

BOARD OF COUNTY COMMISSIONERS

Randy Ognio, Chairman
Charles W. Oddo, Vice Chairman
Edward Gibbons
Eric K. Maxwell
Charles D. Rousseau



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

AGENDA

August 27, 2020

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 Chairman Randy Ognio

Acceptance of Agenda

PROCLAMATION/RECOGNITION:

1. Presentation of the 200th Celebration Christmas Ornament in celebration of the county's bicentennial. (page 3)

PUBLIC HEARING:

2. Consideration of Resolution 2020-08 adopting the 2020 Property Tax Millage Rates. (pages 4-34)
3. Consideration of Petition No. RP-076-20, William T. Murphy and Richard E. Carne, Owners, and Steven L. Jones, Agent, request to revise the Final Plats (Phases One and Two) of Bay Chappell Farms Subdivision to add property to Bay Chappell Farms Subdivision, create an additional lot in Bay Chappell Farms Subdivision, and change the principal use on a lot labeled Recreational Area (Bay Chappell Farms Phase Two) to residential use; property located in Land Lot 167 of the 4th District and fronts on Stable Creek Road. (pages 35-110)
4. Consideration of Petition No. 1292-20, William T. Murphy, Owner, and Steven L. Jones, Agent, request to rezone 10.00 acres from A-R to R-72 to add property to the Bay Chappell Farms Subdivision; property is located in Land Lot 167 of the 4th District and fronts on Chappell Road. This petition was tabled at the August 27, 2020 Board of Commissioners meeting. (pages 111-124)
5. Consideration of Petition No. RP-077-20, Joe L. Brown Estate -Ted W. Brown (Executor), Owner, and George Cocolos, Agent, request to revise the Final Plat of Autumn Lake Estates Subdivision to add property to the Autumn Lake Estates Subdivision and create two (2) additional lots in Autumn Lake Estates Subdivision; property is located in Land Lot 34 of the 4th District and fronts on Village Lake Court. (pages 125-141)
6. Consideration of Resolution 2020-07; amendments to the Land Use Element and Future Land Use Plan Map of the Fayette County Comprehensive Plan for the Flat Creek Trail Corridor. (pages 142-164)
7. Consideration of Ordinance 2020-05; amendments to the Fayette County Zoning Ordinance for the Flat Creek Trail Corridor Overlay Zone. (pages 165-166)

8. Consideration of Ordinance 2020-06; amendments to Section 110-127 EST Zoning District. (pages 167-171)

PUBLIC COMMENT:

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:

9. Approval of staff's recommendation to declare 19 vehicles, two (2) Hustler mowers and one (1) Trailer as unserviceable and sell the assets online utilizing contracted auction services with all proceeds to be returned to the vehicle replacement fund. (pages 172-173)
10. Acknowledgment of/and authorization from the Board of Commissioners to sign the Equitable Sharing Agreement and Annual Certification as required by the US Department of Justice and the US Department of the Treasury. (pages 174-179)
11. Approval to award Task Order FC-21-02 Sludge Collector Design and Bid Phase Services under Contract No. 1221-P Water System Engineer of Record, in the amount of \$170,000 to produce design documents, technical specifications and final contract documents for bidding. (pages 180-189)
12. Approval of Resolution 2020-09 to adopt the Fayette County 2019 Annual Report on Fire Services Impact Fees (FY2019), including Comprehensive Plan amendments for updates to the Capital Improvements Element and Short-Term Work Program (FY2020-FY2024.) (pages 190-202)
13. Approval of the August 13, 2020 Board of Commissioners Meeting Minutes. (pages 203-211)

OLD BUSINESS:

NEW BUSINESS:

14. Consideration of staff's recommendation to approve Contract #1812-S: SagesGov Plan Review, Permitting & Inspection Software, in the amount of \$449,236.00 for a five-year term with an option to renew for one additional five-year term. (pages 212-215)
15. Consideration of staff's recommendation to award Contract #1861-S to Sound Principles to provide and install A/V equipment in the courtrooms and jail, in the not-to-exceed amount of \$79,503.51 and to reallocate \$80,000 from General Fund Project Contingency to a CIP Project for State, Probate, Juvenile, Magistrate, Superior Courts and the Jail for A/V equipment to facilitate virtual court proceedings. (pages 216-239)

ADMINISTRATOR'S REPORTS:

ATTORNEY'S REPORTS:

COMMISSIONERS' REPORTS:

EXECUTIVE SESSION:

ADJOURNMENT:

COUNTY AGENDA REQUEST

Department:

Presenter(s):

Meeting Date:

Type of Request:

Wording for the Agenda:

Presentation of the 200th Celebration Christmas Ornament in celebration of the county's bicentennial.

Background/History/Details:

Fayette County will celebrate it's 200th Year in May 2021. Alice Reeves, of the Historical Society and Vicki Turner, local artist, will present the 200th Celebration Christmas Ornament designed by Vicki Turner to the Board of Commissioners.

The ornaments will be available for sale as a souvenir of the momentous occasion.

What action are you seeking from the Board of Commissioners?

Presentation of the 200th Celebration Christmas Ornament in celebration of the county's bicentennial.

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

Department:

Presenter(s):

Meeting Date:

Type of Request:

Wording for the Agenda:

Consideration of Resolution 2020-08 adopting the 2020 Property Tax Millage Rates.

Background/History/Details:

Each year, the Board of Commissioners sets millage rates for the purpose of levying property taxes. Staff is requesting the Board to adopt Resolution 2020-08 to establish the 2020 property tax millage rates.

The proposed 2020 millage rates are as follows:
General Fund's Maintenance and Operations - 4.277 mills, down from 4.392 mills or 2.62%
Fire Services - 3.070 mills, no change
EMS Services - 0.456 mills, no change
E-911 Services - 0.210 mills, no change

What action are you seeking from the Board of Commissioners?

Adoption of Resolution 2020-08 adopting the 2020 Property Tax Millage Rates.

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:

FAYETTE COUNTY, GEORGIA

2020 Property Tax Digest / Millage Rates

AUGUST 27, 2020

2020 Tax Digest Changes

2019 Digest

\$6,351,075,145

Growth (Decrease) in Digest

Real Property	\$139,513,177	5.18%
Personal Property	\$59,355,640	11.57%
Motor Vehicles	(\$11,859,590)	-15.58%
Other	\$652,007	15.82%

\$187,661,234 **2.95%**

(Increase) in Exemptions

(\$41,499,165) **12.87%**

\$146,162,069 **2.30%**

Reassessments

Real Property **\$175,477,520** **2.76%**

Positive Change in Net Digest

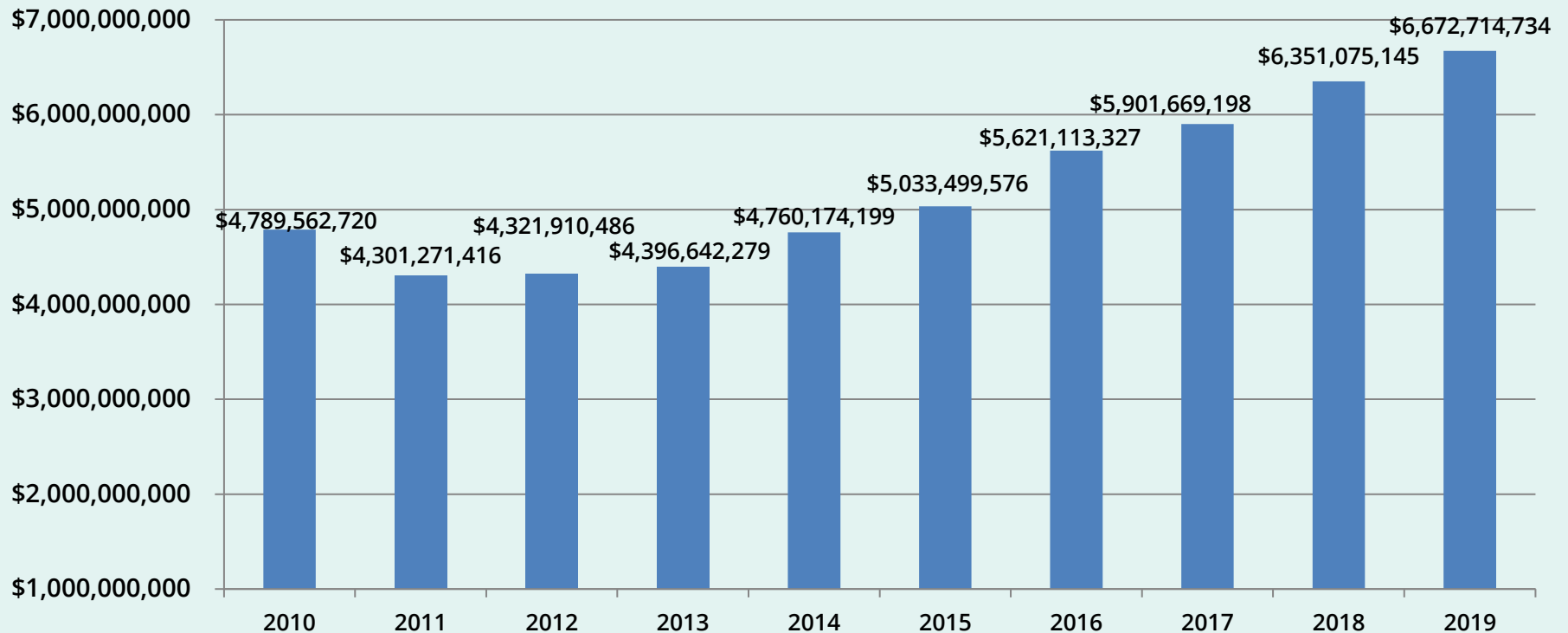
\$321,639,589 **5.06%**

2020 Digest

\$6,672,714,734

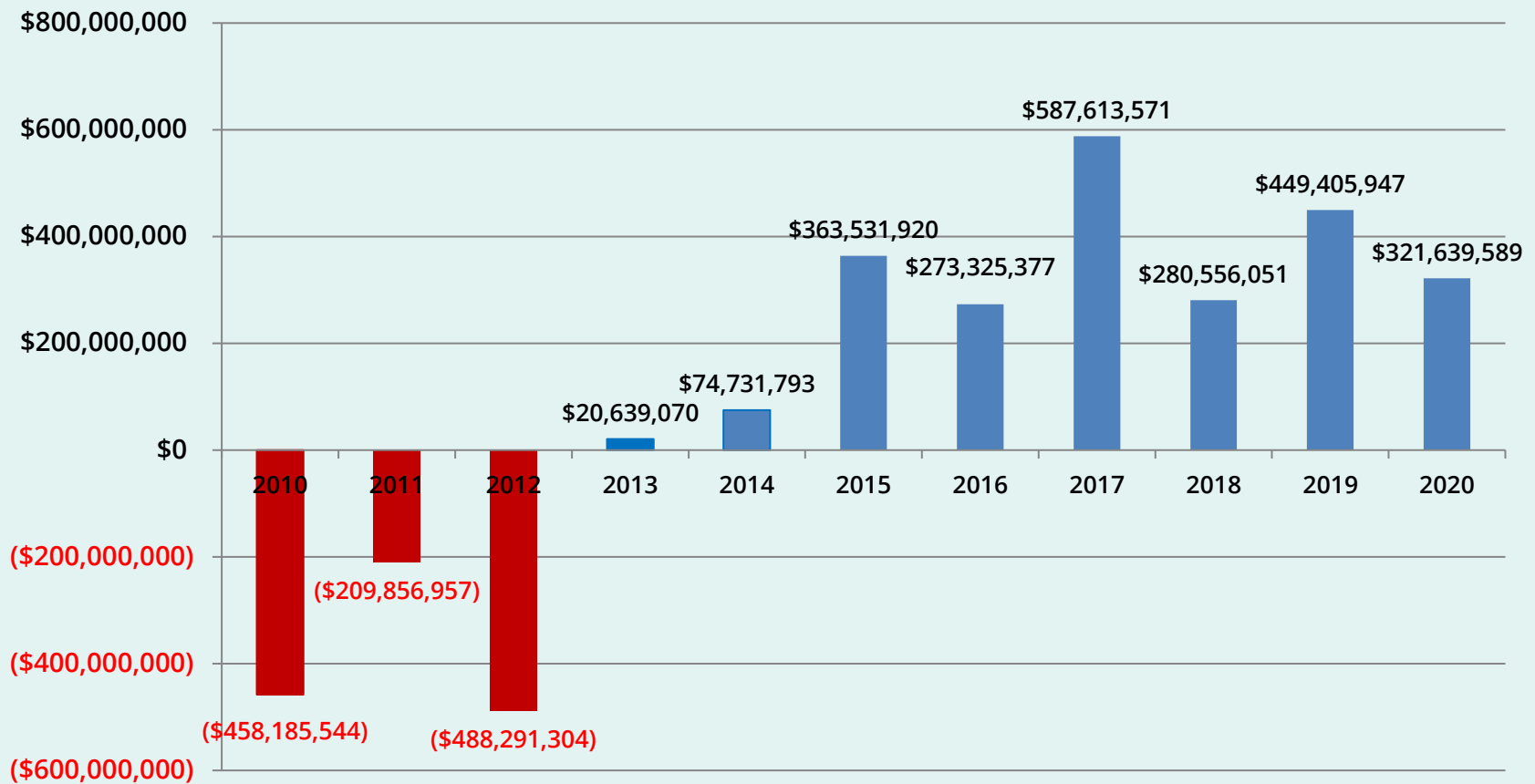
Change in Taxable Digest

2010-2020



Taxable Digest Variances

2010-2020



2020 PROPOSED Millage Rates

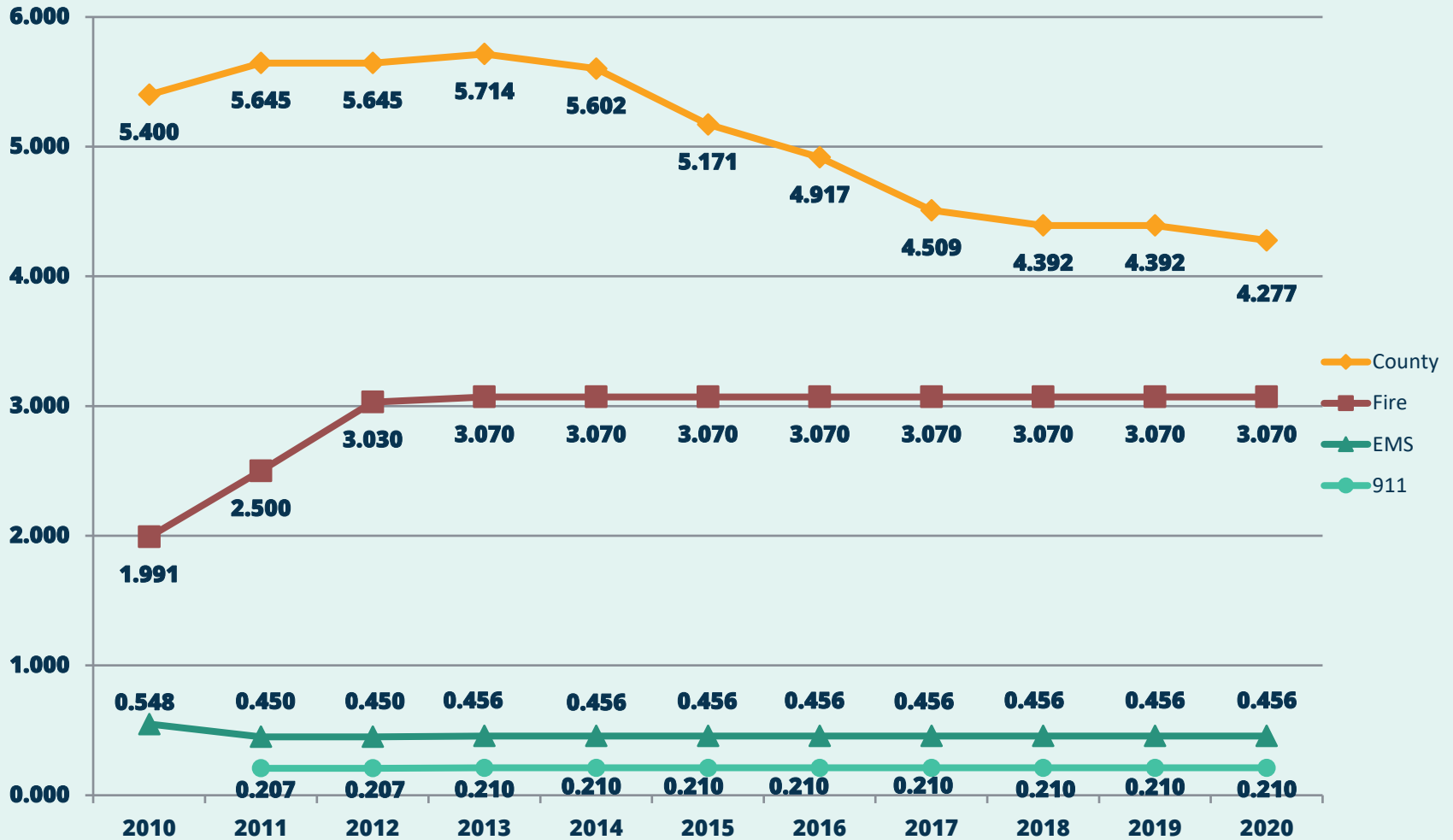
Description	Proposed 2020	Adopted 2019	Millage Rate Recapture (Decrease)	Percent Change
General Fund Maintenance & Operations	4.277	4.392	(0.115)	(2.62%)
Fire Services	3.070	3.070	-0-	N/A
Emergency Medical Services	0.456	0.456	-0-	N/A
911 Services	0.210	0.210	-0-	N/A

2020 Fayette County Tax Bill

County Operations Proposed Rate = Rollback Rate

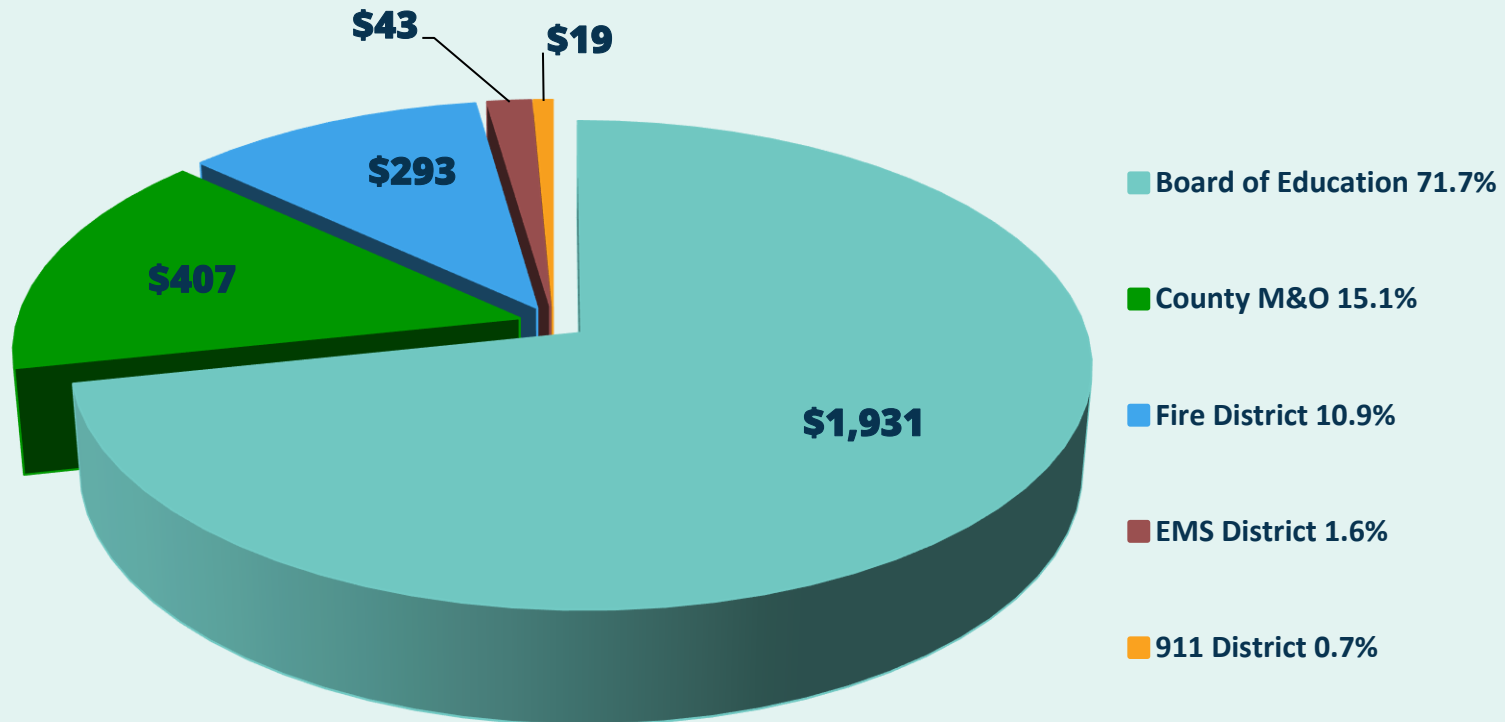
PROPOSED									
Sample Property Tax Statements - Unincorporated									
2020 Tax Millage Rates									
Entity	FMV	Taxable Value	Homestead	Taxable Value	Millage Rate	Tax Due	Rollback Rate	Tax Due	Annual Increase in Tax Bill
COUNTY M&O	250,000	100,000	(5,000)	95,000	4.277	406.32	4.277	406.32	-
COUNTY BOE	250,000	100,000	(5,000)	95,000	20.330	1,931.35		1,931.35	
COUNTY EMS	250,000	100,000	(5,000)	95,000	0.456	43.32		43.32	
COUNTY 911	250,000	100,000	(5,000)	95,000	0.210	19.95		19.95	
COUNTY FIRE	250,000	100,000	(5,000)	95,000	3.070	291.65		291.65	
TOTAL					28.343	2,692.59		2,692.59	

Property Tax Rates – General Fund, Fire, EMS, and 911 2010-2020



2020 Unincorporated Residential Property Tax Paid

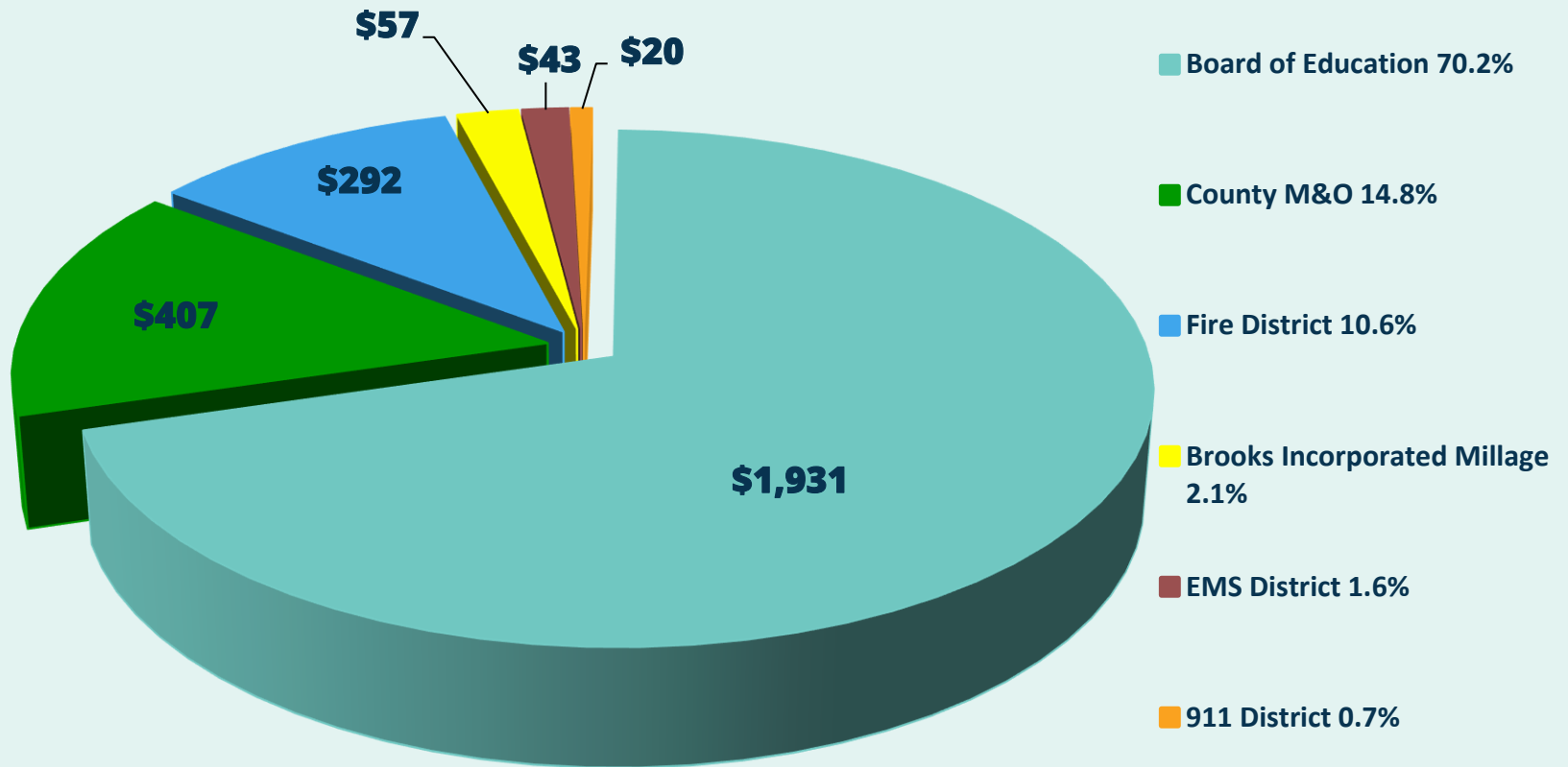
\$250,000 home value / \$2,693 tax bill



County M&O includes functions Sheriff, Courts, Public Works, Culture & Recreation, Community Development, and General Government

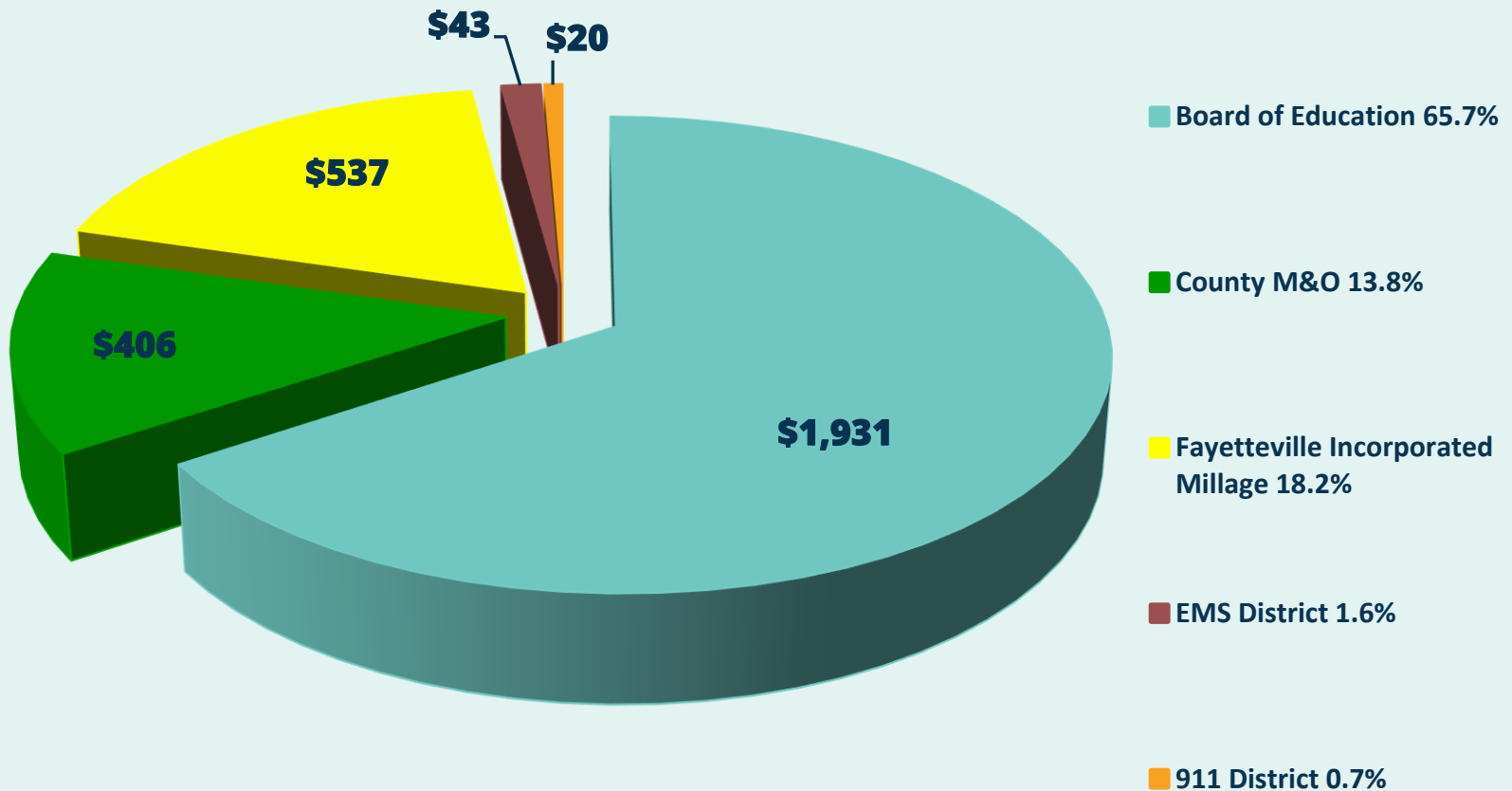
2020 Town of Brooks Residential Property Tax Paid

\$250,000 home value / \$2,750 tax bill



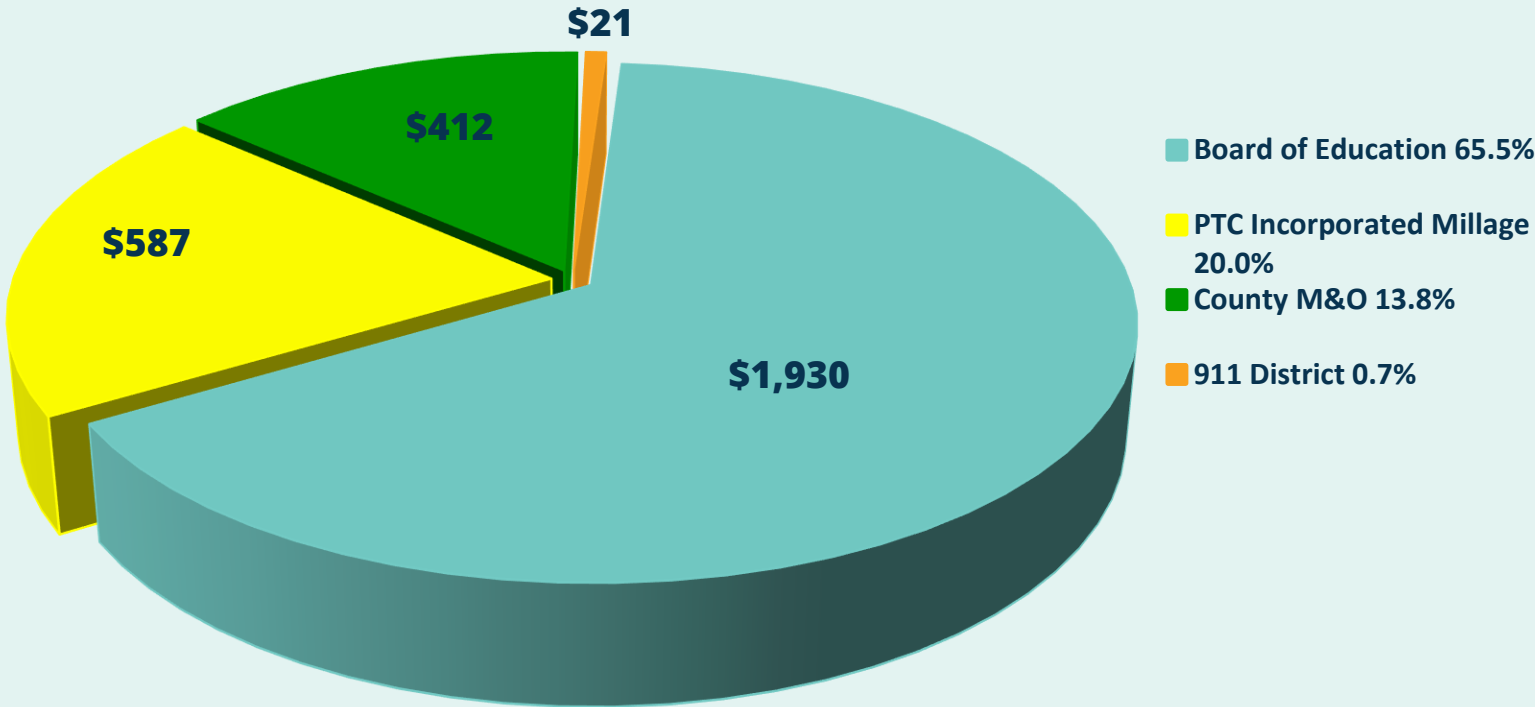
2020 City of Fayetteville Residential Property Tax Paid

\$250,000 home value / \$2,937 tax bill



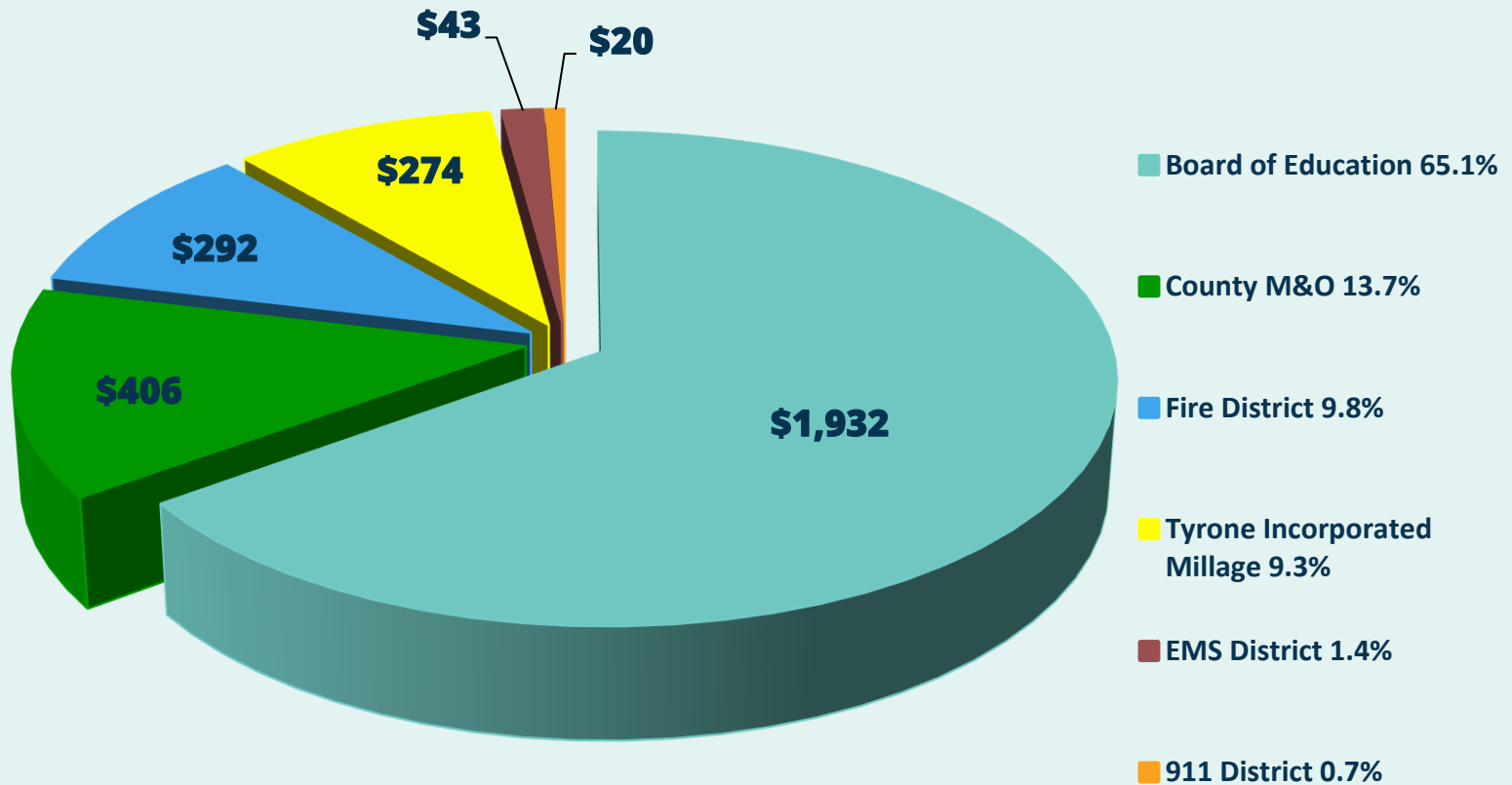
2020 Peachtree City Residential Property Tax Paid

\$250,000 home value / \$2,950 tax bill



2020 Town of Tyrone Residential Property Tax Paid

\$250,000 home value / \$2,967 tax bill



Based Upon \$250,000 Home Value Taxes Paid By Citizens



Millage Rate History Since 2014

Year	2014	2015	2016	2017	2018	2019	2020
Board of Education	20.000	20.000	19.750	19.500	19.500	19.250	19.150
Board of Education Bond	1.450	1.350	1.350	1.350	1.350	1.271	1.180
Brooks Millage	0.899	0.840	0.799	0.723	0.680	0.627	0.606
Fayetteville Millage	3.874	3.874	3.874	3.874	5.646	5.646	5.646
Peachtree City Millage	6.756	6.756	6.756	6.232	6.232	6.232	6.232
Peachtree City Bond	0.332	0.314	0.309	0.273	0.176	0.000	0.000
Tyrone Millage	2.889	2.889	2.889	2.889	2.889	2.889	2.889
Unincorporated County	5.602	5.171	4.917	4.509	4.392	4.392	4.277

Denotes Tax Increase (No Rollback or Partial Rollback)

Financial Impact to General Fund Operations and Maintenance

Cumulative Effect of Rollback Since 2014

Cumulative \$39.7M

2014 = \$0.5M

2015 = \$2.6M

2016 = \$4.0M

2017 = \$6.8M

2018 = \$7.8M

2019 = \$8.4M

2020 = \$9.6M

Millage Rate Public Hearings

- Staff requests BOC to adopt Resolution 2020-08 to levy the County property tax

State of Georgia
County of Fayette

**RESOLUTION LEVYING COUNTY TAX
FOR YEAR 2020
No. 2020 - 08**

Upon motion duly made and unanimously passed, it is hereby ordered by the Board of Commissioners of Fayette County, Georgia, duly convened this 27th day of August, 2020, that upon \$2,509,542,361 the value of all property taxable for County purposes in Fayette County, Georgia, as appears upon the digest thereof, and upon all other taxable property in unincorporated Fayette County, Georgia, there be levied and collected for County general maintenance and operations purposes as set forth in the Official Code of Georgia Annotated, Section 48-5-220, and as hereinafter amended and as otherwise authorized by law, a tax, ad valorem, for the year 2020, for all such purposes of \$4.277 per \$1,000.00 of assessed valuation, constituting a tax levy for County general maintenance and operations purposes of 4.277 mills.

Upon motion duly made and unanimously passed, it is hereby ordered by the Board of Commissioners of Fayette County, Georgia, duly convened this 27th day of August, 2020, that upon \$4,234,287,373 the value of all property taxable for County purposes in Fayette County, Georgia, as appears upon the digest thereof, and upon all other taxable property in incorporated Fayette County, Georgia, there be levied and collected for County general maintenance and operation purposes, as set forth in the Official Code of Georgia Annotated, Section 48-5-220, as hereinafter amended and as otherwise authorized by law, ad valorem, for the year 2020, at the aggregated rate for all such purposes to be levied as follows:

1. All property located within the City of Fayetteville will be assessed at \$4.277 per \$1000.00 of assessed valuation, constituting an ad valorem tax levy for County general maintenance and operations purposes in Fayetteville of 4.277 mills;
2. All property located within the City of Peachtree City will be assessed at \$4.277 per \$1000.00 of assessed valuation, constituting an ad valorem tax levy for County general maintenance and operations purposes in Peachtree City of 4.277 mills;
3. All property located within the Town of Tyrone will be assessed at \$4.277 per \$1000.00 of assessed valuation, constituting an ad valorem tax levy for County general maintenance and operations purposes in Tyrone of 4.277 mills;
4. All property located within the Town of Brooks will be assessed at \$4.277 per \$1000.00 of assessed valuation, constituting an ad valorem tax levy for County general maintenance and operations purposes in Brooks of 4.277 mills;

5. All property located within the Town of Woolsey will be assessed at \$4.277 per \$1000.00 of assessed valuation, constituting an ad valorem tax levy for County general maintenance and operations purposes in Woolsey of 4.277 mills.

In accordance with provisions within the Constitution of the State of Georgia and the Official Code of Georgia, Fayette County has created a special tax district for the purpose of providing Fire Protection Services to its citizens, said special tax district encompassing all of Fayette County with the exception of that portion of Fayette County which constitutes the City of Peachtree City and the City of Fayetteville. Upon \$3,013,747,380 the value of all property taxable within the Special Fire District, as appears on the digest thereof, there shall be levied and collected a tax of \$3.070 per \$1,000.00 of assessed valuation, constituting a total tax levy for the Special Fire Tax District of 3.070 mills.

In accordance with provisions within Constitution of the State of Georgia and the Official Code of Georgia, Fayette County has created a special tax district for the purpose of providing Emergency Medical Services to its citizens, said special tax district encompassing all of Fayette County with exception of that portion of Fayette County which constitutes the City of Peachtree City. Upon \$4,074,099,160 the value of all property taxable within the Special EMS Tax District, as appears upon the digest thereof, there shall be levied and collected a tax of \$0.456 per \$1,000.00 of assessed valuation, constituting a total tax levy for the Special EMS Tax District of 0.456 mills.

In accordance with provisions within the Constitution of the State of Georgia and the Official Code of Georgia, Fayette County has created a special tax district for the purpose of providing 911 Communication Services to its citizens, said tax district encompassing all of Fayette County. Upon \$6,672,714,734 the value of all property within the Special 911 Tax District, as appears upon the digest thereof, there shall be levied and collected a tax of \$0.210 per \$1,000.00 of assessed valuation, constituting a total tax levy of the Special 911 Tax District of 0.210 mills.

Upon recommendation of the Fayette County Board of Education, it is ordered that upon \$5,669,852,093 the value of all property taxable for educational purposes in Fayette County as appears upon the digest thereof, and upon all other property in Fayette County, both real and personal, there be levied a tax, ad valorem, for the year 2020, for educational purposes in the amount of \$19.15 per \$1,000.00 of the assessed valuation on the digest as aforesaid, constituting a total tax levy for educational purposes of 19.15 mills.

It is further ordered that upon \$5,704,584,093 the value of all taxable property in said County as appears upon the digest thereof, computed by deducting only the special homestead exemption for certain persons 65 years of age and over, and upon all other taxable property in said County, both real and personal, there be levied and collected a tax, ad valorem, for the year 2020, for the purpose of

providing a sinking fund for retiring bonded indebtedness and discharging interest thereof, of the Fayette County School District, in the amount of \$1.18 per \$1,000.00 of assessed valuation, constituting a total tax levy of 1.18 mills.

