

## BOARD OF COUNTY COMMISSIONERS

Lee Hearn, Chairman  
Edward Gibbons, Vice Chairman  
Eric K. Maxwell  
Charles D. Rousseau  
Charles W. Oddo



## FAYETTE COUNTY, GEORGIA

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

140 Stonewall Avenue West  
Public Meeting Room  
Fayetteville, GA 30214

## MINUTES

February 26, 2026  
5:00 p.m.

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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 2<sup>nd</sup> and 4<sup>th</sup> Thursday of each month at 5:00 p.m.

### OFFICIAL SESSION:

#### **Call to Order**

Chairman Lee Hearn called the February 26, 2026, Board of Commissioners meeting to order at 5:00 p.m. A quorum of the Board was present.

#### **Invocation and Pledge of Allegiance by Commissioner Charles Rousseau**

Commissioner Charles Rousseau gave the Invocation and led the audience in the Pledge of Allegiance.

#### **Acceptance of Agenda**

Commissioner Charles Oddo moved to approve the agenda as written. Vice Chairman Edward Gibbons seconded. The motion passed 5-0.

### PROCLAMATION/RECOGNITION:

#### PUBLIC HEARING:

Planning and Zoning Director, Debbie Bell read the process and procedures of the public hearing.

- 1. Consideration of Petition 1368-25, Parcel 0722 023; Stuart Reagan and Laura K. Reagan, owners, request to rezone 8.053 acres from R-70 (Single-Family Residential) to A-R (Agricultural-Residential); property located in Land Lot 75 of the 7th District and fronts Sun Road. This item was tabled at the January 22, 2026 Board of Commissioners meeting.**

Ms. Bell stated that this request was seeking approval to rezone 8.053 acres from R-70 to A-R. She noted that the lot was a legal lot of record and met or exceeded all the requirements of the A-R zoning district, as does the existing house. The Future Land Use Map designated this area as Rural Residential-2, which has a 2-acre minimum parcel size. Since A-R was a less intense/lower density zoning, the request to rezone to the A-R zoning district was appropriate and was consistent with the Future Land Use Map and the Comprehensive Plan. Ms. Bell stated that both staff and the Planning Commission recommended approval of the request to rezone to A-R.

Stuart Reagan, Petitioner, stated that if approved, this rezoning would allow him to build run-ins on the property for his horses without the restrictions associated with the current zoning.

No one spoke in favor or opposition.

Vice Chairman Gibbons moved to approve the Petition 1368-25, Parcel 0722 023; Stuart Reagan and Laura K. Reagan, owners, request to rezone 8.053 acres from R-70 (Single-Family Residential) to A-R (Agricultural-Residential); property located in Land Lot 75 of the 7th District and fronts Sun Road. Commissioner Oddo seconded. The motion passed 5-0.

**2. Consideration of Petition 1371-25, Parcel 1306 023, CK 138 LLC, owner, requests to rezone 15.733 acres from R-40 (Single-Family Residential) to C-H (Highway Commercial); property located in Land Lot(s) 198 of the 13th District and fronts State Route 138. This item was tabled at the January 22, 2026 Board of Commissioners meeting.**

Ms. Bell stated that this was a request to rezone 15.733 acres from R-40 to C-H. She stated that the property had a legal lot of record. An approved plat was recorded in Plat Book 101 Page 168 on November 22, 2021. A portion of the parent parcel was the subject of Rezoning Petition No. 1305-21. That part of the property was rezoned to C-H, Conditional on May 27, 2021. She noted that the balance of parcel remained R-40 and was subject of this petition. This parcel was subject to requirements of Sec. 110-173. – (5) SR 138 and North SR 314 overlay zone. The overlay zone provided additional setbacks, architectural and lighting standards, and access standards. Ms. Bell stated that as defined in the Fayette County Comp Plan, this area was designated as General Business Use, however, the property was immediately adjacent to C-H zoned properties and uses. Ms. Bell stated that both staff and the Planning Commissioner recommended approval of the rezoning request. Ms. Bell also stated that the Georgia Department of Transportation had advised that if approved, the applicant would have to use the existing driveway of the adjacent property, which they own. Ms. Bell provided various maps outlining the location, topography, surrounding zoning, environmental elements and an aerial depiction of the property.

Dakota Carruthers with Parker Pow, reiterated that this property was 15.733 acres and had been acquired in 2021 and part of the neighboring parcel zoned CH (Commercial Highway), General Commercial Future Land Use Map designation. She noted that the neighboring parcel was rezoned in 2021 and a multi-building self-storage facility with internal and external access was constructed. The purpose of the request before the Board was intended to allow the applicant to extend the current self-storage facility at the back of the property. She highlighted that 2.285 acres of the property, along Highway 138 would be left undisturbed and marketed for retail use. Storage will ultimately be tucked behind retail and accessed through the adjacent property.

No one spoke in favor or opposition.

Vice Chairman Gibbons moved to approve Petition 1371-25, Parcel 1306 023, CK 138 LLC, owner, requests to rezone 15.733 acres from R-40 (Single-Family Residential) to C-H (Highway Commercial); property located in Land Lot(s) 198 of the 13th District and fronts State Route 138. Chairman Hearn seconded.

Commissioner Rousseau asked if the applicant was amenable to the condition of utilizing the existing driveway of the adjacent property to gain access to the extended portion, if approved.

