNAGE REFLECTIVE AND PAVEMENT CONDITION STUDY				
		TEMPORARY LABOR	1.00	100,000.00	100,000.00	
		FLAGGING SERVICES AND TEMPORARY CONTRACT WORKERS				
		TRIPLE SURFACE - CHIP SEAL	1.00	163,040.00	163,040.00	
		3 MILES (HARDY AND BROOKS ROADS)				
		RECOMMENDED: DECREASE \$20K FOR PAVEMENT	1.00	120,000.00	-120,000.00	
		SURVEY, \$40K FOR CHIP SEAL, \$30K FOR				
		HA5, \$10K FOR DUST CONTROL, \$20K FOR				
		DAY LABOR				
10040220521316	3ROAD	TECHNICAL SERVICES	.00	.00	.00	.00
100	-40-40200-40220-00-00-521316-3ROAD					
10040220521316	LMIG2	TECHNICAL SERVICES	.00	.00	.00	.00
100	-40-40200-40220-00-00-521316-LMIG2					
10040220521316	LMIG3	TECHNICAL SERVICES	.00	.00	.00	.00
100	-40-40200-40220-00-00-521316-LMIG3					
10040220521316	LMIG4	TECHNICAL SERVICES	.00	.00	.00	.00
100	-40-40200-40220-00-00-521316-LMIG4					
10040220521316	LMIG5	TECHNICAL SERVICES	.00	.00	.00	.00
100	-40-40200-40220-00-00-521316-LMIG5					
10040220521316	LMIG6	TECHNICAL SERVICES	.00	.00	.00	.00
100	-40-40200-40220-00-00-521316-LMIG6					

FAYETTE COUNTY, GA
APPROVED BUDGET REQUESTS

P 2
bgdeptra

ORG	OBJECT	PROJ	ACCOUNT	DESCRIPTION
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ORG	OBJECT	PROJ	ACCOUNT	DESCRIPTION	CURRENT ADJ BUDGET	PROJECTED ACTUAL	APPROVED	PERCENT CHANGE
10040220521316	LMIG7			TECHNICAL SERVICES	299,018.25	.00	.00	-100.00
100	-40-40200-40220-00-00-521316-LMIG7							
10040220521316	LMIG8			TECHNICAL SERVICES	235,040.00	220,160.00	83,584.00	-64.44
100	-40-40200-40220-00-00-521316-LMIG8							
	STRIPING, RPM AND MILLING TO COMPLETE				1.00	83,584.00	83,584.00	
	LMIG 8							
10040220521316	LMIG9			TECHNICAL SERVICES	.00	.00	242,105.00	.00
100	-40-40200-40220-00-00-521316-LMIG9							
	MILLING, STRIPING AND RPMS FOR LMIG 9				1.00	242,105.00	242,105.00	
				BUDGET CEILING:			1,447,684.25	
				TOTALS:	1,447,684.25	1,210,173.29	1,348,412.00	-6.86

** END OF REPORT - Generated by Mary Parrott **

COUNTY AGENDA REQUEST

Page 268 of 277

Department: Buildings & Grounds Maintenance

Presenter(s): Carlos Christian, Director

Meeting Date: Thursday, September 27, 2018

Type of Request: New Business #18

Wording for the Agenda:

Consideration of staff's recommendation to award Bid #1536-B, Stonewall Roof Replacement Project (# 3565A), to Dusty Greer Roofing, Inc. in the amount of \$218,000.

Background/History/Details:

Fayette County's Administrative building roof was originally installed as a ballasted EPDM roofing system. As the roof aged, there have been several efforts to repair the roof and extend its life. Around 2012 the river washed round stone ballast system was removed and retrofitted with a 2nd EPDM membrane used to conceal the mechanically attached system. After that, a fiberglass based spray on coating system was applied to seal the entire roof and extend its useful life. Due to manufacturer and/or installation issues, the applied coating system failed prematurely and continues to deteriorate rapidly over time. As a result, leaking has continued at various locations throughout the building.

Upon request, our existing roof was inspected by several roofing companies to assess its condition. The general consensus was to replace the roof. An infrared scan was performed on the roof that identified several small areas where the roofing insulation would need to be replaced. Plans are to add an additional 2" of roofing insulation to better insulate the building.