It is hereby ordered by the Board of Commissioners of Fayette County, Georgia, this 27th day of August 2020, that all taxes, as described and as levied by the adoption of this Resolution, shall be due and collected by the Tax Commissioner of Fayette County, by the close of the business day on November 15, 2020.

So, resolved this, the 27th day of August 2020, by the

BOARD OF COMMISSIONERS
FAYETTE COUNTY, GEORGIA

Randy C. Ognio, Chairman

Attest:

Clerk/Deputy Clerk

August 27, 2020

State Department of Revenue

To Whom It May Concern:

The Fayette County Board of Commissioners has dedicated all of the proceeds from Insurance Premium to use in the unincorporated area of Fayette County for fire protection purposes. No insurance premium rollback was used in the calculation of Fayette County's 2020 millage rate for Maintenance and Operations for the fiscal year ending June 30, 2020.

Sincerely,

Steve Rapson
County Administrator
Fayette County Board of Commissioners

cc: Kristie King, Tax Commissioner Fayette County, GA

NOTICE OF PUBLIC MEETING TO SET 2020 MILLAGE RATES

The Fayette County Board of Commissioners does hereby announce that the 2020 millage rate will be set at a meeting to be held in the Public Meeting Room at the Fayette County Administrative Complex at 140 West Stonewall Avenue in Fayetteville on August 27, 2020 at 6:30 p.m. and pursuant to the requirements of O.C.G.A. Section 48-5-32 does hereby publish the following presentation of the current year's digest and levy, along with the history of the tax digest and levy for the past five years.

FAYETTE COUNTY 2020 TAX DIGEST AND 5 YEAR HISTORY OF LEVY

County Wide General Fund Maintenance & Operations	<u>2015</u>	<u>2016</u>	<u>2017</u>	<u>2018</u>	<u>2019</u>	<u>2020</u>
REAL & PERSONAL	4,832,951,760	5,158,116,129	5,785,493,247	6,108,161,373	6,593,185,713	6,967,532,050
MOTOR VEHICLES	218,903,020	166,110,620	122,973,460	92,942,360	76,126,340	64,266,750
MOBILE HOMES	3,120,118	3,090,548	3,227,386	3,227,386	3,538,585	3,538,585
TIMBER - 100%	71,608	63,020	71,971	76,923	27,660	34,130
HEAVY DUTY EQUIPMENT	275,496	541,202	466,237	761,986	554,624	1,200,161
GROSS DIGEST	5,055,322,002	5,327,921,519	5,912,232,301	6,205,170,028	6,673,432,922	7,036,571,676
LESS: M&O EXEMPTIONS	295,147,803	294,421,943	291,119,154	303,500,830	322,357,777	363,856,942
NET M&O DIGEST	4,760,174,199	5,033,499,576	5,621,113,147	5,901,669,198	6,351,075,145	6,672,714,734
GROSS M&O MILLAGE	7.315	7.020	6.488	6.518	6.356	6.242
LESS: ROLLBACKS	2.144	2.103	1.979	2.126	1.964	1.965
NET M&O MILLAGE	5.171	4.917	4.509	4.392	4.392	4.277
NET TAXES LEVIED	24,614,860.78	24,749,717.42	25,345,599.18	25,920,131.12	27,893,922.04	28,539,200.92
NET TAX \$ INCREASE	-15,129.27	134,856.64	595,881.76	574,531.94	1,973,790.92	645,278.88
NET TAX % INCREASE	-0.06%	0.55%	2.41%	2.27%	7.61%	2.31%

PT-32.1 - Computation of MILLAGE RATE ROLLBACK AND PERCENTAGE INCREASE IN PROPERTY TAXES - 2020

COUNTY: **FAYETTE**

TAXING JURISDICTION: **County EMS**

ENTER VALUES AND MILLAGE RATES FOR THE APPLICABLE TAX YEARS IN YELLOW HIGHLIGHTED BOXES BELOW

DESCRIPTION	2019 DIGEST	REASSESSMENT OF EXISTING REAL PROP	OTHER CHANGES TO TAXABLE DIGEST	2020 DIGEST
REAL	3,813,511,417	110,208,805	84,458,717	4,008,178,939
PERSONAL	177,373,127		31,658,465	209,031,592
MOTOR VEHICLES	54,643,140		(8,158,040)	46,485,100
MOBILE HOMES	3,538,585		0	3,538,585
TIMBER -100%	27,660		6,470	34,130
HEAVY DUTY EQUIP	548,453		611,606	1,160,059
GROSS DIGEST	4,049,642,382	110,208,805	108,577,218	4,268,428,405
EXEMPTIONS	178,091,900		16,237,345	194,329,245
NET DIGEST	3,871,550,482	110,208,805	92,339,873	4,074,099,160
	(PYD)	(RVA)	(NAG)	(CYD)

2019 MILLAGE RATE: **0.456**

2020 MILLAGE RATE: **0.456**

CALCULATION OF ROLLBACK RATE

DESCRIPTION	ABBREVIATION	AMOUNT	FORMULA
2019 Net Digest	PYD	3,871,550,482	
Net Value Added-Reassessment of Existing Real Property	RVA	110,208,805	
Other Net Changes to Taxable Digest	NAG	92,339,873	
2020 Net Digest	CYD	4,074,099,160	(PYD+RVA+NAG)
2019 Millage Rate	PYM	0.456	PYM
Millage Equivalent of Reassessed Value Added	ME	0.012	(RVA/CYD) * PYM
Rollback Millage Rate for 2020	RR - ROLLBACK RATE	0.444	PYM - ME

CALCULATION OF PERCENTAGE INCREASE IN PROPERTY TAXES

If the 2020 Proposed Millage Rate for this Taxing Jurisdiction exceeds Rollback Millage Rate computed above, this section will automatically calculate the amount of increase in property taxes that is part of the notice required in O.C.G.A. § 48-5-32.1(c) (2)	Rollback Millage Rate	0.444
	2020 Millage Rate	0.456
	Percentage Tax Increase	2.70%

CERTIFICATIONS

I hereby certify that the amount indicated above is an accurate accounting of the total net assessed value added by the reassessment of existing real property for the tax year for which this rollback millage rate is being computed.

Chairman, Board of Tax Assessors

Date

I hereby certify that the values shown above are an accurate representation of the digest values and exemption amounts for the applicable tax years.

Tax Collector or Tax Commissioner

Date

I hereby certify that the above is a true and correct computation of the rollback millage rate in accordance with O.C.G.A. § 48-5-32.1 for the taxing jurisdiction for tax year 2020 and that the final millage rate set by the authority of this taxing jurisdiction for tax year 2020 is 0.456.

CHECK THE APPROPRIATE PARAGRAPH BELOW THAT APPLIES TO THIS TAXING JURISDICTION

If the final millage rate set by the authority of the taxing jurisdiction for tax year 2020 exceeds the rollback rate, I certify that the required

advertisements, notices, and public hearings have been conducted in accordance with O.C.G.A. §§ 48-5-32 and 48-5-32.1 as evidenced by the attached copies of the published "five year history and current digest" advertisement and the "Notice of Intent to Increase Taxes" showing the times and places when and where the required public hearings were held, and a copy of the press release provided to the local media.

NA

If the final millage rate set by the authority of the taxing jurisdiction for tax year 2020 does not exceed the rollback rate, I certify that the required "five year history and current digest" advertisement has been published in accordance with O.C.G.A. § 48-5-32 as evidenced by the attached copy of such advertised report.

Responsible Party

Title

Date

PT-32.1 - Computation of MILLAGE RATE ROLLBACK AND PERCENTAGE INCREASE IN PROPERTY TAXES - 2020

COUNTY: **FAYETTE** TAXING JURISDICTION: **County E-911**

ENTER VALUES AND MILLAGE RATES FOR THE APPLICABLE TAX YEARS IN YELLOW HIGHLIGHTED BOXES BELOW

DESCRIPTION	2019 DIGEST	REASSESSMENT OF EXISTING REAL PROP	OTHER CHANGES TO TAXABLE DIGEST	2020 DIGEST
REAL	6,080,126,384	175,477,520	139,513,177	6,395,117,081
PERSONAL	513,059,329		59,355,640	572,414,969
MOTOR VEHICLES	76,126,340		(11,859,590)	64,266,750
MOBILE HOMES	3,538,585		0	3,538,585
TIMBER -100%	27,660		6,470	34,130
HEAVY DUTY EQUIP	554,624		645,537	1,200,161
GROSS DIGEST	6,673,432,922	175,477,520	187,661,234	7,036,571,676
EXEMPTIONS	322,357,777		41,499,165	363,856,942
NET DIGEST	6,351,075,145	175,477,520	146,162,069	6,672,714,734
	(PYD)	(RVA)	(NAG)	(CYD)

2019 MILLAGE RATE: **0.210**

2020 MILLAGE RATE: **0.210**

CALCULATION OF ROLLBACK RATE

DESCRIPTION	ABBREVIATION	AMOUNT	FORMULA
2019 Net Digest	PYD	6,351,075,145	
Net Value Added-Reassessment of Existing Real Property	RVA	175,477,520	
Other Net Changes to Taxable Digest	NAG	146,162,069	
2020 Net Digest	CYD	6,672,714,734	(PYD+RVA+NAG)
2019 Millage Rate	PYM	0.210	PYM
Millage Equivalent of Reassessed Value Added	ME	0.006	(RVA/CYD) * PYM
Rollback Millage Rate for 2020	RR - ROLLBACK RATE	0.204	PYM - ME

CALCULATION OF PERCENTAGE INCREASE IN PROPERTY TAXES

If the 2020 Proposed Millage Rate for this Taxing Jurisdiction exceeds Rollback Millage Rate computed above, this section will automatically calculate the amount of increase in property taxes that is part of the notice required in O.C.G.A. § 48-5-32.1(c) (2)	Rollback Millage Rate	0.204
	2020 Millage Rate	0.210
	Percentage Tax Increase	2.94%

CERTIFICATIONS

I hereby certify that the amount indicated above is an accurate accounting of the total net assessed value added by the reassessment of existing real property for the tax year for which this rollback millage rate is being computed.

Chairman, Board of Tax Assessors

Date

I hereby certify that the values shown above are an accurate representation of the digest values and exemption amounts for the applicable tax years.

Tax Collector or Tax Commissioner

Date

I hereby certify that the above is a true and correct computation of the rollback millage rate in accordance with O.C.G.A. § 48-5-32.1 for the taxing jurisdiction for tax year 2020 and that the final millage rate set by the authority of this taxing jurisdiction for tax year 2020 is 0.210.

CHECK THE APPROPRIATE PARAGRAPH BELOW THAT APPLIES TO THIS TAXING JURISDICTION

If the final millage rate set by the authority of the taxing jurisdiction for tax year 2020 exceeds the rollback rate, I certify that the required

advertisements, notices, and public hearings have been conducted in accordance with O.C.G.A. §§ 48-5-32 and 48-5-32.1 as evidenced by the attached copies of the published "five year history and current digest" advertisement and the "Notice of Intent to Increase Taxes" showing the times and places when and where the required public hearings were held, and a copy of the press release provided to the local media.

NA

If the final millage rate set by the authority of the taxing jurisdiction for tax year 2020 does not exceed the rollback rate, I certify that the required "five year history and current digest" advertisement has been published in accordance with O.C.G.A. § 48-5-32 as evidenced by the attached copy of such advertised report.

Responsible Party

Title

Date

PT-32.1 - Computation of MILLAGE RATE ROLLBACK AND PERCENTAGE INCREASE IN PROPERTY TAXES - 2020

COUNTY: **FAYETTE**

TAXING JURISDICTION: **County Fire**

ENTER VALUES AND MILLAGE RATES FOR THE APPLICABLE TAX YEARS IN YELLOW HIGHLIGHTED BOXES BELOW

DESCRIPTION	2019 DIGEST	REASSESSMENT OF EXISTING REAL PROP	OTHER CHANGES TO TAXABLE DIGEST	2020 DIGEST
REAL	2,893,861,965	95,717,320	44,919,866	3,034,499,151
PERSONAL	79,127,318		20,980,517	100,107,835
MOTOR VEHICLES	44,649,360		(6,798,210)	37,851,150
MOBILE HOMES	3,538,585		0	3,538,585
TIMBER -100%	27,660		6,470	34,130
HEAVY DUTY EQUIP	141,248		100,689	241,937
GROSS DIGEST	3,021,346,136	95,717,320	59,209,332	3,176,272,788
EXEMPTIONS	148,160,060		14,365,348	162,525,408
NET DIGEST	2,873,186,076	95,717,320	44,843,984	3,013,747,380
	(PYD)	(RVA)	(NAG)	(CYD)

2019 MILLAGE RATE: **3.070**

2020 MILLAGE RATE: **3.070**

CALCULATION OF ROLLBACK RATE

DESCRIPTION	ABBREVIATION	AMOUNT	FORMULA
2019 Net Digest	PYD	2,873,186,076	
Net Value Added-Reassessment of Existing Real Property	RVA	95,717,320	
Other Net Changes to Taxable Digest	NAG	44,843,984	
2020 Net Digest	CYD	3,013,747,380	(PYD+RVA+NAG)
2019 Millage Rate	PYM	3.070	PYM
Millage Equivalent of Reassessed Value Added	ME	0.098	(RVA/CYD) * PYM
Rollback Millage Rate for 2020	RR - ROLLBACK RATE	2.972	PYM - ME

CALCULATION OF PERCENTAGE INCREASE IN PROPERTY TAXES

If the 2020 Proposed Millage Rate for this Taxing Jurisdiction exceeds Rollback Millage Rate computed above, this section will automatically calculate the amount of increase in property taxes that is part of the notice required in O.C.G.A. § 48-5-32.1(c) (2)	Rollback Millage Rate	2.972
	2020 Millage Rate	3.070
	Percentage Tax Increase	3.30%

CERTIFICATIONS

I hereby certify that the amount indicated above is an accurate accounting of the total net assessed value added by the reassessment of existing real property for the tax year for which this rollback millage rate is being computed.

Chairman, Board of Tax Assessors

Date

I hereby certify that the values shown above are an accurate representation of the digest values and exemption amounts for the applicable tax years.

Tax Collector or Tax Commissioner

Date

I hereby certify that the above is a true and correct computation of the rollback millage rate in accordance with O.C.G.A. § 48-5-32.1 for the taxing jurisdiction for tax year 2020 and that the final millage rate set by the authority of this taxing jurisdiction for tax year 2020 is 3.07.

CHECK THE APPROPRIATE PARAGRAPH BELOW THAT APPLIES TO THIS TAXING JURISDICTION

If the final millage rate set by the authority of the taxing jurisdiction for tax year 2020 exceeds the rollback rate, I certify that the required

advertisements, notices, and public hearings have been conducted in accordance with O.C.G.A. §§ 48-5-32 and 48-5-32.1 as evidenced by the attached copies of the published "five year history and current digest" advertisement and the "Notice of Intent to Increase Taxes" showing the times and places when and where the required public hearings were held, and a copy of the press release provided to the local media.

NA

If the final millage rate set by the authority of the taxing jurisdiction for tax year 2020 does not exceed the rollback rate, I certify that the required "five year history and current digest" advertisement has been published in accordance with O.C.G.A. § 48-5-32 as evidenced by the attached copy of such advertised report.

Responsible Party

Title

Date

PT-32.1 - Computation of MILLAGE RATE ROLLBACK AND PERCENTAGE INCREASE IN PROPERTY TAXES - 2020

COUNTY: FAYETTE

TAXING JURISDICTION: County Wide

ENTER VALUES AND MILLAGE RATES FOR THE APPLICABLE TAX YEARS IN YELLOW HIGHLIGHTED BOXES BELOW

DESCRIPTION	2019 DIGEST	REASSESSMENT OF EXISTING REAL PROP	OTHER CHANGES TO TAXABLE DIGEST	2020 DIGEST
REAL	6,080,126,384	175,477,520	139,513,177	6,395,117,081
PERSONAL	513,059,329		59,355,640	572,414,969
MOTOR VEHICLES	76,126,340		(11,859,590)	64,266,750
MOBILE HOMES	3,538,585		0	3,538,585
TIMBER -100%	27,660		6,470	34,130
HEAVY DUTY EQUIP	554,624		645,537	1,200,161
GROSS DIGEST	6,673,432,922	175,477,520	187,661,234	7,036,571,676
EXEMPTIONS	322,357,777		41,499,165	363,856,942
NET DIGEST	6,351,075,145	175,477,520	146,162,069	6,672,714,734
	(PYD)	(RVA)	(NAG)	(CYD)

2019 MILLAGE RATE: 4.392

2020 MILLAGE RATE: 4.277

CALCULATION OF ROLLBACK RATE

DESCRIPTION	ABBREVIATION	AMOUNT	FORMULA
2019 Net Digest	PYD	6,351,075,145	
Net Value Added-Reassessment of Existing Real Property	RVA	175,477,520	
Other Net Changes to Taxable Digest	NAG	146,162,069	
2020 Net Digest	CYD	6,672,714,734	(PYD+RVA+NAG)
2019 Millage Rate	PYM	4.392	PYM
Millage Equivalent of Reassessed Value Added	ME	0.115	(RVA/CYD) * PYM
Rollback Millage Rate for 2020	RR - ROLLBACK RATE	4.277	PYM - ME

CALCULATION OF PERCENTAGE INCREASE IN PROPERTY TAXES

If the 2020 Proposed Millage Rate for this Taxing Jurisdiction exceeds Rollback Millage Rate computed above, this section will automatically calculate the amount of increase in property taxes that is part of the notice required in O.C.G.A. § 48-5-32.1(c) (2)	Rollback Millage Rate	4.277
	2020 Millage Rate	4.277
	Percentage Tax Increase	0.00%

CERTIFICATIONS

I hereby certify that the amount indicated above is an accurate accounting of the total net assessed value added by the reassessment of existing real property for the tax year for which this rollback millage rate is being computed.

Chairman, Board of Tax Assessors-----
Date

I hereby certify that the values shown above are an accurate representation of the digest values and exemption amounts for the applicable tax years.

Tax Collector or Tax Commissioner-----
Date

I hereby certify that the above is a true and correct computation of the rollback millage rate in accordance with O.C.G.A. § 48-5-32.1 for the taxing jurisdiction for tax year 2020 and that the final millage rate set by the authority of this taxing jurisdiction for tax year 2020 is 4.277.

CHECK THE APPROPRIATE PARAGRAPH BELOW THAT APPLIES TO THIS TAXING JURISDICTION

If the final millage rate set by the authority of the taxing jurisdiction for tax year 2020 exceeds the rollback rate, I certify that the required

advertisements, notices, and public hearings have been conducted in accordance with O.C.G.A. §§ 48-5-32 and 48-5-32.1 as evidenced by the attached copies of the published "five year history and current digest" advertisement and the "Notice of Intent to Increase Taxes" showing the times and places when and where the required public hearings were held, and a copy of the press release provided to the local media.

X

If the final millage rate set by the authority of the taxing jurisdiction for tax year 2020 does not exceed the rollback rate, I certify that the required "five year history and current digest" advertisement has been published in accordance with O.C.G.A. § 48-5-32 as evidenced by the attached copy of such advertised report.

Responsible Party

Title

Date

COUNTY MILLAGE RATE CERTIFICATION FOR TAX YEAR 2020

Please provide a copy of this form to your county's Clerk of Superior Court.

<http://www.dor.ga.gov>



COUNTY: _____ FAYETTE

Submit original signed copy with digest submission

COLUMN 1	COLUMN 2	COLUMN 3		COLUMN 4	COLUMN 5	COLUMN 6	COLUMN 7	COLUMN 8	COLUMN 9	COLUMN 10
District Number Must be Shown	District Name (Inc, Uninc, School, Special Districts, Etc.)	Mark X if District Falls In Unincorporated Area	Mark X if District Falls In Incorporated Area	Enter Gross Millage Rate Before Rollbacks	Sales Tax Rollback O.C.G.A § 48-8-91	Insurance Premium Rollback O.C.G.A § 33-8-8.3		Net M&O Millage Rate Column 4 less Columns 5, 6 & 7	Enter Bond Millage Rate	Total Millage Rate Column 8 plus Column 9
2	Fayetteville M&O			6.242	1.965			4.277	0.000	4.277
3	Tyrone M&O			6.242	1.965			4.277	0.000	4.277
4	Brooks M&O			6.242	1.965			4.277	0.000	4.277
5	Peachtree City M&O			6.242	1.965			4.277	0.000	4.277
1	Unincorporated M&O	X		6.242	1.965	0.000		4.277	0.000	4.277
1,3,4	County Fire	X	X	3.070	0.000	0.000		3.070		3.070
1,2,3,4	County EMS	X	X	0.456	0.000	0.000		0.456		0.456
1,2,3,4,5	County 911	X	X	0.210	0.000	0.000		0.210		0.210
1,2,3,4,5	County School	X	X	19.150	0.000	0.000		19.150	1.180	20.330
	Special Service Districts:									
0				0.000		0.000		0.000	0.000	0.000
0				0.000		0.000		0.000	0.000	0.000
0				0.000		0.000		0.000	0.000	0.000
0				0.000		0.000		0.000	0.000	0.000
0				0.000		0.000		0.000	0.000	0.000
0				0.000		0.000		0.000	0.000	0.000
0				0.000		0.000		0.000	0.000	0.000
	CID/BID:									
0				0.000				0.000		0.000
0				0.000				0.000		0.000
0				0.000				0.000		0.000
0				0.000				0.000		0.000

I hereby certify that the rates listed above are the official rates for the Districts indicated for Tax Year 2020

8/27/2020

Date

Chairman, Board of County Commissioners

COUNTY AGENDA REQUEST

Department:

Presenter(s):

Meeting Date:

Type of Request:

Wording for the Agenda:

Consideration of Petition No. RP-076-20, William T. Murphy and Richard E. Carne, Owners, and Steven L. Jones, Agent, request to revise the Final Plats (Phases One and Two) of Bay Chappell Farms Subdivision to add property to Bay Chappell Farms Subdivision, create an additional lot in Bay Chappell Farms Subdivision, and change the principal use on a lot labeled (continued below)

Background/History/Details:

Recreational Area (Bay Chappell Farms Phase Two) to residential use; property is located in Land Lot 167 of the 4th District and fronts on Stable Creek Road.

This petition is associated with Rezoning 1292-20.

Staff recommends approval with three conditions (see attached).

The Planning Commission recommended approval with three conditions.

Brian Haren made a motion to recommend approve of Petition No. RP-076-20 with three (3) conditions. Arnold Martin seconded the motion. The motion passed 5-0. This petition was initially heard by Planning Commission on July 2, 2020, but due to an error in the legal advertisement it was reheard by the Planning Commission on August 6, 2020.

What action are you seeking from the Board of Commissioners?

Approval of Petition No. RP-076-20 with three conditions to revise the Final Plats (Phases One and Two) of Bay Chappell Farms Subdivision.

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:

RECOMMENDED CONDITIONS

1. That the proposed lots will maintain a front yard setback of 75 feet and the revised plat shall indicate the 75 foot front yard setback.
2. That use of that 2.11 acre area by the underlying fee owner(s) is limited to construction of no more than two total driveways to service proposed Lot 2 and Lot 3 (as shown on the Concept Plan submitted with the Applications). The owner(s) of Lots 2 and 3 shall not site any permanent improvements, other than the driveways to service Lot 2 and Lot 3, in such manner as to leave the remaining areas of the Recreation Area parcel free for passive recreation by the owners of all lots in Bay Chappell Subdivision, and no current or future owner of Lot 2 or Lot 3 shall substantially interfere with the use of the Recreation Area by any current or future owner of any other lot in Bay Chappell Farms Subdivision for recreation purposes. Substantial interference shall include, but not be limited to, the erection of a fence excluding access to the Recreation Area. Additionally, before a revised final plat is recorded, the current owners of any portion of Lots 1, 2, and 3 shall indemnify and hold harmless the County from any and all future claims related to (1) the County's approval of the Applications that include the 2.11 acre Recreation Area; and (2) the extinguishment of the original 25 foot strip connecting Lot 3 with Chappell Road.
3. That the revised final plat shall indicate the area of the 2.11 acre Recreation Area in relationship to proposed Lots 2 and 3.

**STATE OF GEORGIA
COUNTY OF FAYETTE**

RESOLUTION

NO. RP-076-20

WHEREAS, William T. Murphy & Richard E. Carne, Owner, having come before the Fayette County Planning Commission on August 6, 2020 for Petition RP-076-20, requesting a revision to the Final Subdivision Plat of Bay Chappell Farm by adding property to Bay Chappell Farms Subdivision, create an additional lot in Bay Chappell Farms Subdivision, and change the principal use on a lot labeled Recreational Area (Bay Chappell Farms Phase Two) to residential use as per the Fayette County Subdivision Regulations; and

WHEREAS, said request being as follows: Request to in the area of Chappell Road, Land Lot(s) 167 of the 4th District; 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**.

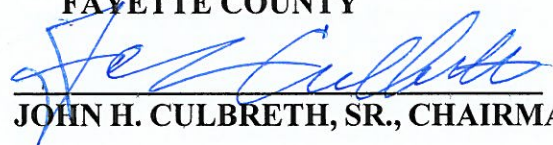
This decision is based on the following reasons:

- In compliance with the County's regulations and requirements, including availability of County water service.
- Compatible with the surrounding area.
- In compliance with the Land Use Plan.

PLANNING COMMISSION


OF

FAYETTE COUNTY



JOHN H. CULBRETH, SR., CHAIRMAN

ATTEST:



**HOWARD L. JOHNSON
ZBA SECRETARY**

THE FAYETTE COUNTY PLANNING COMMISSION met on August 6, 2020 at 7:00 P.M. in the Fayette County Administrative Complex, 140 Stonewall Avenue West, Fayetteville, Georgia.

- 3. Consideration of Petition No. RP-076-20, William T. Murphy and Richard E. Carne, Owners, and Steven L. Jones, Agent, request to revise the Final Plats (Phases One and Two) of Bay Chappell Farms Subdivision to add property to Bay Chappell Farms Subdivision, create an additional lot in Bay Chappell Farms Subdivision, and change the principal use on a lot labeled Recreational Area (Bay Chappell Farms Phase Two) to residential use. This petition is associated with Rezoning 1292-20. This property is located in Land Lot 167 of the 4th District and fronts on Stable Creek Road.**

Pete Frisina explained that the petition was initially heard on July 2, 2020 but due to an error in the legal ad the petition has to come back to the Planning Commission for consideration

Steven Jones stated the petition involves four parcels, three of which are currently within the Bay Chappell Farms subdivision and one flaglot which is contiguous. One of the lots within Bay Chappell Farms is a designated recreational lot. The contiguous flaglot is a ten acre A-R lot which was acquired by Mr. Murphy prior to the development of the Bay Chappell Farms subdivision. About 12 years ago Mr. Murphy acquired the recreation area through a county tax sale. Over a period of time changing water courses on adjacent property and the increasing cost of developing a driveway makes it economically infeasible to build a driveway at the 3,000 foot length of the flag pole portion of the flaglot. Mr. Murphy now proposes to exchange some of the 10 acre flag lot with Dick Carne an adjacent lot owner in the Bay Chappell Farms subdivision so he can subdivide his lot to allow his daughter and son-in-law to build a house and have room on his lot to build an accessory structure. Mr. Carne received permission previously from the Board of Commissioners to subdivide his lot. This also gives Mr. Murphy 100 feet of frontage on Stable Creek Road within the Bay Chappell Farms subdivision so his proposed lot can be added to the subdivision.

The Chairman asked if there was anyone present that would like to make a comment concerning the petition. Hearing none, he asked if there was anyone in the live streaming audience that would like to call into the meeting to make a comment. Hearing none after approximately one minute the Chairman said he would entertain a motion.

Pete Frisina said there are three recommended conditions.

Steven Jones stated that the applicants agree to the conditions.

Brian Haren made a motion to recommend approve of Petition No. RP-076-20 with three (3) conditions. Arnold Martin seconded the motion. The motion passed 5-0.

4. **Consideration of Petition No. 1292-20, William T. Murphy, Owner, and Steven L. Jones, Agent, request to rezone 10.00 acres from A-R to R-72 to add property to the Bay Chappell Farms Subdivision. This petition is associated with RP-076-20. This property is located in Land Lot 167 of the 4th District and fronts on Chappell Road.**

Chairman Culbreth said this a companion petition to the previous petition.

Steven Jones said we stand on our comments on the prior petition and would answer any board questions.

The Chairman asked if there was anyone present that would like to make a comment concerning the petition. Hearing none, he asked if there was anyone in the live streaming audience that would like to call into the meeting to make a comment. Hearing none after approximately one minute the Chairman said he would entertain a motion.

Arnold Martin made a motion to recommend approval of the Petition No. 1292-20 with one (1) condition. Al Gilbert seconded the motion. The motion passed 5-0.

THE FAYETTE COUNTY PLANNING COMMISSION met on July 2, 2020 at 7:00 P.M. in the Fayette County Administrative Complex, 140 Stonewall Avenue West, Fayetteville, Georgia.

1. **Consideration of Petition No. RP-076-20, William T. Murphy and Richard E. Carne, Owners, and Steven L. Jones, Agent, request to revise the Final Plats (Phases One and Two) of Bay Chappell Farms Subdivision to add property to Bay Chappell Farms Subdivision, create an additional lot in Bay Chappell Farms Subdivision, and change the principal use on a lot labeled Recreational Area (Bay Chappell Farms Phase Two) to residential use. This petition is associated with Rezoning 1292-20. This property is located in Land Lot 167 of the 4th District and fronts on Stable Creek Road.**

Chairman Culbreth asked is the petitioner was present, or online.

Pete Frisina interjected Chairman could we go ahead and read the next item too, because it really needs to be discussed together. He added they have to stand or fall together, its one or the other.

Chairman Culbreth replied okay. He read aloud the next item number five (5).

2. **Consideration of Petition No. 1292-20, William T. Murphy, Owner, and Steven L. Jones, Agent, request to rezone 10.00 acres from A-R to R-72 to add property to the Bay Chappell Farms Subdivision. This petition is associated with RP-076-20. This property is located in Land Lot 167 of the 4th District and fronts on Chappell**

Road.

Chairman Culbreth stated the petitioner is present, you have the floor.

Steven Jones replied thank you Mr. Chairman, Vice-Chairman, Commissioners and Commissioners online, thank you for having me again before this Commission, my name is Stephen Jones with the law firm of Bovis, Kyle, Burch & Medlin, LLC. He added I am accompanied by William T. Murphy, the applicant, and Richard Carne, the other applicant.

He said you have two (2) requests before you. As Pete Frisina eluded to they are pending request and they should be voted on together, we would respectfully request that whatever action this Commission should choose to take on one it should take on the other because as you will see in this presentation, they are uniquely tied together.

The purpose of this request in essence, is to take three (3) parcels currently within the subdivision of Bay Chappell Farms and a part of parcel outside of Bay Chappell Farms and combine them to create three (3) lots of four (4) acres or more within the subdivision.

I would like to give you a just brief presentation of the history of these parcels to help you understand the reason for the request. Here I have the Zoning Map of the parcels, taken from the staff report that you have in your packet. Highlighted in green is the property of Mr. Murphy and highlighted in all of the orange is the Bay Chappell Farm subdivision. Now the orange highlighted the outline on the Plat, is the property of Mr. Murphy and Mr. Carne.

In 1986, I believe Mr. Frisina passed out a handout that tracks this, and if you pull open the handout, you will see side by side, the text next to the associated the graphic that tracks along of what you hear me say just so you can follow along. Commissioners, I have also left copies of this presentation here, should you want to see it later.

On this first graphic you see is a plat, Mr. Murphy purchased this property in 1986 from the Chambers is was originally a ten (10) flag lot, zoned A-R , the flag portion is 25 feet wide, and I think 2800 feet deep that is just at one and a half (1.5) acres. When it was originally platted, this was a conforming lot. The back portion you see is eight and a half (8.5) acres. Because of the changing water courses on the property, the ever increasing cost of paving a driveway, you will see that attached to our Letter of Intent, is a price index for concrete since this property was plotted has astronomically increased not with the rate of inflation. But those two factors together has just made it not economically not feasible to a) pour concrete that far and b) cross those water courses, for those reasons the property has become practically land-locked.

In 1988, after Mr. Murphy acquired this property, Thompson and Company Mortgage Corporation acquired 107 acres from the Chambers, they developed this into the neighborhood known as Bay Chappell Farms. In the graphic you see in your packet, Bay Chapel Farms in the shade of orange and Mr. Murphy's (ten)10 acres parcel shaded blue with the flag pole noted. Bay Chappell Farms consist of 36 lots, they range in size from

two (2) acres to five (5) acres.

Now in 1990, Mr. Carnes, who is accompanying me, purchased Lot 36 as seen on Slide 9, on Page 5 in the handout Mr. Carnes property as it existed in 1999 is shaded orange, Mr. Murphy's is blue and the remainder is in that lighter blue color is Bay Chappell Farm. Originally as platted, Mr. Carnes property was just over five (5) acres.

In 1991, in lieu of foreclosure, the developer Thompson, conveyed a number of lots in the subdivision as well as two (2) parcels that were originally platted as recreation areas to Barnett Bank and that in lieu of foreclosure. Those two (2) recreation areas are shaded in yellow and they added an additional change to the previous figure. Those recreation areas were platted but they have been never used or developed as recreation areas, they are extensively wooded.

Then in 1992, Mr. Carnes acquired part of the southernmost recreation area, just .67 of an acre. The plat of Bay Chappell Farms was then amended to reflect that change. An there things sat for a number of years.

But in 2008, Barnett Bank in what we can only presume to be a business decision, ceased to pay taxes on the southernmost recreation area and was since sold by the Fayette County Sheriff at the tax sale and then Mr. Murphy already owning the ten (10) acres to the south, acquired the recreation area. You may remember late last year and then the Board of Commissioners earlier this year, approved a Plat Amendment application for Mr. Carnes property to divide that into two (2) tracts; a 3.218 acre tract which Mr. Carnes house currently sits on and a 2.464 acre tract which we are calling here the Williams tract. That division has not be effectuated by the recreation plat. The Williams, who are Mr. Carnes daughter and son-in-law want to build a house right next to Mr. Carnes and they want to live next to family and they want to move back to the area with their young children and dogs.

Having given you the background of the parcels, I think you can tell Mr. Murphy's ten (10) acre tract is not economically feasible for someone to construct a half-mile long driveway all the way to the back acreage to build a house back there. That means that as it currently sits, Mr. Murphy's ten (10) acres tract is left without an economically viable use. And to due to excavation, limited acreage, limited actual and potential road frontage, and well as it location around residential used and zoned property, only one (1) use makes sense, residential. As you will see later, you can only practically be used, if the applications are approved, as one (1) residential lot.

Indulge me in the code for a second, the zoning ordinance says that all residential lots must have a minimum 100 feet of frontage. Mr. Murphy parcel as it currently sits is an economically non-viable lot that predates this ordinance, but we still have the driveway issue. We can reasonably, feasibly, or economically get a driveway back there. The development regulations essentially says that every residential lot must have a driveway accessing the street. Well, Mr. Murphy parcels, the way it currently sits you can't do that feasibly, or economically. Let so go back to the Zoning Ordinance which does permit an

easement drives but only for physically land-locked lots not flagpole-type lots.

The recreation area, since it owned by Mr. Murphy, is the most logical solution. It is a lot shorter distance to get to the road. It is not being used for a recreation nor has it been developed as a recreation area. But we have to combine that in order to comply with the zoning ordinance with Mr. Murphy's property and rezone that with Mr. Murphy's property.

Now the Williamsons and Mr. Carne also have goals with these applications, Mr. Carne has owned this property since the late 80s and some of the same hydrological semi-wetlands issues that plague Mr. Murphy's flagpole also plague Mr. Carnes flag. Because of that he has been unable to find an ideal location area for accessory structure, mainly an ideal location for a garage with same architectural style as his home. Mr. Carne wants to acquire part of the flagpole that is contiguous with his lot which will give him more area in which to compile the setback for R-72, then miraculously he has space for his garage.

The Williamson have some of the same hydrologic issues present on the Williamson tract. They want to acquire two (2) acres of the flag portion of Mr. Murphy's parcel to give them a larger home building site. So you end up with this concept plan overlaid over the graphic that you previously saw.

If you look at your handout, Lot 1 is the most easternmost property which consists of Mr. Carnes 2020 parcel. That parcel is after the amendment that the Board of Commissioners approved earlier this year, and that adds a portion the flagpole of Mr. Murphy's which is contiguous to Mr. Carnes property.

If you move to the left, westward, that is Lot 2 is that Williams parcels approved by the Board of Commissioners earlier this year with the addition of two (2) acres of flag portion of Mr. Murphy's property, which is seen to south at the bottom of the page in blue, and then part of the recreation area to create a more uniformly shaped tract and that will consist of 4.656 acres.

Finally, to the farthest west and farthest left on the page, is Lot 3 which will combine the flag portion of Mr. Murphy's parcel less two (2) acres, part of the recreation area less the portion of recreation area that will become the Williamson tract to create that uniform lot shape, and a very small part of the Williams tract needed to give Lot 3 the 100 feet of road frontage.

So there are a lot of lines shifting here. But the end result is four (4) lots to three (3) lots and practically not much change because Mr. Carnes lines are moving, is already a house there. Earlier this year, the Board of Commissioners approved the creation of Williams (purple) tract, which they are going to build a house on. Their house, if the application is approved, will be set much further south and much further away from the road on Lot 2 which is the middle lot in the graphic. Mr. Murphy's property (Lot 4) could have already been developed as a single family house but the fact is that it is not feasible economically or practical to construct a driveway.

So your staff looked at this and they recommended approval on both applications with

conditions. You have two (2) applicants on the plat amendment and one (1) on the rezoning, in both instances, the applicants consent to the conditions. I would to go through the analysis briefly with you. The new subdivision regulations set essentially four (4) criteria by which a plat amendment application can be judged: street character, lot size character, lot width character and change in principal use.

As the street character, staff included that the proposed lots will maintain a front yard setback of 75 feet and the revised plat should indicate the 75 foot front yard setback and that is to be consistent with the previously and currently applied zoning district. Bay Chappell Farm was developed under R-60 when a new zoning ordinance was enacted it was changed to R-75. The setbacks are 75 and 50 respectfully, so we are going to conform to whatever is already in the neighborhood, the more stringent of 75 feet. In addition to staff analysis, we would add that street character will not change because the house already exists, The Williamson house will be setback on the back two (2) acres they are acquiring from Mr. Murphy. The house of the Murphy part will be set even further back and that is 563 feet back before you get to the back two (2) acres. Staff has also recommended a conditions attached to the applications that the originally platted area recreation areas should be used for nothing more than a driveway or the two (2) driveways to serve the six (6) tracts. Because it was originally platted as a recreation area when owners of lots within the neighborhood has use of a perpetual easement. So not to interfere with that and to comply with the said in that we consented to that condition.

Chairman Culbreth stated you have five (5) minutes.

He responded thank you Mr. Chairman.

He continue stating that lots character per the Letter of Intent all of the lot sizes will exceed the minimum two (2) acre lot size within the subdivision. Again the appearance from the road will barely change by the additional driveways, the homes will be setback very far from the road. #3) Lot width character, staff concluded that we are generally compliant and we generally track what's in the neighborhood. He noted that it will change the principal use of the recreation area so it can be used for those driveways but again the overall use or the ability to use the recreation area should the folks who have an easement over that choose to use it will be allowed. The two driveways are not inconsistent as recreation area, the recreation area was never developed or used as a recreation area, it will not change the use or usability of the nearby properties, an official approval will remove a non-conforming parcel and create a conforming parcel (Mark Murphy's parcel), and finally it will create an economically viable use of the property. You will see staff recommended conditions and we will consent to all of those. The final plat showing the delineation of the three lots, the use of the originally platted recreation area will be limited to the two driveways and the setbacks.

The rezoning tracts, your staff analyzed the exclusive rezoning factors under this County's ordinances and recommended approval, even those the Comprehensive Plan designates this area as five (5) acres, the rezoning application will rezone the tract to create a tract that is greater than five (5) acres, therefore it would be in compliance with the zoning application.

And staff also included the remaining factors as shown on your outline in your handout which supports approval. Staff recommended one (1) condition which again, the applicant consents to and that is that Lot 3 comply with the future Land Use Map and the Comprehensive Plan show at all times in perpetuity maintain a minimum lot size of five (5) acres.

He concluded Mr. Chairman with that, I will yield my time for any rebuttal. He added if there is any remaining time Mr. Carnes will like to highlight for you the effort he has taken to make sure all the neighbors in subdivision are aware of this and a number of them have consented.

Chairman Culbreth replied thank you sir. He then asked is there any opposition to the petition number RP-076-20 and 1292-20. He stated please come to the microphone if you are going to speak and sign in for us, please.

Chairman Culbreth asked the speaker to state your name for the record, please.

Joseph Gabel said pardon me if I am out of line on this, I really don't know if I really want to oppose this, I am resident in Chappell Farms, I just have a couple of questions.

Chairman Culbreth said okay.

Joseph Gable asked can we go back the slide with the final three lots.

Chairman Culbreth stated Mr. Jones can you do that, can you state your question sir,

Joseph Gable said the question is you (Stephen Jones) talked about the driveway and how long it is. On Lot 3 what has changed on the length on the drive and how does it compare to what it would be now.

Stephen Jones replied thank you for your question, Mr. Gable. He added it's hard to see but you can effectively see that it is 560 feet, the length of the flag pole as originally platted is half-a-mile, so we are reducing the length by about 2000 feet. Also, if you look where Stable Creek Road kind of curves there is a lot of water supply and on the other curve there is more water, so we can't practically get a driveway down there.

Joseph Gable said my last question in the new area, Lot #3, will there be anything but one (1) single house. A lot of folks in the subdivision are worried that is just going to be a stepping stone for land use later-on to bring about another subdivision that connects to Brooks Woolsey Road.

Chairman Culbreth stated Mr. Jones please respond.

Stephen Jones responded a couple of things, well we are annexing into the subdivision just this one (1) lot, it is going to be platted as one lot, therefore it can only be one (1) lot. The driveway will not even meet the specifications of a road. And anybody wanted to add a parcel

to subdivision at a later date, a) they would have to come before this board and b) when this subdivision was originally zoned there was a condition limiting the number of lots that can exist in the subdivision to 43 lots, so practically and legally I say one without a doubt.

Joseph Gable replied thank you for your time, I just want to get that out because again, I was sent here by my neighbor also with those questions, I appreciate your time.

Chairman Culbreth replied thank you sir. He added at this time we will dial-in comments.

Pete Frisina replied that basically you guys have 3.5 minutes left, we just did a combination of opposition and rebuttal at the same time, so that saved us some time right there. He added you have 3.5 minutes, Dick.

Richard Carne said that first of all I appreciate you all approving the request to divide our property so that my son and daughter-in-law can come home early. Let me also state a couple of things here, last summer there was a memo that was circulated to effect that Mr. Murphy was looking at adding 40 acres instead of 15 and he was looking to build much smaller homes. That is not the case and never has been the case. When I talked with neighbors that has been the primary concern. Once they learned that this is not the case but instead it would only be three (3) lots, two (2) of which have already been approved with the third (3rd) being annexed so then it would then conform to all of the subdivision covenants and restrictions and building size and things of that nature, the folks that I spoke with once they understood that then were much on the positive side of things. Let me also state one other benefit that has not been raised at this point. I understand from Mr. Jones, that the remainder of Ms. Murphy's 25-foot strip (with the Planning Commission approval) can be conveyed to the homeowner in the subdivision whose rear property line adjoins that portion of that 25 foot strip. Actually there are four (4) people who are not here presently who would stand to gain an additional 25 foot buffer in the back yard, besides the one running beside my home. The new home will be required to conform to all of the subdivision covenants, which seem to me to be an additional incentive in that the larger sized lots would be .. When I last checked the next largest lot below mine was 2.6 acres. So these would be two (2) additional lots that will be twice the size of the other lots. So I don't see how that would be an impediment to anyone's property values. Furthermore because of the distance to the street, any home would not readily be visible. As Mr. Jones mentioned, it is heavily wooded.