Ms. Carruthers stated yes, they agreed to the condition.

Commissioner Rousseau asked if the property was currently on septic and if sewer was available nearby.

Chris Poholek with Childress Klein, stated that sewer was available on the other side of the street.

Commissioner Rousseau asked if they envisioned the property remaining on septic and being able to handle their capacity considering the retail space.

Mr. Poholek stated yes, they did.

Commissioner Oddo stated that back in 2021 when the property was originally rezoned, the remaining acreage was to be left residential.

Mr. Poholek stated they had envisioned a residential subdivision with 1-acre lots, however, with the success of the self-storage facility plans pivoted, they were now interested in pursuing an extension of the self-storage facility.

Commissioner Oddo noted that he had no issues with expansion of a successful business but asked if the expansion was not permitted in the O-I zoning.

Ms. Bell stated that self-storage was allowed in the general business zoning, however, self-storage was only allowed in O-I under special circumstances within the Highway 54 W overlay. As a result, self-storage would not be permitted at the property if zoned O-I.

Commissioner Oddo stated that in his opinion this commercial development, creeping deeper into a more residential area, would be a concern/problem for residents who live in the area. Commissioner Oddo stated that he was hesitant to approve this request because of its proximity to the residential area but would be open to a more transitional type of request.

Mr. Poholek stated that the subject property was adjacent to a residential property and noted that he had spoken to that property owner who was ok with the potential expansion. Remaining residential zoning was to the far back of the property and would be blocked by a natural buffer, which included a stream.

Ms. Curruthers acknowledged that as part of the application process, they reviewed the O-I zoning but, in an effort, to maintain continuity with the existing zoning and to adhere to zoning requirements, this was determined to be the most appropriate. She noted, that if there was a more palatable option for consideration by the Board, they were open to discussing it.

Commissioner Oddo stated that he would prefer the O-I zoning.

Commissioner Oddo expressed his concern with the back and forth in the zoning and the potential of a more intense use in that area.

Mr. Poholek reiterated that the reason for maintaining the requested zoning was for continuity of the property if the parcels were combined in the future. Buildings on site could be constructed closer together without setback limitations. Mr. Poholek asked if the Board wanted to add a condition regarding the square footage of the expansion, if that made it more favorable for approval.

Vice Chairman Gibbons expressed his concern with potentially changing the nature of the request.

Commissioner Rousseau asked how mature the trees and shrubbery on the property was.

Mr. Poholek stated that the subject property was undeveloped, so the land was undisturbed and in the same condition it was in when they originally purchased it.

Commissioner Rousseau stated that in the spirit of being a good neighbor, he would love to see a planted buffer of trees and/or plants so that residents would see plants/trees, instead of the back of buildings and retail.

Ms. Curruthers explained that they were open to considering different zoning or a combined zoning if the parcels could be combined. She noted that they were also open to different conditions and continued discussions in an effort to have the request approved.

Commissioner Oddo asked if the Petitioner would be willing to rezoning only the top portion of the property and leaving the back portion residential.

Both Ms. Curruthers and Mr. Koholek stated yes, they would be open to considering that.

Vice Chairman Gibbons stated that this was not the motion and a completely different zoning decision.

Mr. Davenport stated that was corrected. He added that even if the Board was amenable to this change it could not be considered as part of this public hearing tonight because there was no clear understanding of what property was being considered.

Vice Chairman Gibbons moved to call to question.

Vice Chairman Gibbons moved to approve Petition 1371-25, Parcel 1306 023, CK 138 LLC, owner, requests to rezone 15.733 acres from R-40 (Single-Family Residential) to C-H (Highway Commercial); property located in Land Lot(s) 198 of the 13th District and fronts State Route 138. Chairman Hearn seconded. The motion passed 4-1, with Commissioner Oddo voting in opposition.

Commissioner Oddo stated as a point of clarification, that he had to vote no because he was not ready to make a vote.

- 3. Consideration of Petition 1372-25-A, 1246 Hwy. 314 Fayette Co LLC, Owner; Randy Boyd, Agent, requests to rezone 45.412 acres from R-40 (Single-Family Residential) to A-R (Agricultural-Residential); property located in Land Lot(s) 219 of the 13th District and fronts Highway 314 North. This item was tabled at the January 22, 2026 Board of Commissioners meeting.**

Ms. Bell stated that items #3 and #4 were related petitions and would be discussed collectively but would require separate votes. She continued that Petition 1372-25-A was a request to rezone 45.412 acres from R-40 to A-R. Petition 1372-25-B, was a request to rezone 4.738 acres from R-40 to A-R. She stated that the Future Land Use Map designated this area as low density residential, which had a 1-acre minimum parcel size. Since A-R was less dense, requiring a 5-acre minimum lot, the request to rezone to A-R was appropriate and consistent with the Future Land Use Map & Comprehensive Plan as a less intense use. Ms. Bell stated that the companion parcel in this rezoning request did not meet the minimum lot size requirement for A-R, so staff recommended conditional approval of the request to rezone to A-R, subject to the following condition: 1. All parcels that are the subject of this petition shall be combined by a recorded final plat within 180 days of the approval of the petition or prior to the submittal of a site development plan, whichever comes first. She noted that the Planning Commission recommended denial of the rezoning request. Ms. Bell provided various maps outlining the location, topography, surrounding zoning, environmental elements and an aerial depiction of the property.