This project was competitively bid. Eight (8) bids were received with the low bidder being Dusty Greer Roofing , Inc. in the amount of \$218,000 to install a new 60-mil, fully-adhered, single ply membrane roof having a 15-year warranty. Dusty Greer Roofing, Inc. is an experienced roofer skilled in membrane -type roofing projects and they received positive feedback from references called.

What action are you seeking from the Board of Commissioners?

Approval to award Bid #1536-B, Stonewall Roof Replacement Project (# 3565A), to Dusty Greer Roofing, Inc. in the amount of \$218,000.

If this item requires funding, please describe:

Funding is available in project line item 37510565-541320-3565A with an available balance of \$352,037.53 as of Sept 21, 2018.

Has this request been considered within the past two years?

No

If so, when?

Is Audio-Visual Equipment Required for this Request?*

No

Backup Provided with Request?

Yes

*** All audio-visual material must be submitted to the County Clerk's Office no later than 48 hours prior to the meeting. It is also your department's responsibility to ensure all third-party audio-visual material is submitted at least 48 hours in advance.**

Approved by Finance

Yes

Reviewed by Legal

Approved by Purchasing

Yes

County Clerk's Approval

Yes

Administrator's Approval

Staff Notes:



Purchasing Department
 140 Stonewall Avenue West, Ste 204
 Fayetteville, GA 30214
 Phone: 770-305-5420
www.fayettecountyga.gov

To: Steve Rapson

From: Ted L. Burgess

Date: September 27, 2018

Subject: Invitation to Bid #1536-B: Stonewall TPO Roof

The Purchasing Department issued Invitation to Bid #1536-B to secure a contractor for a new thermoplastic polyolefin (TPO) roof for the Stonewall Complex. Notice of the opportunity was emailed to 36 companies. Another 587 were contacted through the web-based Georgia Procurement Registry, who had registered under commodity codes #91066 (Roofing, Gutters & Downspouts Maintenance & Repair Services) and 91473 (Roofing & Siding). The offer was also advertised through Fayette News, Greater Georgia Black Chamber of Commerce, Georgia Local Government Access Marketplace, the county website, and Channel 23.

Eighteen companies attended a mandatory pre-bid conference. Eight of these companies submitted bids (please see attached).

The Building and Grounds Maintenance Department recommends award to the responsive low bidder, Dusty Greer Roofing, Inc. for the price of \$218,000.00 (please see attached). To assure appropriate installation by a qualified contractor, the county has obtained documentation from the roofing product manufacturer, Carlisle SynTec Systems, that they have certified Dusty Greer Roofing as a Carlisle Authorized Applicator.

There is no record of the county contracting Dusty Greer Roofing, Inc. in the past, so there is not a Contractor Performance Evaluation for this project.

Specifics of the proposed contract are as follows:

Contract Name	1536-B: Stonewall TPO Roof	
Contractor	Dusty Greer Roofing, Inc.	
Contract Price	\$218,000.00	
Budget:		
Fund	375	Capital Improvement Project
Org Code	37510565	Building & Grounds Maintenance
Object	541320	Buildings & Structures
Project	3565A	B&G Roof Repairs Admin. Building
Available	\$352,037.53	As of 9/19/2018

Invitation to Bid #1536-B
Thermoplastic Polyolefin (TPO) Roof

COMPANY NAME	BASE BID PRICE	ALTERNATE: Install new commercial grade, fully adhered, Johns Mansville or equal, JM TPO 60-mil, single ply membrane in lieu of mechanically attached system	BASE BID PRICE WITH ALTERNATE
EXTERIOR SOLUTIONS OF GEORGIA, INC. DBA BONE DRY ROOFING COMPANY	\$318,452.00	\$258,786.00	\$353,452.00
RYCARS CONSTRUCTION, LLC	\$318,745.00	\$26,720.00	\$345,465.00
ROOF MANAGEMENT INC.	\$267,498.00	\$56,972.00	\$324,470.00
SKYLINE CONSTRUCTION SERVICES, INC.	\$256,560.00	\$32,000.00	\$288,560.00
RDS CONSTRUCTION, LLC	\$269,989.00	\$12,000.00	\$281,989.00
BEN HILL ROOFING AND SIDING CO., INC.	\$247,000.00	\$20,000.00	\$267,000.00
S. GARRETT AND COMPANY	\$217,496.00	\$24,279.00	\$241,775.00
DUSTY GREER ROOFING, INC.	\$198,000.00	\$20,000.00	\$218,000.00

Note: The **red-lined** item above is listed as submitted.