Chairman Culbreth asked so you are speaking in favor?

Richard Carne replied yes I am speaking in favor.

Chairman Culbreth replied thank you so much.

Chairman Culbreth asked are there any dial-in comments.

Brain Haren stated that there are no calls.

Chairman Culbreth replied hearing no calls, I will bring this item tto the members of the Planning Commission for discussion.

Chairman Culbreth asked members of the Planning Commission you do have any comments.

Al Gilbert said that I just want to verify that what Mr. Jones state there were three (3) conditions of one (1) of the zoning items and one on the other, if the petitioner is in agreement with all of the conditions.

Stephen Jones replied yes, commissioner.

Arnold Martin replied I do not have any questions.

Chairman Culbreth if there are no further questions, I can entertain a motion on Item #4.

Brian Haren made a motion to recommend approval of the request RP-076-20 to revise the Final Plats (Phases One and Two) of Bay Chappell Farms Subdivision 1 Area (Bay Chappell Farms Phase Two) to residential use with conditions. Al Gilbert seconded the motion. The motion passed 5-0.

Chairman Culbreth said that he would entertain a motion for the Petition No 1292-20, a companion item,

Al Gilbert made a motion to recommend approval of Petition No. 1292-20 with conditions. Danny England seconded the motion. The motion passed

PETITION NUMBER: RP-076-20

REQUESTED ACTION: Request to add property to Bay Chappell Farms Subdivision, create an additional lot in Bay Chappell Farms Subdivision, and change the principal use on a lot labeled Recreational Area (Bay Chappell Farms Phase Two) to residential use (associated with Rezoning 1292-20 application).

ZONING DISTRICT: R-72

LOCATION: Stable Creek Road

LAND LOT/DISTRICT: Land Lot 167 of the 4th District

APPLICANTS: William T. Murphy and Richard E. Carne

INVESTIGATION

History: The Final Plat for Bay Chappell Farms Phase One was originally recorded on October 3, 1989 and a revision was recorded on August 24, 1992. This revision added approximately .66 acres to Lot 36 from a lot labeled “Recreation Area” depicted in Chappell Farms Phase Two. The Final Plat Bay Chappell Farms Phase Two was originally recorded on June 12, 1990 and a revision was recorded on August 17, 1992. This revision also depicted the aforementioned reconfiguration of the lot labeled “Recreation Area.”

Bay Chappell Farms was originally zoned R-60. The R-60 zoning district was deleted from the zoning ordinance in 1998 and all properties in the R-60 zoning District were put into the R-72 zoning district.

A request to revise the Final Plat for Bay Chappell Farms Phase One (RP-074-19), to subdivide Lot 36 was approved by the Board Commissioners on January 23, 2020. To date, a revised final plat to subdivide lot 36 has not been submitted to the County for review.

Subdivision Regulations

Sec. 104-595. - Approval of subdivisions.

(2) Final plat or minor subdivision plat

j. Revision to a recorded final plat.

2. Proposed revisions to a recorded major final plat of any existing residential or agricultural-residential subdivisions which adds property to, increases the number of platted lots, or changes the principal use on a lot shall be considered in public hearings before the planning commission and the board of commissioners and public notification shall comply with Sec. 110-301. - Public notification. The following factors shall be considered by the planning and zoning department, the planning commission and the board of commissioners when reviewing these requests:
 - (i) *Street character.* Whether the request will result in a residence or accessory structure that will be out of character with the alignment of existing residences and accessory structures. Aspects to consider are the front setback established on the final plat, the alignment of existing residences and accessory structures, the degree a proposed residence or accessory structure will be out of alignment with the setback and/or existing residences and accessory structures and the presence of vegetation (trees, bushes, shrubbery, etc.) which may provide visual screening.
 - (ii) *Lot size character.* Whether the request will result in a lot that will be out of character with the size of existing lots. Aspects to consider are the lot width required by the zoning district, the minimum and maximum range of lots sizes, the number of lots within a size range, the average lot size and the degree proposed lots will be smaller than existing lots.
 - (iii) *Lot width character.* Whether the request will result in a lot that will be out of character with the width of existing lots. Aspects to consider are the lot width required by the zoning district, the minimum and maximum range of lot widths, the lot widths within a range, the average lot width and the degree proposed lots will more be narrow than existing lots.
 - (iv) *Change of principal use.* Whether the change of use will adversely affect the existing use or usability of adjacent or nearby property, will result in a use which will or could cause an excessive or burdensome use of existing or planned streets, or utilities, or other conditions which give supporting grounds for either approval or disapproval of the change of use proposal.

Department Comments

Planning and Zoning

This request involves two existing lots within Bay Chappell Farms subdivision, specifically, Lot 36 (which contains a single-family residence) and a lot labeled “Recreation Area”, and a 10 acre parcel adjacent to Bay Chappell Farms subdivision. Rezoning petition 1292-20 (A-R to R-72) has been submitted for this 10 acre parcel in association with the Revised Plat application. The combination of these requests is to add the 10 acre parcel to the subdivision to facilitate the subdivision of Lot 36 into two lots utilizing a portion of the 10 acre parcel and use the “Recreation Area” to provide road frontage to the remainder of the 10 acre parcel to create a flaglot. A small portion of Lot 36 will be added to the Recreation Area lot to provide 100 feet of road frontage.

The factors above are to be used to review these requests:

Street Character: The front yard setback established on the Bay Chappell Farms plats is 75 feet as was required by the R-60 zoning district. The R-72 zoning district requires a front yard setback of 50 feet. If this petition is approved, the resulting lots, as applicable, should be conditioned to abide by the 75 foot front yard setback. The buildable portion of the proposed flaglot would be approximately 800 feet from Stable Creek Road which would have no effect on the street character.

Lot size character: Per the Letter of Intent all lots are proposed to exceed the two acre minimum lot size.

Lot width character: All proposed lots would be required to meet a lot width of 150 feet per the R-72 zoning district. The R-60 zoning district also required a 150 foot lot width. The proposed lots resulting from the subdivision of Lot 36 appear to be in character with similarly shaped lots within the subdivision. There are no existing flag lots with the subdivision but the proposed flaglot is 518 feet wide in the flag portion of the lot per the Concept Plan.

Change of principal use: This request includes the change of the principal use on the lot labeled “Recreational Area” to residential use.

The Recreation Area Easement:

The designation of an area on a recorded plat showing it as a recreation area creates an irrevocable easement in favor of lot owners who buy in reference to that plat. Doughtie v. Dennison, 240 Ga. 299 (1977). Where protective covenants exist and expire, they do not negate the easement created by the plat. Patterson v. Powell, 257 Ga. App. 336, 338 (2002). Sale of a single lot is sufficient to protect the dedicated land to its designated use. Davis v. Foreman, 311 Ga. App. 775, 778 (2011).

Further, the easement is not lost by foreclosure or tax sale. Smith v. Gwinnett Co., 248 Ga. 882, 885 (1982). The easement may only be lost by express abandonment. Hampton Ridge Homeowners' Assoc., Inc. v. Marett Properties, Ltd., 265 Ga. 655, 656 (1995). In Hampton Ridge, after taking title to their lots, the owners within the subdivision all signed onto a written Consent to be bound by a Declaration of Covenants and Restrictions, which transferred all rights to all common areas to the subdivider, thus abandoning their rights to the easement, which were transferred as part of that package. Subsequent case law makes clear that abandonment will not be presumed, must be in writing and clearly shown. So, for instance, where the initial filed plat showed a recreation area, and a subsequent plat showed a replacement recreation area at a second, different location, the unilateral action of the subdivider in filing a different plat was not able to extinguish the rights to the first area for people whose deed referenced the first plat. Davis v. Foreman, 311 Ga. App. 775, 779 (2011).

Subsequent case law makes clear that the owner of a lot previously dedicated to subdivisions owners for recreation use does not negate the underlying owner's rights to use the lot for his own purposes, provided it is not inconsistent with the dedication. Savannah Jaycees Foundation, Inc. v. Gottlieb, 273 Ga. App. 374 (2005). Thus, it is permissible to make limited use of the easement area for private purposes.

The original subdivision plat for phase two shows two lots dedicated to the subdivision owners for recreation purposes. The southernmost of those lots is encompassed within the area proposed for re-platting. No improvements were ever installed in either recreation area shown on the plat. The homeowners' association is now defunct and there is no entity that would install any recreation improvements.

The applicants have requested the ability to provide driveway access through the recreation area easement to access the buildable portion of the proposed lots. This would be a permissible allowable use of the easement area. Any recommendation approving the subdivision should make clear and be conditional on the recreation area remaining open to other owners within the subdivision for passive recreation and should limit the extent of private uses that are allowable.

With regard to the original 2.11 acre parcel indicated on Bay Chappell Farms Phase Two as Recreation Area and located within the proposed revised subdivision area, use of that 2.11 acre area by the underlying fee owner(s) is limited to construction of no more than two total driveways to service proposed Lot 2 and Lot 3 (as shown on the Concept Plan submitted with the Applications). The owner(s) of Lots 2 and 3 shall not site any permanent improvements, other than the driveways to service Lot 2 and Lot 3, in such manner as to leave the remaining areas of the Recreation Area parcel free for passive recreation by the owners of all lots in Bay Chappell Subdivision, and no current or future owner of Lot 2 or Lot 3 shall substantially interfere with the use of the Recreation Area by any current or future owner of any other lot in Bay Chappell Farms Subdivision for recreation purposes. Substantial interference shall include, but not be limited to, the erection of a fence excluding access to the Recreation Area. Additionally, before a revised final plat is recorded, the current owners of any portion of Lots 1, 2, and 3 shall indemnify and hold harmless the County from any and all future claims related to (1) the County's approval of

the Applications that include the 2.11 acre Recreation Area; and (2) the extinguishment of the original 25 foot strip connecting Lot 3 with Chappell Road. Also, the revised final plat shall indicate the area of the 2.11 acre Recreation Area in relationship to proposed Lots 2 and 3. Staff will recommend conditions accordingly.

Water System

“Lot 1” (Lot 36 Bay Chappell Farms/170 Stable Creek Rd.) has an existing water service at or very near its original western property line, the additional road frontage being granted for “Lot 2” and “Lot 3”, places this water service on future “Lot 3”. This water service will need to be relocated onto future “Lot 1” or used as a future water service for future “Lot 3” and a new water service installed for future “Lot 1”, at the expense of the developer. Additionally, water service will need to be installed for future “Lot 2”, at the developers expense. Also any other conflicts that arise with FCWS facilities as a result of this re-plat must be resolved by the developer with coordination through FCWS.

Fire

Approved

Engineering/Public Works

No Engineering comments on the proposed revised plat.

Environmental Management Dept.

Floodplain	The property DOES NOT contain floodplain per FEMA FIRM panel 13113C0113E and 13113C0083E dated Sept 26, 2008. The property DOES contain additional floodplain delineated in the FC 2013 Future Conditions Flood Study.
Wetlands	The property DOES NOT contain wetlands per the U.S. Department of the Interior, Fish and Wildlife Service 1994 National Wetland Inventory Map. Per Section 8-4 of Fayette County Development Regulations, the applicant must obtain all required permits from the U.S. Army Corps of Engineers <u>prior</u> to issuance of any permits from Fayette County for any phase of development affecting wetlands.
Watershed	The watershed protection ordinance WOULD apply to this property.
Groundwater	The property IS NOT within a groundwater recharge area.
Stormwater	This development IS NOT subject to the Post-Development Stormwater Management Ordinance.

Environmental Health Department

No objection to rezoning and revision to the plat. However, records indicate that there are challenging soils in this area and submission of a red stamped level 3 soils report will be needed for all of the lots.

STAFF RECOMMENDATION

Staff recommends **APPROVAL WITH CONDITIONS** of this request to revise Bay Chappell Farms Phases One and Two to add property to Bay Chappell Farms Subdivision, create an additional lot in Bay Chappell Farms Subdivision, and change the principal use on a lot labeled Recreational Area (Bay Chappell Farms Phase Two) to residential use. This request is associated with rezoning 1292-20.

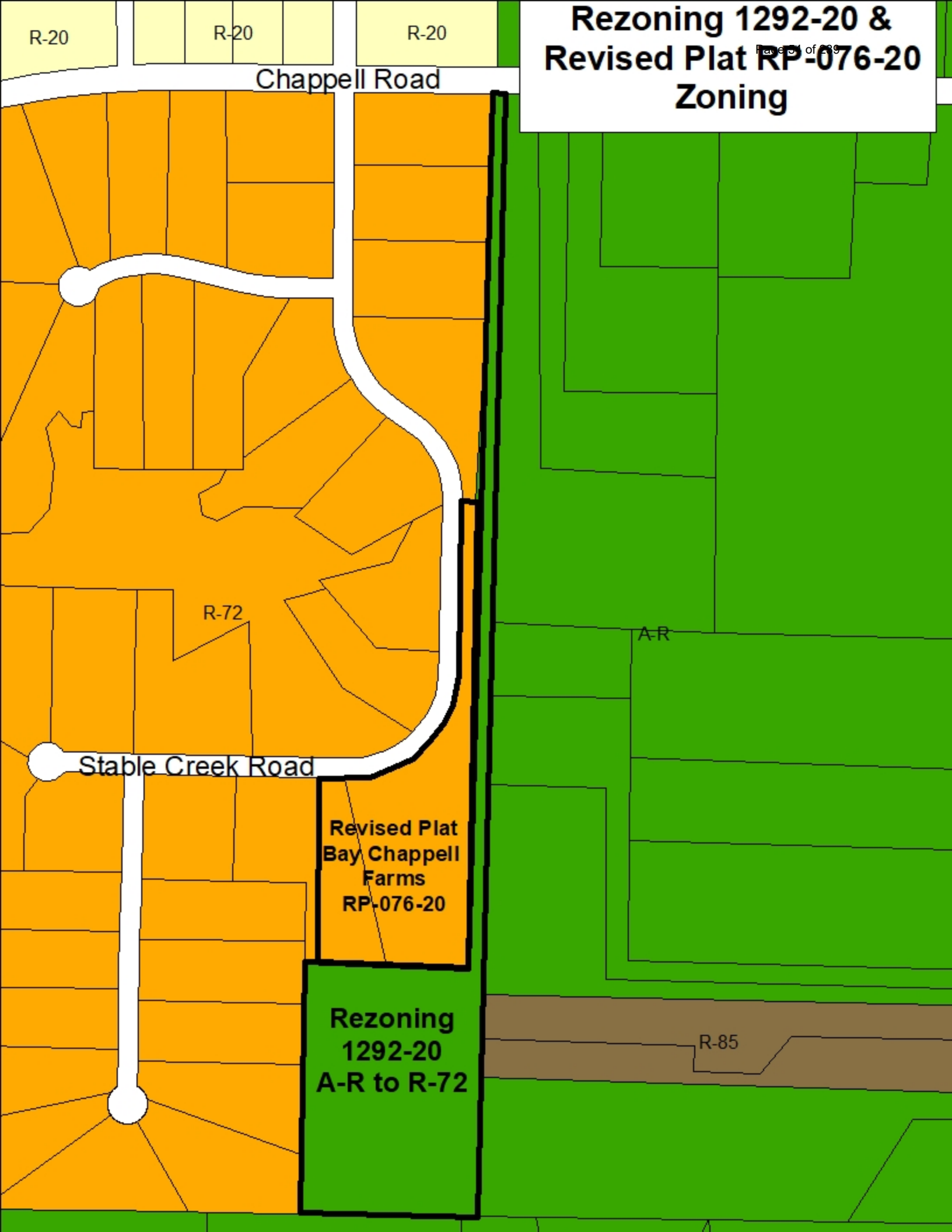
RECOMMENDED CONDITIONS

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

1. That the proposed lots will maintain a front yard setback of 75 feet and the revised plat shall indicate the 75 foot front yard setback.
2. That use of that 2.11 acre area by the underlying fee owner(s) is limited to construction of no more than two total driveways to service proposed Lot 2 and Lot 3 (as shown on the Concept Plan submitted with the Applications). The owner(s) of Lots 2 and 3 shall not site any permanent improvements, other than the driveways to service Lot 2 and Lot 3, in such manner as to leave the remaining areas of the Recreation Area parcel free for passive recreation by the owners of all lots in Bay Chappell Subdivision, and no current or future owner of Lot 2 or Lot 3 shall substantially interfere with the use of the Recreation Area by any current or future owner of any other lot in Bay Chappell Farms Subdivision for recreation purposes. Substantial interference shall include, but not be limited to, the erection of a fence excluding access to the Recreation Area. Additionally, before a revised final plat is recorded, the current owners of any portion of Lots 1, 2, and 3 shall indemnify and hold harmless the County from any and all future claims related to (1) the County's approval of the Applications that include the 2.11 acre Recreation Area; and (2) the extinguishment of the original 25 foot strip connecting Lot 3 with Chappell Road.
3. That the revised final plat shall indicate the area of the 2.11 acre Recreation Area in relationship to proposed Lots 2 and 3.

Rezoning 1292-20 & Revised Plat RP-076-20 Zoning

Page 2 of 29



R-20

R-20

R-20

Chappell Road

R-72

A-R

Stable Creek Road

Revised Plat
Bay Chappell
Farms
RP-076-20

Rezoning
1292-20
A-R to R-72

R-85

**Rezoning 1292-20 &
Revised Plat RP-076-20
Land Use Plan**

Page 05 of 29

Chappell Road

AGRICULTURAL
RESIDENTIAL

Stable Creek Road

Revised Plat
Bay Chappell
Farms
RP-076-20

Rezoning
1292-20
A-R to R-72



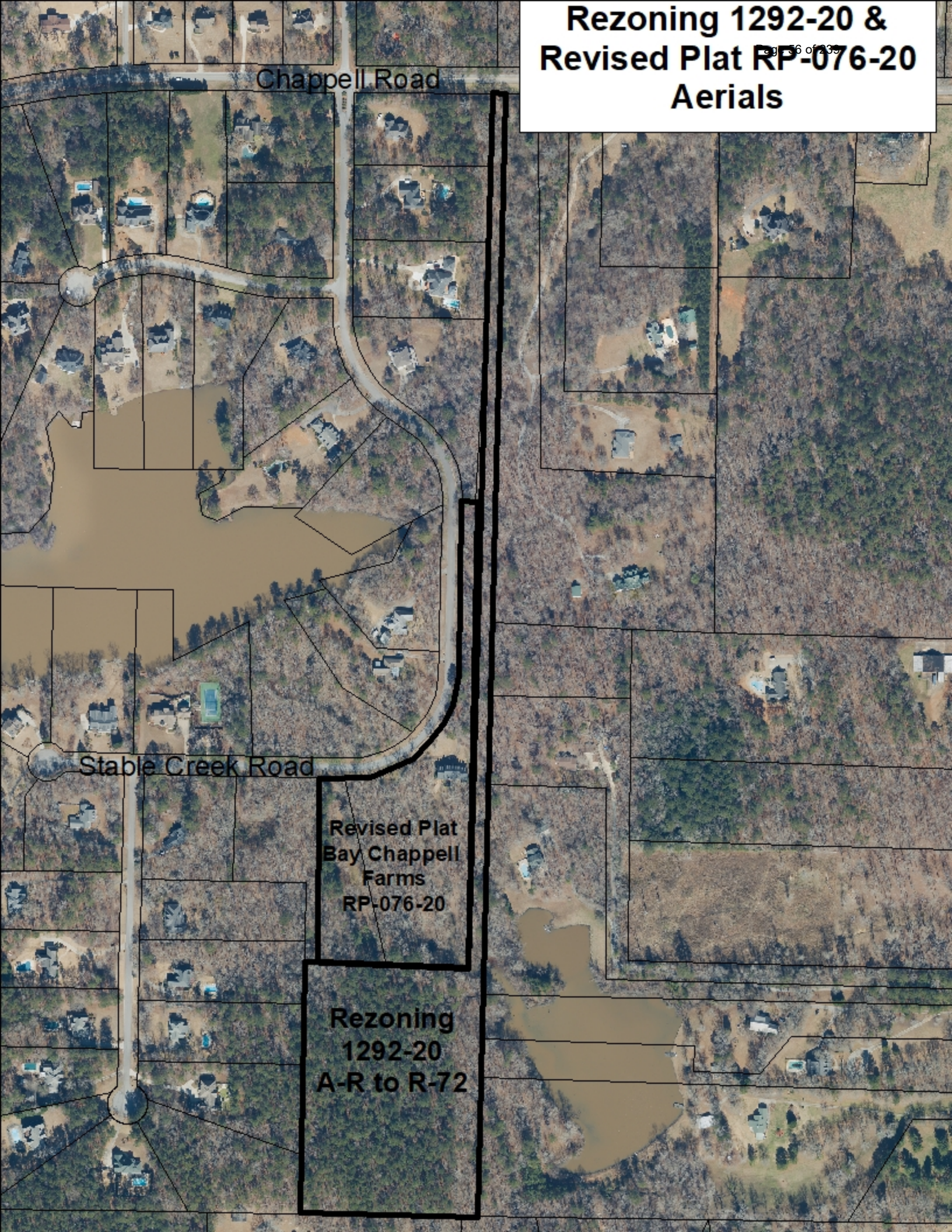
**Rezoning 1292-20 &
Revised Plat RP-076-20
Aerials**

Chappell Road

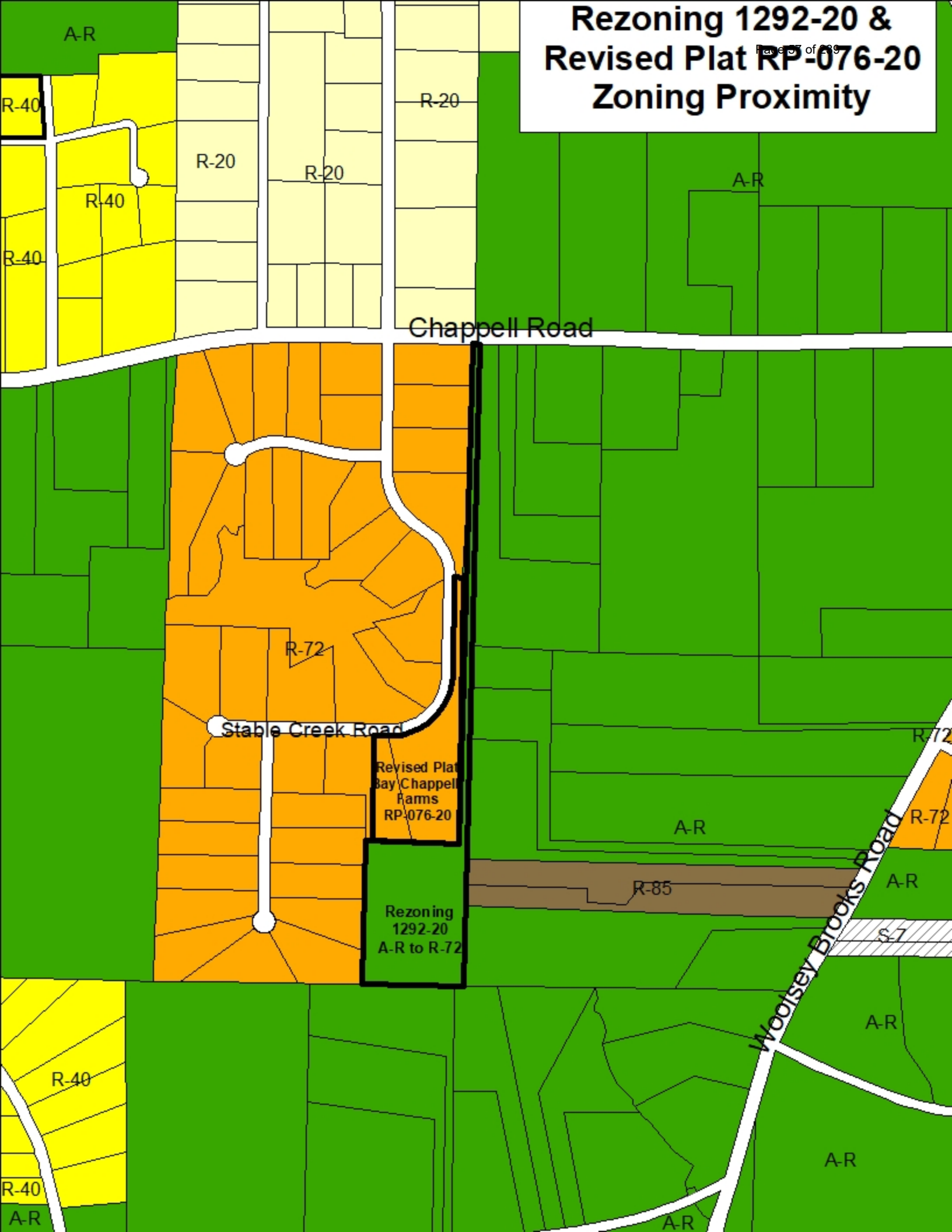
Stable Creek Road

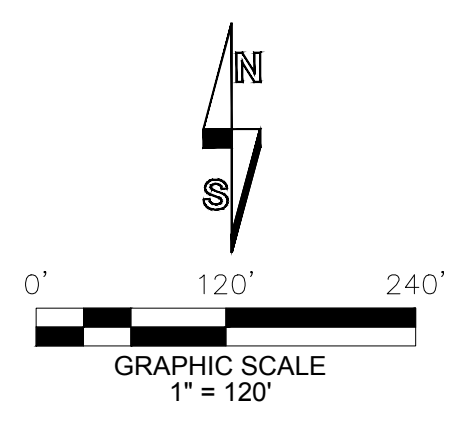
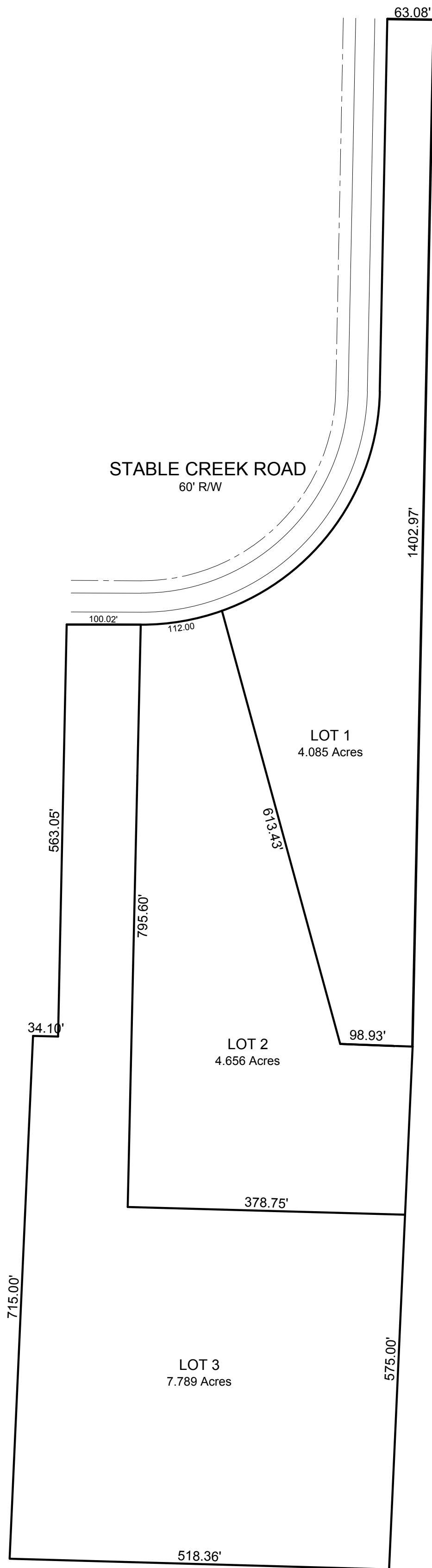
Revised Plat
Bay Chappell
Farms
RP-076-20

Rezoning
1292-20
A-R to R-72

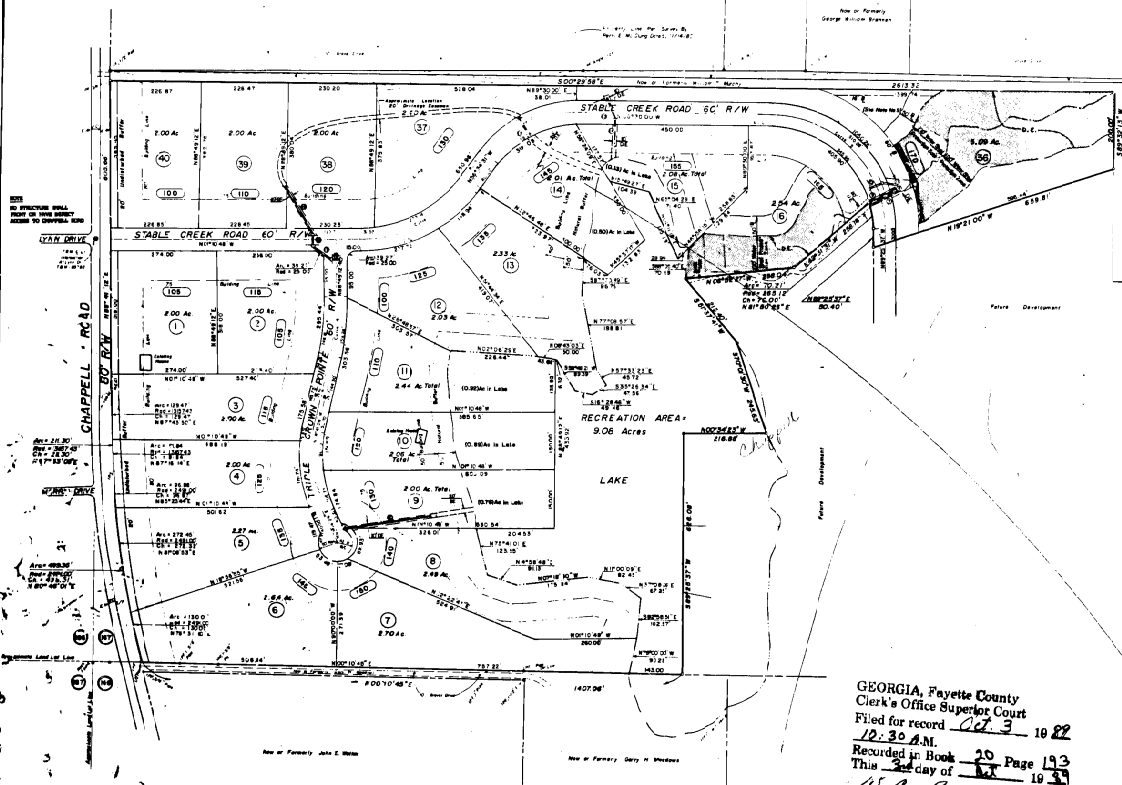


Rezoning 1292-20 & Revised Plat RP-076-20 Zoning Proximity





CURVE	ARC LENGTH	RADIUS	CHORD LENGTH	CHORD BEARING
C1	359.15'	325.00'	341.15'	N 32° 48' 46" E

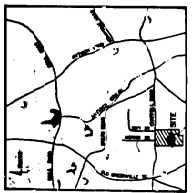


- LEGEND**
- SPV SEW PIPE
 - SW 200' FOR SWP
 - SWP SOLE OF FURNISHING
 - DR DRAINAGE DRAINAGE
 - CONV CONCRETE PAVING, ASP
 - CB CURB BUILT
 - FW FENCE
 - BL BILLBOARD LINE

- NOTES**
1. CONVEYING: TOWNSEND & COMPANY MORTGAGE CORPORATION, 120 BROADWAY, NEW YORK, N.Y. 10038, IS THE RECORD GRANTEE OF THE INTEREST IN THIS PROPERTY AS SHOWN ON THESE PLANS.
 2. RECORDING: CHERRY LANE VENTURES, INC., A SUCCESSOR IN INTEREST TO CHERRY LANE, INC., 10000 W. 10TH AVENUE, DENVER, CO 80202, IS THE RECORD GRANTEE OF THE INTEREST IN THIS PROPERTY AS SHOWN ON THESE PLANS.
 3. RECORDING: THE RECORD GRANTEE OF THE INTEREST IN THIS PROPERTY AS SHOWN ON THESE PLANS IS THE RECORD GRANTEE OF THE INTEREST IN THIS PROPERTY AS SHOWN ON THESE PLANS.
 4. RECORDING: THE RECORD GRANTEE OF THE INTEREST IN THIS PROPERTY AS SHOWN ON THESE PLANS IS THE RECORD GRANTEE OF THE INTEREST IN THIS PROPERTY AS SHOWN ON THESE PLANS.
 5. RECORDING: THE RECORD GRANTEE OF THE INTEREST IN THIS PROPERTY AS SHOWN ON THESE PLANS IS THE RECORD GRANTEE OF THE INTEREST IN THIS PROPERTY AS SHOWN ON THESE PLANS.
 6. RECORDING: THE RECORD GRANTEE OF THE INTEREST IN THIS PROPERTY AS SHOWN ON THESE PLANS IS THE RECORD GRANTEE OF THE INTEREST IN THIS PROPERTY AS SHOWN ON THESE PLANS.
 7. RECORDING: THE RECORD GRANTEE OF THE INTEREST IN THIS PROPERTY AS SHOWN ON THESE PLANS IS THE RECORD GRANTEE OF THE INTEREST IN THIS PROPERTY AS SHOWN ON THESE PLANS.
 8. RECORDING: THE RECORD GRANTEE OF THE INTEREST IN THIS PROPERTY AS SHOWN ON THESE PLANS IS THE RECORD GRANTEE OF THE INTEREST IN THIS PROPERTY AS SHOWN ON THESE PLANS.
 9. RECORDING: THE RECORD GRANTEE OF THE INTEREST IN THIS PROPERTY AS SHOWN ON THESE PLANS IS THE RECORD GRANTEE OF THE INTEREST IN THIS PROPERTY AS SHOWN ON THESE PLANS.
 10. RECORDING: THE RECORD GRANTEE OF THE INTEREST IN THIS PROPERTY AS SHOWN ON THESE PLANS IS THE RECORD GRANTEE OF THE INTEREST IN THIS PROPERTY AS SHOWN ON THESE PLANS.

GEORGIA, Fayette County
 Clerk's Office Superior Court
 Filed for record Oct 3 19 82
 12:30 A.M.
 Recorded in Book 20 Page 193
 This 3rd day of Oct 19 82
W. A. Ballard
 Clerk

*Disclamations of Covenants Conditions
 and Restrictions in Book 1573
 Page 78-100*



OWNER'S ACKNOWLEDGMENT

I, THE UNDERSIGNED OWNER OF THE PROPERTY SHOWN ON THIS PLAN HEREBY CERTIFY THAT I HAVE READ THE ENTIRE CONTENTS OF THIS PLAN AND THAT I AM FULLY SENSIBLE OF THE NATURE AND EXTENT OF THE RIGHTS AND OBLIGATIONS IMPOSED BY THE SAME. I HEREBY CERTIFY THAT I HAVE READ THE ENTIRE CONTENTS OF THIS PLAN AND THAT I AM FULLY SENSIBLE OF THE NATURE AND EXTENT OF THE RIGHTS AND OBLIGATIONS IMPOSED BY THE SAME.

TOWNSEND & COMPANY MORTGAGE CORPORATION
 DATE: 9-22-82
 TIME: 9:22-82
 PLACE: Chapel Hill, N.C.
 COUNTY: Fayette

PREPARED BY: Chapel Hill, N.C.
 DATE: 9-22-82
 COUNTY: Fayette

APPROVED BY DEPARTMENT OF PUBLIC HEALTH, FAYETTE COUNTY, GA.

I HEREBY CERTIFY THAT I HAVE READ THE ENTIRE CONTENTS OF THIS PLAN AND THAT I AM FULLY SENSIBLE OF THE NATURE AND EXTENT OF THE RIGHTS AND OBLIGATIONS IMPOSED BY THE SAME. I HEREBY CERTIFY THAT I HAVE READ THE ENTIRE CONTENTS OF THIS PLAN AND THAT I AM FULLY SENSIBLE OF THE NATURE AND EXTENT OF THE RIGHTS AND OBLIGATIONS IMPOSED BY THE SAME.

DATE: 9/22/82
 TIME: 9:22-82
 PLACE: Chapel Hill, N.C.
 COUNTY: Fayette

NO.	DATE	DESCRIPTION	AMOUNT
1	10/3/82	...	...
2	10/3/82	...	...
3	10/3/82	...	...
4	10/3/82	...	...
5	10/3/82	...	...
6	10/3/82	...	...
7	10/3/82	...	...
8	10/3/82	...	...
9	10/3/82	...	...
10	10/3/82	...	...
11	10/3/82	...	...
12	10/3/82	...	...
13	10/3/82	...	...
14	10/3/82	...	...
15	10/3/82	...	...
16	10/3/82	...	...
17	10/3/82	...	...
18	10/3/82	...	...
19	10/3/82	...	...
20	10/3/82	...	...

REVENUE AND EXPENSE STATEMENT

NO.	DATE	DESCRIPTION	AMOUNT
1	10/3/82	...	...
2	10/3/82	...	...
3	10/3/82	...	...
4	10/3/82	...	...
5	10/3/82	...	...
6	10/3/82	...	...
7	10/3/82	...	...
8	10/3/82	...	...
9	10/3/82	...	...
10	10/3/82	...	...



THIS PLAN HAS BEEN CALLED FOR BY THE RECORD GRANTEE OF THE INTEREST IN THIS PROPERTY AS SHOWN ON THESE PLANS. I HEREBY CERTIFY THAT I HAVE READ THE ENTIRE CONTENTS OF THIS PLAN AND THAT I AM FULLY SENSIBLE OF THE NATURE AND EXTENT OF THE RIGHTS AND OBLIGATIONS IMPOSED BY THE SAME.

DATE: 9/22/82
 TIME: 9:22-82
 PLACE: Chapel Hill, N.C.
 COUNTY: Fayette

FINAL PLAT
 OF
BAY CHAPPEL FARMS
 PHASE ONE

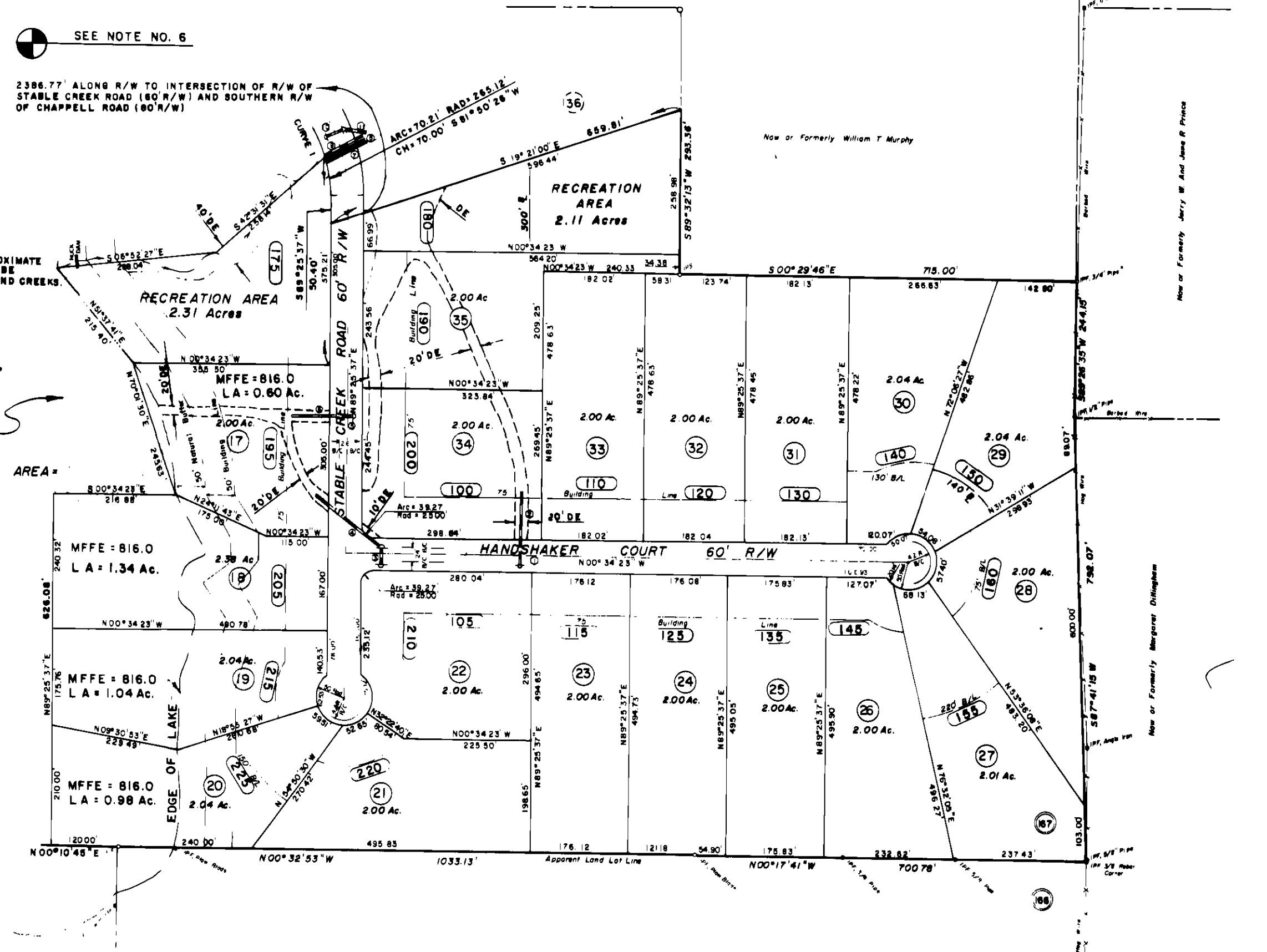
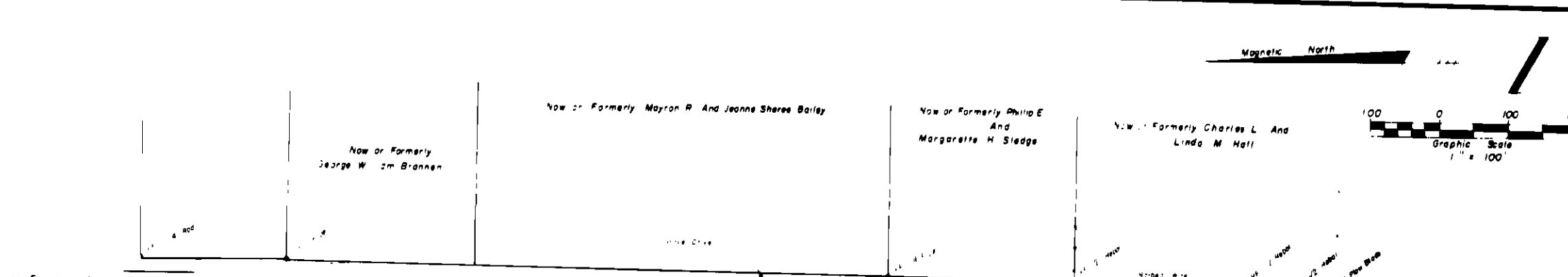
LAYD LOT #6
 4th DISTRICT
 FAYETTE COUNTY
 GEORGIA

DATE: 10/3/82
 TIME: 10:30-82
 PLACE: Chapel Hill, N.C.
 COUNTY: Fayette

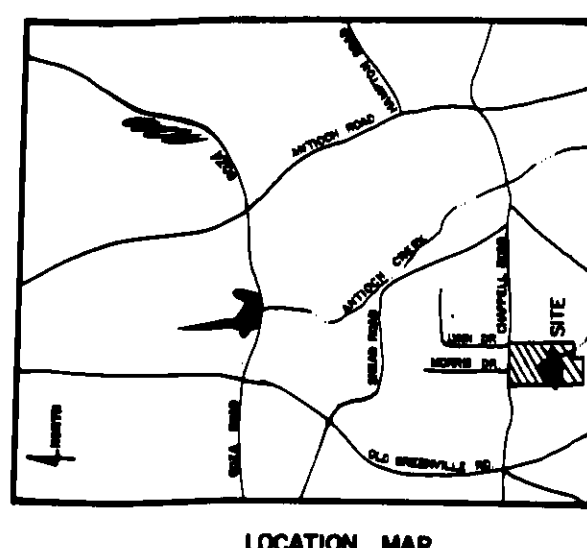
Baymark Engineering Corporation
 100 N. W. 10th St.
 Ft. Lauderdale, FL 33304

LEGEND
 IPP IRON PIN FOUND
 IPS IRON PIN SET
 E/P EDGE OF PAVEMENT
 DE DRAINAGE EASEMENT
 CNP CORRUGATED METAL PIPE
 CB CATCH BASIN
 RW ROADWAY
 BL BUILDING LINE
 MFFE MINIMUM FINISH FLOOR ELEVATION
 FPA FLOOD PLAIN AREA

GEORGIA, Fayette County
 Clerk's Superior Court
 Filed for record June 12, 1990
 3:10 P.M.
 Recorded in Book 21 Page 65
 This 12th day of June 1990
Walter Y. Private Clerk



- NOTES:**
- OWNER/DEVELOPER: THOMPSON & COMPANY MORTGAGE CORPORATION
 MR. ALEX THOMPSON
 105 HANDBRUSH PARK
 SUITE F
 FAYETTEVILLE, GA 30214
 (404) 461-2113
 - ENGINEER: CHAPMAN LAND VENTURES, INC.
 4 EXECUTIVE PARK DRIVE
 SUITE 2408
 ATLANTA, GA 30329
 (404) 728-8773
 - BOUNDARY INFORMATION TAKEN FROM PLAT BY BENCHMARK ENGINEERING CORPORATION TITLED "BOUNDARY SURVEY FOR THOMPSON & COMPANY MORTGAGE CORPORATION DATED NOVEMBER 9, 1988.
 - CURRENT ZONING = R-60
 MINIMUM LOT SIZE = 3.00 ACRES
 FRONT BUILDING LINE = 78'
 SIDE BUILDING LINE = 15'
 REAR BUILDING LINE = 30'
 - TOTAL TRACT = 45.74 ACRES
 TOTAL NUMBER OF LOTS IN THIS PHASE = 19
 - T.B.M. - CENTERLINE INTERSECTION OF CHAPPELL ROAD AND STABLE CREEK ROAD; ELEVATION = 897.82.
 - THIS TRACT DOES NOT LIE WITHIN A 100 YEAR FLOOD PLAIN PER INSURANCE RATE MAP COMMUNITY PANEL NUMBER 150482 0095A FAYETTE COUNTY, GEORGIA, DATED JULY 8, 1983.
 - LOTS TO BE SERVED BY INDIVIDUAL SEPTIC TANKS.