Randy Boyd, Agent, stated that his client was requesting to rezone the property to A-R for the purpose of operating a Wedding/Event Venue/Bed & Breakfast. Mr. Boyd stated that they agreed to the condition. He stated that if approved, they would combine the parcels to bring it into compliance with the A-R zoning. Mr. Boyd presented a brief video presentation of the property. Mr. Boyd stated that Mr. Hill was proud of his beautiful property and wanted to share it with others and asked for the Boards' favorable approval.

Alvin Williams with G-Squared Entertainment spoke in favor of the proposed development. He added that he was seeking clarity regarding dam repair on the site and wanted to know at which end of the dam repair work was needed because this could negatively affect his property if damaged.

The following citizens spoke in opposition of Petition 1372-25-A: Dan Anderson, Walter Metzger, Karen Webb, Gayle Rabe, Harold Powell, Matt Masingill. Residents relayed concerns regarding an increase in traffic, noise concerns, safety concerns, and the loss of their peace and tranquility caused by a commercial business in a residential area.

Mr. Boyd stated that all the traffic from the proposed property would access the venue from Highway 314. He noted that the dam repairs mentioned would be at the lower end of the subject property and would not be the responsibility of the neighboring property owners. He stated that this would not be commercial zoning but conditional use under the R- 40 or A-R zoning. Mr. Boyd

noted that his client was allowed to use his property in accordance with zoning regulations, but he could not control certain aspects of the area, specifically the traffic. Highway 314 was a State Route and Fayette County was a popular destination causing Highway 314 to be a busy corridor. Mr. Boyd also highlighted several uses for the property under the current R-40 zoning that would be more intense and traffic producing e.g. a church and/or place of worship, or a private school. He continued stating that his client's proposal did adhere to the Fayette County Future Land Use Plan and was supported by staff. He requested the Boards' favorable approval.

Commissioner Rousseau asked Mr. Boyd to clarify "lower end" of the dam as it related to the location of the dam needing repair.

Mr. Boyd stated that it was on the southeast portion of the property closer to Lafayette Estates.

Commissioner Rousseau reiterated that Lafayette Estates would not be an entrance or exit access point for this proposed venue, if approved.

Mr. Boyd stated that it would not.

Commissioner Oddo noted that one of the requirements of a bed and breakfast was that the owner lived on-site or if owned by a corporation had an officer live on property. He wanted to ensure Mr. Hill was aware of this requirement and had plans to adhere to it.

Mr. Boyd stated that Mr. Hill and his mother intended on living on the property

Commissioner Oddo stated that while he understood the sentiment of comments made in opposition to this request if developed as residential properties with possibly 20+ available lots would still generate traffic. He admitted that he did not view this proposal as negative.

Mr. Boyd agreed and stated that a subdivision, church, and/or school which were all allowed under the current zoning as a conditional use would be more intense use and cause some of the same concerns.

Commissioner Maxwell asked Mr. Boyd what the proposed layout and use of the venue would be.

Mr. Boyd stated that initially if approved, his clients wanted to pursue developing the wedding venue/bed and breakfast. He noted that Mr. Hill and his mother planned to live on the property, as required. Currently there was no wedding building, so he planned to construct a large tent to begin hosting weddings. In the future, if viable, a wedding venue would be built.

Commissioner Maxwell asked if the plan was to have this venue on the "delta" piece of the property.

Mr. Boyd stated that it would actually be closer to the house to ensure guests had access to gravel parking. The initial idea was to use a wedding tent to garner interest and viability and from there, if successful, plans would be to improve the property and develop a wedding facility.

Commissioner Maxwell asked how he was going to access the lake on the property.

Mr. Boyd stated that there would not be any vehicular access over or around the dam, in coordination with Safe Dams requirements. They were considering golf carts as an option to accessing the lake, ensuring a gravel crossing over the dam was permissible.

Commissioner Maxwell stated from his review of this request there was not going to be much use on the property on the west side of the lake.

Mr. Boyd stated that was correct, unless they could determine a way to develop a road.

Commissioner Maxwell stated that most of the potential development would be around the house and the 4-5 acres just south of it was where the wedding venue would be and fishing at the lake.

Mr. Boyd agreed. He stated that he wanted to have local schools, neighbors, and/or churches come on site for fishing events in the future, but his main focus was the wedding venue and bed and breakfast.

Further conversation continued.

Vice Chairman Gibbons moved to approve Petition 1372-25-A, 1246 Hwy. 314 Fayette Co LLC, Owner; Randy Boyd, Agent, requests to rezone 45.412 acres from R-40 (Single-Family Residential) to A-R (Agricultural-Residential); property located in Land Lot(s) 219 of the 13th District and fronts Highway 314 North, with one (1) condition. Commissioner Maxwell seconded.

Commissioner Rousseau stated that while growth and development within the county was good it should also be appropriate for the area and this request, in his opinion, was not the best fit for the community. Commissioner Rousseau urged his colleagues to listen to the concerns of the residents and support the effort to deny this request.

Vice Chairman Gibbons moved to approve Petition 1372-25-A, 1246 Hwy. 314 Fayette Co LLC, Owner; Randy Boyd, Agent, requests to rezone 45.412 acres from R-40 (Single-Family Residential) to A-R (Agricultural-Residential); property located in Land Lot(s) 219 of the 13th District and fronts Highway 314 North, with one (1) condition. Commissioner Maxwell seconded. The motion passed 4-1, with commissioner Rousseau voting in opposition.