Dusty Greer Roofing
415 Lakeshore Drive
Monroe, GA 30655

August 30, 2018

**RE: Stonewall
Fayetteville, GA**

To Whom It May Concern:

As confirmation, Dusty Greer Roofing is a Carlisle Authorized Applicator, qualified to install the following proposed Carlisle System:

Deck	22 Gauge Metal. Existing roof membrane to be removed and existing ISO to be exposed.
	Any wet or damaged insulation must be removed prior to new roof assembly.
Insulation	One layer of 2" Insulbase polyiso (20PSI) to be mechanically attached to structurally sloped metal decking with Carlisle 3" insulation plates and Insulfast fasteners. Each 4' x 8' board to be secured with 6 plates and screws.
Membrane	Carlisle's 60-mil white TPO is to be mechanically attached OR fully adhered to new 2" Insulbase ISO. <i>If mechanically attached</i> , the membrane must be secured with piranha plates and Carlisle HP-X fasteners 12" on center in every lap. Up to 12' wide sheets can be used and two membrane half sheets must be installed along the perimeter. <i>If fully adhered</i> , membrane to be adhered using Carlisle's Sure-Weld Bonding Adhesive at the rate of 60 sqft per gallon. Up to 12' sheets can be used and there are no half sheets required.

After completion of the installation, upon request an inspection shall be conducted by a Field Service Representative of Carlisle to determine the membrane roofing system has been installed according to Carlisle's published specifications and details applicable at the time of bid. Upon final acceptance by Carlisle, a 15-year warranty with 55-mph peak-gust rooftop wind speed coverage can be issued. Only products purchased through Carlisle can be included in the warranty.

If you require any further information, please call me at 678-547-1084.

A handwritten signature in blue ink, appearing to read 'JH', is positioned above the name James Hoag.

**James Hoag
Carlisle Representative**

Carlisle is a manufacturer of commercial roofing products and offers this general conceptual information to you as a courtesy. This complimentary assistance is not to be used or relied upon by anyone as a substitute for professional engineering design and documentation required by building code, contract or applicable law. By accepting these comments you agree they do not

2687 Peachtree Square • Doraville, GA 30360 • 678.547.1084 • fax 678.547.1091 • WATTS 1.877.547.1084

www.crssupply.com/salesandmarketing



September 19, 2018

DUSTY GREER ROOFING INC
415 LAKESHORE DRIVE
MONROE, GA 30655
US

Project: Various

To Whom It May Concern:

This letter is to confirm that DUSTY GREER ROOFING INC in MONROE, GA is a Carlisle Authorized Applicator.

This Applicator has been awarded with the following awards:

Perfection Award 2015, Perfection Award 2016, Perfection Award 2017

If you should have any further questions, please feel free to contact me.

Sincerely,

A handwritten signature in blue ink, appearing to read "Shannon Wyatt", with a long horizontal flourish extending to the right.

Shannon Wyatt

Southeast Regional Sales Manager

/ems

GOLDEN SEAL TOTAL ROOFING SYSTEM WARRANTY

SERIAL NO.

DATE OF ISSUE:

BUILDING OWNER:

NAME OF BUILDING:

BUILDING ADDRESS:

DATE OF COMPLETION OF THE CARLISLE TOTAL ROOFING SYSTEM:

DATE OF ACCEPTANCE BY CARLISLE:

15 year

Carlisle Roofing Systems, Inc., (Carlisle) warrants to the Building Owner (Owner) of the above described building, that; subject to the terms, conditions, and limitations stated in this warranty, Carlisle will repair any leak in the Carlisle Golden Seal™ Total Roofing System (Carlisle Total Roofing System) installed by a Carlisle Authorized Roofing applicator for a period of years commencing with the date of Carlisle's acceptance of the Carlisle Total Roofing System installation. However, in no event shall Carlisle's obligations extend beyond years subsequent to the date of substantial completion of the Carlisle Total Roofing System. See below for exact date of warranty expiration.