OWNER'S ACKNOWLEDGEMENT

WE, THE UNDERSIGNED OWNERS OF THE PROPERTY SHOWN ON THIS PLAT HEREBY OFFER TO DEDICATE AND/OR RESERVE FOR PUBLIC USE THE RIGHT-OF-WAY, EASEMENTS, AND OTHER GROUND SO SHOWN.

OWNER: Walter Y. Private DATE: 5-30-90

FINAL PLAT APPROVED BY COUNTY ENGINEER OF FAYETTE COUNTY, GEORGIA, ALL AS-BUILT PLANS HAVE BEEN APPROVED.

DATE: 6-8-90 SIGNED: Linda A. Shortt
 County Engineer

APPROVED BY FAYETTEVILLE - FAYETTE COUNTY PLANNING COMMISSION

DATE: 6-8-90 SIGNED: John S. Moore
 Secretary

APPROVED BY FAYETTE COUNTY ZONING ADMINISTRATOR

DATE: 6-8-90 SIGNED: Perry Heist
 Secretary

APPROVED BY DEPARTMENT OF PUBLIC HEALTH, FAYETTE COUNTY, GA.

THIS PLAT HAS BEEN REVIEWED BY A REPRESENTATIVE OF THE FAYETTE COUNTY HEALTH DEPARTMENT AND BASED ON REGULATION TEST RESULTS, LAY OF THE LAND, SOIL INFORMATION, ETC., THIS LAND APPEARS TO BE SUITABLE FOR THE INSTALLATION OF SEPTIC TANKS AND DRAIN FIELDS; HOWEVER, EACH LOT WILL HAVE TO BE INSPECTED TO DETERMINE LOCATION OF HOUSE, STYLE OF HOUSE, ETC. BEFORE FINAL APPROVAL CAN BE ISSUED. SEE LETTER.

DATE: MARCH 2, 1990 SIGNED: Walter Y. Private
 Environmental Health Specialist

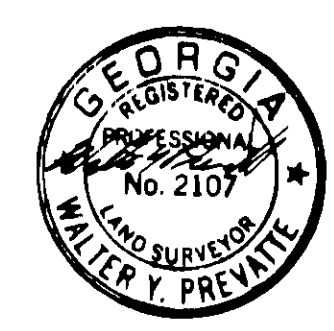
SURVEYOR'S ACKNOWLEDGEMENT

I CERTIFY THAT ALL MEASUREMENTS ARE CORRECT AND WERE PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE UNDER MY SUPERVISION; THAT MONUMENT LOCATIONS ARE CORRECTLY SHOWN; AND THAT THE PROPERTY WILL DRAIN AS SHOWN. MONUMENTS ARE SHOWN BY IRON PINS.

DATE: 5-30-90 SIGNED: Walter Y. Private
 WALTER Y. PRIVATE GA REG # 2107

PIPE CHART

NO.	LENGTH	PIPE STRUCTURE
(1)	100'	12" 40' 00" - 00"
(2)	100'	12" 00' 00" - 00"
(3)	30'	12" 00' 00" - 00"
(4)	150'	12" 00' 00" - 00"
(5)	30'	12" 00' 00" - 00"
(6)	80'	12" 00' 00" - 00"
(7)	80'	12" 00' 00" - 00"
(8)	80'	12" 00' 00" - 00"
(9)	30'	12" 00' 00" - 00"
(10)	30'	12" 00' 00" - 00"
(11)	30'	12" 00' 00" - 00"
(12)	30'	12" 00' 00" - 00"
(13)	30'	12" 00' 00" - 00"
(14)	30'	12" 00' 00" - 00"
(15)	30'	12" 00' 00" - 00"
(16)	30'	12" 00' 00" - 00"
(17)	30'	12" 00' 00" - 00"
(18)	30'	12" 00' 00" - 00"
(19)	30'	12" 00' 00" - 00"
(20)	30'	12" 00' 00" - 00"
(21)	30'	12" 00' 00" - 00"
(22)	30'	12" 00' 00" - 00"
(23)	30'	12" 00' 00" - 00"
(24)	30'	12" 00' 00" - 00"
(25)	30'	12" 00' 00" - 00"
(26)	30'	12" 00' 00" - 00"
(27)	30'	12" 00' 00" - 00"
(28)	30'	12" 00' 00" - 00"
(29)	30'	12" 00' 00" - 00"
(30)	30'	12" 00' 00" - 00"
(31)	30'	12" 00' 00" - 00"
(32)	30'	12" 00' 00" - 00"
(33)	30'	12" 00' 00" - 00"
(34)	30'	12" 00' 00" - 00"
(35)	30'	12" 00' 00" - 00"
(36)	30'	12" 00' 00" - 00"



CENTRALLINE CURVE DATA

NO.	Δ	RAD	ARC	TAN	CH
1	39°04'07"	327.98'	223.34'	116.23'	210.07'

THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE PRECISION OF AT LEAST ONE FOOT IN 10,000 FEET AND AN ANGULAR ERROR OF ONE SECOND PER ANGULAR POINT, AND WAS ADJUSTED USING COMPASS RULE.

FIELD INFORMATION WAS OBTAINED WITH E.C.M. EQUIPMENT, STEEL TAPE, AND THEODOLITE.

THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN AT LEAST ONE FOOT IN 10,000 FEET.

Walter Y. Private
 WALTER Y. PRIVATE GA REG # 2107

FAYETTE COUNTY DOES NOT ACCEPT THE OWNERSHIP, MAINTENANCE, OR RESPONSIBILITY FOR ANY DRAINAGE EASEMENT OR OVERALL DRAINAGE PLAN, OR THE LACK OF ONE, INDICATED BY THIS PLAT.

FINAL PLAT OF BAY CHAPPELL FARMS PHASE TWO

LAND LOT 167 4th DISTRICT FAYETTE COUNTY GEORGIA

CONVEYED BY: BENCHMARK ENGINEERING CORPORATION

Benchmark Engineering Corporation
 116 Commerce Park Drive
 Fayetteville, GA 30214
 404-461-2113

DATE: 4-18-90
 SEE GRAPHIC SCALE
 JOB NO. 888-00
 FILE NO. 12-100

LEADS: IRON PIP FOUND
 119 IRON PIPE SET
 R/P EDGE OF PAYMENT
 DE INSURANCE SURVEY
 CH COMBUSTIBLE METAL PIPE
 CO CATCH BASIN
 BL BRASS
 W BUILDING LINE

GEORGIA Fayette County
 Clerk's Office
 Filed 7-29-92
 2:24 PM
 This is a Public Record
 Class

Book Aug 92 115-2
36

REVISION NO. 1

OWNER'S ACKNOWLEDGMENT

WE, THE UNDERSIGNED OWNERS OF THE PROPERTY SHOWN ON THIS PLAN HEREBY CERTIFY THAT WE HAVE READ AND UNDERSTAND THE CONTENTS OF THIS PLAN, AND WE AGREE TO BE BOUND BY THE TERMS, CONDITIONS, AND OTHER PROVISIONS THEREON.

OWNER: Raymond L. Chappell DATE: July 2, 1992

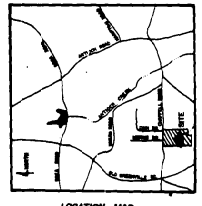
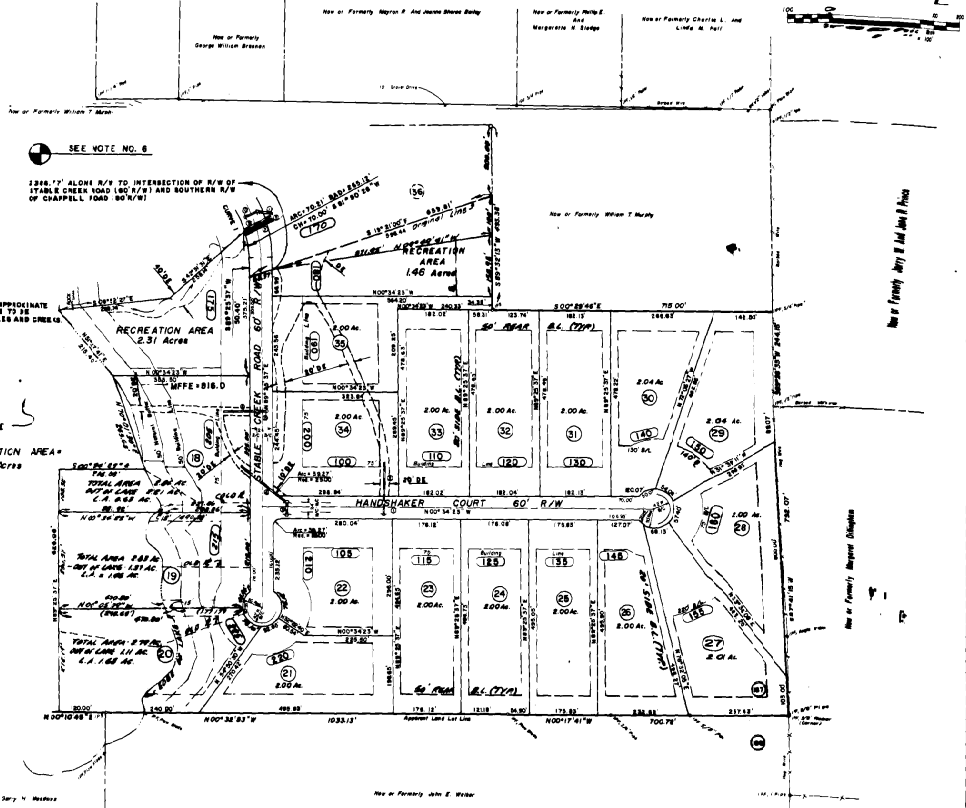
OWNER: Raymond L. Chappell DATE: 7/23/92

FINAL PLAN APPROVED BY COUNTY ENGINEER OF FAYETTE COUNTY.
 ALL NECESSARY FEES PAID AS REQUIRED.
 DATE: 7-29-92 ENGINEER: John S. Moore
 APPROVED BY FAYETTEVILLE - FAYETTE COUNTY PLANNING COMMISSION
 DATE: 7-29-92 SIGNER: John S. Moore

NOTE: ALL DRAINAGE ELEVATIONS SHOWN ARE APPROXIMATE IN LOCATION. DRAINAGE ELEVATIONS ARE TO BE CENTERED ON EXISTING BUILDINGS, WALLS AND CURBS.

REVISION 1: 7-28-92 BAY CHAPPELL FARMS PHASE ONE
 APPROVED BY FAYETTE COUNTY ZONING ADMINISTRATOR
 DATE: 7-29-92 SIGNED: John S. Moore

- OWNER/DEVELOPER: Barnett Bank
 Most Lanier Avenue
 Fayetteville, GA 30214
- ENGINEER: CHAPMAN LADD VENTURES, INC.
 4 BREVORT PARK DRIVE
 SUITE 200
 ATLANTA, GA 30319
 (404) 725-8713
- BOUNDARY INFORMATION TAKEN FROM PLAT BY ARCHITECT ENGINEERS/PLANNERS CORPORATION TITLED "BOUNDARY SURVEY FOR THOMPSON & COMPANY INCORPORATION COMPLETED NOVEMBER 9, 1988"
- CURRENT ZONING: R-100
 MINIMUM LOT SIZE: 7.00 ACRES
 FRONT BUILDING LINE: 75'
 SIDE BUILDING LINE: 50'
 REAR BUILDING LINE: 50'
- TOTAL TRACT: 43.00 ACRES
 TOTAL NUMBER OF LOTS IN THIS PHASE: 18
- U.S.M. - CONTROLLING JURISDICTION OF CHAPPELL ROAD AND STANICE CREEK ROAD; ELEVATION = 837.82
- THIS TRACT DOES NOT LIE WITHIN A 100 YEAR FLOOD PLAIN PER FLOODPLAIN MAPS AND COMMUNITY PANEL NUMBER 30306 DOWNS FAYETTE COUNTY, GEORGIA. DATED JULY 9, 1983
- LOTS TO BE SERVED BY INDIVIDUAL SEPTIC TANKS.



OWNER'S ACKNOWLEDGMENT

WE, THE UNDERSIGNED OWNERS OF THE PROPERTY SHOWN ON THIS PLAN HEREBY CERTIFY THAT WE HAVE READ AND UNDERSTAND THE CONTENTS OF THIS PLAN, AND WE AGREE TO BE BOUND BY THE TERMS, CONDITIONS, AND OTHER PROVISIONS THEREON.

OWNER: Raymond L. Chappell DATE: 5-29-90

DATE: 5-29-90 SIGNER: John S. Moore

APPROVED BY FAYETTEVILLE - FAYETTE COUNTY PLANNING COMMISSION

DATE: 5-29-90 SIGNER: John S. Moore

APPROVED BY FAYETTE COUNTY ZONING ADMINISTRATOR
 DATE: 5-29-90 SIGNER: Ray Hest

APPROVED BY DEPARTMENT OF PUBLIC HEALTH FAYETTE COUNTY, GA.

THIS PLAN HAS BEEN REVIEWED BY A REPRESENTATIVE OF THE FAYETTE COUNTY HEALTH DEPARTMENT AND FOUND TO BE IN ACCORDANCE WITH THE HEALTH AND SAFETY OF THE COMMUNITY. THIS PLAN WILL BE ACCEPTED FOR THE REGISTRATION OF SEPTIC TANKS AND DRAIN FIELD LOCATIONS AND WILL BE USED TO DETERMINE THE LOCATION OF SEPTIC TANKS AND DRAIN FIELDS.

DATE: MARCH 2, 1990 SIGNER: John S. Moore

SUPERVISOR'S ACKNOWLEDGMENT

I CERTIFY THAT ALL MEASUREMENTS ARE CORRECT AND HAVE BEEN MADE IN ACCORDANCE WITH THE HEALTH AND SAFETY OF THE COMMUNITY. THIS PLAN WILL BE ACCEPTED FOR THE REGISTRATION OF SEPTIC TANKS AND DRAIN FIELDS.

DATE: MARCH 2, 1990 SIGNER: John S. Moore

WALTER T. FRENCH JR. OR 888 1 2307



LOT	AREA	PERCENTAGE
1	2.00	4.65
2	2.00	4.65
3	2.00	4.65
4	2.00	4.65
5	2.00	4.65
6	2.00	4.65
7	2.00	4.65
8	2.00	4.65
9	2.00	4.65
10	2.00	4.65
11	2.00	4.65
12	2.00	4.65
13	2.00	4.65
14	2.00	4.65
15	2.00	4.65
16	2.00	4.65
17	2.00	4.65
18	2.00	4.65

THE FIELD DATA UPON WHICH THIS PLAN IS BASED WAS OBTAINED BY MEASUREMENTS AT AT LEAST ONE FOOT TO 10.00 FEET AND BY MEASUREMENTS OF THE DISTANCE FROM AN ADJACENT PUBLIC CORNER POINT. THE DISTANCES FROM CORNER POINTS TO THE CENTER OF THE FIELD INFORMATION WAS OBTAINED WITH THE FOLLOWING INSTRUMENTS: TOTAL STATION, THEODOLITE, AND LEVEL.

FIELD INFORMATION WAS OBTAINED WITH THE FOLLOWING INSTRUMENTS: TOTAL STATION, THEODOLITE, AND LEVEL.

FIELD INFORMATION WAS OBTAINED WITH THE FOLLOWING INSTRUMENTS: TOTAL STATION, THEODOLITE, AND LEVEL.

DATE: 5-29-90 SIGNER: John S. Moore

APPROVED BY FAYETTE COUNTY ZONING ADMINISTRATOR

REVISOR'S ACKNOWLEDGMENT

DATE: 5-29-90 SIGNER: John S. Moore

APPROVED BY FAYETTE COUNTY ZONING ADMINISTRATOR

REVISED FINAL PLAN OF BAY CHAPPELL FARMS PHASE TWO

LAND LOT 1867

FAYETTE COUNTY

ENGINEER: John S. Moore

DATE: 5-29-90

APPROVED BY FAYETTE COUNTY ZONING ADMINISTRATOR

DATE: 5-29-90 SIGNER: Ray Hest

STEVEN L. JONES



siones@boviskyle.com
Main: (770) 391-9100
Direct: (678) 338-3902
Cell: (404) 218-2756
Fax: (770) 668-0878

Thursday, July 23, 2020

VIA EMAIL (pfrisina@fayettecountyga.gov)

Mr. Pete Frisina, Director
Fayette County Department of Planning and Zoning
Stonewall Administrative Complex
140 Stonewall Avenue, West
Suite 202
Fayetteville, Georgia 30214
pfrisina@fayettecountyga.gov

**RE: Rezoning Application – TPN: 0434 097; and
Application to Revise a Recorded Plat – TPNs: 0434 02017; 0434 03021; and a portion
of 0434 097**

Dear Mr. Frisina:

Please accept this as a Letter of Intent for the following applications previously filed with your office:

- (a) an Application to Amend the Official Zoning Map of Fayette County, Georgia Number 1292-20 (the “**Rezoning Application**”) regarding Fayette County Tax Assessor Parcel Identification Number (“**TPN(s)**”) 0434 097 (10 acres); and
- (b) an Application to Revise a Recorded Plat Number RP-076-20 (the “**Plat Revision Application**”) regarding TPNs: 0434 02017; 0434 03021; and a portion of 0434 097 (collectively, 16.53 acres).

The goal of the Plat Revision Application and the Rezoning Application (collectively, the “**Applications**”) is to revise the final plats for the single-family residential neighborhood known as Bay Chappell Farms (“**Bay Chappell Farms**” or the “**Neighborhood**”) to combine portions of three (3) parcels each within the Neighborhood and one (1) parcel contiguous with the Neighborhood to create three (3) single-family residential R-72 lots of four (4) acres or more all within the Neighborhood, as shown on the concept plan (the “**Concept Plan**”) attached hereto as Exhibit “A” and previously submitted along with the Plat Revision Application.

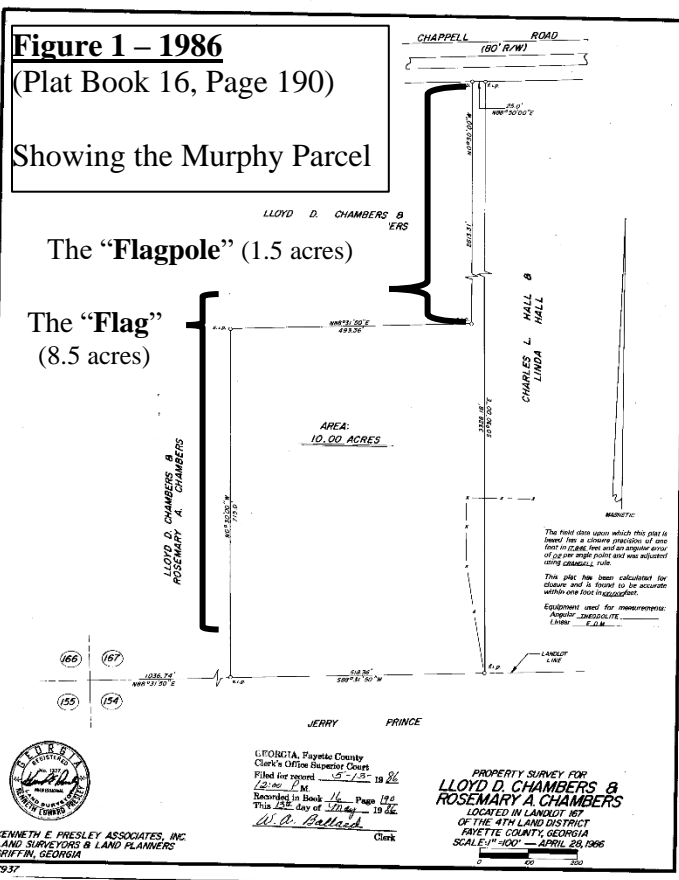
This Letter of Intent details the history of the parcels the subject of the Applications, the necessity for the Applications, and, finally, the specifics of the Applications.

Mr. Pete Frisina
 Thursday, July 23, 2020
 Page 2

I. HISTORY OF PARCELS

A. The Murphy Parcel

In 1986, Mr. William T. Murphy (“**Mr. Murphy**”) acquired from Mr. Lloyd D. and Mrs. Rosemary A. Chambers (the “**Chamberses**”) a ten (10) acre “flag lot” fronting on Chappell Road, identified as TPN 0434 097 (the “**Murphy Parcel**”), and shown in Figure 1 below. (*Deed Book 386, Page 786*).¹ The Murphy Parcel is south of Chappell Road between Brooks Woolsey Road and Old Greenville Road in unincorporated Fayette County. The flagpole portion of the Murphy Parcel is a *twenty-five foot (25’) wide, 2,613.31 foot long, one and a half (1.5) acre strip of land* (the “**Flagpole**”). At the time Mr. Murphy acquired the Murphy Parcel, the Flagpole was intended to serve as a driveway for the *eight and a half (8.5) acre flag-shaped portion* (the “**Flag**”) of the Murphy Parcel. (*Plat Book 16 Page 190* (Plat of the Murphy Parcel)).



Under the Zoning Ordinance of Fayette County, Georgia (the “**Zoning Ordinance**”),² the Murphy Parcel has always been zoned Agricultural-Residential District (“**A-R**”).

Over time, changes in water courses that now cover a significant portion of the Flagpole and the exponentially increasing cost of paving the approximately *one half (1/2) mile long Flagpole* have made it practically and economically unfeasible to construct a driveway along the length of the Flagpole. As a result, the Murphy Parcel is practically land locked for purposes of development.

¹ All references in this letter to a Deed Book or Plat Book are references to those books in the Real Estate Records of the Clerk of Superior Court of Fayette County, Georgia.

² Chapter 110 of the Code of Ordinances of Fayette County, Georgia.

Mr. Pete Frisina
 Thursday, July 23, 2020
 Page 3

B. Bay Chappell Farms

In 1988—after Mr. Murphy acquired the Murphy Parcel—Thompson & Company Mortgage Corporation (“**Thompson**”) acquired from the Chamberses 107.81 acres (shaded orange below) contiguous with the Murphy Parcel (shaded blue below). (*Deed Book 529, Page 506*). Thompson developed those 107.81 acres into the single-family residential subdivision known as Bay Chappell Farms which is south of, and accessed via, Chappell Road. (*Plat Book 20, Page 193* (Plat of Bay Chappell Farms Phase I); *Plat Book 21, Page 193* (Plat of Bay Chappell Farms Phase II)). There are thirty-six (36) lots (“**Lot(s)**”) in the Neighborhood. Unlike the Murphy Parcel, the Neighborhood is zoned R-72, Single-Family Residential District (“**R-72**”). The R-72 zoning district allows for the development of lots of two (2) or more acres in size. The Lots in the Neighborhood range in size from two (2) to five (5) acres.



**Figure 2 - Zoning
 Map (2020)**

Showing:

Bay Chappell Farms
 (shaded orange); and

The Murphy Parcel
 (shaded blue).

Mr. Pete Frisina
 Thursday, July 23, 2020
 Page 4

C. The Carne Parcel

In 1990, Mr. Richard E. Carne (“**Mr. Carne**”) acquired, from Thompson, Lot 36 of Bay Chappell Farms (the “**Original Carne Parcel**”) (shaded orange below). (*Deed Book 592, Page 263*). Lot 36 was originally platted as a 5.075 +/- acre parcel. (*See Plat Book 20, Page 193* (Plat of Bay Chappell Farms Phase I); *Plat Book 21, Page 193* (Plat of Bay Chappell Farms Phase II)).

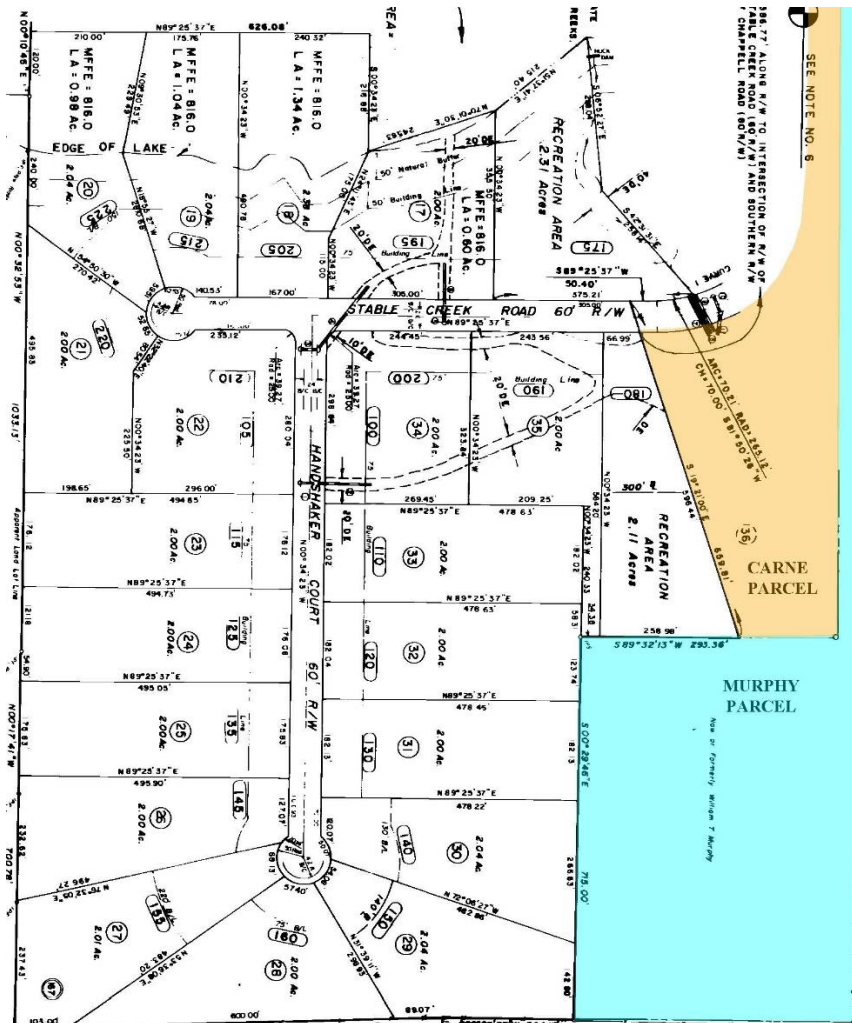


Figure 3 - 1990
 Showing:
 The Original Carne Parcel (shaded orange);
 and
 The Murphy Parcel (shaded blue).

Mr. Pete Frisina
Thursday, July 23, 2020
Page 5

D. The Recreation Area

In 1991, Thompson, in lieu of foreclosure, conveyed to Barnett Bank of Fayette County (“Barnett”) via a Warranty Deed the undeveloped portions of the neighborhood, including parcels originally platted—but never developed or used—as common, recreation areas (shaded yellow below). (See Deed Book 642, Page 587).

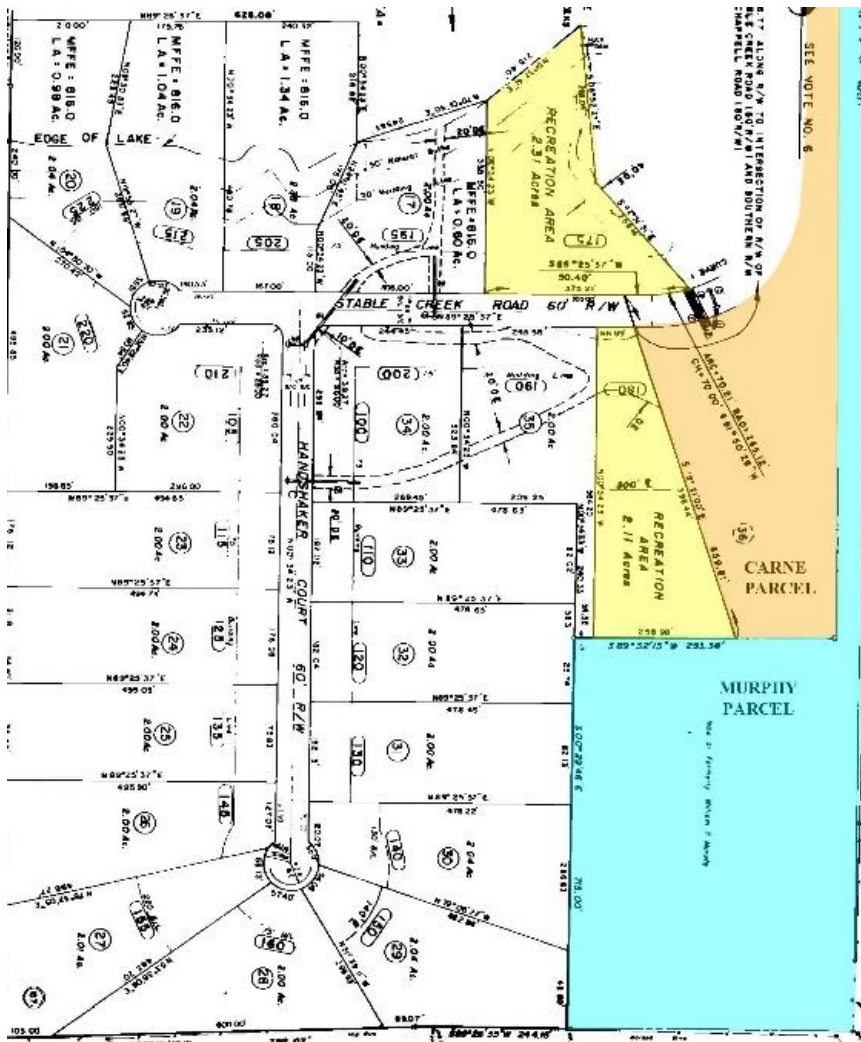


Figure 4- 1991
Showing:
The recreation areas (shaded yellow);
The Original Carne Parcel (shaded orange); and
The Murphy Parcel (shaded blue).

Mr. Pete Frisina
 Thursday, July 23, 2020
 Page 6

E. The Recreation Area (Continued)

In 1992, Mr. Carne acquired 0.67 acres of the southernmost recreation area (shaded orange and outlined with a black cloud line below), and the plat for the Neighborhood was revised to reflect this acquisition. (*Deed Book 780, Page 237; Plat Book 23, Pg. 36*). After acquiring that portion of the southernmost recreation area, Mr. Carne’s parcel consisted of 5.745 acres (the “**1992 Carne Parcel**,” shaded orange below). As a result, the remainder of the southernmost recreation area consists of 1.46 acres (the “**Recreation Area Parcel**,” shaded yellow below) identified as TPN 0434 03021.

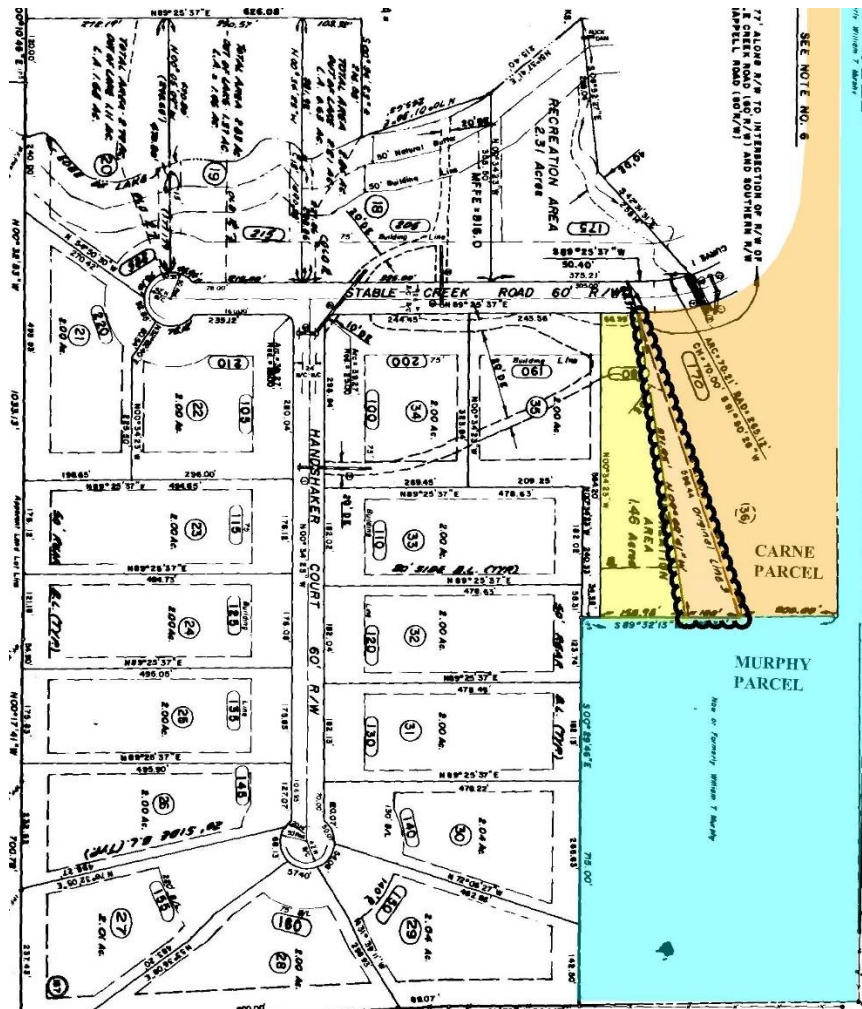


Figure 5 – 1992

Showing:

- The Recreation Area Parcel (shaded yellow);
- The 1992 Carne Parcel, (shaded orange) including the portion of the southernmost recreation area acquired by Mr. Carne in 1992 (outlined by a black cloud line); and
- The Murphy Parcel (shaded blue).

Mr. Pete Frisina
Thursday, July 23, 2020
Page 7

F. The Recreation Area (Continued)

In 2008, due to Barnett's failure to pay ad valorem taxes due, the Recreation Area Parcel (shaded blue and outlined with a black cloud line below) was sold by the Sheriff of Fayette County, Georgia at a tax sale to Mr. Murphy. (*Deed Book 3438, Page 233*). The Recreation Area Parcel is wooded and has *never been developed or used as a recreation area* for Bay Chappell Farms.

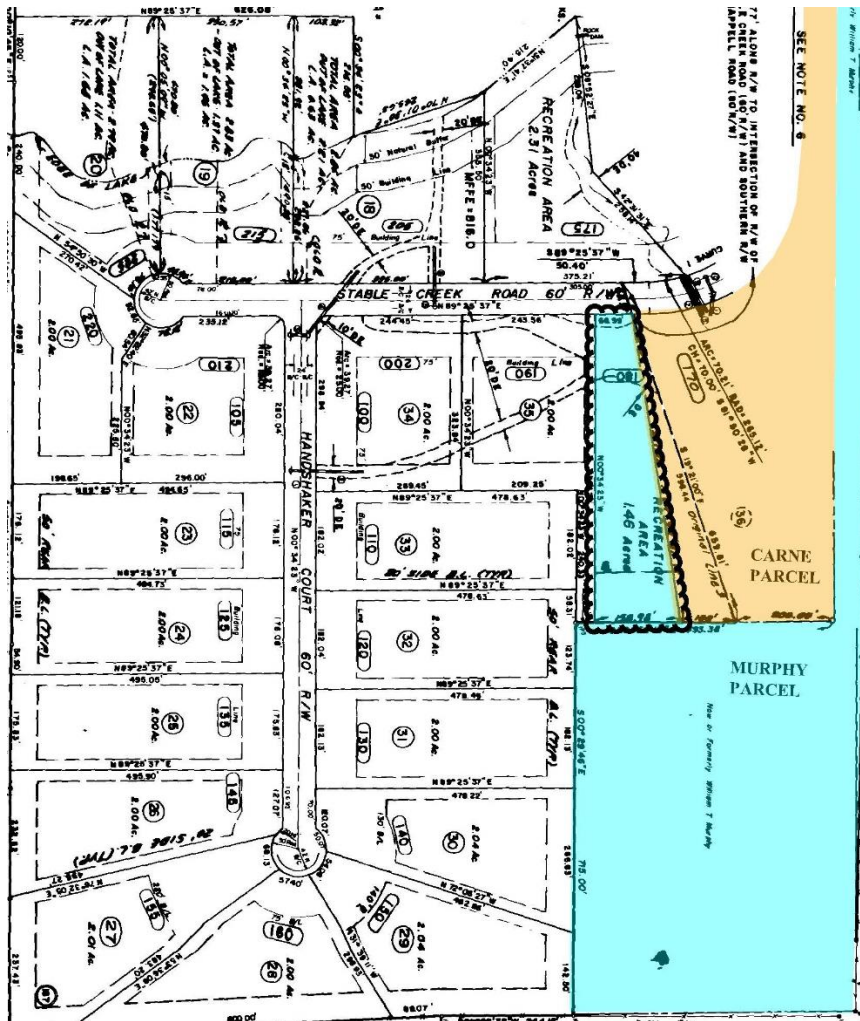


Figure 6 - 2008

Showing:

- The Recreation Area Parcel (shaded blue and outlined by a black cloud line);
- The 1992 Carne Parcel (shaded orange); and
- The Murphy Parcel (shaded blue).

Mr. Pete Frisina
 Thursday, July 23, 2020
 Page 8

G. The Williams Parcel

On January 23, 2020, the Fayette County Board of Commissioners (the “**Board of Commissioners**”) approved an Application to Revise a Recorded Plat authorizing a revision of the plat for the Neighborhood subdividing the Carne Parcel into two parcels—a 3.281 acre parcel on which Mr. Carnes’ residence is located (the “**2020 Carne Parcel**,” shaded orange below) and a 2.464 acre parcel on which Mr. Carne’s daughter and son-in-law, Mr. Eric and Ms. Cynthia Williams (the “**Williamses**”), intend to build a single-family home (the “**Williams Parcel**,” shaded purple below). A plat and deed effectuating this subdivision have not yet been recorded. The Williamses have since moved in with Mr. Carne on the 2020 Carne Parcel in anticipation of building their dream home on the Williams Parcel.

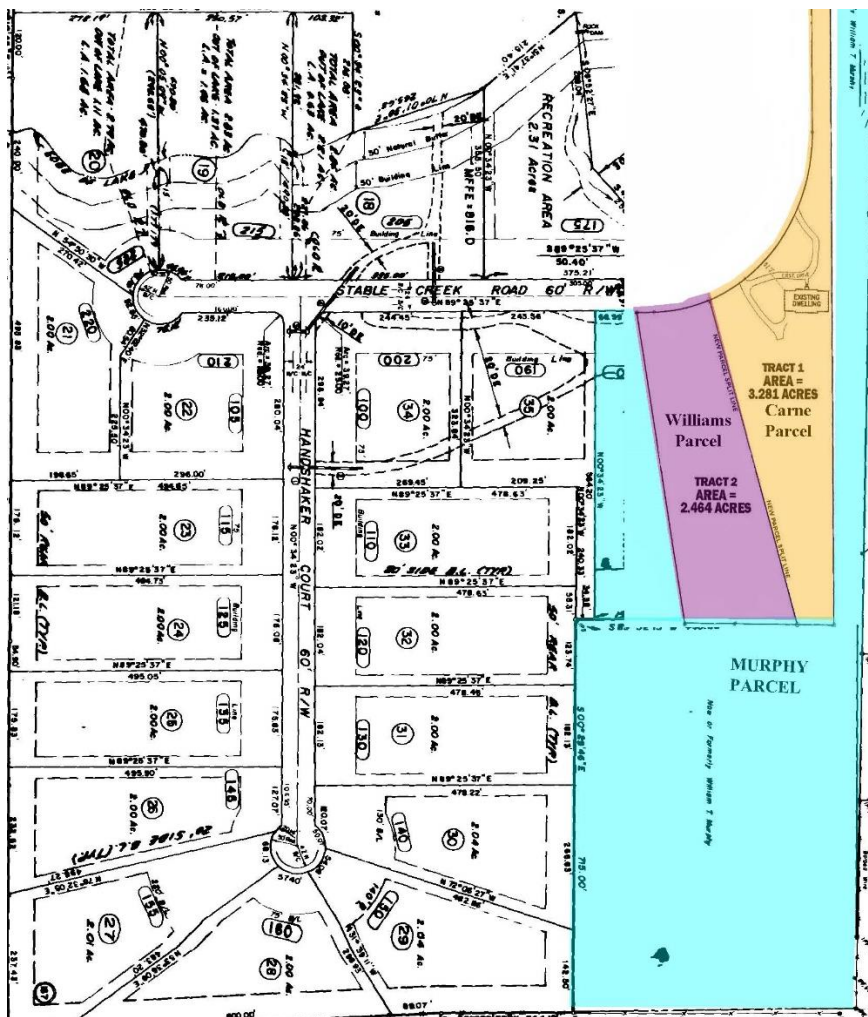


Figure 7 – 2020

Showing:

- The Williams Parcel (shaded purple);
- The 2020 Carne Parcel (shaded orange);
- The Murphy Parcel (shaded blue); and
- The Recreation Area Parcel (also shaded blue).