**4. Consideration of Petition 1372-25-B, 1246 Hwy. 314 Fayette Co LLC, Owner; Randy Boyd, Agent, requests to rezone 4.738 acres from R-40 (Single-Family Res) to A-R (Agricultural-Residential); property located in Land Lot(s) 219 of the 13th District and fronts Highway 314 North. This item was tabled at the January 22, 2026 Board of Commissioners meeting.**

Ms. Bell stated that this was a request to rezone 4.738 acres from R-40 to A-R. Ms. Bell stated that this was the second of two parcels as previously mentioned. And because it was less than 5-acres staff recommended conditional approval of the request to rezone to A-R, subject to the following condition: 1. All parcels that are the subject of this petition shall be combined by a recorded final plat within 180 days of the approval of the petition or prior to the submittal of a site development plan, whichever comes first. She noted that the Planning Commission recommended denial of the rezoning request.

Mr. Alivin Williams originally spoke in favor of this property (Petition 1372-25-A), but after listening to further discussion was in opposition of the petition.

The following citizens spoke in opposition of Petition 1372-25-B: Sandy Burton-Hughes, Alvin Williams, Celestine English, Gayle Rabe, Dan Anderson, Matt Masingill reiterated previous concerns traffic caused by an event center, noise concerns, safety concerns, the loss of their peace and tranquility caused by a commercial business in a residential area.

Mr. Boyd stated something was going to go on the property. Currently a church and/or school was permissible, and he felt this request was a less intense zoning and asked for Board approval.

Commissioner Rousseau moved to deny Petition 1372-25-B, 1246 Hwy. 314 Fayette Co LLC, Owner; Randy Boyd, Agent, requests to rezone 4.738 acres from R-40 (Single-Family Res) to A-R (Agricultural-Residential); property located in Land Lot(s) 219 of the 13th District and fronts Highway 314 North. Motion failed due to the lack of a second.

Vice Chairman Gibbons moved to approve Petition 1372-25-B, 1246 Hwy. 314 Fayette Co LLC, Owner; Randy Boyd, Agent, requests to rezone 4.738 acres from R-40 (Single-Family Res) to A-R (Agricultural-Residential); property located in Land Lot(s) 219 of the 13th District and fronts Highway 314 North, with one (1) condition. Commissioner Maxwell seconded. The motion passed 4-1, with Commissioner Rousseau voting in opposition.

The Board recessed at 6:35 p.m.  
The Board reconvened at 6:46 p.m.

**5. Consideration of Petition 1373-25, Parcel 0504 049; Kyle D. Weishaar and Laura S. Weishaar, owners, request to rezone 7.745 acres from A-R (Agricultural-Residential) to R-78 (Single-Family Residential); property located in Land Lot(s) 26 of the 5th District and fronts Harp Road. This item was tabled at the January 22, 2026 Board of Commissioners meeting.**

Ms. Bell stated that this request was to rezone 7.745 acres from A- to R-78 property located in Land Lot(s) 26 of the 5th District and fronts Harp Road. Ms. Bell advised that the lot was a legal nonconforming lot and met or exceeded all requirements of the R-78 zoning district. The Future Land Use Map designated this area as Rural Residential-2, which had a 2-acre minimum parcel size. The request to rezone to R-78 was consistent with the Future Land Use Map and Comprehensive Plan. At 4,161 sq. the existing house met/exceeded dimensional requirements for R-78 for minimum floor area and setbacks. Staff recommended conditional approval with the request subject to the following condition: 1. The owner/developer shall dedicate land to Fayette County as needed to provide a minimum 50-ft of right of way as measured from the existing centerline of Harp Road for the full width of the parcel. Submittal of all warranty deed(s) and legal descriptions for said right-of-way within 90 days of the approval of rezoning, or prior to the submittal of permit applications, whichever comes first. Ms. Bell provided various maps outlining the location, topography, surrounding zoning, environmental elements and an aerial depiction of the property. Ms. Bell stated that the lot was unusually shaped and because of the setbacks and the lot width requirement in A-R it made it difficult for the property owners to build an assessor structure close to the house. Rezoning to R-78 would change the setbacks and lot width requirement and allow them to build the accessory structure and bring the entire property into a conforming state.

Kyle D. Weishaar stated that this request stemmed from him wanting to build an accessory structure on the property which he preferred to have closer to the house as opposed to further towards the back of the property. He stated that he would rather leave it undeveloped. He advised that he had reached out to both his neighbors and they were ok with the request.

No one spoke in favor or opposition.

Vice Chairman Gibbons moved to approve Petition 1373-25, Parcel 0504 049; Kyle D. Weishaar and Laura S. Weishaar, owners, request to rezone 7.745 acres from A-R (Agricultural-Residential) to R-78 (Single-Family Residential); property located in Land Lot(s) 26 of the 5th District and fronts Harp Road. Commissioner Oddo seconded.

Vice Chairman Gibbons amended his motion to approve Petition 1373-25, Parcel 0504 049; Kyle D. Weishaar and Laura S. Weishaar, owners, request to rezone 7.745 acres from A-R (Agricultural-Residential) to R-78 (Single-Family Residential); property located in Land Lot(s) 26 of the 5th District and fronts Harp Road, with one (1) condition. Commissioner Oddo amended his second. The motion passed 5-0.