The Carlisle Total Roofing System is defined as the following Carlisle brand materials: Membrane, Flashings, Adhesives and Sealants, Insulation, Cover Boards, Fasteners, Fastener Plates, Fastening Bars, Metal Work, Insulation Adhesives, and any other Carlisle brand products utilized in this installation.

TERMS, CONDITIONS, LIMITATIONS

- Owner shall provide Carlisle with written notice via letter, fax or email within thirty (30) days of the discovery of any leak in the Carlisle Total Roofing System. Owner should send written notice of a leak to Carlisle's Warranty Services Department at the address set forth at the bottom of this warranty. By so notifying Carlisle, the Owner authorizes Carlisle or its designee to investigate the cause of the leak. Should the investigation reveal the cause of the leak to be outside the scope of this Warranty, investigation and repair costs for this service shall be paid by the Owner.
- If, upon inspection, Carlisle determines that the leak is caused by a defect in the Carlisle Total Roofing System's materials, or workmanship of the Carlisle Authorized Roofing Applicator in installing the same, Owner's remedies and Carlisle's liability shall be limited to Carlisle's repair of the leak.
- This warranty shall not be applicable if, upon Carlisle's inspection, Carlisle determines that any of the following has occurred:
 - The Carlisle Total Roofing System is damaged by natural disasters, including, but not limited to, lightning, fire, insect infestations, earthquake, tornado, hail, hurricanes, and winds of (3 second) peak gust speeds of mph or higher measured at 10 meters above ground; or
 - Loss of integrity of the building envelope and, or structure including, but not limited to partial or complete loss of roof decking, wall siding, windows, doors or other envelope components or from roof damage by wind-blown objects, or;
 - The Carlisle Total Roofing System is damaged by any intentional or negligent acts, accidents, misuse, abuse, vandalism, civil disobedience, or the like.
 - Deterioration or failure of building components, including, but not limited to, the roof substrate, walls, mortar, HVAC units, non-Carlisle brand metal work, etc., occurs and causes a leak, or otherwise damages the Carlisle Total Roofing System; or
 - Acids, oils, harmful chemicals and the like come in contact with the Carlisle Total Roofing System and cause a leak, or otherwise damage the Carlisle Total Roofing System.
 - The Carlisle Total Roofing System encounters leaks or is otherwise damaged by condensation resulting from any condition within the building that may generate moisture.
- This Warranty shall be null and void if any of the following shall occur:
 - If, after installation of the Carlisle Total Roofing System by a Carlisle Authorized Roofing Applicator there are any alterations or repairs made on or through the roof or objects such as, but not limited to, structures, fixtures, solar panels, wind turbines, roof gardens or utilities are placed upon or attached to the roof without first obtaining written authorization from Carlisle; or
 - Failure by the Owner to use reasonable care in maintaining the roof, said maintenance to include, but not be limited to, those items listed on Carlisle's Care & Maintenance Information sheet which accompanies this Warranty.
- Only Carlisle brand insulation products are covered by this warranty. Carlisle specifically disclaims liability, under any theory of law, for damages sustained by or caused by non-Carlisle brand insulation products.
- During the term of this Warranty, Carlisle shall have free access to the roof during regular business hours.
- Carlisle shall have no obligation under this Warranty while any bills for installation, supplies, service, and warranty charges have not been paid in full to the Carlisle Authorized Roofing Applicator, Carlisle, or material suppliers.
- Carlisle's failure at any time to enforce any of the terms or conditions stated herein shall not be construed to be a waiver of such provision.
- Carlisle shall not be responsible for the cleanliness or discoloration of the Carlisle Total Roofing System caused by environmental conditions including, but not limited to, dirt, pollutants, or biological agents.
- Carlisle shall have no liability under any theory of law for any claims, repairs, restoration, or other damages including, but not limited to, consequential or incidental damages relating, directly or indirectly, to the presence of any irritants, contaminants, vapors, fumes, molds, fungi, bacteria, spores, mycotoxins, or the like in the building or in the air, land, or water serving the building.
- This warranty shall be transferable upon a change in ownership of the building when the owner has completed certain procedures including a transfer fee and an inspection of the Roofing System by a Carlisle representative.