Mr. Pete Frisina
Thursday, July 23, 2020
Page 9

II. THE NEED FOR THE APPLICATIONS

A. The Murphy Parcel

Due to its heavy forestation, limited acreage, limited actual and potential road frontage, and its location around residentially zoned parcels, the only economically viable use for the Murphy Parcel is development as one (1) single-family residential lot. The Code of Fayette County, Georgia requires the Murphy Parcel to be accessed via a driveway from Chappell Road—the only road on which the Murphy Parcel has road frontage. However, a one and a half (1.5) mile long driveway running the length of the Flagpole portion of the Murphy Parcel cannot economically, feasibly, or practically be constructed due to hydrological features that have changed since Mr. Murphy acquired the property and the ever-increasing cost of constructing a driveway. (See Exhibit “B” attached hereto (*U.S. Bureau of Labor Statistics, Producer Price Index by Industry: Cement and Concrete Product Manufacturing*, FRED, FEDERAL RESERVE BANK OF ST. LOUIS, <https://fred.stlouisfed.org/series/PCU32733273>, (last accessed June 10, 2020)). As a result, as currently zoned, the Murphy Parcel is without an economically viable use.

Section 110-67(b) of the Zoning Ordinance requires that all residential lots have at least one hundred feet (100’) of immediate street frontage “maintained from the lot’s frontage on the street to the body of the lot where the minimum lot width is met.” Because it was platted before Section 110-67(b) was enacted, the Murphy Parcel, with respect to its twenty-five feet (25’) of frontage on Chappell Road, is a legal nonconforming lot. (See Zoning Ordinance § 110-170(a) (Nonconforming Lots)). Thus, the Murphy Parcel could be developed as currently zoned with one (1) single-family residence, but it is neither economically nor practically feasible to construct a driveway the length of the Flagpole.

Every residential lot must have a driveway that accesses a street on which it has frontage. (See Section 104-55(c) of the Development Regulations of Fayette County Georgia (the “**Development Regulations**”)).³ Under certain circumstances, Section 110-67(b) of the Zoning Ordinance permits landlocked lots to be accessed via easement drives. The Murphy Parcel, however, is not landlocked because it has some frontage on Chappell Road via its half (1/2) mile long Flagpole. (See Zoning Ordinance Section 110-3 (A “landlocked lot” is “a lot having *no* road frontage on a street.” (emphasis added))). Therefore, the Murphy Parcel is not eligible for an easement driveway, and it is impractical, economically unfeasible, and, thus, impossible for a driveway to be constructed along the entirety of the Flagpole to Chappell Road.

Based on the above, for a driveway to be constructed to the Murphy Parcel that is economically feasible and practically viable, the driveway must be constructed through land other than the Flagpole. The Recreation Area, since it is owned by Mr. Murphy, is a viable path for a driveway. But, because the Recreation Area Parcel was platted as a recreation area, the plat for the Neighborhood must be revised. (Development Regulations Section 104-595(2)(j)). Additionally, to afford the Murphy Parcel and the Recreation Area Parcel (as combined) one hundred feet (100’) of road frontage, those parcels must be combined with a portion of the Williams Parcel as one (1)

³ Chapter 104 of the Code of Fayette County, Georgia.

Mr. Pete Frisina
 Thursday, July 23, 2020
 Page 10

Lot on the plat for the Neighborhood.

B. The Williams Parcel

The Board of Commissioner's approval of the division of the Carne Parcel to create the Williams Parcel and the 2020 Carne Parcel has afforded the Williamses a homesite next to family. In order to expand the potential home sites on the Williams Parcel, the Williamses desire to increase the width and acreage of their Lot. Specifically, the Williamses would like to acquire a portion of the Recreation Area Parcel and two (2) acres of the Murphy Parcel. If the Applications are approved, the Williamses will construct their house entirely on the two (2) acres they will acquire from the Murphy Parcel.

C. The Carne Parcel

Mr. Carne would like to construct (in the same architectural style as his home) a free-standing garage behind his home on the rear, southeastern portion of his property. Finding an ideal location for the garage on the Carne Parcel, however, has proven difficult due to existing flood plain and setbacks under the Zoning Ordinance. To provide him with additional area to site a garage, Mr. Carne would like to acquire the portion of the Flagpole that is contiguous with the 2020 Carne Parcel.

III. THE APPLICATIONS

A. The Plat Revision Application

To afford the Murphy Parcel an economically viable use under the Zoning Ordinance and the Development Regulations, give the Williams Parcel a large buildable area, and give the Carne Parcel a location for a free-standing garage, the Plat Revision Application seeks to take four (4) parcels—(i) the Murphy Parcel (shaded blue in Figure 8 on page 11 below); (ii) the Recreation Area Parcel (also shaded blue in Figure 8); (iii) the Williams Parcel (shaded purple in Figure 8); and (iv) the 2020 Carne Parcel (shaded orange in Figure 8)—and create three (3) Lots all within the Neighborhood.

The resulting Lots would be as depicted on the Concept Plan (Exhibit "A") submitted with the Plat Revision Application. Figure 8 overlays the boundary lines for the Lots shown on the Concept Plan with the existing boundary lines shown in Figure 7 above for (a) the Murphy Parcel; (b) the Recreation Area Parcel; (c) the Williams Parcel; (d) the Carne Parcel; and (e) the surrounding Lots in the Neighborhood. Also on Figure 8, the Lots proposed by the Plat Revision Application are labeled Lot 1, Lot 2, and Lot 3 and outlined with a black dashdotted line. Specifically, the Lots shown on the Concept Plan are comprised as follows:

Lot 1 – 4.085 +/- acres to be owned by Mr. Carne and consisting of the following:

- (a) the *2020 Carne Parcel* (shaded orange in Figure 8); and
- (b) the portion of the *Flagpole of the Murphy Parcel* (shaded blue in Figure 8 below)

Mr. Pete Frisina
 Thursday, July 23, 2020
 Page 11

contiguous with the 2020 Carne Parcel.

Lot 2 – 4.656 +/- acres to be owned by Williamses consisting of the following:

- (a) the *Williams Parcel* (shaded purple in Figure 8) (less the approximately 0.08 +/- of an acre to be included in Lot 3 as described below);
- (b) two (2) +/- acres from the *Flag of the Murphy Parcel*; and
- (c) approximately 0.24 +/- of an acre of the *Recreation Area Parcel*.

Lot 3 – 7.789 +/- acres to be owned by Mr. Murphy consisting of the following:

- (a) the *Flag of the Murphy Parcel* (less the two (2) +/- acres included in Lot 2);
- (b) the *Recreation Area Parcel* (less the 0.24 +/- of an acre included in Lot 2); and
- (c) 0.08 +/- of an acre of the *Williams Parcel*.

The boundary lines for Lot 1 as proposed on the Concept Plan would allow Mr. Carne to construct the accessory structure he desires, a free-standing garage built in the same architectural style as his home (the existing residence on Lot 1). The boundary lines for Lot 2 as shown on the Concept Plan would allow the Williamses a large buildable area from which to select their ideal homesite and a yard two (2) acres larger than their original tract. Finally, the boundary lines for Lot 3 will afford Mr. Murphy an economically viable use of his parcels. If the Applications are approved, Mr. Murphy will convey the remainder of the Flagpole (the portion north of Lot 1) to the owners of the Lots in the Neighborhood that are contiguous with the Flagpole, if they desire to take title to the portion of the Flagpole that abuts their respective Lots.

Section 104-595(2)(j) of the Development Regulations provides that any proposed revision to a recorded “major final plat of any existing residential . . . subdivision which adds property to, increases the number of platted lots, or changes the principal use on a lot shall be considered in public hearings before the planning commission and the board of commissioners” The plats for Bay Chappell Farms Phase I and Phase II were “major final Plats” under the Section 104-593 of the Development Regulations because they divided property acquired by Thompson from the Chamberses “into two or more lots” and created new streets “to access said lots.” (Development Regulations § 104-593 (definition of “Plat, major final”)).

The Plat Revision Application seeks to (1) add property to the Neighborhood by including the Flag and a portion of the Flagpole within the Neighborhood; (2) increase the number of platted lots by adding Lot 3 to the Neighborhood; and (3) change the use of the Recreation Area Parcel. The factors by which a Plat Revision Application is to be evaluated (the “**Plat Revision Factor(s)**”) are set forth in Section 104-595 of the Development Regulations. The Fayette County Planning & Zoning Department (“**Staff**”) in its report on the Plat Revision Application (the “**Plat Revision Staff Report**”) analyzed the Plat Revision Factors and recommended approval of the Plat Revision Application with conditions. Those factors and an analysis of each are set forth beginning on the next page after Figure 8.

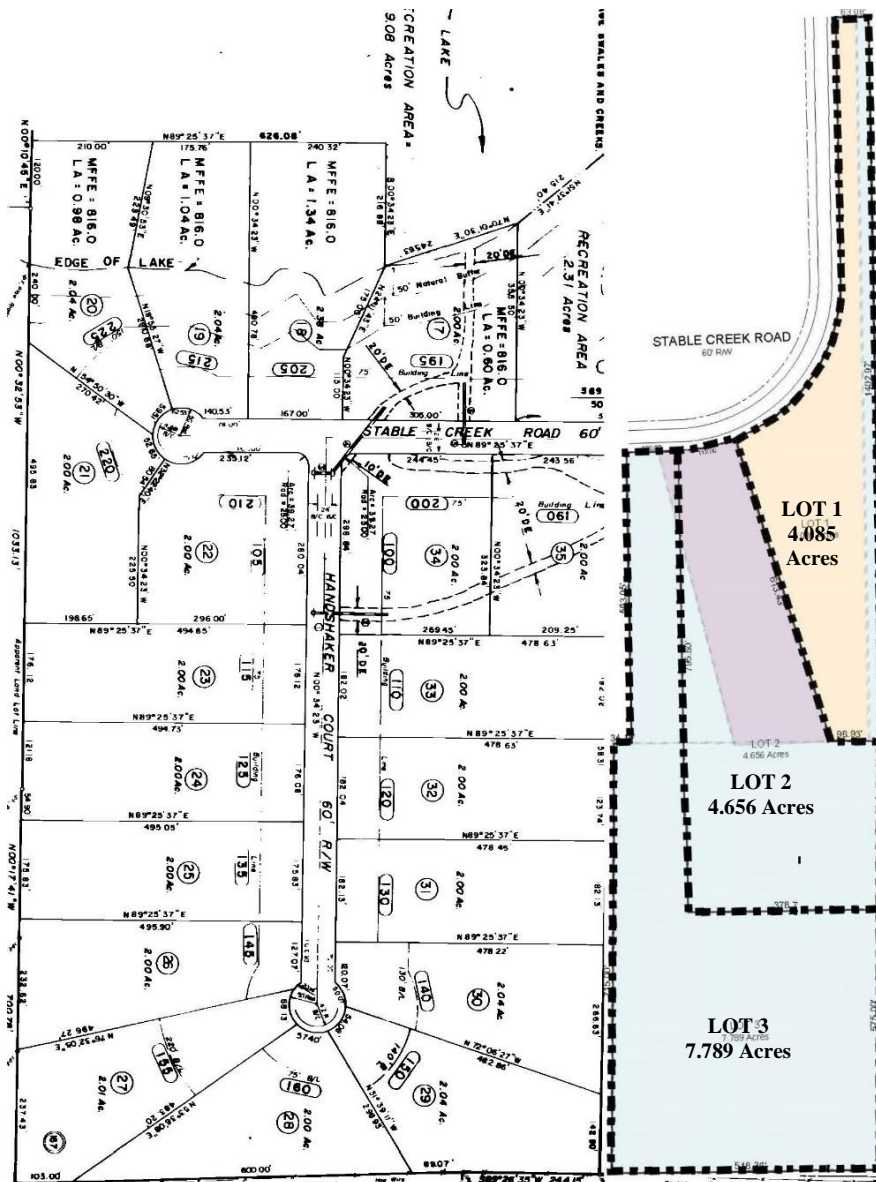


Figure 8 – 2020

Showing the Lots proposed by the Concept Plan overlaid over the following and their current boundary lines:

- The 2020 Carne Parcel (shaded orange);
- The Williams Parcel (shaded purple); and
- The Murphy Parcel and Recreation Area Parcel (both shaded blue).

(1) *Street character. Whether the request will result in a residence or accessory structure that will be out of character with the alignment of existing residences and accessory structures. Aspects to consider are the front setback established on the final plat, the alignment of existing residences and accessory structures, the degree a proposed residence or accessory structure will be out of alignment with the setback and/or existing residences and accessory structures and the presence of vegetation (tree, brushes, shrubbery, etc.) which may provide visual screening.*

Regarding the first Plat Revision Factor, in its Plat Revision Staff Report, Staff finds states

Mr. Pete Frisina
Thursday, July 23, 2020
Page 13

as follows:

The front yard setback established on the Bay Chappell Farms plats is 75 feet as was required by the R-60 zoning district. The R-72 zoning district requires a front yard setback of 50 feet. If this petition is approved, the resulting lots, as applicable, should be conditioned to abide by the 75 foot front yard setback. The buildable portion of the proposed flaglot would be approximately 800 feet from Stable Creek Road which would have no effect on the street character.

Thus, Staff concluded that the Plat Revision Application will not change the street character within Bay Chappell Farms. Additionally, the only noticeable change to the street character, if the Applications are approved, will be the addition of two (2) driveways—one (1) to serve Lot 2 and one (1) to serve Lot 3. As shown in Figure 9 below, the topography of Lot 3 (and the Murphy Parcel) is such that the ideal home site is to the eastern property line. As a result, when a single-family residence is constructed on Lot 3, it will likely be set back to the south of Lot 2 and, therefore, will not be visible from Stable Creek Road or any Lot fronting on Handshaker Court. The same is true for Lot 2—if the Applications are approved, the Williamses will construct a house on the rear, two (2) acre portion of Lot 2.

The front set back established for the other Lots in Phase II of the Neighborhood (labeled as the “building line”) range from seventy-five feet (75’) to two hundred and two hundred and twenty feet (220’). Under the R-72 zoning district, the minimum lot width, which must be met at the building line, is one hundred and fifty feet (150’). Lot 3 will meet the minimum lot width to the south of Lot 2. (Zoning Ordinance § 110-3, 110-132(d)(2)(b)). Additionally, as stated above, the ideal building site for Lot 3 is towards its eastern property.

Within the Neighborhood, homes vary in how far they are set back from the street. Some homes are set back hundreds of feet, and not visible, from the street. Other homes are less than one hundred feet (100’) from the street. Given the diversity in home site selection for the Lots in the Neighborhood, the Plat Revision Application will not create a Lot (i.e., Lot 2 or Lot 3) that is out of alignment with the setback or existing residences and accessory structures. Additionally, Lot 2, Lot 3, and the surrounding Lots are heavily forested. As a result, there are a substantial amount of trees that will visually screen a home built on Lot 3 from the surrounding Lots.

Additionally, if the Applications are approved, Mr. Murphy will impose covenants on the resulting Lot 3 that ensure that the single-family residential home built thereon will be consistent in size and architectural style with the homes built on the other Lots in Bay Chappell Farms.

Mr. Pete Frisina
 Thursday, July 23, 2020
 Page 14



Figure 9– 2020

Showing
 Topography of the
 Murphy Parcel,
 Recreation Area Parcel,
 1992 Carne Parcel, and
 nearby Lots

Earlier this year, the Board of Commissioners authorized the creation of the Williams parcel. The Plat Revision Application seeks to increase the size of the Williams Parcel. Specifically, it seeks to add acreage to the southern portion of the Williams parcel in exchange for giving thirty-three (33') feet of road frontage to Lot 3. Stable Creek Road, in contrast, is on the northern side of the Williams Parcel. Because the Williamses will construct their house on the rear two (2) acre portion of Lot 2 (outside any former recreation area), the Plat Revision Application will not change the street character of the Williams Parcel.

Likewise, with respect to the 2020 Carne Parcel, the Plat Revision Application merely seeks to add a twenty-five (25') foot wide strip of land to Mr. Carne's current parcel, and Stable Creek Road is on the western side of the 2020 Carne Parcel. Thus, the Plat Revision Application, if approved, will not change the street character of the 2020 Carne Parcel. Consequently, the first Plat Revision Factor supports approval of the Plat Revision Application.

(2) *Lot size character. Whether the request will result in a lot that will be out of character with the size of existing lots. Aspects to consider are the lot width required by the zoning district, the minimum and maximum range of lots sizes, the number of lots within*

Mr. Pete Frisina
Thursday, July 23, 2020
Page 15

a size range, the average lot size and the degree proposed lots will be smaller than existing lots.

The Plat Revision Staff Report concludes that, as to second Plat Revision Factor, “all lots are proposed to exceed the two (2) acre minimum lot size” for the Neighborhood.

Therefore, the Plat Revision Application will not create any lot out of scale with existing Lots in the Neighborhood. Additionally, if the Applications are approved, Lot 3 (7.789 acres) will be limited to use as one (1) single-family building lot, an accessory structure or use thereto, and/or a garden. (Zoning Ordinance § 110-132(b) (Permitted Use under the R-72 zoning district)). Additionally, the Lots (1, 2, and 3) that will be created if the Applications are approved will, at their frontage with Stable Creek Road, be consistent with the other Lots in the neighborhood. The residences on Lot 2 and Lot 3 will be built to the rear of those Lots—hundreds of feet from Stable Creek Road. Therefore, but for the driveways to those single-family homes, the appearance of the Neighborhood and the sizes of the Lots therein will not change or be affected. Consequently, the second Plat Revision Factor supports approval of the Plat Revision Application.

(3) Lot width character. Whether the request will result in a lot that will be out of character with the width of existing lots. Aspects to consider are the lot width required by the zoning district, the minimum and maximum range of lot widths, the lots widths within a range, the average lot width and the degree proposed lots will [be] more narrow than existing lots.

In response to the third Plat Revision Factor, the Plat Revision Staff Report finds as follows:

All proposed lots would be required to meet a lot width of 150 feet per the R-72 zoning district. The R-60 zoning district also required a 150 foot lot width. The proposed lots resulting from the subdivision of Lot 36 appear to be in character with similarly shaped lots within the subdivision. There are no existing flag lots with the subdivision but the proposed flaglot is 518 feet wide in the flag portion of the lot per the Concept Plan.

The Plat Revision Application will result in a Lots (Lot 2 and Lot 3) that will be approximately one hundred feet (100') and one hundred and twelve feet (112') in width where they meet Stable Creek Road. This road frontage range is consistent with the other Lots in the Neighborhood. The R-72 zoning district requires a lot width of one hundred and fifty feet (150'). (Zoning Ordinance § 110-132(d)(2)(b)). At their widest points Lots 1, 2, and 3 will be approximately ~240.00 feet, 378.75 feet, and 518.36 feet, respectively. While this is wider than the minimum lot width under the R-72 zoning district, the appearance of the Lots from Stable Creek Road and surrounding and adjacent lots will be consistent with the other Lots in the Neighborhood. Above all, at their road frontage and building lines, the Lots proposed by the Plat Revision Application will not be narrower than the existing Lots in the Neighborhood. Consequently, the third Plat Revision Factor supports approval of the Plat Revision Application.

Mr. Pete Frisina
Thursday, July 23, 2020
Page 16

(4) *Change of principal use. Whether the change of use will adversely affect the existing use or usability of adjacent or nearby property, will result in a use which will or could cause an excessive or burdensome use of existing or planned streets, or utilities, or other conditions which give supporting grounds for either approval or disapproval of the change of use proposal.*

Finally, the Plat Revision Staff Report notes that the Plat Revision Application “includes the change of the principal use on the [Recreation Area Parcel] to residential use,” but offers a mitigating condition, noted below.

Specifically, the Plat Revision Application seeks to change the use of the Recreation Area Parcel and combine it with the Flag portion of Murphy Parcel and the Williams Parcel to create Lot 2 and Lot 3. The Recreation Area Parcel will serve as driveways for Lot 2 and Lot 3. The Recreation Area Parcel has never been developed or used as a recreation or common area for the Neighborhood. Mr. Murphy has owned it for almost a dozen (12) years. The Plat Revision Application proposes one (1) single-family residence to be built on Lot 3—a use consistent with and the same as the other Lots in the Neighborhood. Therefore, approval of the Plat Revision Application will not result adversely affect the existing use or usability of adjacent or nearby property.

As noted above, the Murphy Parcel (as a legal, nonconforming lot) could be developed as a currently zoned (and platted) with one (1) single-family residence—if it were economically and practically feasible to construct a driveway the length of the Flagpole. Therefore, approval of the Plat Revision Application will not result in or cause an excessive or burdensome use of existing or planned streets, or other utilities.

Additionally, there are other conditions that support approval of the change of use of the Recreation Area Parcel. First, the parcel is privately owned by Mr. Murphy. Second, the parcel has never been developed or used as a recreation area or common area for the Neighborhood. Third, the Murphy Parcel is a legal, nonconforming lot, but if the Plat Revision Application is approved, that legal, nonconforming lot will be combined with other land to create a legal conforming lot. Finally, the Murphy Parcel is practically landlocked without an economically viable means of access. Based on the above the fourth Plat Revision Factor supports approval of the Plat Revision Application.

Staff's Recommendation on the Plat Revision Application

Staff analyzed the Plat Revision Factors, found that they supported approval of the Plat Revision Application, and recommended that the Board of Commissioners approve the Plat Revision Application with the following conditions:

1. That the proposed lots will maintain a front yard setback of 75 feet and the revised plat shall indicate the 75 foot front yard setback.

Mr. Pete Frisina
 Thursday, July 23, 2020
 Page 17

2. That use of that 2.11 acre area by the underlying fee owner(s) is limited to construction of no more than two total driveways to service proposed Lot 2 and Lot 3 (as shown on the Concept Plan submitted with the Applications). The owner(s) of Lots 2 and 3 shall not site any permanent improvements, other than the driveways to service Lot 2 and Lot 3, in such manner as to leave the remaining areas of the Recreation Area parcel free for passive recreation by the owners of all lots in Bay Chappell Subdivision, and no current or future owner of Lot 2 or Lot 3 shall substantially interfere with the use of the Recreation Area by any current or future owner of any other lot in Bay Chappell Farms Subdivision for recreation purposes. Substantial interference shall include, but not be limited to, the erection of a fence excluding access to the Recreation Area. Additionally, before a revised final plat is recorded, the current owners of any portion of Lots 1, 2, and 3 shall indemnify and hold harmless the County from any and all future claims related to (1) the County's approval of the Applications that include the 2.11 acre Recreation Area; and (2) the extinguishment of the original 25 foot strip connecting Lot 3 with Chappell Road.

3. That the revised final plat shall indicate the area of the 2.11 acre Recreation Area in relationship to proposed Lots 2 and 3.

Mr. Murphy and Mr. Carne have consented to those conditions. As such, this Letter of Intent respectfully requests that the Board of Commissioners approve the Plat Revision Application with Staff's recommended conditions.

B. The Rezoning Application

The Murphy Parcel is zoned A-R. The Recreation Area Parcel, the Williams Parcel, and the Carne Parcel are zoned R-72. The Plat Revision Application seeks to combine portions of these four (4) parcels to create three (3) parcels—all within the Neighborhood and all containing a portion of what is now the Murphy Parcel. Therefore, if the Plat Revision Application is approved with a rezoning, the result would be the drawing of three (3) Lots all with two (2) different zoning districts (A-R and R-72) applied to each Lot. Section 110-28 of the Zoning Ordinance provides that if a parcel has more than one zoning district applied to it—such as A-R and R-72, in this case—then the parcel must be rezoned to one (1) zoning district, before, among other things, a final plat, site plan, and/or building permit is submitted.

Therefore, in order to create a buildable lot on each Lot proposed on the Concept Plan, the Murphy Parcel must be rezoned to R-72 consistent with the other Lots in the Neighborhood.⁴ Consequently, the Rezoning Application requests that the Board of Commissioners rezone the Murphy Parcel (the original 10 acre parcel) to R-72. Section 110-300 of the Zoning Ordinance sets forth the factors by which a Rezoning Application is to be evaluated (the “**Rezoning Factor(s)**”).

⁴ Should the Board of Commissioners of Fayette County prefer that Lot 3 be zoned A-R (rather than R-72), then please consider this letter a request to table the Rezoning Application and the Plat Revision Application so that the Rezoning Application can be amended and re-advertised in accordance with that preference. If this is the desire of the Board of Commissioners, the resulting Lot 3 would be zoned A-R, and Lot 1 and Lot 2 would be zoned R-72.

Mr. Pete Frisina
 Thursday, July 23, 2020
 Page 18

In its report on the Rezoning Application (the “Rezoning Application Staff Report”), Staff analyzed the Rezoning Factors, determined that they support approval of the Rezoning Application, and recommended the Rezoning Application be approved with a condition. Those factors and an analysis of each are set forth below.

(1) Whether the zoning proposal is in conformity with the land use plan and policies contained therein;

The Fayette County Comprehensive Plan 2017-2040 (the “**Comp. Plan**”) and the accompanying Future Land Use Plan (“**FLUM**”) designate the Murphy Property as “Agricultural Residential” which plans for development with a density of no less than one (1) unit per five (5) acres. The R-72 Zoning District permits parcels of two (2) acres or more. If this were a request for acreage to be subdivided, R-72 would not conform with the land use plan. However, here, the Rezoning Application is presented in conjunction with the Plat Revision Application, which, if approved, will create a 7.789-acre Lot shown as Lot 3 on the Concept Plan. Therefore, while R-72 does not conform with the Comp. Plan and FLUM, the resulting Lot 3 will conform with the Comp. Plan and FLUM. And, practically, if the Applications are approved, Lot 3 will not be able to be utilized as anything other than one (1) single-family residential Lot within the Neighborhood. Collectively, the density between Lot 1, Lot 2, and Lot 3, as proposed, is *one (1) unit per approximately five and half (5.5) acres*. Therefore, even though the Rezoning Application requests rezoning to a zoning district not listed in the Comp. Plan as compatible with the “Agricultural Residential” planning area, the Rezoning Application supports the policy of the Comp. Plan for that planning area to limit “[r]esidential density . . . to no more than one unit per five acres.” (Comp. Plan, GC-4, L-7 to L-8).

Staff (in its Rezoning Application Staff Report) determined the following with respect to the first Rezoning Factor:

The subject property lies within an area designated as Agricultural Residential (1 Unit/5 Acres). The proposed lot size of Lot 3 at 7.789 acres, as indicated on the lot layout Concept Plan, conforms to the density standard for the Agricultural Residential character area, but the requested R-72 zoning district is not one of the zoning districts permitted in that character area. As the subject property is proposed to access Stable Creek Road in the subdivision, it would properly be considered a part of the subdivision and would require re-platting of the land included within this application. The approval of this request could also serve as an impetus to other property requests for rezoning districts that require less than a five (5) acre lot size or density and thus increasing the overall density of the southern portion of the county. To protect against that contingency, staff will recommend the following condition should the rezoning petition be approved: That Lot 3, as indicated on the lot layout Concept Plan, shall maintain a minimum five (5) acre (217,800 square feet) lot size.

Other policies of the Comp. Plan also support approval of the Rezoning Application. For example, approval of the Rezoning Application would “maintain the character of established

Mr. Pete Frisina
 Thursday, July 23, 2020
 Page 19

communities [and the] suburban neighborhood[]” known as Bay Chappell Farms. (*Id.*, L-24). Likewise, the Rezoning Application, if approved, would “stabilize [the] residential neighborhood[]” Bay Chappell Farms “adjacent to [a] nonresidential [area].” (*Id.*, L-25). Further, if the Rezoning Application is approved, the result will “protect and enhance [the] existing [Bay Chappell Farms] [N]eighborhood by ensuring that development is of compatible use [and] density/intensity.” (*Id.*, L-24).

Further, approval of the Rezoning Application (and the associated Plat Revision Application) will transform a *legal nonconforming lot* (i.e., the Murphy Parcel) into a *legal conforming lot* (i.e., Lot 3) that complies with the Comprehensive Plan and the FLUM. Specifically, the Murphy Parcel’s 25-foot wide Flagpole does not comply with Section 110-67(b) of the Zoning Ordinance which requires one hundred feet (100’) of road frontage for every residential lot. The Murphy Parcel, nonetheless, is a legal, nonconforming, buildable lot under Section 110-170(a) of the Zoning Ordinance which permits a lot platted before a zoning ordinance provision, such as Section 110-67(b), to be buildable even though the lot does not comply with a subsequently-enacted zoning ordinance provision. Approval of the Rezoning Application will, therefore, further a purpose and policy of the Zoning Ordinance to eliminate nonconforming uses. (*See generally* Zoning Ordinance § 110-170).

The first Rezoning Factor, based on the above, supports approval of the Rezoning Application.

(2) *Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property;*

If approved, the Rezoning Application will not adversely affect the existing use or usability of adjacent or nearby property. As shown in Figure 2 above (page 3), adjacent and nearby properties are zoned for A-R or for residential use. The majority of the parcels contiguous to the Murphy Parcel are Lots within the Neighborhood. Rezoning the Murphy Parcel to R-72 would make its zoning (and, as a result, its use) consistent with the zoning and use for the Lots within Bay Chappell Farms thereby ensuring that the use of the Murphy Parcel does not adversely affect the existing use or usability of adjacent or nearby properties. Moreover, the three (3) Lots that will result if the Rezoning Application and the Plat Revision Application are approved will have an average density of one (1) unit per approximately five and a half (5.5) acres—consistent with the Comp. Plan and FLUM. Consequently, approval of the Rezoning Application will not affect the use or usability of adjacent or nearby property.

Staff concluded that, with respect to the second Rezoning Factors, that approval of the Rezoning Application “will not adversely affect the existing use or usability of adjacent or nearby property.” Consequently, the second Rezoning Factor supports approval of the Rezoning Application.

(3) *Whether the zoning proposal will result in a use which will or could cause an excessive or burdensome use of existing or planned streets, utilities, or schools; and*

Mr. Pete Frisina
Thursday, July 23, 2020
Page 20

The Murphy Parcel is currently a legal, nonconforming, buildable lot. As a result, if it were economical to build a driveway the length of the Flagpole, then the Murphy Parcel could be developed with one (1) single-family residential dwelling. Accordingly, rezoning the Murphy Parcel to R-72 will not cause or have the potential to cause an excessive or burdensome use of existing or planned streets, utilities, or schools. In other words, if the Rezoning Application is approved, the resulting density will be the same that could (in theory) be developed on the Murphy Parcel now.

Analyzing the third Rezoning Factor, Staff found that approval of the Rezoning Application “will not result in a burdensome use of roads, utilities, or schools.” Accordingly, the third Rezoning Factor supports approval of the Rezoning Application.

(4) Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the zoning proposal.

As noted above, the changing hydrology over the Flagpole portion of the Murphy Parcel and the ever-increasing cost to construct a driveway the length of the Flagpole constitute existing and changing conditions, respectively, affecting the use and development of the Murphy Property. (See Exhibit “B” attached hereto (*U.S. Bureau of Labor Statistics, Producer Price Index by Industry: Cement and Concrete Product Manufacturing*, FRED, FEDERAL RESERVE BANK OF ST. LOUIS, <https://fred.stlouisfed.org/series/PCU32733273>, (last accessed June 10, 2020)). These two factors make it economically and practically impossible to construct a driveway the length of the Flagpole.

Staff, in response to the fourth Rezoning Factor, determined that “[e]xisting conditions and the area’s continuing development as an [A-R] (1 Unit/5 Acres) district[,] maintain a five acre density[,] and the recommended condition support this petition. As a result, the fourth Rezoning Factor supports approval of the Rezoning Application.

Staff’s Recommendation on the Rezoning Application

Staff, thus, recommended approval of the Rezoning Application with the following condition:

That Lot 3, as indicated on the lot layout Concept Plan, shall maintain a minimum five (5) acre (217,800 square feet) lot size.

Mr. Murphy consents to and supports Staff’s recommendation of approval with one (1) condition. This Letter of Intent, therefore, requests that the Board of Commissioners approve the Rezoning Application with the condition recommended by Staff.

IV. CONCLUSION

Based on the foregoing, this Letter of Intent respectfully requests that the Fayette County

Mr. Pete Frisina
Thursday, July 23, 2020
Page 21

Board of Commissioners approve (as filed) the Plat Revision Application and the Rezoning Application. Additionally, the Applications are related and, as a result, this Letter of Intent also respectfully requests that the Board of Commissions consistently and contemporaneously vote on both Applications.⁵ Should you have any questions or concerns regarding the request, please do not hesitate to contact me.

Sincerely,



Steven L. Jones

Enclosures

SLJ

cc: Mr. Howard Johnson (hjohnson@fayettecountyga.gov)

⁵ Attached hereto as Exhibit “C” and Exhibit “D” respectively are a “Constitutional Objection to Current Zoning and Development Regulations” and an “Objection Pursuant to *York v. Athens College of Ministry, Inc.*”

EXHIBIT "A" CONCEPT PLAN

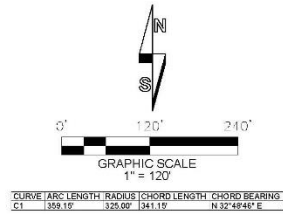
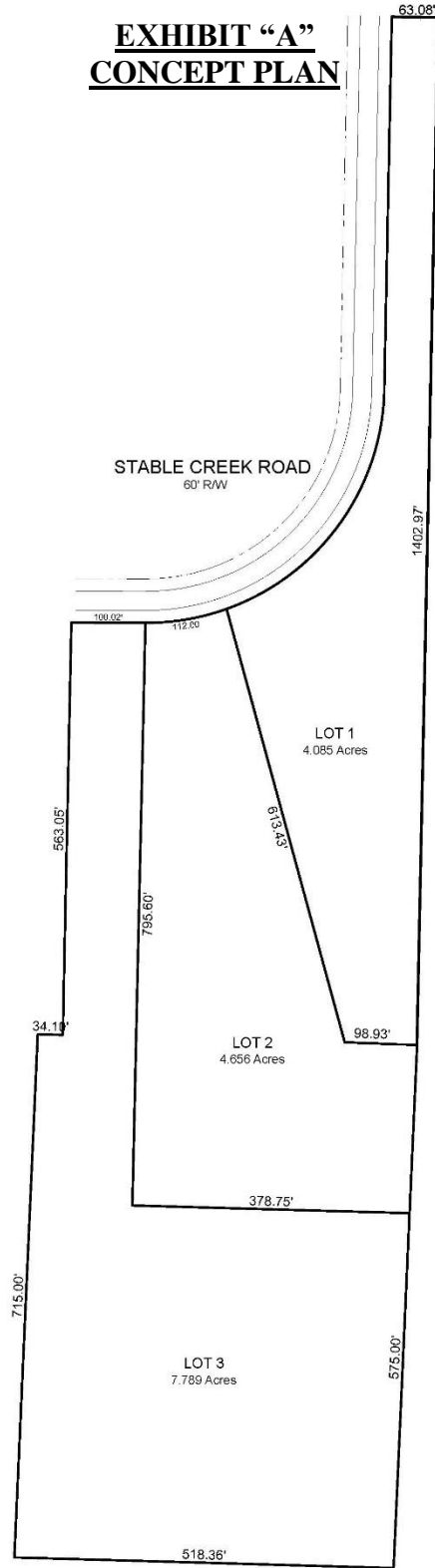


EXHIBIT "B"
HISTORIC PRODUCER PRICE INDEX FOR CEMENT AND CONCRETE PRODUCT
MANUFACTURING INDUSTRY

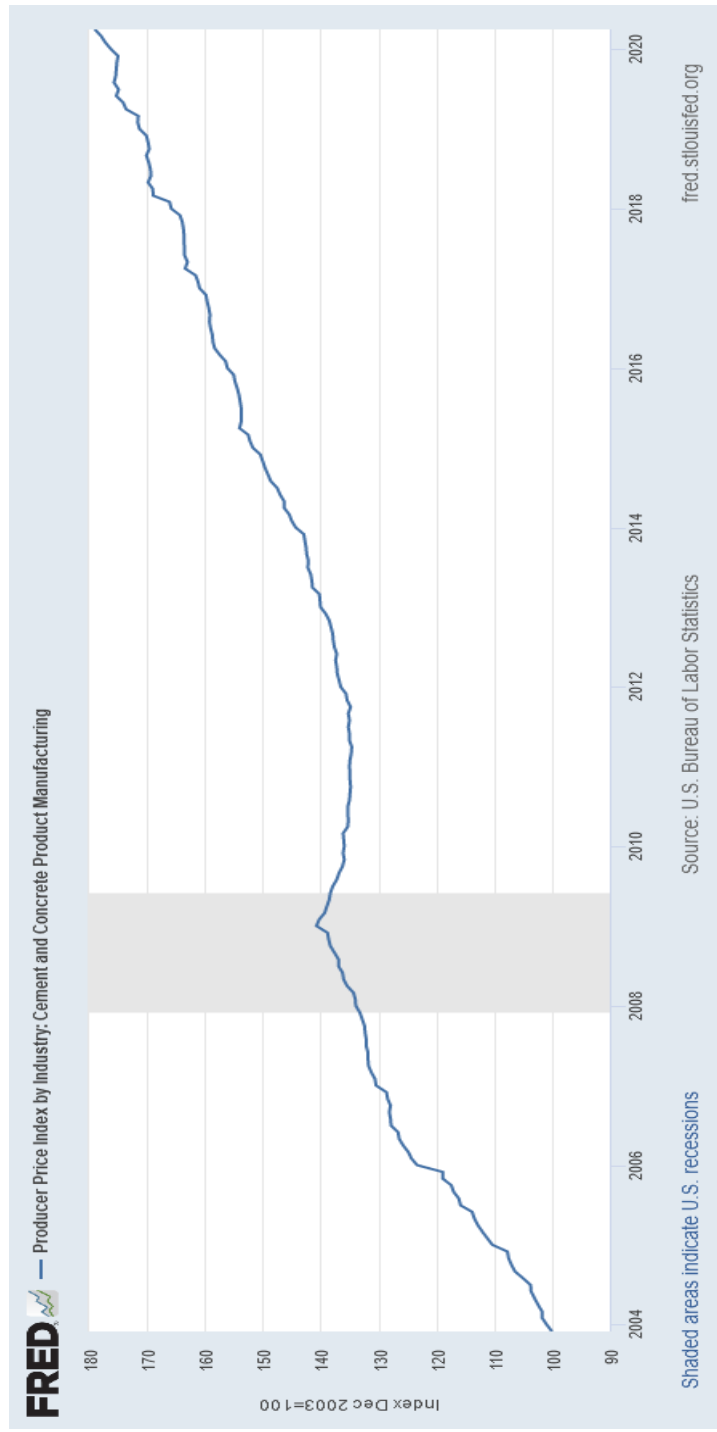


EXHIBIT “C”**CONSTITUTIONAL OBJECTION TO CURRENT ZONING AND DEVELOPMENT REGULATIONS**

As applied to (1) the real property of William T. Murphy (the “Owner”) that is identified as Fayette County Tax Assessor as Parcel Identification Number (“TPN”): 0434 097 (the “Murphy Parcel”), consists of approximately 10 +/- acres, is the subject of the Application to Amend the Official Zoning Map of Fayette County, Georgia Number 1292-20 (the “Rezoning Application”), and is partially the subject of the Application to Revise a Recorded Plat Number RP-076-20 (the “Plat Revision Application”, and together with the Rezoning Application, the “Applications”), both previously filed with Fayette County, Georgia; and (2) the real property of the Owner that is identified as TPN 0434 03021 (the “Recreation Area Parcel,” and together with the Murphy Parcel, the “Subject Properties), consists of approximately 1.46 +/- acres, and is also the subject of the Plat Revision Application, the Zoning Ordinance of Fayette County, Georgia (the “Zoning Ordinance”)¹ and/or the Development Regulation of Fayette County, Georgia (the “Development Regulations”),² as presently applied to the Subject Properties³ based on the reasons set forth in the letter of intent dated June 17, 2020 previously filed with Fayette County, Georgia (the “Letter of Intent”), are unconstitutional in that the Owner’s property rights in and to the Subject Properties have been destroyed without first receiving fair, adequate, and just compensation for such property rights. For the reasons set forth in the Letter of Intent, as applied to the Subject Properties, the Zoning Ordinance and the Development Regulations deprive the Owner of constitutionally protected rights in violation of Article I, Section I, Paragraphs I-II of the Constitution of the State of Georgia of 1983; Article I, Section III, Paragraph I of the Constitution of the State of Georgia of 1983; and the Due Process and Equal Protection Clauses of the Fourteenth Amendment to the Constitution of the United States.

For the reasons set forth in the Letter of Intent, Application of the Zoning Ordinance and the Development Regulations to the Subject Properties is unconstitutional, illegal, arbitrary, capricious, null, and void, constituting a taking of the Subject Properties in violation of the Just Compensation Clause of the Fifth Amendment to the Constitution of the United States; the Due Process and Equal Protection Clauses of the Fourteenth Amendment to the Constitution of the United States; Article I, Section I, Paragraphs I-II of the Constitution of the State of Georgia of 1983; and Article I, Section III, Paragraph I of the Constitution of the State of Georgia of 1983 thereby denying the Owner economically viable uses of the Subject Properties while not substantially advancing legitimate state interests.

For the reasons set forth in the Letter of Intent, inasmuch as it is impossible for the Owner to use the Subject Properties and simultaneously comply with the Zoning Ordinance and/or the Development Regulations, the Zoning Ordinance and/or the Development Regulations constitute an arbitrary, capricious, and unreasonable act by Fayette County without any rational basis therefore and constitutes an abuse of discretion in violation of Article I, Section I, Paragraph I of the Constitution of the State of Georgia of 1983; Article I, Section III, Paragraph I of the

¹ Chapter 110 of the Code of Ordinances of Fayette County, Georgia.

² Chapter 104 of the Code of Ordinances of Fayette County, Georgia.

³ The Murphy Parcel is currently zoned A-R, Agricultural-Residential District (“A-R”); the Recreation Area Parcel is currently zoned R-72, Single-Family Residential District (“R-72”); and the Carne Parcel is currently zoned R-72.


EXHIBIT "C"

Constitution of the State of Georgia of 1983; and the Due Process Clause of the Fourteenth Amendment to the Constitution of the United States.

For the reasons set forth in the Letter of Intent, application of the Zoning Ordinance and/or the Development Regulations to the Subject Properties is unconstitutional and discriminates against the Owner in an arbitrary, capricious, and unreasonable manner between the Owner and others similarly situated in violation of Article I, Section I, Paragraph II of the Constitution of the State of Georgia of 1983 and the Equal Protection Clause of the Fourteenth Amendment to the Constitution of the United States.

WHEREFORE, the Owner respectfully requests that the Board of Commissioners of Fayette County, Georgia approve the Plat Revision Application and the Rezoning Application as specified and designated in the Applications.