**6. Consideration of Petition 1369-25-A, Parcel 0433 049; McCotter Family Trust, owner, requests to rezone 3.00 acres from R-45 (Single-Family Residential) to A-R (Agricultural-Residential). The property is located in Land Lot 183 of the 4th District and fronts Fletcher Ford Road.**

Ms. Bell stated that items # 6 and #7 were related petitions and would be discussed collectively but would require separate votes. This request is to rezone 3.00 acres from R-45 to A-R. The applicants were requesting to rezone two parcels to A-R, with the intent of combining them into a single parcel that would meet the dimensional requirements of A-R zoning district. As defined in the Future Land Use Map and Comprehensive Plan A-R (Agricultural-Residential) is designated for this area thus the request for A-R zoning was appropriate. Ms. Bell stated that in their current configuration neither parcel meets the minimum lot size for A-R, therefore conditions are recommended to ensure they are combined to resolve the issue. The condition was that: 1. All parcels that are the subject of this petition shall be combined by a recorded final plat within 180 days of the approval of the petition or prior to the submittal of a building permit, whichever comes first. Ms. Bell stated that the Planning Commission recommended conditional approval with the outlined condition as presented by staff. Ms. Bell stated that in all the residential zoning districts if you have 3-acres you can own a horse, however, you cannot build a barn. This request will allow them to combine the parcels.

Tate McCotter stated that his family were animal people and wanted to build a barn on the property and asked for the Boards' approval.

No one spoke in favor or opposition.

Vice Chairman Gibbons moved to approve Petition 1369-25-A, Parcel 0433 049; McCotter Family Trust, owner, requests to rezone 3.00 acres from R-45 (Single-Family Residential) to A-R (Agricultural-Residential). The property is located in Land Lot 183 of the 4th District and fronts Fletcher Ford Road, with one (1) condition. Commissioner Oddo seconded. The motion passed. 5-0.

**7. Consideration of Petition 1369-25-B, Parcel 0433 051; McCotter Family Trust, owner, requests to rezone 3.00 acres from R-45 (Single-Family Residential) to A-R (Agricultural-Residential); property located in Land Lot 183 of the 4th District and fronts Fletcher Ford Road.**

This request was to rezone 3.00 acres from R-45 to A-R. The applicants were requesting to rezone two parcels to A-R, with the intent of combining them into a single parcel that will meet the dimensional requirements of A-R zoning district. As defined in the Future Land Use Map and Comprehensive Plan A-R (Agricultural-Residential) is designated for this area thus the request for A-R zoning was appropriate. Ms. Bell stated that in their current configuration neither parcel meets the minimum lot size for A-R, therefore conditions are recommended to ensure they are combined to resolve the issue. The condition was that: 1. All parcels that are the subject of this petition shall be combined by a recorded final plat within 180 days of the approval of the petition or prior to the submittal of a building permit, whichever comes first. Ms. Bell stated that the Planning Commission recommended conditional approval with the outlined condition as presented by staff.

Chairman Hearn asked the applicant if he was ok with the condition.

The Petitioner agreed to the condition.

No one spoke in favor or opposition.

Vice Chairman Gibbons moved to approve Petition 1369-25-B, Parcel 0433 051; McCotter Family Trust, owner, requests to rezone 3.00 acres from R-45 (Single-Family Residential) to A-R (Agricultural-Residential); property located in Land Lot 183 of the 4th District and fronts Fletcher Ford Road, with one (1) condition. Commissioner Oddo seconded. The motion passed 5-0.

**8. Consideration of Petition RDP-022-26, Ted V. Ehrhart, Owner, applicant request approval of a Revised Development Plan, to allow the subdivision of Parcel 0508 031 into two (2) parcels, within the Coventry Estates Subdivision; property located in Land Lots 34 of the 5th District and fronts Brookshire Drive.**

Ms. Bell stated that this request was seeking approval of a revised development plan to allow the subdivision of Parcel 0508 031 into two (2) parcels, within the Coventry Estates Subdivision. Per Sec. 104-595.(2)h.2., proposed revisions to a recorded major final plat shall, after prescribed public notice, be considered in public hearings before the Planning Commission and Board of Commissioners. The applicant proposed revising the development plan of Coventry Estate by subdividing Lot 48, consisting of 4.75 acres, into 2 parcels. proposed lot 48-A would consist of approximately 2.73 acres and proposed lot 48-B would consist of approximately 2.02 acres. Staff recommended conditional approval, subject to the following condition: 1. Fayette County Watershed Protection Ordinance will apply to the parcel(s). Existing structures shown to be in the watershed protection setbacks on a new final plat will be allowed to remain, however no new structures or expansion into the Watershed Protection setbacks will be permitted. The Planning Commission to recommended conditional approval with the outlined condition as presented by staff. Ms. Bell provided various maps outlining the location, topography, surrounding zoning, environmental elements and an aerial depiction of the property.

Ted Ehrhart stated that the purpose of the division of the property was because they wanted to create multi-generation living. He stated that he would be building a new home for him and his wife and their daughter and her family would be living in the old

house next door. He noted that his son was planning to hopefully move into the subdivision as well. He stated that with a smaller family it was helpful to have them close. He and his wife would help with childcare for their grandkids and his children would be close by to assist as they get older.