CARLISLE DOES NOT WARRANT PRODUCTS UTILIZED IN THIS INSTALLATION WHICH IT HAS NOT FURNISHED; AND SPECIFICALLY DISCLAIMS LIABILITY, UNDER ANY THEORY OF LAW, ARISING OUT OF THE INSTALLATION AND PERFORMANCE OF, OR DAMAGES SUSTAINED BY OR CAUSED BY, PRODUCTS NOT FURNISHED BY CARLISLE OR THE PRIOR EXISTING ROOFING MATERIAL OVER WHICH THE CARLISLE ROOFING SYSTEM HAS BEEN INSTALLED

THE REMEDIES STATED HEREIN ARE THE SOLE AND EXCLUSIVE REMEDIES FOR FAILURE OF THE CARLISLE TOTAL ROOFING SYSTEM OR ITS COMPONENTS. THERE ARE NO WARRANTIES EITHER EXPRESSED OR IMPLIED, INCLUDING THE IMPLIED WARRANTIES OF FITNESS FOR A PARTICULAR PURPOSE AND MERCHANTABILITY, WHICH EXTEND BEYOND THE FACE HEREOF. CARLISLE SHALL NOT BE LIABLE FOR ANY INCIDENTAL, CONSEQUENTIAL OR OTHER DAMAGES INCLUDING, BUT NOT LIMITED TO, LOSS OF PROFITS OR DAMAGE TO THE BUILDING OR ITS CONTENTS UNDER ANY THEORY OF LAW.

BY: Robert H. McNeill
 AUTHORIZED SIGNATURE
 TITLE: Director, Technical and Warranty Services

This Warranty Expires:



Purchasing Department
140 Stonewall Avenue West, Ste 204
Fayetteville, GA 30214
Phone: 770-305-5420
www.fayettecountyga.gov

To: Steve Rapson

From: Ted L. Burgess *TB*

Date: September 10, 2018

Subject: Contract #1564-S: Design & Specifications for Fire Station 2

On October 26, 2017 the Board of Commissioners awarded Contract #1301-P to K.A. Oldham Design, Inc. for design and specifications for Fire Station 4 for the amount of \$174,000. Addendum 1 to the Request for Proposal had stated "the county intends to use the same successful firm, depending on mutually agreeable terms, to design the replacement for Fire Station #2 in approximately one year." The main purpose of this provision was to obtain volume pricing.

On August 9, 2018 the Board approved the proposal from K.A. Oldham Design to contract for design and specifications for Fire Station 2, to be located at 1330 Highway 92 North. It will be built in front of the existing fire station. The not-to-exceed amount of this contract is \$119,000.

A Contractor Performance Evaluation for K.A. Oldham's previous work is attached.

Specifics of the proposed contract are as follows:

Contract Name	1564-S: Design & Specifications for Fire Station 2
Contractor	K.A. Oldham Design, Inc.
Amount of Contract	\$119,000.00

Budget:

Fund	375	Capital Improvement Project
Org. Code	37530550	Fire Services
Object	541320	Buildings / Structures
Project	183AO	Fire Station 2
Available Balance	\$2,457,775.00	As of 9/8/2018

Approved by: 

Date: 9/10/18

FAYETTE COUNTY, GEORGIA CONTRACTOR PERFORMANCE EVALUATION

Page 1

1. Use this form to record contractor performance for any contract of \$50,000 or above.
2. The person who serves as project manager or account manager is the designated party to complete the evaluation.
3. This form is to be completed and forwarded to the Purchasing Department not later than 30 days after completion or expiration of a contract. Past performance is considered on future contracts.

VENDOR INFORMATION	COMPLETE ALL APPLICABLE INFORMATION
Company Name: K. A. Oldam, Design Inc	Contract Number: #1301-P
Mailing Address: 75 Jackson Street	Contract Description or Title: Station #4 (SPLOST) Design & Specifications
City, St, Zip Code: Newnan, GA 30263	Contract Term (Dates) From: 9/9/2017 To:
Phone Number: 770.683.9170	Task Order Number:
Cell Number:	Other Reference:
E-Mail Address: koldham@kaod.com	

DEFINITIONS

OUTSTANDING – Vendor considerably exceeded minimum contractual requirements or performance expectations of the products/services; The vendor demonstrated the highest level of quality workmanship/professionalism in execution of contract.