BOVIS, KYLE, BURCH & MEDLIN, LLC
Counsel for the Owner



Steven L. Jones
Georgia State Bar No.: 639038

200 Ashford Center North, Suite 500
Atlanta, Georgia 30338-2680
sjones@boviskyle.com
(678) 338-3902

EXHIBIT “D”**OBJECTION PURSUANT TO**
YORK V. ATHENS COLLEGE OF MINISTRY, INC.

As applied to (1) the real property of William T. Murphy (the “Owner”) that is identified as Fayette County Tax Assessor as Parcel Identification Number (“TPN”): 0434 097 (the “Murphy Parcel”), consists of approximately 10 +/- acres, is the subject of the Application to Amend the Official Zoning Map of Fayette County, Georgia Number 1292-20 (the “Rezoning Application”), and is partially the subject of the Application to Revise a Recorded Plat Number RP-076-20 (the “Plat Revision Application”, and together with the Rezoning Application, the “Applications”), both previously filed with Fayette County, Georgia; and (2) the real property of the Owner that is identified as TPN 0434 03021 (the “Recreation Area Parcel,” and together with the Murphy Parcel, the “Subject Properties), consists of approximately 1.46 +/- acres, and is also the subject of the Plat Revision Application, the public hearings before and any action or recommendation by the Fayette County, Georgia Planning Commission (the “Planning Commission”) and/or the Board of Commissioners of Fayette County, Georgia (the “Board of Commissioners”) on the same are objected to based on, but not limited to, the reasons set forth herein (collectively, the “York Objection”), in accordance with *York v. Athens College of Ministry, Inc.*, 348 Ga App. 58, 821 S.E.2d 120 (2018):

Contemporaneous with the filing of this *York* Objection, the Owner is filing a Constitutional Objection¹ to the Zoning Ordinance of Fayette County, Georgia (the “Zoning Ordinance”)² and/or the Development Regulation of Fayette County, Georgia (the “Development Regulations”),³ currently applied of the Subject Property, and all objections set forth therein are incorporated herein by reference as if fully restated.

The Owner objects to any and all members of the public who appear at the public hearings before the Planning Commission and/or Board of Commissioners to the extent that (but not limited to) said individuals (a) do not satisfy the substantial interest-aggrieved citizen test; (b) are not under oath; (c) are not subject to cross-examination; (d) present evidence on and/or make statements that qualify as (or must or should be assessed with the aid of) expert opinion without any or all individuals being qualified as expert witnesses; (e) present evidence on and/or make statements that are not germane to the exclusive factors for rezoning set forth in Section 110-300 of the Zoning Ordinance and/or the exclusive factors for revising a recorded plat set forth in Section 104-595 of the Development Regulations; and/or (f) present evidence and/or make statements that are founded, wholly or in part, upon inadmissible, unreliable, nonprobative, insubstantial, and/or lay, nonexpert opinion evidence. Likewise, to the extent that any recommendation by the Planning Commission and/or decision by the Board of Commissioners is a quasi-judicial decision, the Owner objects to the hearings before the Planning Commission and Board of Commissioners because the time limitation imposed on the presentation of evidence and testimony in support of the Applications deprives the Owner a meaningful opportunity to be heard and preserve issues in violation of the Due Process Clause of the Fourteenth Amendment to the

¹ See Exhibit “B” to the Letter of Intent to which this Objection is attached.

² Chapter 110 of the Code of Ordinances of Fayette County, Georgia.

³ Chapter 104 of the Code of Ordinances of Fayette County, Georgia.

EXHIBIT "D"

Constitution of the United States and Article I, Section I, Paragraph I of the Constitution of Georgia of 1983.

Additionally, the Owner objects to any recommendation of the Planning Commission that does not recommend approval of the Applications or recommends approval of the Applications with unreasonable conditions; and/or any action by the Board of Commissioners that does not approve the Applications or approves the Applications with unreasonable conditions, to the extent that (but not limited to) either is: (a) in violation of Section 50-13-19(h) of the Official Code of Georgia Annotated or otherwise: (1) in violation of constitutional, statutory, and/or ordinance provisions; (2) in excess of the constitutional, statutory, and/or ordinance authority of the Planning Commission and/or the Board of Commissioners; (3) made upon unlawful procedure; (4) affected by other error of law; (5) clearly erroneous in view of the reliable probative and substantial evidence on the whole record; and/or (6) arbitrary, capricious, and/or characterized by abuse of discretion or clearly unwarranted exercise of discretion; (b) contrary to any reports and recommendations for approval, if any, of (1) the Fayette County, Georgia Director of Planning and Zoning (or any assigns thereof); (2) the Planning Commission; and/or (3) any other Department or agency of Fayette County, Georgia or the State of Georgia; (c) founded, wholly or in part, upon inadmissible, unreliable, nonprobative, insubstantial, and/or lay, nonexpert opinion evidence; and/or (d) contrary to the exclusive factors for rezoning set forth in Section 110-300 of the Zoning Ordinance and or the exclusive factors for revising a recorded plat set forth in Section 104-595 of the Development Regulations.

By and through this *York* Objection, the Applicant hereby preserves all the above and incorporated Objections and asserts them on and within the record before, and for consideration and resolution by, the Board of Commissioners of Fayette County, Georgia.

WHEREFORE, the Owner requests that the Board of Commissioners approve the Plat Revision Application and the Rezoning Application as specified and designated in the Petition.

BOVIS, KYLE, BURCH & MEDLIN, LLC
Counsel for the Owner



Steven L. Jones

Georgia State Bar No.: 639038

200 Ashford Center North, Suite 500
Atlanta, Georgia 30338-2680
sjones@boviskyle.com
(678) 338-3902

**Rezoning Application – TPN: 0434 097
&
Application to Revise Recorded Plat –
TPNs: 0434 02017; 0434 03021;
and a portion of 0434-097**

**Presentation to
Fayette County Planning Commission
Wednesday, July 2, 2020**

STEVEN L. JONES



SJONES@BOVISKYLE.COM

1

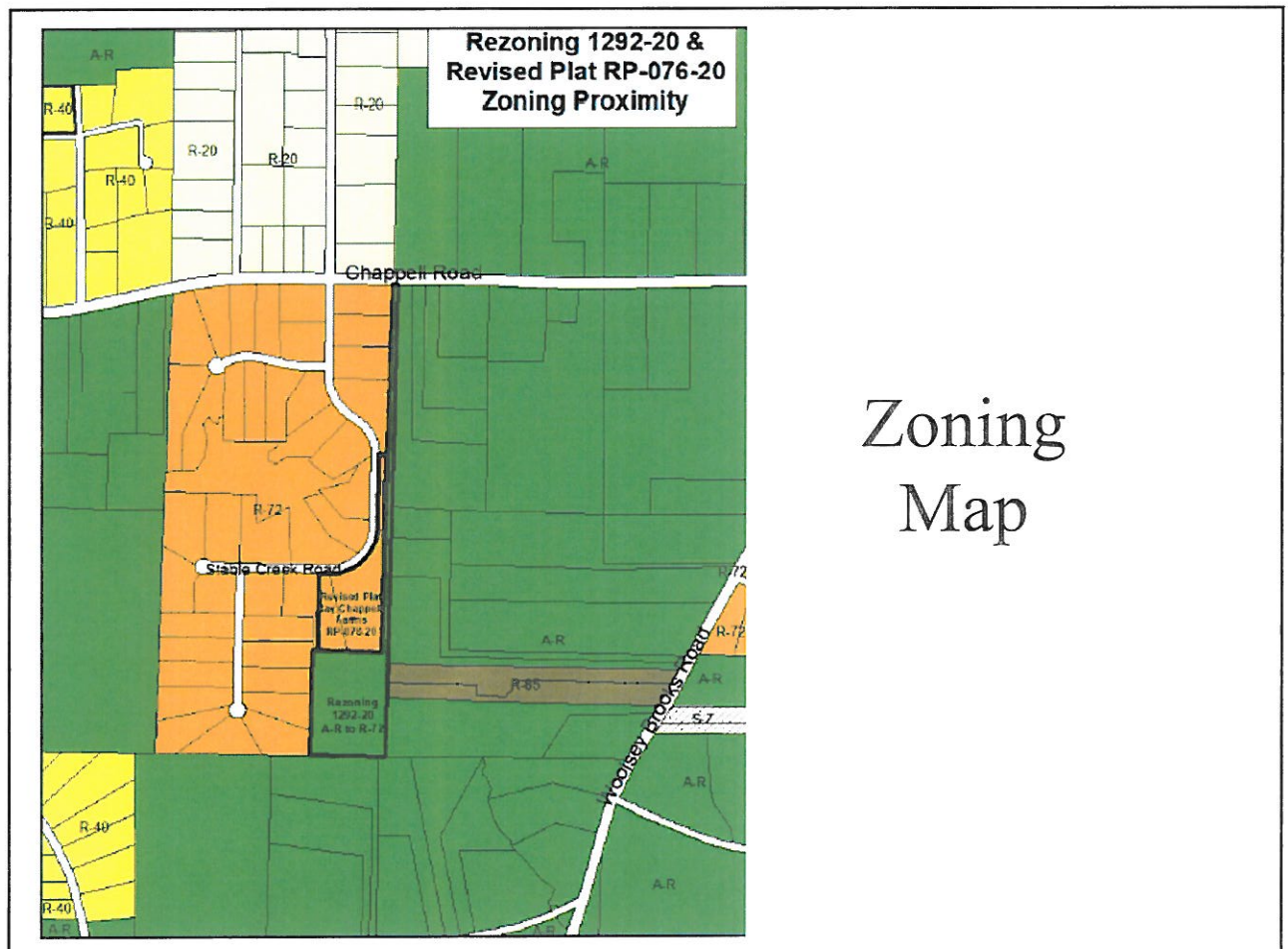
**Purpose of Rezoning &
Revision of Recorded Plats**

Combine portions of 3 parcels each within Bay Chappell Farms and 1 parcel contiguous with Bay Chappell Farms with the end result being 3 single-family residential R-72 lots of 4 acres or more all within Bay Chappell Farms.

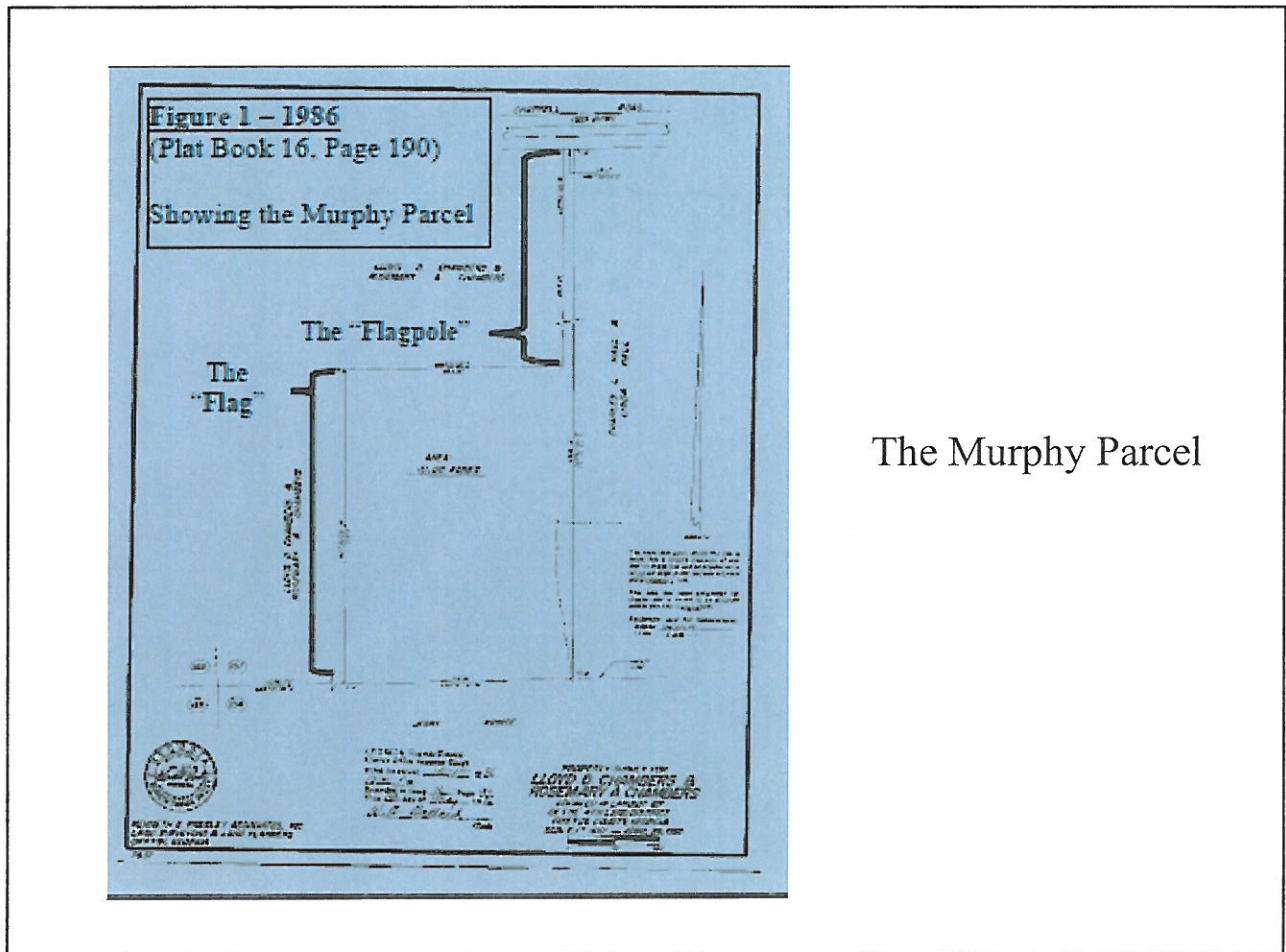
2

Brief Chronological History of the Subject Parcels

3



4

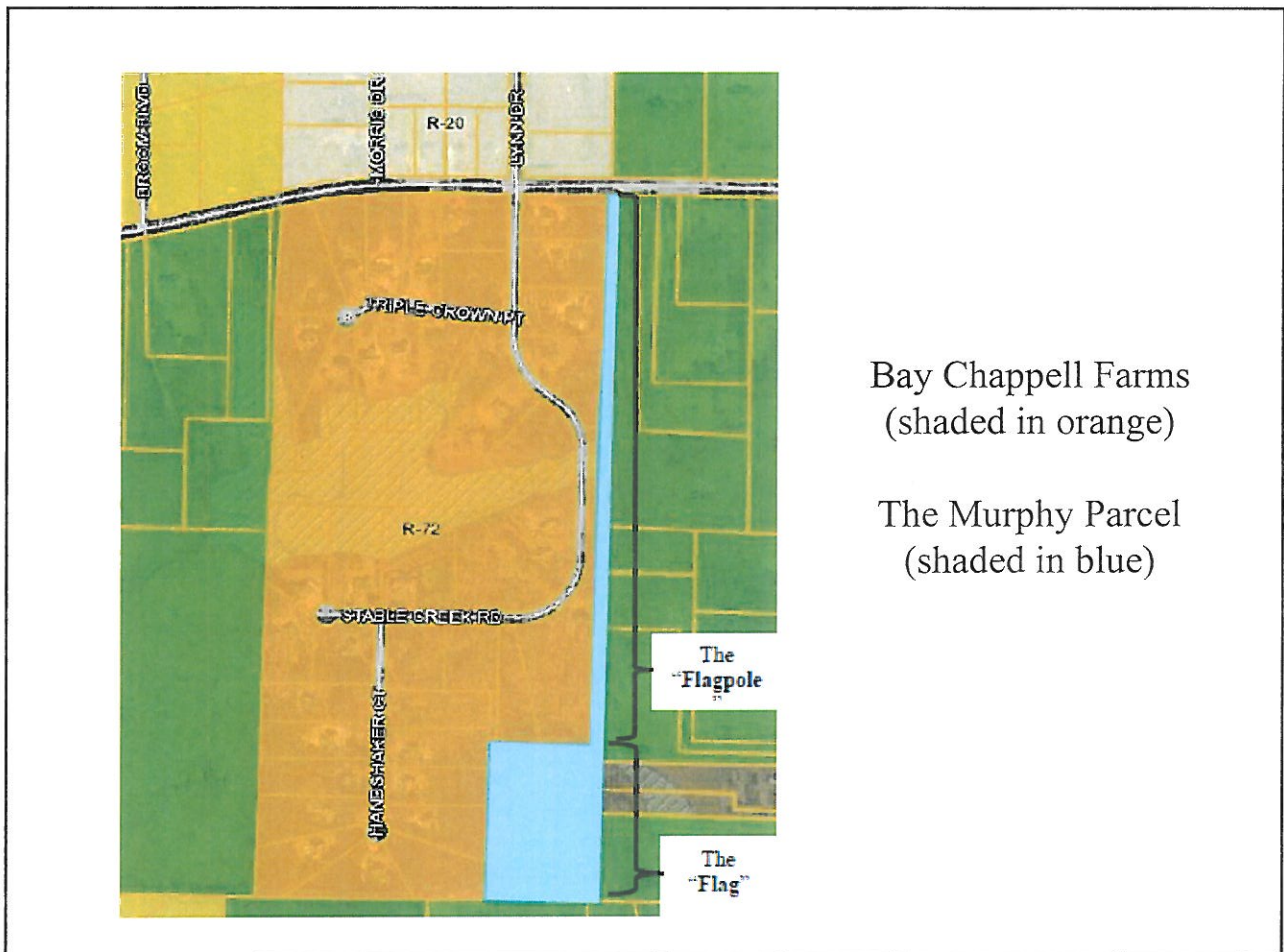


5

The Murphy Parcel

- 1986 - Murphy purchased from Mr. Lloyd D. and Mrs. Rosemary A. Chambers (the "Chambers").
- 10 acre flag-shaped lot
 - Zoned A-R
 - The "Flagpole" - 25' x 2,613.31' (1.5 acre)
 - originally intended to serve as the driveway
 - The "Flag" - 8.5 acre
- Now, economically unfeasible to construct a driveway
 - Due to changes in water courses and ever-increasing costs of paving.
- Practically Landlocked

6



Bay Chappell Farms
(shaded in orange)

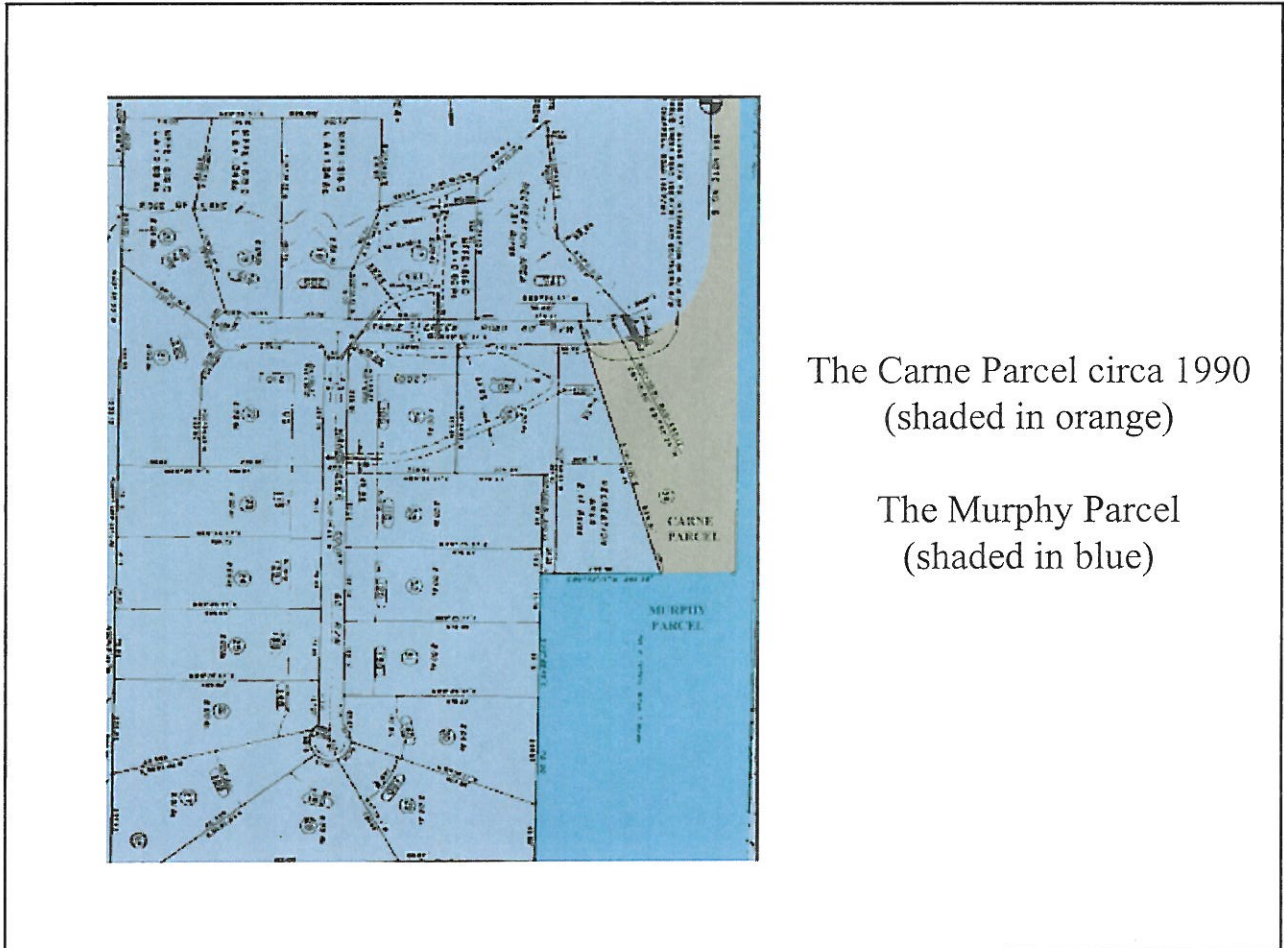
The Murphy Parcel
(shaded in blue)

7

Bay Chappell Farms

- 1988 - Thompson & Company Mortgage Corporation (“Thompson”) bought 107.81 acre parcel from Chambers
- Thompson developed 107.81 acres into Bay Chappell Farms (shaded in orange) – a single-family residential subdivision.
- Bay Chappell Farms consists of 36 lots and is zoned R-72, Single-Family Residential District (“R-72”). R-72 zoning allows for development of 2 or more acres in size. The lots in Bay Chappell Farms range in size from 2 to 5 acres.

8

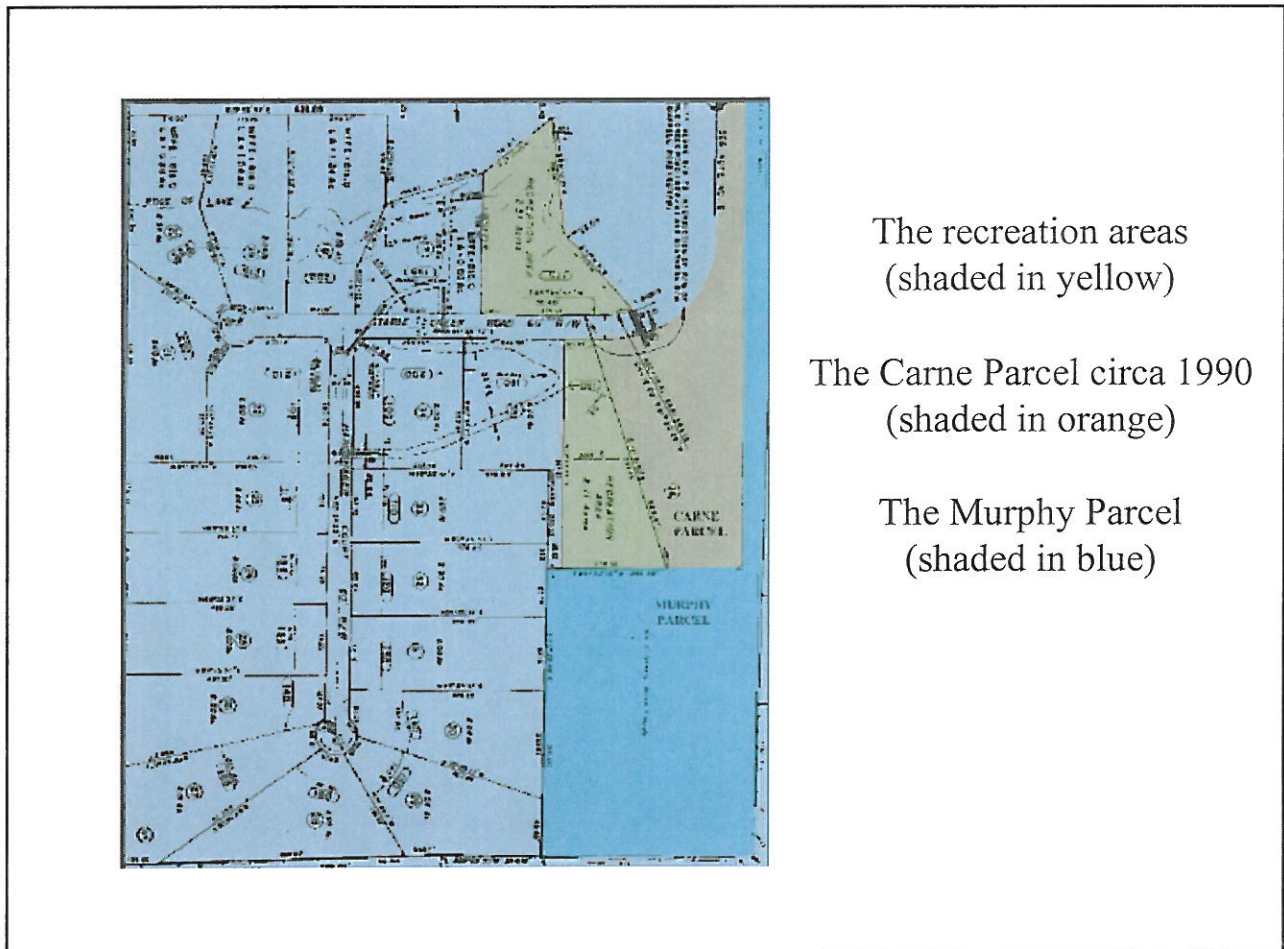


9

The Carne Parcel

- 1990 - Richard E. Carne purchased Lot 36 in Bay Chappell Farms from Thompson.
- Lot 36, originally platted as a 5.075 +/- acre parcel

10

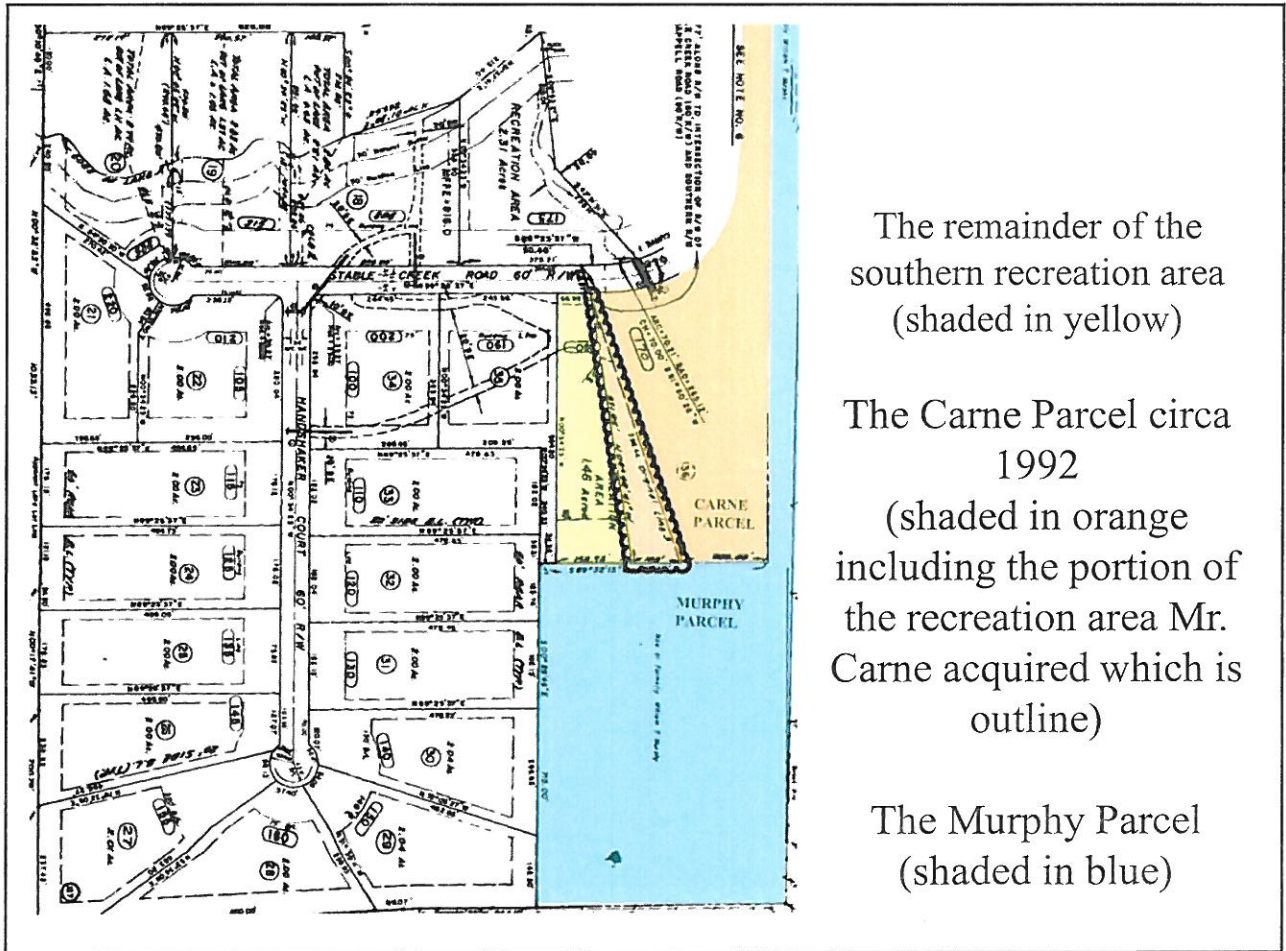


11

The Recreation Areas (1991)

- 1991 – Thompson conveyed to Barnett Bank of Fayette County the undeveloped portions of Bay Chappell Farms, in lieu of foreclosure.
 - The recreation areas (shaded yellow)
 - Were included in the conveyance to Barnett Bank
 - Were platted, *but never developed or used*, as common recreation areas.
- The recreation areas are wooded and have never been developed or used as recreation areas.

12



The remainder of the southern recreation area (shaded in yellow)

The Carne Parcel circa 1992 (shaded in orange including the portion of the recreation area Mr. Carne acquired which is outline)

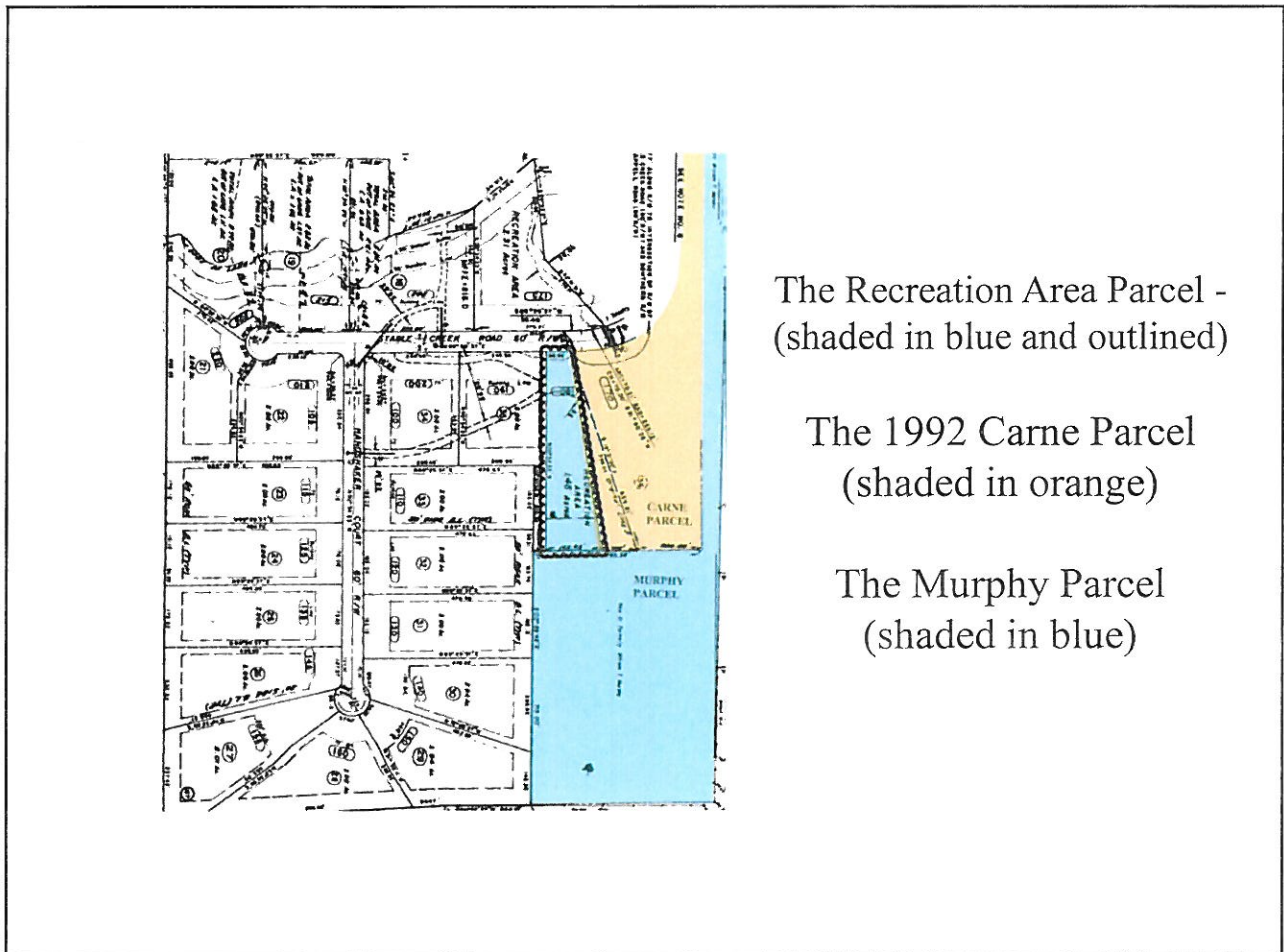
The Murphy Parcel (shaded in blue)

13

The Recreation Area Parcel (1992)

- 1992 – Mr. Carne acquired 0.67 acres of the southernmost Recreation Area.
- The plat for Bay Chappell Farms was revised to reflect this acquisition.

14

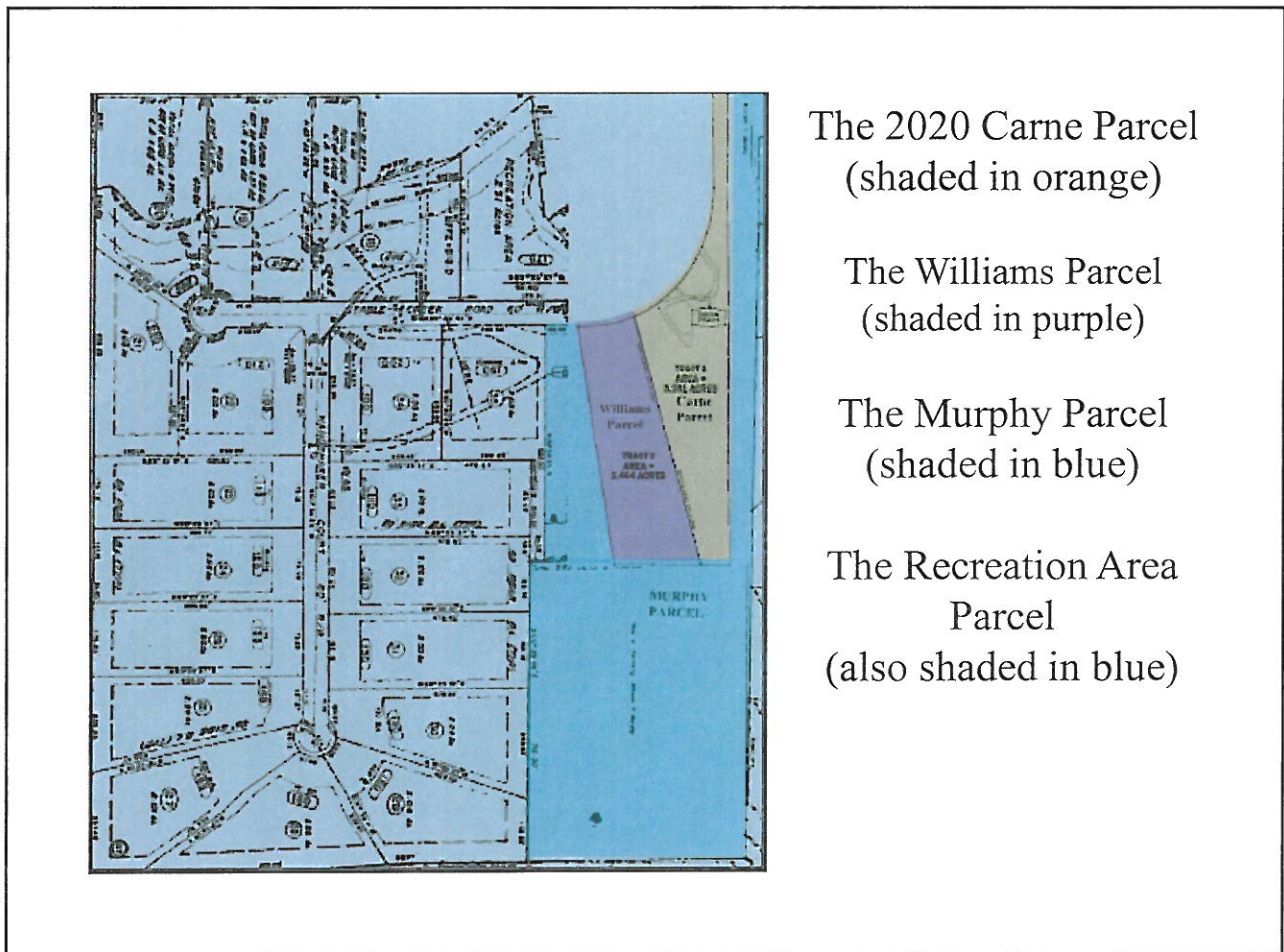


15

The Recreation Area Parcel (2008)

- 2008 – Due to Barnett Bank’s failure to pay ad valorem taxes, the Recreation Area Parcel was sold by the Fayette County Sheriff at a tax sale to Mr. Murphy.
- The northern recreation area is still owned by Barnett Bank.

16



The 2020 Carne Parcel
(shaded in orange)

The Williams Parcel
(shaded in purple)

The Murphy Parcel
(shaded in blue)

The Recreation Area
Parcel
(also shaded in blue)

17

The Williams Parcel

- January 23, 2020 – Fayette County Board of Commissioners approved Application to Revise a Recorded Plat.
 - Authorized division of the 1992 Carne Parcel into 2 parcels –
 - the 2020 Carne Parcel (3.281 acres) (shaded orange); and
 - the Williams Parcel (2.464 acres) (shaded purple).
- Mr. Carne's daughter, Cynthia Williams, and her husband, Eric Williams, hoped to build a single-family home on the Williams Parcel.

18

Need for Applications (cont'd)

- Only economically viable use for the Murphy Parcel -- 1 single-family lot
 - Heavy forestation, limited acreage, limited actual and potential road frontage, and location around residentially zoned parcels.
- Fayette County Code requires access from a road on which the Murphy Parcel has frontage.
 - The Flagpole
 - Fronts Chappell Road
 - 1.5 miles long
 - Covered partially by (new) water courses/features
 - Prohibitively expensive to construct a driveway

19

Need for Applications (cont'd)

- Section 110-67(b) of the Zoning Ordinance – all residential lots must have at least 100 feet of immediate street frontage
 - The Murphy Parcel was platted before Section 110-67(b) was enacted and as such is a legal nonconforming lot.
- Section 104-55(c) of the Development Regulations – every residential lot must have a driveway accessing street on which it has frontage
- Section 110-67(b) of the Zoning Ordinance permits access to physically landlocked lots (only) via easement driveways.
 - Murphy Parcel is not landlocked

20

Need for Applications (cont'd)

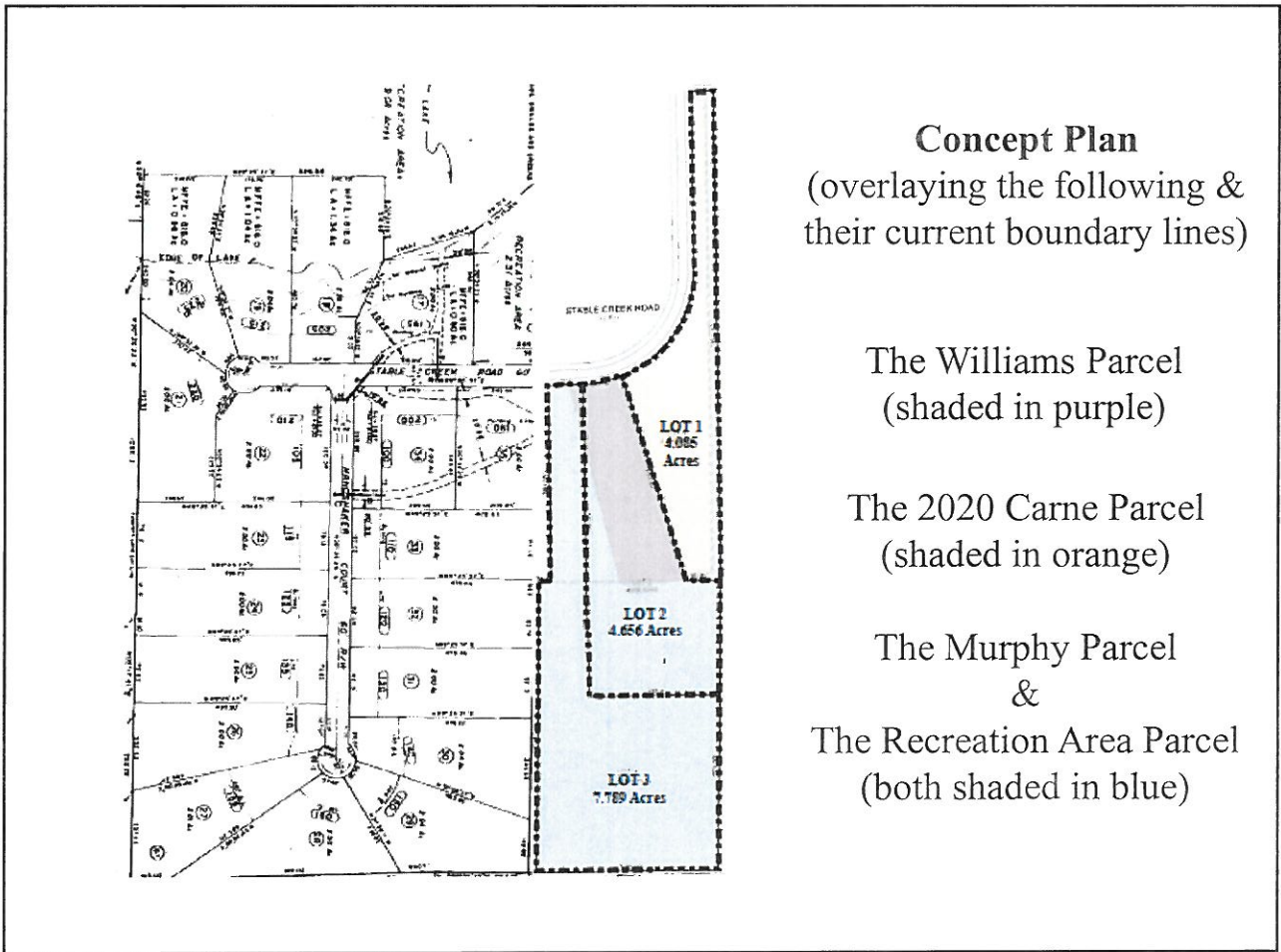
- The Recreation Area (owned by Mr. Murphy) is a viable path for a driveway.
- The Recreation Area Parcel was platted (but never used) as a recreation parcel.
- For the combined Murphy Parcel and Recreation Area Parcel to have 100 feet of road frontage, they must also be combined with a portion of the Williams Parcel.