No one spoke in favor

Tony Hinson of Fayetteville stated that he felt Coventry Estates had a 5-acre requirement if approved they would be setting a precedent and opening the door for other residents to subdivide their property. And he did not feel that would be an appropriate look for the neighborhood. Mr. Hinson stated that he did not agree with the subdivision of the parcel.

Mr. Ehrhart stated that when he reviewed the original plat for the subdivision, the lot sizes were 1.5 acres. He also noted that there were currently other properties in the subdivision at 3-acres as well.

Vice Chairman Gibbon moved to approve Petition RDP-022-26, Ted V. Ehrhart, Owner, applicant request approval of a Revised Development Plan, to allow the subdivision of Parcel 0508 031 into two (2) parcels, within the Coventry Estates Subdivision; property located in Land Lots 34 of the 5th District and fronts Brookshire Drive. Chairman Hearn seconded.

Chairman Hearn asked the applicant if he was ok with the condition.

Mr. Ehrhart agreed to the condition.

Vice Chairman Gibbon amended his motion to approve Petition RDP-022-26, Ted V. Ehrhart, Owner, applicant request approval of a Revised Development Plan, to allow the subdivision of Parcel 0508 031 into two (2) parcels, within the Coventry Estates Subdivision; property located in Land Lots 34 of the 5th District and fronts Brookshire Drive, with one (1) condition. Chairman Hearn amended his second.

Commissioner Oddo stated that he felt this subdivision would be setting a precedent and had concerns. While the zoning was set at R-40 years ago it was developed more like A-R and he wanted to see it stay that way. He stated that he recognized the intent of the request and even appreciated it, however he would not be able to support it.

Vice Chairman Gibbon amended his motion to approve Petition RDP-022-26, Ted V. Ehrhart, Owner, applicant request approval of a Revised Development Plan, to allow the subdivision of Parcel 0508 031 into two (2) parcels, within the Coventry Estates Subdivision; property located in Land Lots 34 of the 5th District and fronts Brookshire Drive, with one (1) condition. Chairman Hearn amended his second. The motion passed 4-1, with Commission Oddo voting in opposition.

**9. Consideration of Petition RDP-023-26, Phoebe Jernigan Bryan, Trustee of the David Gerald Stout Bryan Spousal Trust, Owner, applicant request approval of a Revised Development Plan, to allow the subdivision of Parcel 0515 037 into six (6) parcels, within the Coventry Estates Subdivision; property located in Land Lots 65 and 66 of the 5th District and fronts Lester Road and Red Fox Run.**

Ms. Bell stated that this request was seeking approval of a revised development plan to allow the subdivision of Parcel 0515 037 into six (6) parcels, within the Coventry Estates Subdivision. She stated that the applicant proposed to revise the development plan for Coventry Estates by subdividing 538 Lester Road, consisting of 21.15 Acres, into 6 parcels. Proposed Lot 1 would consist of approximately 4.13 acres, proposed Lot 2 was 3.66 acres, Lot 3 was 3.23 acres, Lot 4 was 3.31 acres, Lot 5 was 3.31 acres, and proposed Lot 6 was 3.51 acres. Per Sec. 104-595.(2)h.2., proposed revisions to a recorded major final plat shall, after prescribed public notice, be considered in public hearings before the Planning Commission and Board of Commissioners. Ms. Bell stated that staff recommended conditional approval, subject to the following conditions: 1. Fayette County Watershed Protection Ordinance will apply to the parcel(s). 2. The hangar shall be removed from parcel 0515 037 within 180 days or prior to submission of a revised final plat, whichever comes first. The Planning Commission recommended conditional approval with the outlined conditions as presented by staff. Ms. Bell provided various maps outlining the location, topography, surrounding zoning, environmental elements and an aerial depiction of the property.

Dale Bryan, Trustee, stated that the intent of this request was to subdivide the parcel. The lot would be set at 3-acres or more and match the aesthetics of the surrounding neighborhood. He noted that each property would be able to accommodate a house and airplane hanger if desired. He noted that while the parcel was associated with Coventry Estates it was not connected to the actual subdivision. These additional lots would not negatively impact the subdivision. Mr. Bryan stated that the request conformed with Future Land Use Plan for the area, the current zoning and matched the aesthetics of the neighborhood.

Chairman Hearn asked if he agreed to the conditions.

Mr. Bryan stated yes, he did agree with the conditions. He added that he already had begun the steps to getting the demolition permit to initiate the removal of the hanger. He stated that they felt this would be better use for the property and seeking approval.

Bill Peters spoke in favor of the petition. He stated that he had no issues with the request but needed to verify a few items. He stated that at one point this property was part of the Willow Pond Aviation Airport, as a result, the northern portion of the subject property was a legal access point for planes to taxi. He wanted to ensure that did not get disrupted. Mr. Peters stated that the airport would like to have that assurance confirmed in writing. He also stated that they were concerned about the zoning and wanted to maintain the continuity of the neighborhood. He noted that the R-80 zoning would be ideal, keeping the lot size at 3-acres plus with a 2500 sq. ft. minimum house to ensure the values of the existing properties were maintained.

No one spoke in opposition.