EXCELLENT (Exc) - Vendor exceeded minimum contractual requirements or performance expectations of the products/services.

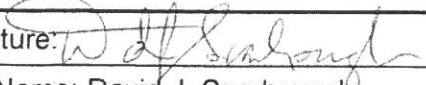
SATISFACTORY (Sat) - Vendor met minimum contractual requirements or performance expectations of the products/services.

UNSATISFACTORY (UnSat) - Vendor did not meet the minimum contractual requirements or performance expectations of the products and/or services; Performed below minimum requirements

EVALUATIONS (Place "X" in appropriate box for each criterion.)

Criteria (includes change orders / amendments)	Out-standing	Exc	Sat	Un-Sat	Not Apply
1. Work or other deliverables performed on schedule			X		
2. Condition of delivered products			X		
3. Quality of work			X		
4. Adherence to specifications or scope of work			X		
5. Timely, appropriate, & satisfactory problem or complaint resolution			X		
6. Timeliness and accuracy of invoicing			X		
7. Working relationship / interfacing with county staff and citizens		X			
8. Service Call (On-Call) response time		X			
9. Adherence to contract budget and schedule			X		
10. Other (specify):					
11. Overall evaluation of contractor performance			X		

EVALUATED BY

Signature: 	Date of Evaluation: 8/2/2018
Print Name: David J. Scarbrough	Department/Division: Fire & Emergency Services
Title: Fire Chief	Telephone No: 770.305.5174



Purchasing Department
 140 Stonewall Avenue West, Ste 204
 Fayetteville, GA 30214
 Phone: 770-305-5420
www.fayettecountyga.gov

To: Steve Rapson

From: Ted L. Burgess

Date: September 6, 2018

**Subject: Contract #1431-P: Transportation Engineer of Record
 Task Order #9: East Fayetteville Bypass Bridge Design**

Croy Engineering, LLC is the current Transportation Engineer of Record for the Division of Public Works. Task Order #9 will authorize Croy to prepare preliminary bridge design drawings for the proposed bridge spanning Morning Creek in east Fayette County. This will be in conjunction with the East Fayette Bypass project that Mallett Consulting is designing.

The tasks involved, and the cost of each, is as follows:

• Bridge Hydraulic Survey	\$12,000
• Preliminary Bridge Layout Plans	48,960
• Project Coordination	<u>4,850</u>
Total Task Order	<u>\$65,810</u>

Specifics of the Task Order are as follows:

Contract Name	1431-P: Transportation Engineer of Record	
Task Order	#9: East Fayetteville Bypass Bridge Design	
Contractor	Croy Engineering, LLC	
Amount	<u>\$65,810.00</u>	
Budget:		
Fund	321	<u>SPLOST – County Wide (2004)</u>
Organization Code	32140220	<u>SPLOST Roads County Wide</u>
Object Code	521211	Engineering Services
Project	R-8C	Morning Creek Bridge
Available Balance	<u>\$13,214,276.49</u>	As of 8/31/2018


Approved by: _____

Date: _____

9/7/18



Purchasing Department
140 Stonewall Avenue West, Ste 204
Fayetteville, GA 30214
Phone: 770-305-5420
www.fayettecountyga.gov

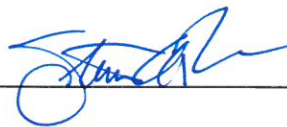
To: Steve Rapson
From: Ted L. Burgess 
Date: August 29, 2018
Subject: Contract #1221-P: Water System Engineer of Record
Task Order #FC-19-06: Waterline Construction Drawings – Veterans Parkway

CH2M currently serves as the Water System Engineer of Record. It is planned to extend the waterline along Veterans Parkway north from West Highway 54, and on South Sandy Creek Road north of West Highway 54. This task order will provide boundary, utility, and topographic surveys, and water main construction documents.

Specifics of the proposed Task Order are as follows:

Contract Name	1221-P: Water System Engineer of Record
Task Order	FC-19-06: Waterline Construction Drawings – Veterans Parkway
Contractor	CH2M
Not-to-Exceed Amount	\$84,261.00
Budget:	
Fund	505 Water System
Org Code	50541010 Water System Administration
Object	521211 Engineering Services
Available	\$400,000.00 ✓ As of 8/28/2018

Approved by: _____



Date: _____

8/29/18