21

Need for Applications (cont'd)

- To expand the potential home sites on the William Parcel, the Williamses desire to increase the width and acreage of their lot specifically by acquiring a portion of the Recreation Area Parcel and 2 acres of the Murphy Parcel.
- Mr. Carne would like to construct a garage on the rear of the Carne Parcel, but due to the existing flood plain and the setbacks under the Zoning Ordinance, he has had a difficult time finding the ideal location. Thus, Mr. Carne would like to acquire the portion of the Flagpole contiguous with the Carne Parcel.

22

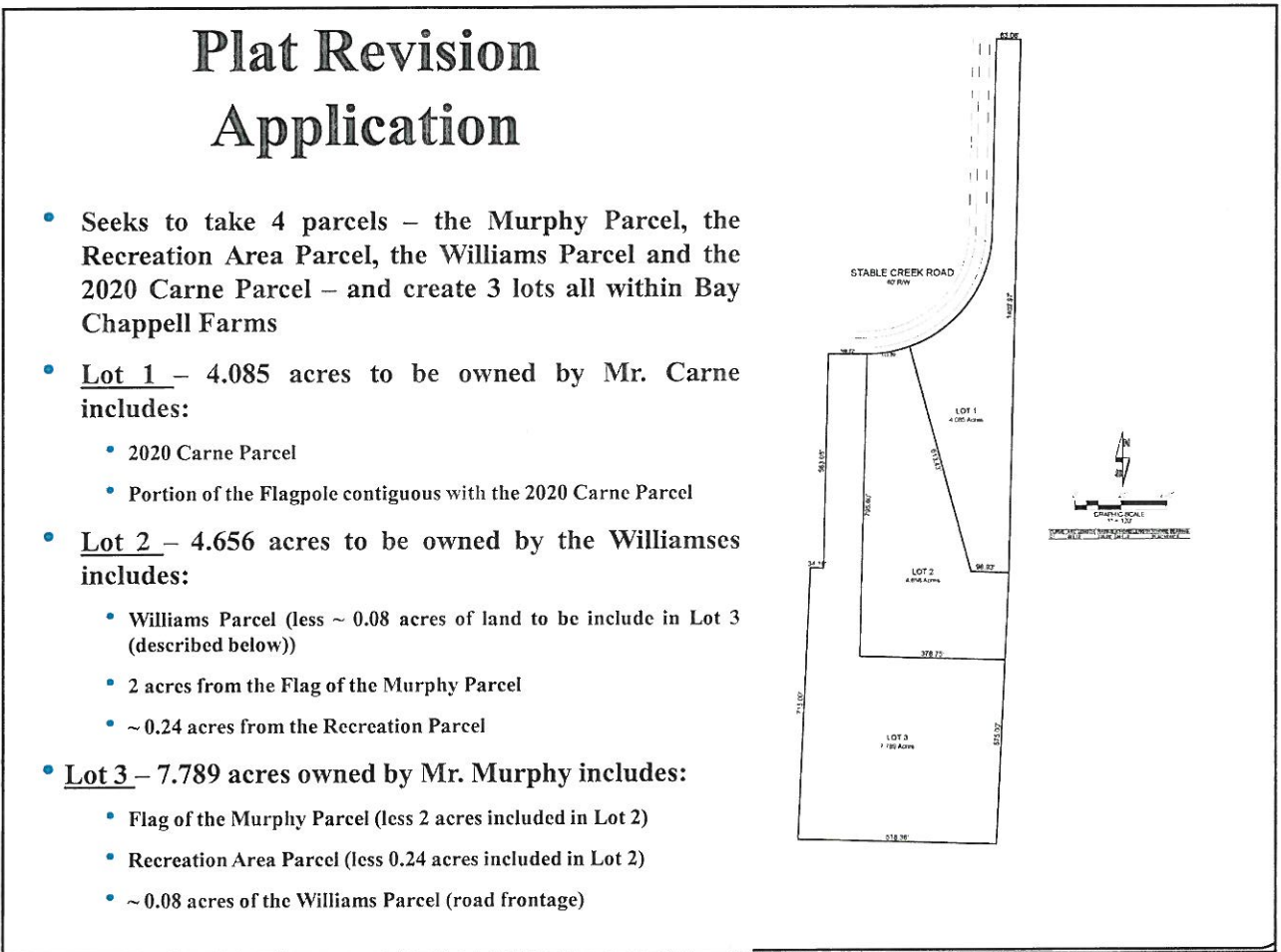


Concept Plan
(overlaying the following & their current boundary lines)

The Williams Parcel
(shaded in purple)

The 2020 Carne Parcel
(shaded in orange)

The Murphy Parcel
&
The Recreation Area Parcel
(both shaded in blue)



Application to Revise Recorded Plats Evaluation

Application seeks to revise Final Plats of Bay Chappell Farms to add property to Bay Chappell Farms (the Murphy Parcel), create an additional lot in Bay Chappell Farms (Lot 3), and to change principle use of Recreation Area Parcel to residential use.

25

Application to Revise Recorded Plats Evaluation

- Factors to be considered:
 - Street character
 - Lot size character
 - Lot width character
 - Change of principal use

26

Plat Revision – Staff Analysis

- 1. Street character – That the proposed lots will maintain a front yard setback of 75 feet and the revised plat shall indicate the 75-foot front yard setback.
 - Consistent with zoning districts (previously or currently) applied to BCF
 - R-60 – 75 feet – setback (Staff recommended condition)
 - R-75 – 50 feet – setback
 - Applicant – street character will not change
 - Homes on Lots 2 at a minimum & 3 will be set back 563.05' (See Staff recommended condition)
 - Lot 3 will self-impose conditions re: size and architectural style of the homes built in BCF

27

Plat Revision – Staff Analysis (cont'd)

- 2. Lot size character – Per the Letter of Intent, all lots are proposed to exceed the 2-acre minimum lot size.
- Applicant – Lot size character will not change
 - Appearance of Lot 3 & Lot 2 from road will be consistent with BCF
 - Homes will be set back ~560' from road

28

Plat Revision – Staff Analysis (cont'd)

- 3. Lot width character – All proposed lots would appear to be in character with similarly shaped lots within BCF
 - There are no flag lots within BCF, but the proposed flagpole of Lot 3 is 518 feet wide in the flag portion.
 - Applicant – Lot width character will not be affected
 - The appearance of Lot 1, Lot 2, and Lot 3 will not change from the road (but for 2 driveways)

29

Plat Revision – Staff Analysis (cont'd)

- 4. Change of principal use – Application includes change of a principal use
 - Staff recommends conditions (next slide)
 - Applicant – change of principal use will not change the status quo
 - Two driveways are not inconsistent with the designation of the recreation area.
 - Recreation area has never been developed or used as a recreation area
 - Will not change the use or usability of adjacent or nearby property
 - Will enhance use or usability of adjacent or nearby property
 - Recreation Area is privately owned
 - Approval will eliminate a non-conforming parcel and create a conforming parcel
 - Economically viable use of Murphy Parcel

30

Plat Revision

STAFF RECOMMENDS APPROVAL WITH THE FOLLOWING CONDITIONS:

1. *That the proposed lots will maintain a front yard setback of 75 feet and the revised plat shall indicate the 75 foot front yard setback.*
2. *That use of that 2.11 acre area by the underlying fee owner(s) is limited to construction of no more than two total driveways to service proposed Lot 2 and Lot 3 (as shown on the Concept Plan submitted with the Applications). The owner(s) of Lots 2 and 3 shall not site any permanent improvements, other than the driveways to service Lot 2 and Lot 3, in such manner as to leave the remaining areas of the Recreation Area parcel free for passive recreation by the owners of all lots in Bay Chappell Subdivision, and no current or future owner of Lot 2 or Lot 3 shall substantially interfere with the use of the Recreation Area by any current or future owner of any other lot in Bay Chappell Farms Subdivision for recreation purposes. Substantial interference shall include, but not be limited to, the erection of a fence excluding access to the Recreation Area. Additionally, before a revised final plat is recorded, the current owners of any portion of Lots 1, 2, and 3 shall indemnify and hold harmless the County from any and all future claims related to (1) the County's approval of the Applications that include the 2.11 acre Recreation Area; and (2) the extinguishment of the original 25 foot strip connecting Lot 3 with Chappell Road.*
3. *That the revised final plat shall indicate the area of the 2.11 acre Recreation Area in relationship to proposed Lots 2 and 3.*

31

Applicants

support Staff's recommendation
and consents to recommended
conditions

32

Rezoning Application – A-R to R-72

- If the Plat Revision Application is approved, the 3 new Lots will all contain:
 - A portion of the current Murphy Parcel (which is zoned A-R); and
 - A portion of lots currently within the subdivision (which are zoned R-72)
- Section 110-28 of Zoning Ordinance – a parcel with more than one zoning district applied to it must be rezoned to one zoning district before a final plat, site plan, and/or building permit is submitted.
 - Rezoning Application requests the rezoning of the current Murphy Parcel to R-72.
 - The Rezoning Application must be approved if the Plat Revision Application is approved so that the final plat complies with Section 110-28

33

Rezoning Application

- Factors to be considered:
 - Comprehensive Plan
 - Whether Application will adversely affect the existing use or usability of adjacent or nearby property
 - Whether Application will result in a use which will or could cause an excessive or burdensome use of existing or planned streets, utilities, or schools
 - Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the zoning proposal

34

Rezoning Factors

- **1. Comp. Plan** - Subject property is within area designated Agricultural Residential (1 unit/5 acres)
 - Proposed lot size of Lot 3 at 7.789 acres conforms to density standard for A-R but requested R-72 zoning is not one of the districts permitted in that character area. Since subject property is proposed to access Stable Creek Road in Bay Chappell Farms, it would be properly considered part of Bay Chappell Farms and would require re-platting.
 - Staff Proposes mitigating condition
 - Applicant – the average lot size (of Lots 1, 2, and 3) is greater than 5 acres
 - Other Comp. Plan. policies support approval
 - Maintain character of established communities;
 - Stabilize residential neighborhoods adjacent to nonresidential areas
 - Protect and enhance existing neighborhoods
 - Approval will eliminate a nonconforming lot and create a conforming lot
 - Furthers Comp. Plan.

35

Rezoning Factors (cont'd)

- **2. Potential for adverse affect on existing use or usability of surrounding property** - Will not adversely affect existing use or usability of adjacent or nearby property
 - Applicant – Majority of parcels contiguous with Murphy Parcel are within BCF
 - Approval of Application would make Murphy Parcel's use consistent with BCF
 - Average size of Lots 1, 2, and 3 is consistent with Comp. Plan.

36

Rezoning Factors (cont'd)

- 3. Potential burden on streets, utilities, or schools - Will not result in burdensome use of roads, utilities, or schools
 - Applicant – No change to current burden on roads, utilities, or schools
 - Murphy Parcel could be developed as zoned (but for prohibitively expensive driveway)
 - Williams Parcel could be developed
 - Carne Parcel already developed

37

Rezoning Factors (cont'd)

- 4. Other existing or changing conditions - Existing conditions and area's continued development as A-R district maintaining 5-acre density and Staff's recommended condition support approval of the Application.
 - Applicant – Existing and changed conditions support approval
 - Changing hydrology on the Flagpole and ever-increasing costs of constructing a driveway are changing conditions
 - Economically impossible to construct driveway

38

Rezoning Application – Staff Recommendation Approval w/ Conditions

- **STAFF RECOMMENDS REZONING TO R-72 WITH THE FOLLOWING CONDITION:**
 - Lot 3, as indicated on the lot layout Concept Plan, shall maintain a minimum 5-acre (217,800 square feet) lot size
 - **Note: Approval could serve as impetus to other property requests for rezoning districts that require less than a 5-acre lot size or density, thus increasing overall density of southern portion of Fayette County**

39

Applicant
supports Staff's recommendation
and consents to recommended
conditions

40

NEIGHBORHOOD
NOTICE & SUPPORT
(Mr. Carne)

41

QUESTIONS?

42

COUNTY AGENDA REQUEST

Department:

Presenter(s):

Meeting Date:

Type of Request:

Wording for the Agenda:

Consideration of Petition No. 1292-20, William T. Murphy, Owner, and Steven L. Jones, Agent, request to rezone 10.00 acres from A-R to R-72 to add property to the Bay Chappell Farms Subdivision; property is located in Land Lot 167 of the 4th District and fronts on Chappell Road.

Background/History/Details:

Petition 1292-20 was previously tabled to August 27, 2020. Staff later also found an error in the legal advertisement for Petition 1292-20 so it was reheard by the Planning Commission on August 6, 2020.

This petition is associated with Petition A-076-20. Also see Petition A-076-20 for full Backup materials.

Staff recommends approval with one condition.

The Planning Commission recommended approval with one condition.

Condition: That Lot 3, as indicated on the lot layout Concept Plan, shall maintain a minimum five (5) acre (217,800 square feet) lot size.

Arnold Martin made a motion to recommend approval of the Petition No. 1292-20 with one (1) condition. Al Gilbert seconded the motion. The motion passed 5-0.

What action are you seeking from the Board of Commissioners?

Approval of Petition No. 1292-20, William T. Murphy, Owner, and Steven L. Jones, Agent, request to rezone 10.00 acres from A-R to R-72 to add property to the Bay Chappell Farms Subdivision; property is located in Land Lot 167 of the 4th District and fronts on Chappell Road with one (1) condition.

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:

**STATE OF GEORGIA
COUNTY OF FAYETTE**

RESOLUTION

NO. 1292-20

WHEREAS, William T. Murphy, Owner, and Steven L. Jones (Bovis, Kyle, Burch & Medlin, LLC), Agent, having come before the Fayette County Planning Commission on August 6, 2020, 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 10.00 acres from A-R to R-72, in the area of Chappell Road, Land Lot 167 of the 4th District, for the purpose of adding property to the Bay Chappell Farms 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:

Compatible with the surrounding area.

**PLANNING COMMISSION
OF
FAYETTE COUNTY**

ATTEST:


**HOWARD L. JOHNSON
PC SECRETARY**


JOHN H. CULBRETH, SR, CHAIRMAN

PETITION NO: 1292-20

REQUESTED ACTION: A-R to R-72

PROPOSED USE: Single-Family Residential

EXISTING USE: Undeveloped

LOCATION: Chappell Road

DISTRICT/LAND LOT(S): 4th District, Land Lot(s) 167

OWNER: William T. Murphy

AGENT: Steven L. Jones (Bovis, Kyle, Burch & Medlin, LLC)

PLANNING COMMISSION PUBLIC HEARING: August 6, 2020

BOARD OF COMMISSIONERS PUBLIC HEARING: August 27, 2020

APPLICANT'S INTENT

Applicant proposes to rezone 10.00 acres from A-R to R-72 to add property to the Bay Chappell Farms Subdivision (associated with Revised Plat RP-076-20 application).

STAFF RECOMMENDATION

APPROVAL WITH ONE (1) CONDITION

1.

1292-20

INVESTIGATION

A. PROPERTY SITE

The subject property is a 10.00 acre tract fronting on Chappell Road in Land Lot 167 of the 4th District. Chappell Road is classified as a Collector road on the Fayette County Thoroughfare Plan. The subject property is undeveloped.

History: The subject property is a portion of a parcel of approximately 119 acres owned by Lloyd and Rosemary Chambers which they purchased in 1981. The applicant purchased the subject property in 1986. In 1988, the Chambers submitted rezoning application 696-88 to rezone 108.43 acres of the 119 acre parcel from A-R to R-60 which was approved by the Board of Commissioners on September 22, 1998. This property would become Bay Chappelle Farms Subdivision. The R-60 zoning district was deleted from the zoning ordinance in 1998 and all properties in the R-60 zoning District were put into the R-72 zoning district.

The following are the conditions of the rezoning:

1. That the total number of lots shall not exceed 43 for the 108.43 acres zoned.
2. That no structure shall front on or have direct access to Chappell Road.
3. That all structures shall be set back at least 80 feet from the right-of-way of Chappell Road.
4. To provide an UNDISTURBED or planted buffer at least 20 feet deep along the right-of-way of Chappell Road, said buffer being indicated on the final plat of the subdivision.

B. SURROUNDING ZONING AND USES

The general situation is a 10.00 acre tract that is zoned A-R. In the vicinity of the subject property is land which is zoned R-72, R-85, and 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	1.46	R-72	Labeled as Recreation Area on Final Plat	Agricultural Residential (1 Unit/5 Acres)
	5.75	R-72	Single-Family Residential	
North (across Chappell Road)	2.0	R-20	Single-Family Residential	Agricultural Residential (1 Unit/5 Acres)
	15.0	A-R	Single-Family Residential	
South	6.0	A-R	Single-Family Residential	Agricultural Residential (1 Unit/5 Acres)
	5.3	A-R	Single-Family Residential	
East	9.57	A-R	Single-Family Residential	Agricultural Residential (1 Unit/5 Acres)
	2.0	A-R	Undeveloped	
	5.0	A-R	Single-Family Residential	
	7.0	A-R	Single-Family Residential	
	6.2	R-85	Single-Family Residential	
	6.2	R-85	Single-Family Residential	
	12.0	A-R	Single-Family Residential	
West	2.0	R-72	Single-Family Residential	Agricultural Residential (1 Unit/5 Acres)
	2.0	R-72	Single-Family Residential	
	2.0	R-72	Single-Family Residential	
	2.4	R-72	Single-Family Residential	
	2.0	R-72	Single-Family Residential	
	2.0	R-72	Single-Family Residential	
	2.04	R-72	Single-Family Residential	
	2.04	R-72	Undeveloped	

C. COMPREHENSIVE PLAN

The subject property lies within an area designated as Agricultural Residential (1 Unit/5 Acres). The proposed lot size of Lot 3 at 7.789 acres, as indicated on the lot layout Concept Plan, conforms to the density standard for the Agricultural Residential character area, but the requested R-72 zoning district is not one of the zoning districts permitted in that character area. As the subject property is proposed to access Stable Creek Road in the subdivision, it would properly be considered a part of the subdivision and would require re-platting of the land included within this application.

The approval of this request could also serve as an impetus to other property requests for rezoning districts that require less than a five (5) acre lot size or density and thus increasing the overall density of the southern portion of the county. To protect against that contingency, staff will recommend the following condition should the rezoning petition be approved:

That Lot 3, as indicated on the lot layout Concept Plan, shall maintain a minimum five (5) acre (217,800 square feet) lot size.

D. ZONING/REGULATORY REVIEW

The applicant seeks to rezone from A-R to R-72 to add property to the Bay Chappell Farms Subdivision and this rezoning is associated with an application (RP-076-20) to revise the Final Plats of Bay Chappell Farms to add property to Bay Chappell Farms Subdivision, create an additional lot in Bay Chappell Farms Subdivision, and change the principal use on a lot labeled Recreational Area (Bay Chappell Farms Phase Two) to residential use. The subject property is a nonconforming lot as the lot has only 25 feet road frontage, legal at the time when the lot was recorded, instead of 100 feet of road as is currently required.

Rezoning from A-R to R-72 is necessary to comply with Sec. 110-28. - Boundary rule. (4) which states:

In addition, any development which results in or is located on a lot with multiple zonings shall be rezoned to one zoning district prior to submittal of a preliminary plat, final plat, minor subdivision plat, site plan, and/or building permit, as applicable.

Bay Chappell Farms subdivision currently contains 40 lots. The aforementioned rezoning condition #1 above limits the total number of lots to 43 in the subdivision. The addition of two lots, as is proposed in conjunction with petition RP-076-20, will bring the total number of lots up to 42 which complies with the condition.

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 applicant indicates access will be from Stable Creek Road.

E. DEPARTMENTAL COMMENTSWater System

“Lot 1” (Lot 36 Bay Chappell Farms/170 Stable Creek Rd.) has an existing water service at or very near its original western property line, the additional road frontage being granted for “Lot 2” and “Lot 3”, places this water service on future “Lot 3”. This water service will need to be relocated onto future “Lot 1” or used as a future water service for future “Lot 3” and a new water service installed for future “Lot 1”, at the expense of the developer. Additionally, water service will need to be installed for future “Lot 2”, at the developers expense. Also any other conflicts that arise with FCWS facilities as a result of this re-plat must be resolved by the developer with coordination through FCWS.

Public Works/Engineering

No Engineering comments on the proposed rezoning.

Environmental Management

- Floodplain** The property **DOES NOT** contain floodplain per FEMA FIRM panel 13113C0113E and 13113C0083E dated Sept 26, 2008. The property **DOES** contain additional floodplain delineated in the FC 2013 Future Conditions Flood Study.
- Wetlands** The property **DOES NOT** contain wetlands per the U.S. Department of the Interior, Fish and Wildlife Service 1994 National Wetland Inventory Map. Per Section 8-4 of Fayette County Development Regulations, the applicant must obtain all required permits from the U.S. Army Corps of Engineers prior to issuance of any permits from Fayette County for any phase of development affecting wetlands.
- Watershed** The watershed protection ordinance **WOULD** apply to this property.
- Groundwater** The property **IS NOT** within a groundwater recharge area.
- Stormwater** This development **IS NOT** subject to the Post-Development Stormwater Management Ordinance.

Environmental Health Department

No objection to rezoning and revision to the plat. However, records indicate that there are challenging soils in this area and submission of a red stamped level 3 soils report will be needed for all of the lots.

Fire

Approved

STAFF ANALYSIS

This request is based on the petitioner's intent to rezone said property from A-R to R-72 to add property to the Bay Chappell Farms Subdivision and this rezoning is associated with an application (RP-076-20) to revise the Final Plats of Bay Chappell Farms to add property to Bay Chappell Farms Subdivision, create an additional lot in Bay Chappell Farms Subdivision, and change the principal use on a lot labeled Recreational Area (Bay Chappell Farms Phase Two) to residential use.. Per Section 110-300 of the Fayette County Zoning Ordinance, Staff makes the following evaluations:

1. The subject property lies within an area designated as Agricultural Residential (1 Unit/5 Acres). The proposed lot size of Lot 3 at 7.789 acres, as indicated on the lot layout Concept Plan, conforms to the density standard for the Agricultural Residential character area, but the requested R-72 zoning district is not one of the zoning districts permitted in that character area. As the subject property is proposed to access Stable Creek Road in the subdivision, it would properly be considered a part of the subdivision and would require re-platting of the land included within this application.

The approval of this request could also serve as an impetus to other property requests for rezoning districts that require less than a five (5) acre lot size or density and thus increasing the overall density of the southern portion of the county. To protect against that contingency, staff will recommend the following condition should the rezoning petition be approved:

That Lot 3, as indicated on the lot layout Concept Plan, shall maintain a minimum five (5) acre (217,800 square feet) lot size.

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 continuing development as an Agricultural Residential (1 Unit/5 Acres) district maintaining a five acre density and the recommended condition support this petition.

Based on the foregoing Investigation and Staff Analysis, Staff recommends **APPROVAL WITH ONE (1) CONDITION.**

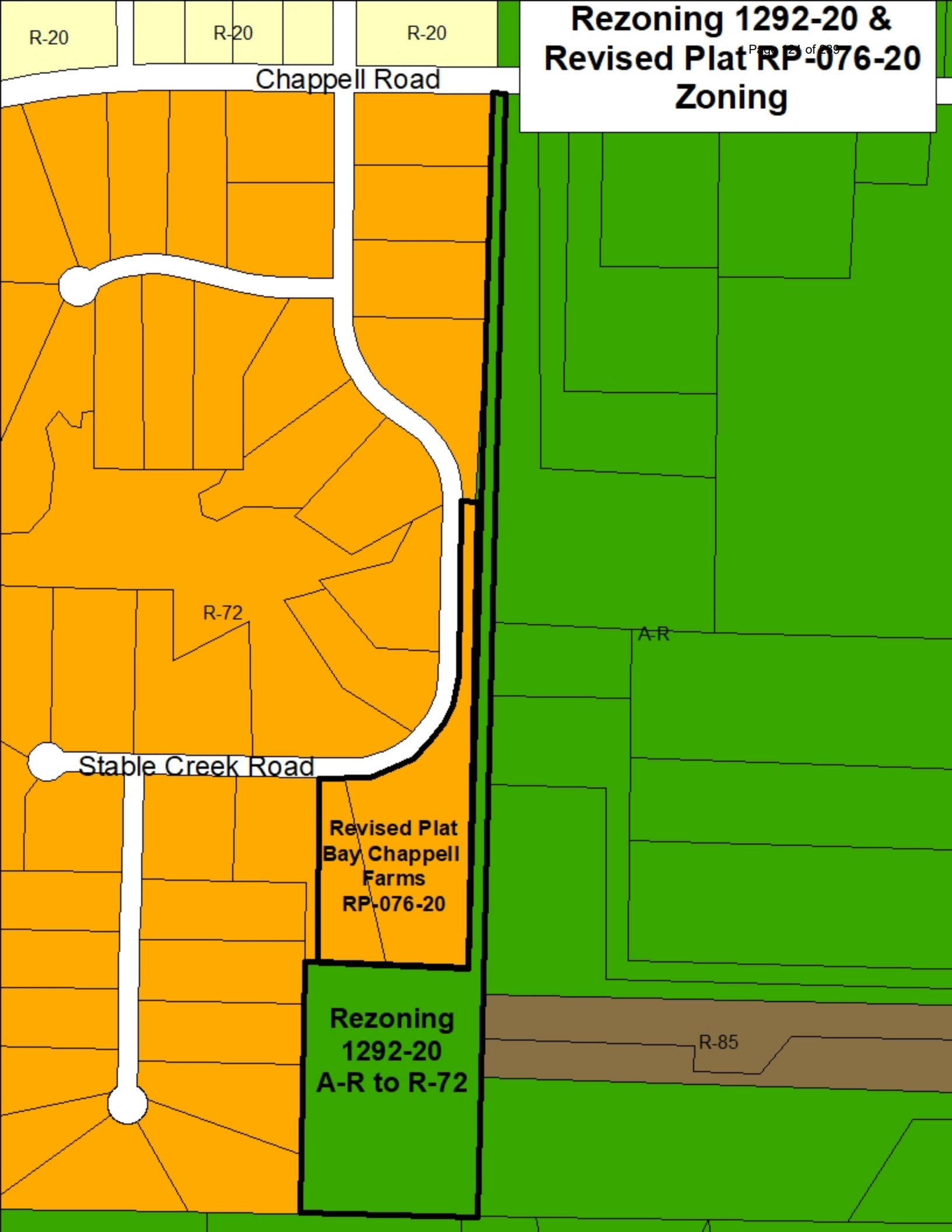
RECOMMENDED CONDITIONS

If this petition is approved by the Board of Commissioners, it should be approved **R-72 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 Lot 3, as indicated on the lot layout Concept Plan, shall maintain a minimum five (5) acre (217,800 square feet) lot size.

Rezoning 1292-20 & Revised Plat RP-076-20 Zoning

Page 2 of 29



R-20

R-20

R-20

Chappell Road

R-72

A-R

Stable Creek Road

Revised Plat
Bay Chappell
Farms
RP-076-20

Rezoning
1292-20
A-R to R-72

R-85

**Rezoning 1292-20 &
Revised Plat RP-076-20
Land Use Plan**

Page 29 of 29

Chappell Road

AGRICULTURAL
RESIDENTIAL

Stable Creek Road

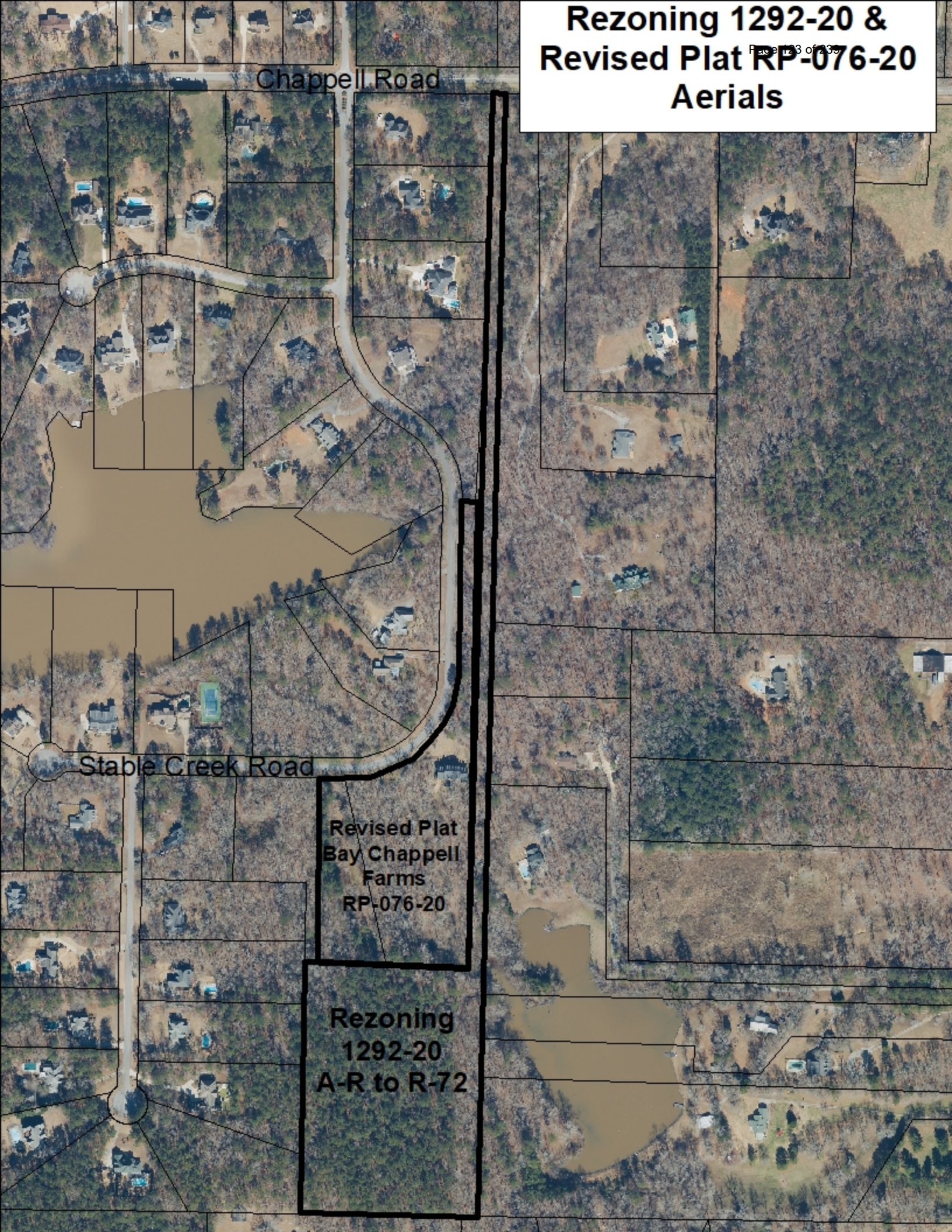
Revised Plat
Bay Chappell
Farms
RP-076-20

Rezoning
1292-20
A-R to R-72



Page 13 of 33

Rezoning 1292-20 & Revised Plat RP-076-20 Aerials



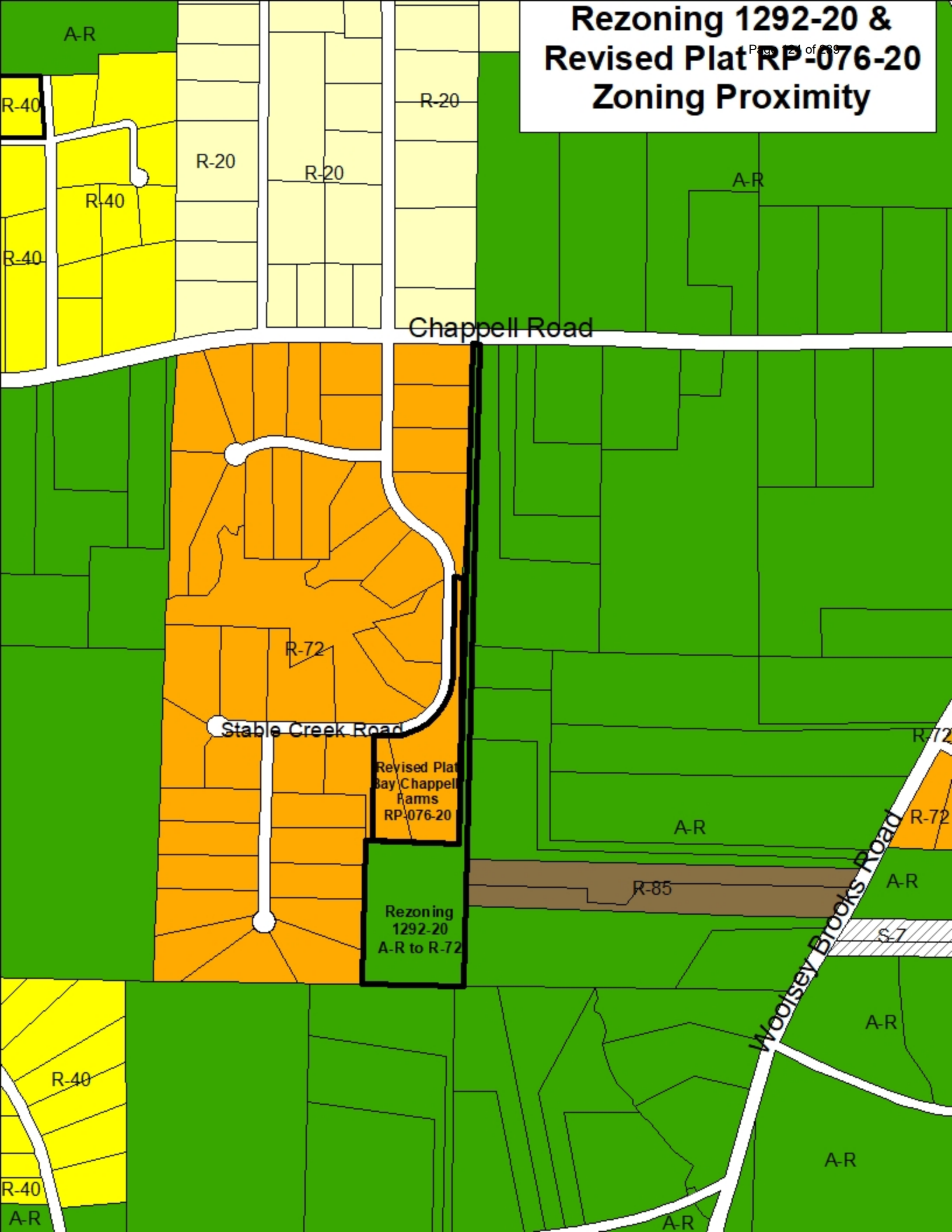
Chappell Road

Stable Creek Road

Revised Plat
Bay Chappell
Farms
RP-076-20

Rezoning
1292-20
A-R to R-72

Rezoning 1292-20 & Revised Plat RP-076-20 Zoning Proximity



A-R

R-40

R-20

R-20

R-20

A-R

R-40

R-40

Chappell Road

R-72

Stable Creek Road

Revised Plat
Bay Chappell
Farms
RP-076-20

A-R

R-85

R-72

R-72

A-R

Rezoning
1292-20
A-R to R-72

S-7

A-R

A-R

R-40

R-40

A-R

A-R

Woolsey Brooks Road

COUNTY AGENDA REQUEST

Department:

Presenter(s):

Meeting Date:

Type of Request:

Wording for the Agenda:

Consideration of Petition No. RP-077-20, Joe L. Brown Estate -Ted W. Brown (Executor), Owner, and George Cocolos, Agent, request to revise the Final Plat of Autumn Lake Estates Subdivision to add property to the Autumn Lake Estates Subdivision and create two (2) additional lots in Autumn Lake Estates Subdivision; property is located in Land Lot 34 of the 4th District and fronts on Village Lake Court.

Background/History/Details:

Staff recommends approval.

The Planning Commission recommended approval.

Brian Haren made a motion to recommend approval of Petition RP-077-20. Arnold Martin seconded the motion. The motion passed 5-0.

What action are you seeking from the Board of Commissioners?

Approval of Petition No. RP-077-20, Joe L. Brown Estate -Ted W. Brown (Executor), Owner, and George Cocolos, Agent, request to revise the Final Plat of Autumn Lake Estates Subdivision to add property to the Autumn Lake Estates Subdivision and create two (2) additional lots in Autumn Lake Estates Subdivision; property is located in Land Lot 34 of the 4th District and fronts on Village Lake Court.

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:

**STATE OF GEORGIA
COUNTY OF FAYETTE**

RESOLUTION

NO. RP-077-20

WHEREAS, Joe L. Brown Estate, c/o Brown Nelms CPA, Owner, having come before the Fayette County Planning Commission on August 6, 2020 for Petition RP-077-20, requesting to add two (2) lots into the existing Autumn Lake Estates subdivision as per Section 8-503(b)(7) of the Fayette County Subdivision Regulations; 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:

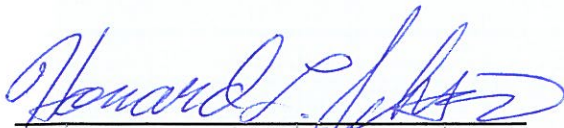
Compatible with the surrounding area.

PLANNING COMMISSION

OF

FAYETTE COUNTY

ATTEST:



**HOWARD L. JOHNSON
ZBA SECRETARY**



**JOHN H. CULBRETH, SR.
CHAIRMAN**

THE FAYETTE COUNTY PLANNING COMMISSION met on August 6, 2020 at 7:00 P.M. in the Fayette County Administrative Complex, 140 Stonewall Avenue West, Fayetteville, Georgia.

- 5. Consideration of Petition No. RP-077-20, Joe L. Brown Estate -Ted W. Brown (Executor), Owner, and George Cocolos, Agent, request to revise the Final Plat of Autumn Lake Estates Subdivision to add property to the Autumn Lake Estates Subdivision and create two (2) additional lots in Autumn Lake Estates Subdivision. This property is located in Land Lot 34 of the 4th District and fronts on Village Lake Court and SR 85 Connector.**

George Cocolos said he is a resident of Brooks and the Autumn Lakes Estates subdivision and resides right across from the subject property on Autumn Lake Court. He said also in attendance is Ted Brown the Executor of the Joe L. Brown Estate. He said the request is a revision to a final plat to add two lots to the Autumn Lake Estates subdivision. By adding these two lots to the subdivision they will be able to access Village Lake Court within the subdivision. He said Autumn Lake Court would be a safer access than SR 85 Connector where several accidents have occurred in the past including a fatality. He stated that Village Lake Court is an internal local road and currently serves 16 properties. He added from an aesthetic viewpoint if we had to access from SR 85 Connector and build a 1,000 foot driveway that would not be aesthetically pleasing to the residents of Autumn Lakes Estates subdivision. He said they have the support of the Architectural Review Committee and the Homeowner's Association to add these lots to the subdivision and he has three letters from residents supporting his proposal.

The Chairman asked if there was anyone present that would like to make a comment concerning the petition. Hearing none, he asked if there was anyone in the live streaming audience that would like to call into the meeting to make a comment. Hearing none after approximately one minute the Chairman said he would entertain a motion.

Brian Haren asked if the only reason the petitioner is asking to add the lots to Autumn Lakes Estates subdivision is to access the internal road.

Pete Frisina said the road department wants the lots to access the internal road and from a subdivision regulation perspective if you want to access an internal road you need to become part of the subdivision and that requires a public hearing process.

Brian Haren made a motion to recommend approval of Petition RP-077-20. Arnold Martin seconded the motion. The motion passed 5-0.

PETITION NUMBER: RP-077-20

REQUESTED ACTION: To revise the Final Subdivision Plat of Autumn Lake Estates to add 19.675 acres to the subdivision and to create two additional lots.

ZONING DISTRICT: A-R

LOCATION: Village Lake Court and SR 85 Connector

LAND LOT/DISTRICT: Land Lot 36 of the 4th District

APPLICANT/AGENT: Joe L. Brown Estate, c/o Brown Nelms CPA/George Cocolos

INVESTIGATION

History: The Final Plat for Autumn Lake Estates was recorded on November 20, 2006. The subdivision contains 16 lots.

Subdivision Regulations

Sec. 104-595. - Approval of subdivisions.

(2) **Final plat or minor subdivision plat**

j. **Revision to a recorded final plat.**

2. Proposed revisions to a recorded major final plat of any existing residential or agricultural-residential subdivisions which adds property to, increases the number of platted lots, or changes the principal use on a lot shall be considered in public hearings before the planning commission and the board of commissioners and public notification shall comply with Sec. 110-301. - Public notification. The following factors shall be considered by the planning and zoning department, the planning commission and the board of commissioners when reviewing these requests:
 - (i) *Street character.* Whether the request will result in a residence or accessory structure that will be out of character with the alignment of existing residences and accessory structures. Aspects to consider are the front setback established on the final plat, the alignment of existing residences and accessory structures, the degree a proposed residence or accessory structure will be out of alignment with the setback and/or existing residences and accessory structures and the presence of vegetation (trees, bushes, shrubbery, etc.) which may provide visual screening.

- (ii) *Lot size character.* Whether the request will result in a lot that will be out of character with the size of existing lots. Aspects to consider are the lot width required by the zoning district, the minimum and maximum range of lots sizes, the number of lots within a size range, the average lot size and the degree proposed lots will be smaller than existing lots.
- (iii) *Lot width character.* Whether the request will result in a lot that will be out of character with the width of existing lots. Aspects to consider are the lot width required by the zoning district, the minimum and maximum range of lot widths, the lot widths within a range, the average lot width and the degree proposed lots will more be narrow than existing lots.
- (iv) *Change of principal use.* Whether the change of use will adversely affect the existing use or usability of adjacent or nearby property, will result in a use which will or could cause an excessive or burdensome use of existing or planned streets, or utilities, or other conditions which give supporting grounds for either approval or disapproval of the change of use proposal.

Department Comments

Planning and Zoning

The factors above are to be used to review these requests:

Street Character: The A-R zoning district requires a front yard setback of 75 feet on Village Lake Court and 100 feet on SR 85 Connector. Any new lots would be required to meet the same front yard setbacks.

Lot size character: The A-R zoning district requires a minimum lot size of five (5) acres. Lots in Autumn Lake Estates range in size from five (5) acres to 6.62 acres. The applicant is proposing a 5.048 acre lot and a 14.609 acre lot (shown as Tracts II and III on the Concept Plan). While one lot is substantially larger at 14.609 acres it would not be out of character given its shape (see Concept Plan).

Lot width character: The A-R zoning district requires a minimum lot width of 250 feet. Any new lots would be required to meet the same minimum lot width.