Vice Chairman Gibbons moved to approve Petition RDP-023-26, Phoebe Jernigan Bryan, Trustee of the David Gerald Stout Bryan Spousal Trust, Owner, applicant request approval of a Revised Development Plan, to allow the subdivision of Parcel 0515 037 into six (6) parcels, within the Coventry Estates Subdivision; property located in Land Lots 65 and 66 of the 5th District and fronts Lester Road and Red Fox Run, with two (2) conditions. Commissioner Maxwell seconded.

Commissioner Maxwell asked if the airport would accept six parcels near the facility.

Mr. Bryan stated that he did see a reason they would not. He stated that he did not have much information related to that and had not spoken with airport representatives. Mr. Bryan stated that the existing utility easements would remain intact to ensure the taxi ways have access.

Commissioner Maxwell stated that his point was that the Board was only voting on the subdivision of the property. Permission to access the taxi lanes of the airport was outside of the Boards' authority. He wanted to make sure everyone was clear on what was being considered.

Mr. Bryan stated that based on their understanding the easement was what provided access to the taxi lanes and whether they gained future permission to continue to do so would require a conversation with the Willow Pond Aviation Airport owners.

Commissioner Oddo asked if it was a part of Coventry Estates.

Mr. Bryan stated they while it was a part of Coventry Estates it was not attached to any of the main streets of the subdivision.

Vice Chairman Gibbons moved to approve Petition RDP-023-26, Phoebe Jernigan Bryan, Trustee of the David Gerald Stout Bryan Spousal Trust, Owner, applicant request approval of a Revised Development Plan, to allow the subdivision of Parcel 0515 037 into six (6) parcels, within the Coventry Estates Subdivision; property located in Land Lots 65 and 66 of the 5th District and fronts Lester Road and Red Fox Run, with two (2) conditions. Commissioner Maxwell seconded. The motion passed 4-1, with Commissioner Oddo voting in opposition.

**10. Public Hearing to review and receive comments for the Fayette County 2025 Annual Report on Fire Services Impact Fees (FY2025), including the draft CIE Update to the Capital Improvements Element and Short-Term**

**Work Program (FY2026-FY2030.), to be sent to Atlanta Regional Commission (ARC) for review by Department of Community Affairs (DCA).**

Ms. Bell stated that this item was a public hearing to review and receive comments for the Fayette County 2025 Annual Report on Fire Services Impact Fees (FY2025), including the draft CIE Update to the Capital Improvements Element and Short-Term Work Program (FY2026-FY2030), to be sent to Atlanta Regional Commission (ARC) for review by Department of Community Affairs (DCA). She stated that each year the County was required to send this annual report to the department of Community Affairs and shows how we collected, allocated, and spent impact fee funds and serves as accountability that the funds were used properly. She stated that Resolution 2026-09 was under the Consent Agenda for the Boards' approval to transmit.

As required by the Georgia Development Impact Fee Act and the Minimum Planning Standards, Fayette County in collaboration with Tyrone, Brooks, and Woolsey, prepared the Fayette County 2025 Annual Report on Fire Services Impact Fees (FY2025), including Comprehensive Plan amendments for updates to the Capital Improvements Element and Short-Term Work Program (FY2026-FY2030.) This was the public hearing to present the report for approval and to transmit to ARC/DCA. Brooks, Tyrone and Woolsey approved the report for transmittal to ARC for coordination of state and regional review.

No one spoke in favor or opposition.

No vote was taken.

Mr. Rapson asked that item #12 be removed from the consent agenda.

**PUBLIC COMMENT:** None.

*Speakers will be given a five (5) minute maximum time limit to speak before the Board of Commissioners about various topics, issues, and concerns. Speakers must direct comments to the Board. Responses are reserved at the discretion of the Board.*

**CONSENT AGENDA:**

Chairman Hearn removed item #12 from the consent agenda.

Vice Chairman Gibbons moved to approve the Consent Agenda, except item #12. Commissioner Oddo seconded. The motion passed 5-0.

- 11. Approval of Resolution 2026-09 to Transmit the Fayette County 2025 Annual Report on Fire Services Impact Fees (FY2025), including Comprehensive Plan amendments for updates to the Capital Improvements Element and Short-Term Work Program (FY2026-FY2030) to Atlanta Regional Commission for review by Department of Community Affairs.**
- 12. Approval of the Fourth Amendment to Reciprocal Lease Agreement between American Tower, L.P. and Fayette County, Georgia for the tower site at 431 Porter Road, Fayetteville, Georgia 30215-3058 for equipment modifications.** Chairman Hearn removed item #12 from the consent agenda.
- 13. Approval of Mid-Year Budget Adjustments to the fiscal year 2026 budget and approval to close completed Capital, Capital Improvement Plan (CIP) Projects, and Water System CIP Projects.**
- 14. Acknowledgment of Sheriff Barry H. Babb's decision to liquidate county property at auction.**
- 15. Approval of the February 8, 2026, Board of Commissioners Meeting Minutes.**

**OLD BUSINESS:**

**NEW BUSINESS:**

- 16. Request to approve the Georgia Department of Transportation's Contract for Acquisition of Right-of-Way for the SR 85/SR279/Corinth Road project (GDOT PI 0017813) and Board acceptance of a grant to reimburse local right-of-way acquisition costs up to \$4,040,000.**

Public Works Director, Phil Mallon stated that this item was seeking Board approve to the Georgia Department of Transportation's Contract for Acquisition of Right-of-Way for the SR 85/SR279/Corinth Road project (GDOT PI 0017813) and Board acceptance of a grant to reimburse local right-of-way acquisition costs up to \$4,040,000.

Commissioner Rousseau moved to approve the Georgia Department of Transportation's Contract for Acquisition of Right-of-Way for the SR 85/SR279/Corinth Road project (GDOT PI 0017813) and Board acceptance of a grant to reimburse local right-of-way acquisition costs up to \$4,040,000. Vice Chairman Gibbons seconded. The motion passed 5-0.

- 17. Request to approve Contract #1981-Q, Task Order 8 for a Not to Exceed (NTE) amount of \$364,230 to Practical Design Partners (PDP) for Right of Way (ROW) acquisition services and related activities for the SR 85/ SR 279/ Corinth Road Project (GDOT PI 0017813).**

Mr. Mallon stated that this item was a request to approve Contract #1981-Q, Task Order 8 for a Not to Exceed (NTE) amount of \$364,230 to Practical Design Partners (PDP) for Right of Way (ROW) acquisition services and related activities for the SR 85/ SR 279/ Corinth Road Project.

Commissioner Rousseau moved to approve Contract #1981-Q, Task Order 8 for a Not to Exceed (NTE) amount of \$364,230 to Practical Design Partners (PDP) for Right of Way (ROW) acquisition services and related activities for the SR 85/ SR 279/ Corinth Road Project (GDOT PI 0017813). Vice Chairman Gibbons seconded. The motion passed 5-0.

- 18. Request to approve an Intergovernmental Agreement (IGA) with the Town of Brooks to cover the material costs to repair a 72-inch Corrugated Metal Pipe and Fayette County to cover the labor and equipment costs.**

Mr. Mallon stated that this item was seeking Board approval of an Intergovernmental Agreement (IGA) with the Town of Brooks to cover the material costs to repair a 72-inch Corrugated Metal Pipe and Fayette County to cover the labor and equipment costs.

Chairman Hearn moved to approve an Intergovernmental Agreement (IGA) with the Town of Brooks to cover the material costs to repair a 72-inch Corrugated Metal Pipe and Fayette County to cover the labor and equipment costs. Vice Chairman Gibbons seconded.

Chairman Hearn stated that this was a very small project with the Town of Brooks. He noted that the Town of Brooks had this listed as a SPLOST project to replace the culverts with a cost estimate between \$400K-450K. Completing the work via an IGA with the County freed up those funds to be used on other projects.

Chairman Hearn moved to approve an Intergovernmental Agreement (IGA) with the Town of Brooks to cover the material costs to repair a 72-inch Corrugated Metal Pipe and Fayette County to cover the labor and equipment costs. Vice Chairman Gibbons seconded. The motion passed 5-0.

**ADMINISTRATOR'S REPORTS:**

- A. Contract #2378-S: Water System Engineer of Record Task Order #26-01: FY26 On-Call Support Services; Change Order #1: Technical Resources**
- B. Contract #26036-A: Brooks Park Fencing**

**C. Contract #26043-A: Crosstown WTP Raw #1 Pump/Motor Repairs: Change Order #2: Additional Repairs**

**Hot Projects**

Mr. Rapson stated that he provided the Board with the Hot Topics report with updates to the Parks and Recreation Multi-Use Facility, Redwine Tunnel, Mark Lane culvert replacement project, Darren Drive Box Culverts, and Cross creek culvert supplies.

**Trail Building Workday**

Mr. Rapson advised that there would be a trail building party on February 28<sup>th</sup> from 9:00 to noon. Volunteers from Georgia Power and citizens would gather to build the soft surface trails, and complete other beneficial work on the new pocket park.

**ATTORNEY'S REPORTS:**

**Notice of Executive Session:** County Attorney Dennis Davenport stated that there were two items for Executive Session. One item involving threatened litigation and the review of the February 12, 2026, Executive Session Minutes.

**COMMISSIONERS' REPORTS:** None.

**EXECUTIVE SESSION:**

One item involving threatened litigation and the review of the February 12, 2026, Executive Session Minutes. Vice Chairman Gibbons moved to go into Executive Session. Commissioner Oddo seconded. The motion passed 5-0.

The Board recessed into Executive Session at 7:28 p.m. and returned to Official Session at 7:46 p.m.

**Return to Official Session and Approval to Sign the Executive Session Affidavit:** Commissioner Oddo moved to return to Official Session and for the Chairman to sign the Executive Session Affidavit. Vice Chairman Gibbons seconded. The motion passed 5-0.

**Approval of February 12, 2026, Executive Session Minutes:** Commissioner Oddo moved to approve February 12, 2026 Executive Session Minutes. Vice Chairman Gibbons seconded the motion. The motion passed 5-0.

**ADJOURNMENT:**

Commissioner Oddo moved to adjourn the February 26, 2026 Board of Commissioners meeting. Vice Chairman Gibbons seconded. The motion passed 5-0.

The February 26, 2026, Board of Commissioners meeting adjourned at 7:47 p.m.

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Marlena Edwards, Chief Deputy County Clerk

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Lee Hearn, Chairman

The foregoing minutes were duly approved at an official meeting of the Board of Commissioners of Fayette County, Georgia, held on the 12<sup>th</sup> day of March 2026.

Attachments are available upon request at the County Clerk's Office.