The application includes a letter from the Autumn Lake Estates HOA supporting the petition and stating that the Declaration of Restrictions and Protective Covenants will be adopted with the revision of the Final Plat as Autumn Lake Estates II.

Tract I, as depicted on the Concept Plan, is not intended to be a part of Autumn Lake Estates subdivision. This lot will be platted separately with a Minor Final Plat.

Fire

Approved

Engineering/Public Works

Engineer supports the addition of 2 drives onto Autumn Lakes Estates. It is a preferred location over HWY 85C

Environmental Management Dept.

- Floodplain** The property **DOES NOT** contain floodplain per FEMA FIRM panel 13113C0112E dated Sept 26, 2008. The property **IS NOT ADJACENT** to floodplain delineated in the FC 2013 Future Conditions Flood Study.
- Wetlands** The property **DOES NOT** contain wetlands per the U.S. Department of the Interior, Fish and Wildlife Service 1994 National Wetland Inventory Map. Per Section 8-4 of Fayette County Development Regulations, the applicant must obtain all required permits from the U.S. Army Corps of Engineers prior to issuance of any permits from Fayette County for any phase of development affecting wetlands.
- Watershed** There **ARE** state waters requiring a buffer on the property, if the property is subdivided. The lake and stream would require a 50' buffer and 25' setback
- Groundwater** The property **IS** within a groundwater recharge area.
- Stormwater** This development **not be** subject to the Post-Development Stormwater Management Ordinance. But will require an NPDES permit and Land Disturbance Permit for Erosion, Sedimentation and Pollution Control.

Environmental Health Department

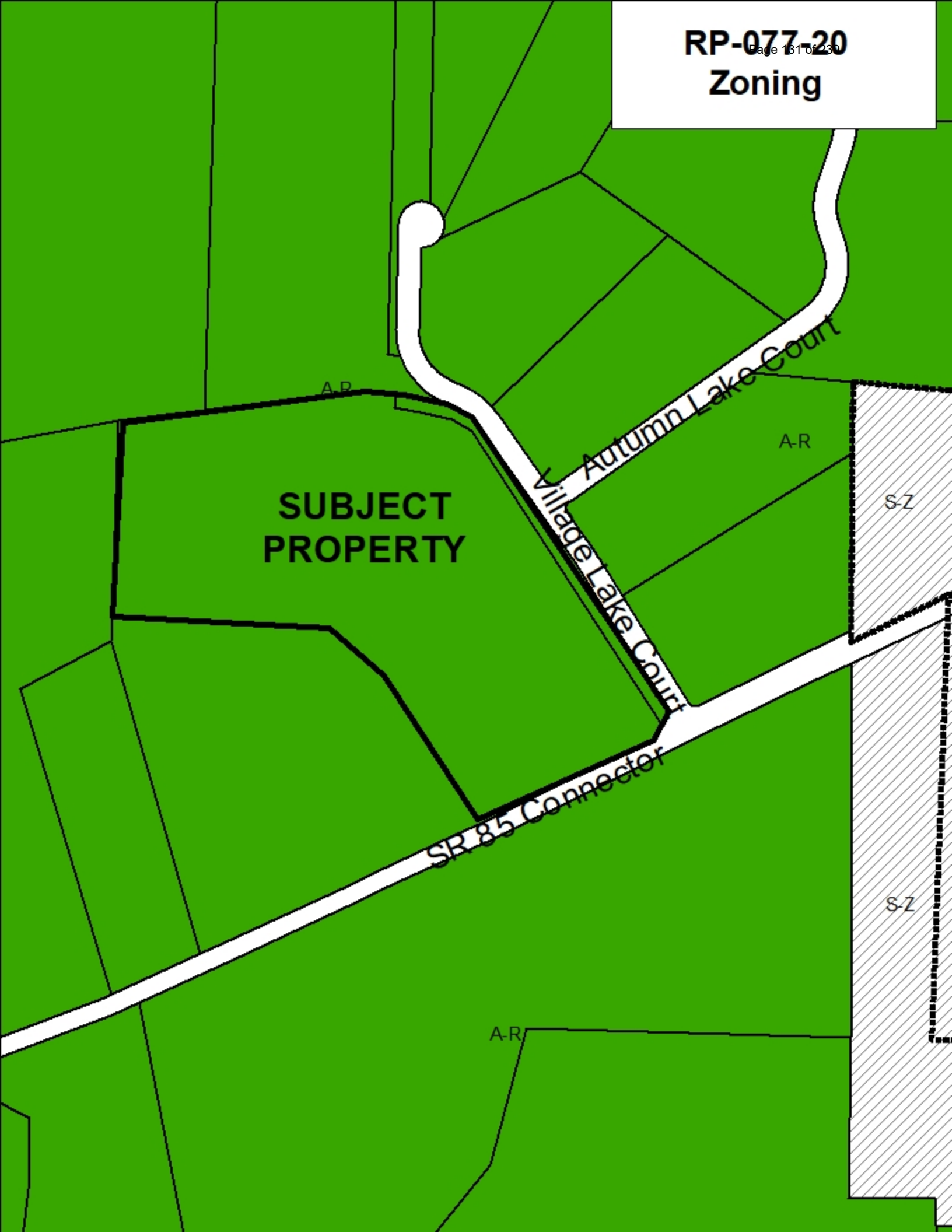
No objection to proposal.

STAFF RECOMMENDATION

Staff recommends **APPROVAL** of this request to revise the Final Plat of Autumn Lake Estates to add 19.675 acres to the subdivision and to create two additional lots.

RP-077-20
Zoning

Page 131 of 230



**SUBJECT
PROPERTY**

A-R

A-R

S-Z

S-Z

A-R

Autumn Lake Court
Village Lake Court
SR 85 Connector

RP-077-20
Land Use Plan

Page 162 of 230

**SUBJECT
PROPERTY**

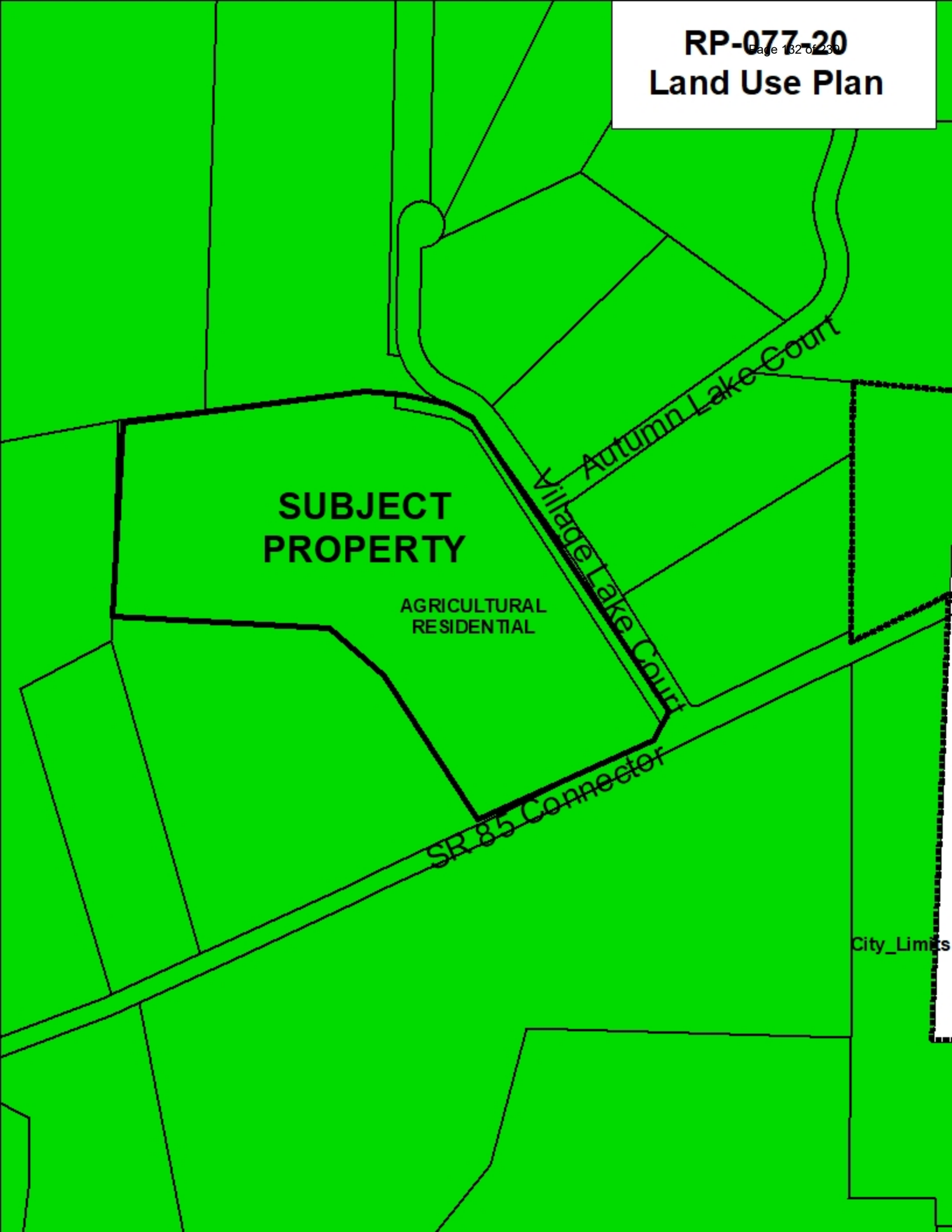
AGRICULTURAL
RESIDENTIAL

Autumn Lake Court

Village Lake Court

SR 85 Connector

City Limits



RP-077-20
Page 133 of 230
Land Use Plan



The image is an aerial photograph overlaid with a land use plan. A large, irregularly shaped parcel is outlined with a thick black border and labeled 'SUBJECT PROPERTY' in the center. To the east of this parcel, a road labeled 'Village Lake Court' runs diagonally. Further east, another road labeled 'Autumn Lake Court' runs diagonally. At the bottom of the map, a road labeled 'SR 85 Connector' runs horizontally. The map shows various land features including trees, fields, a large pond in the upper right, and several buildings. A dashed black line indicates a boundary to the east of the subject property.

**SUBJECT
PROPERTY**

SR 85 Connector

Village Lake Court

Autumn Lake Court

Zoning Proximity

Town of Brooks

A-R

Railroad

A-R

**SUBJECT
PROPERTY**

Autumn Lake Court

Village Lake Court

SR 85 Connector

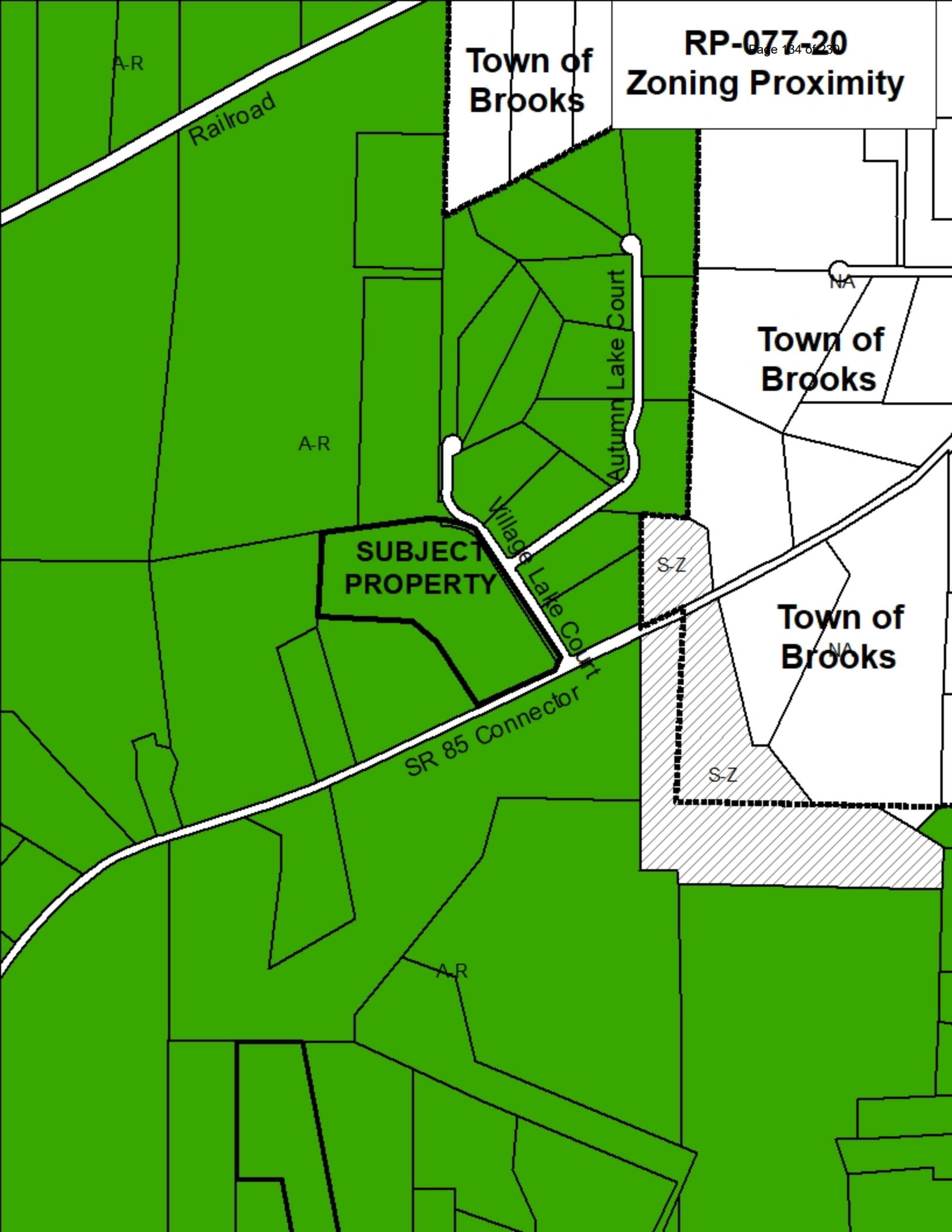
SZ

SZ

A-R

Town of Brooks

Town of Brooks



Application To Revise A Recorded Plat (Public Hearing)

PETITIONS NO: RP- _____

NAME OF RECORDED PLAT: Autumn Lake EstatesOWNER OF PROPERTY: Joe L. Brown Estate – Ted W. Brown (Executor)MAILING ADDRESS: C/O Brown Nelms CPA's – 101 World Dr. Ste 300 PTC 30269PHONE: Office – 770-461-5502, Cell – [REDACTED]EMAIL: ted@BrownNelms.comAGENT FOR OWNER: George CocolosMAILING ADDRESS: 135 Village Lake Ct. Brooks Ga., 30205PHONE: Cell – [REDACTED]Email: gcoco@ceoexpress.comLOCATION: LAND LOT(S) 36 DISTRICT 4 ROAD Hwy. 85 Connector & Village Lake Ct.LEGAL DESCRIPTION ATTACHED: See Metes & Bounds ZONING: ARFIFTEEN COPIES OF CONCEPT PLAN ATTACHED: Plat submitted via email for printing at county officeTOTAL NUMBER OF LOTS: Two (2) TOTAL NUMBER OF ACRES: 19.657 AcresDATE OF PLANNING COMMISSION HEARING: August 6, 2020DATE OF COUNTY HEARING: August 27, 2020

REASONS FOR REVISION: The proposal is for two lots to be added into the existing Autumn Lake Estates subdivision, "Autumn Lake Estates" (please see attached defined metes & bounds description, currently references as Tracts II and III). Adding these two tracts to Autumn Lake Estates will allow access to Tracts II & III from Village Lake Ct. Tract I, as shown on the plat, shall remain an independent parcel as Joe L. Brown Estates and is excluded from this proposal.

Based on several discussions with Fayette County Planning and Zoning, it is our understanding that current access to the subject property is allowed only via Hwy 85 Connector as access to Hwy 85 Connector does not require public hearings. Access to Village Lake Ct. does require public hearings as Village Lake Ct. is an internal local road to serve the lots in Autumn Lake Estates subdivision and accessing this road technically adds these lots to the subdivision. The agent/purchaser, as a current resident of Autumn Lake Estates, has concerns about the current access from Hwy 85 Connector. First and foremost is the safety aspect of placing a driveway from Hwy 85 Connector. Though this section of Hwy 85 Connector is a 45 MPH zone, several significant accidents in recent years, including a fatality and property damage, have occurred within an approximate 300 yard of either side of a driveway access. Additionally, a long driveway from the Connector running parallel to Village Lake Court based on feedback from neighbors would have an impact aesthetically. To address both issues, the request is to gain approval to allow the creation of two lots with access from Village Lake Court as Autumn Lake Estates II. The agent/purchaser understands and agrees that being part of the Autumn Lake Estates subdivision includes the adoption of the recorded Declaration of Restrictions and Protective Covenants. The agent/purchaser reviewed the proposal concept with the Autumn Lake Estates HOA Board & Architectural Control Committee members. The concept proposal has unanimous support of both the Board and the ARC. Please see attached letter of support from the Board.

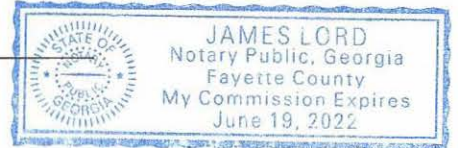
I respectfully submit this application and certify that the above information is correct and true to the best of my knowledge. I further certify that I am the owner or the specifically authorized agent of the above-referenced property.

June 30, 2020

June 30, 2020

James Lord
OWNER/AGENT'S SIGNATURE

James Lord
NOTARY PUBLIC



SIGN FEE

Received from _____ the amount of \$ _____ to cover the cost of the sign deposit. Applicant will be billed later for the cost of advertising.

Date Paid: _____

Receipt No. _____

Cash: _____

Check No. _____

June 28, 2020

RE: AUTUMN LAKE ESTATES LETTER OF SUPPORT

To whom it may concern,

On June 26, 2020, the members of the Autumn Lake Estates HOA Board of Directors and Architectural Control Committee held a meeting to review and discuss a proposal from George and Anne Cocolos to add an approximate 19.965 acre parcel of land (for a total of 2 additional lots) to the Autumn Lake Estates subdivision.

George and Anne Cocolos of 135 Village Lake Ct, Autumn Lake Estates in Brooks presented the current situation whereby they would like to acquire the property and eventually build a new personal residence with access from Village Lake Court. A draft concept plat was shared with the attendees along with details about the current access restrictions to the property via Village Lake Court, deemed an "internal local" road.

It is understood that the only way to have access to the subject property via Village Lake Court is to gain approval from Fayette County through the public hearing process by requesting this subject property to become part of Autumn Lake Estates.

The Autumn Lake Estates HOA Board of Directors and the members of the Architectural Control Committee have offered their unanimous support in favor of gaining county approval as proposed by George and Anne Cocolos to add two new lots totaling approximately 19.965 acres to Autumn Lake Estates as Autumn Lake Estates II, and which shall also adopt the existing the recorded Declaration of Restrictions and Protective Covenants.

Respectfully submitted by the Autumn Lake Estates HOA Board of Directors,

Anne Cocolos, President

Betty Wilkinson, Treasurer

Elaine Dampier, Secretary



dotloop verified
06/30/20 2:11 PM EDT
SN6G-DQ05-CMRC-1YTZ

To whom it may concern,

We, Matthew and Racquel Wood, own property in Autumn Lake Estates on Village Lake Ct. Anne and George Cocolos have discussed with us their desire to purchase approximately 19.6 acres at the corner of Hwy 85 Connector and Village Lake Court and which land would become part of Autumn Lake Estates Subdivision, providing access to the property directly from Village Lake Ct.

We are giving our full support in favor of Anne and George Cocolos' purchase to become part of Autumn Lake Estates, with an entry from within Autumn Lakes Estates. We feel this would be aesthetically beneficial to the existing Autumn Lake Estates subdivision.

Respectfully submitted,

Matthew and Racquel Wood
Autumn Lake Estates Lot 16
Brooks GA 30205

<> 07/23/20 8:28AM

[Print](#) [Cancel](#)

From:	"Anne Cocolos" <anne@ceoexpress.com>
To:	George <gcoco@ceoexpress.com>
Received-On:	06/28/20 9:09 PM
Subject:	Fwd: LETTER OF SUPPORT FOR COCOLES LAND AUTUM LAKES ESTATE
More...	

--- Begin forwarded message:

From: Sharon Francis [REDACTED]
To: anne@ceoexpress.com
Subject: LETTER OF SUPPORT FOR COCOLES LAND AUTUM LAKES ESTATE
Date: Sun, 28 Jun 2020 18:23:18 +0000 (UTC)

To whom it may concern,

We, ,Sharon and Isaiah Ford, are neighbors of Anne and George Cocolos. .
We are giving our support in favor of their desire to purchase the approximately 19.6 acres at the corner of Hwy 85 connector and Village Lake Ct ,and which land would become part of Autumn Lake Estates Subdivision, providing access to the property directly from Village Lake Ct.

Respectfully submitted,

Isaiah and Sharon Ford
105 village lake court
Brooks GA 30205

<> 07/23/20 8:25AM

[Print](#)[Cancel](#)

From:	Joseph Fasci [REDACTED]
To:	gcoco@ceoexpress.com
Received-On:	Today 7:07 AM
Subject:	Autumn Lakes proposal
More...	

To whom it may concern,

As a resident of Autumn Lakes Estates who resides at 115 Village Lake Ct, Brooks, GA. I fully support and understand the proposal that would allow for the 20 acre parcel to become part of the Autumn Lake Estates community that is adjacent from my residence.

Sincerely,
Joseph Fasci

"SUBDIVISION OF JOE L. BROWN PROPERTY CONCEPT PLAN"

Note: *Convey*
 RP-077-20
 Tract II & Tract III to be added to the Autumn Lake Estates Subdivision with a revised Final Plat.

THIS BLOCK RESERVED FOR THE CLERK OF THE SUPERIOR COURT.

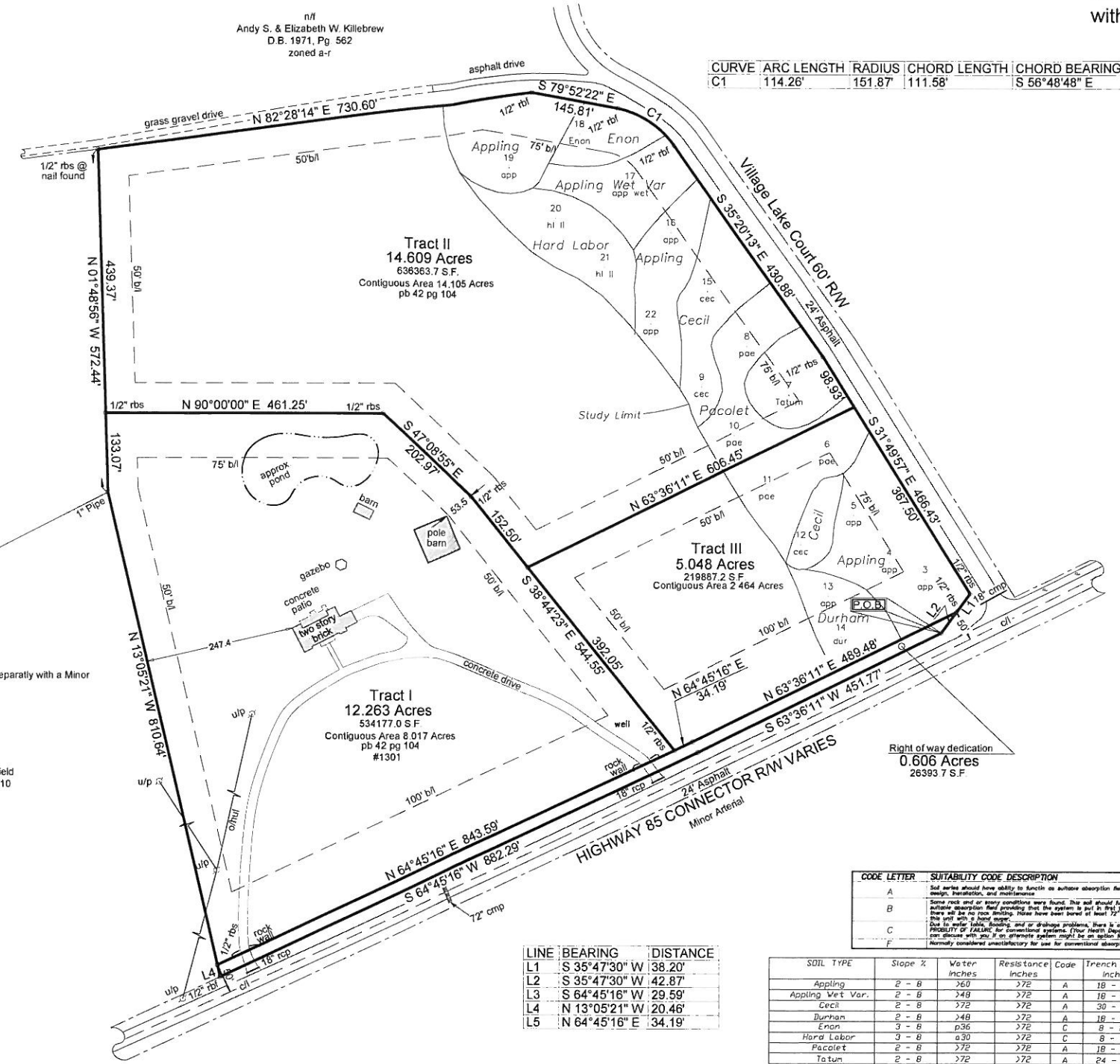


- LEGEND**
- D.B.=DEED BOOK
 - F.W.P.D.=FIELD WORK PERFORMED DATE
 - L.L.=LAND LOT
 - L.L.L.=LAND LOT LINE
 - N/F=NOW OR FORMERLY
 - N.T.S.=NOT TO SCALE
 - O/HUL=OVERHEAD UTILITY LINES
 - OTP=OPEN TOP PIPE
 - P.B.=PLAT BOOK
 - PG.=PAGE
 - P.O.B.=POINT OF BEGINNING
 - RBF=REBAR FOUND
 - RBS=REBAR SET
 - R/W=RIGHT OF WAY
 - S.F.=SQUARE FEET
 - U/P=UTILITY POLE

n/f
 Donald K. Cheney
 D.B. 2346, Pg. 357
 zoned a-r

n/f
 Cheryl B. Buechfield
 D.B. 1766, Pg. 610
 zoned a-r

Note:
 Tract I will be platted separately with a Minor Subdivision Plat



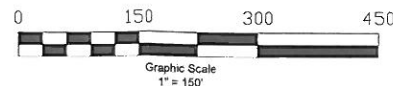
CURVE	ARC LENGTH	RADIUS	CHORD LENGTH	CHORD BEARING
C1	114.26'	151.87'	111.58'	S 56°48'48" E

LINE	BEARING	DISTANCE
L1	S 35°47'30" W	38.20'
L2	S 35°47'30" W	42.87'
L3	S 64°45'16" W	29.59'
L4	N 13°05'21" W	20.46'
L5	N 64°45'16" E	34.19'

CODE LETTER	SUITABILITY CODE DESCRIPTION
A	Soil series should have ability to function as surface absorber field with proper design, installation, and maintenance.
B	Soil series meet all design conditions with caution. This soil should function as a surface absorber field providing that the system is built in the 12" more area there will be no rock bedding. There have never been 12" deep within the unit with a hard layer.
C	Due to water table, flooding, and/or drainage problems, there is a HIGH PROBABILITY OF FAILURE for conventional systems. (Your Health Department can discuss with you if an alternate system might be an option for your situation.)
F	Normally considered unsatisfactory for use for conventional absorber fields.

SOIL TYPE	Slope %	Water Inches	Resistance Inches	Code	Trench Depth Inches	Perk Rate in/line	Infil Rate gal/sf/day
Applying	2 - 8	>60	>72	A	18 - 36	75R30"	0.10
Applying Wet Var.	2 - 8	>48	>72	A	18 - 24	60R24"	0.09
Cecil	2 - 8	>72	>72	A	30 - 48	45R40"	0.10
Durham	2 - 8	>48	>72	A	18 - 24	105R24"	0.08
Enon	3 - 8	>56	>72	C	8 - 24	110R18"	0.07
Hard Labor	3 - 8	>30	>72	C	8 - 18	110R18"	0.07
Pacolet	2 - 8	>72	>72	A	18 - 48	45R30"	0.15
Tatum	2 - 8	>72	>72	A	24 - 48	45R36"	0.15

p = perched water table, a = apparent water table nsd = Not Sufficient Data
 * Perk rate is the maximum perk rate expected within 12 inches of the trench bottom for the installation depths shown.



Job No. SA20-016A
 Drawn By: j.e.c. Reviewed By: s.a.g.
 Issue Date: 04/14/20
 F.W.P.D.: 03/05/20
 Revisions: _____ Date: _____
 PAGE 2 OF 2



Prepared For:
TED BROWN

Property Location
 Land Lot 36 Of The 4th Land District
 Fayette County, Georgia

S.A. GASKINS & ASSOCIATES, LLC
 surveyors planners development consultants
 P.O. BOX 321 BROOKS, GA 30205
 770-460-9342
 sagaskins@bellsouth.net
 PSALM 51

COUNTY AGENDA REQUEST

Department:

Presenter(s):

Meeting Date:

Type of Request:

Wording for the Agenda:

Consideration of Resolution 2020-07; amendments to the Land Use Element and Future Land Use Plan Map of the Fayette County Comprehensive Plan for the Flat Creek Trail Corridor.

Background/History/Details:

Staff recommends approval.

Planning Commission recommended approval.

Arnold Martin made a motion to approve the amendments to the Land Use Element and Future Land Use Map of the Fayette County Comprehensive Plan for the Flat Creek Trail Corridor. Brian Haren seconded the motion. The motion passed 5-0.

What action are you seeking from the Board of Commissioners?

Approval of Resolution 2020-07; amendments to the Land Use Element and Future Land Use Plan Map of the Fayette County Comprehensive Plan for the Flat Creek Trail Corridor.

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:

Resolution 2020-07 (To be added in its entirety to the Land Use Element of the Comprehensive Plan.)

Flat Creek Trail Overlay District: This District identifies the county's goals and recommendations for lots fronting on Flat Creek Trail north of SR 54 and south of Tyrone Road and sets out the preferred development pattern for this area. Flat Creek Trail is classified as a Collector on the Fayette County Thoroughfare Plan. As a connection between SR54 (Major Arterial) and Tyrone Road (Minor Arterial), Flat Creek Trail has become a cut through road.

Existing Development: There are 18 lots fronting on Flat Creek Trail north of SR 54 and south of Tyrone Road with a total acreage of approximately 80 acres. Eight lots front on the east side of the road and ten lots front on the west side of the road.

Ten lots have a nonresidential use and/or zoning and the total acreage associated with these lots is approximately 49 acres. Three places of worship and a cemetery lot owned by one of the places of worship, all zoned A-R, make up the majority of these nonresidential lots and combined they equal approximately 40 acres. In terms of nonresidential zoning, four lots, are zoned O-I with two developed and two undeveloped, and one lot is zoned C-H but is presently being used as a residence. A County Fire Station is located on a 3.8 acre A-R lot.

Eight lots are zoned residential with seven lots zoned A-R and one lot zoned R-70. These residential lots equal approximately 31 acres. Five of these lots are non-conforming with the minimum lots size required by the associated zoning. Seven of these lots contain a single-family residence and one lot is currently undeveloped.

Current Comprehensive Plan Land Use: The future land use designation for this District is Rural Residential - 2 (1 unit/2 acres). There is one area of 15 acres consisting of three existing lots (two contain single-family residences and one is vacant) on the west side of Flat Creek Trail that has the potential for new residential subdivision development with an internal road. These parcels also contain a pond and possible stream affected by Watershed Protection which could affect lot yield. Two lots have the potential for the subdivision of residential lots fronting on Flat Creek Trail.

Tyrone Road – Palmetto Road - Transportation Corridor Study: The study recommends improvements at the intersection of Tyrone Road and Flat Creek Trail. Recommended improvements consist of a roundabout or a signalized intersection with expanded turn lanes.

Future Development: As previously mentioned, this portion of Flat Creek Trail is becoming a cut through road connecting two major thoroughfares, SR 54 and Tyrone Road. With a majority of the lots being used and/or zoned for nonresidential uses coupled with the Rural Residential - 2 (1 unit/2 acres) land use designation, future residential subdivision development with an internal road seems unlikely. There is potential for the subdivision of residential fronting on Flat Creek Trail.

The goals of the Flat Creek Trail Overlay District are: (1) maintain the residential and institutional character of the area and (2) control the architectural character and aesthetic quality of the nonresidential development.

Recommendations: Maintain the underlying land use designation of Rural Residential - 2 (1 unit/2 acres) with the consideration of O-I zoning for lots fronting Flat Creek Trail within the Flat Creek Trail Overlay District for conversion of existing homes and construction of new office buildings. Office development is low intensity nonresidential development. Create a corresponding Flat Creek Trail Overlay Zone in the Fayette County Zoning Ordinance. Conditions could be placed on property at the time of rezoning to address unique situations.

(To be added as a note and label to the Future Land Use Plan Map of the Comprehensive Plan.)

(Note)

Flat Creek Trail Overlay District and Overlay Zone

Overlay District (see Fayette County Comprehensive Plan, Land Use Element

Overlay Zone (see Fayette County Zoning Ordinance, Sec. 110-173)

(Label)

Flat Creek Trail Overlay District and Overlay Zone (see note below)

Scope of Study Area – Lots fronting Flat Creek Trail north of SR 54 and south of Tyrone Road.

Existing Conditions:

Lots Fronting - 18 total – 8 east side and 10 west side

– Total acreage 80.08 acres

- 61 % non-residential

- 39% residential

10 lots have a nonresidential use and/or zoning

- 2 of these lots zoned O-I are undeveloped

-1 commercially zoned lot is used as residential

– 1 lot contains a county fire station

- 1 lot is a cemetery

8 lots are zoned residential

- 5 of these lots are non-conforming

- 1 residentially zoned lot is undeveloped

- Road has become a cut through road connecting SR 54 and Tyrone Road

Comp. Plan - Rural Residential - 2 – 1 unit/2 acres

Potential for new subdivision development with internal road

– 1 area of 15 acres consisting of three existing lots (2 contain homes and 1 is vacant)

- Parcels also contains a pond and possible stream affected by Watershed Protection which affects lot yield

Potential for subdivision of frontage lots

- 2 parcels have potential for subdivision on Flat Creek Trail

Tyrone Road – Palmetto Road - Transportation Corridor Study

– Flat Creek Trail and Tyrone Road intersection improvements include expanded turn lanes or round-about.

Proposal – Allow O-I zoning on corridor

- Conversion of existing residences - 7 potential

- 3 have the potential to be subdivided for O-I

- 1 undeveloped parcel for potential O-I - no subdivision possible

Comp. Plan - Flat Creek Trail Corridor Overlay District - Flat Creek Trail north of SR 54 and south of Tyrone Road

- Underlying land use to remain Rural Residential - 2 (1 unit/2 acres) with an overlay district to give consideration for O-I zoning for lots fronting Flat Creek Trail for conversion of existing homes and construction of new office buildings

Zoning Ordinance - Flat Creek Trail Corridor Overlay Zone - Flat Creek Trail north of SR 54 and south of Tyrone Road

- Architectural standards. Structures shall maintain a residential character (the following architectural requirements will come into play mainly for new structures)

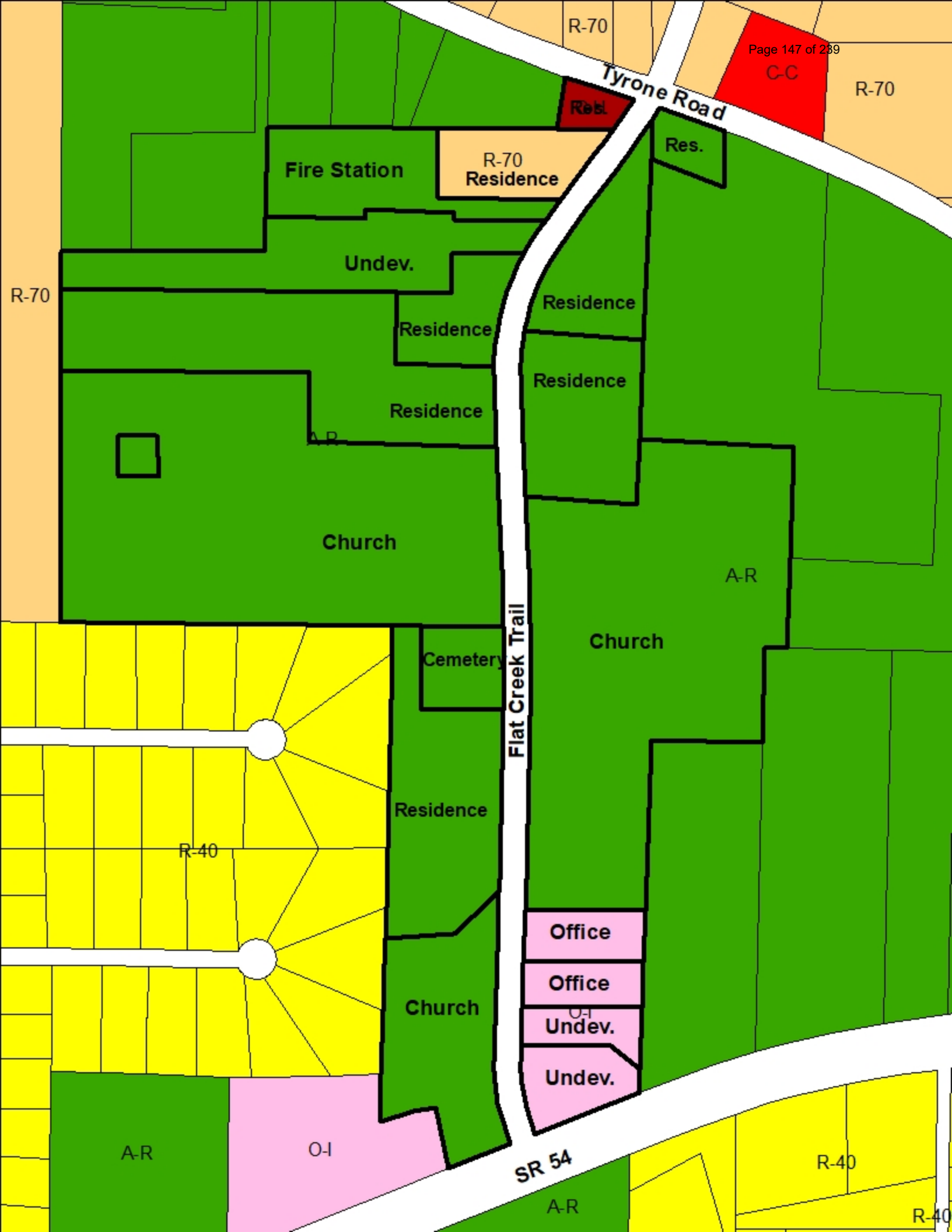
- pitched peaked (gable or hip) roof with a minimum pitch of 4.5 inches in one foot including gasoline canopies and accessory structures and shall be of a type and construction complimentary to the facade. A pitched mansard roof facade with a minimum pitch of 4.5 inches in one foot, and a minimum height of eight feet around the entire perimeter of the structure can be used if the structure is two stories or more or the use of pitched peaked roof would cause the structure to not meet the applicable height limit requirements. The mansard roof facade shall be of a residential character with the appearance of shingles, slate or terra cotta.

- All buildings shall be constructed in a residential character of fiber-cement siding (i.e., Hardiplank), wood siding, wood textured vinyl siding, brick/brick veneer, rock, stone, cast-stone, stucco (including synthetic stucco) or finished/baked enamel metal siding which establishes a horizontal pattern

- Framed doors and windows of a residential character

- All roof-top heating, ventilation, and air conditioning equipment and shall be visually screened from adjacent roads and property zoned residential or A-R. The screen shall extend to the full height of the objects being screened.

- No outside storage allowed



R-70

R-70

C-C

Rebl.

Res.

Fire Station

R-70
Residence

Undev.

Residence

Residence

Residence

Residence

Church

A-R

Church

Cemetery

Residence

Office

Office

O-I
Undev.

Undev.

Church

A-R

O-I

SR 54

A-R

R-40

R-40

R-70

R-40



Fire Station

Residence

Res.

Res.

Undev.

Residence

Residence

Residence

Residence

Church

Church

Cemetery

Residence

Church

Office

Office

Undev.

Undev.

Tyrone Road

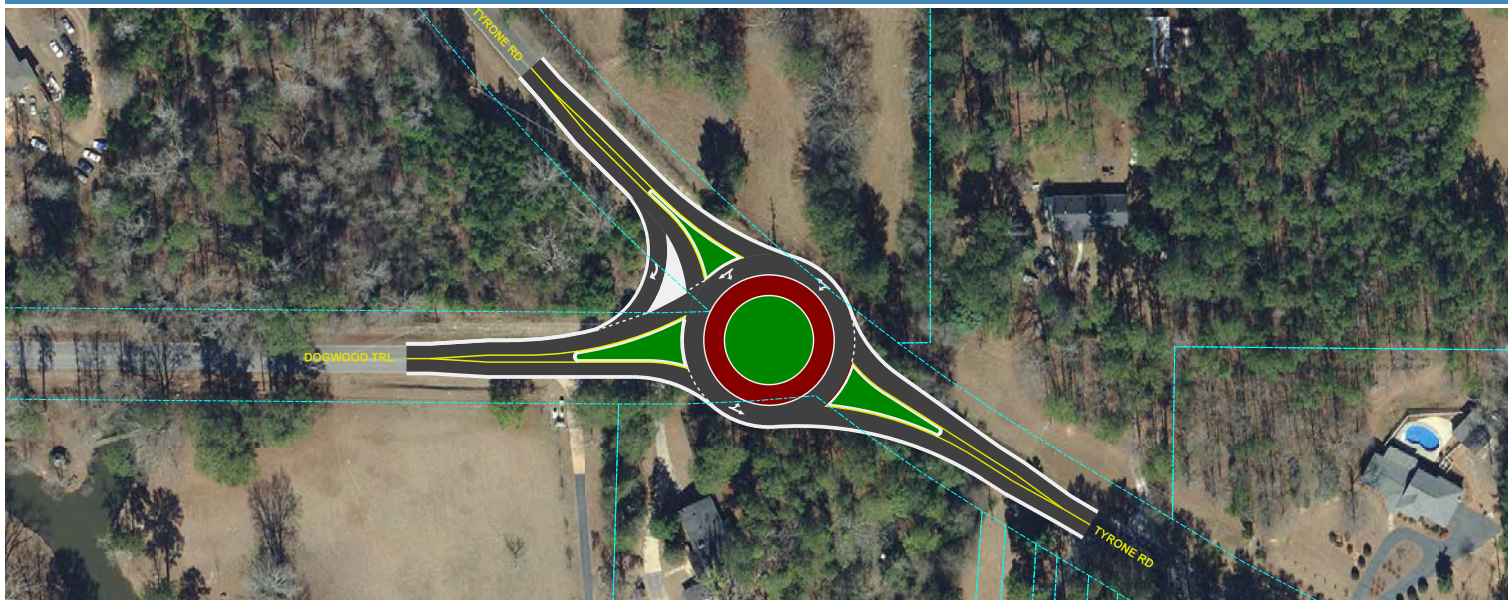
Flat Creek Trail

SR 54

Graphic 4.10 - Concept: Realignment & Turn Lanes at Dogwood Trail



Graphic 4.11 - Concept: Intersection Improvement at Dogwood Trail - Roundabout

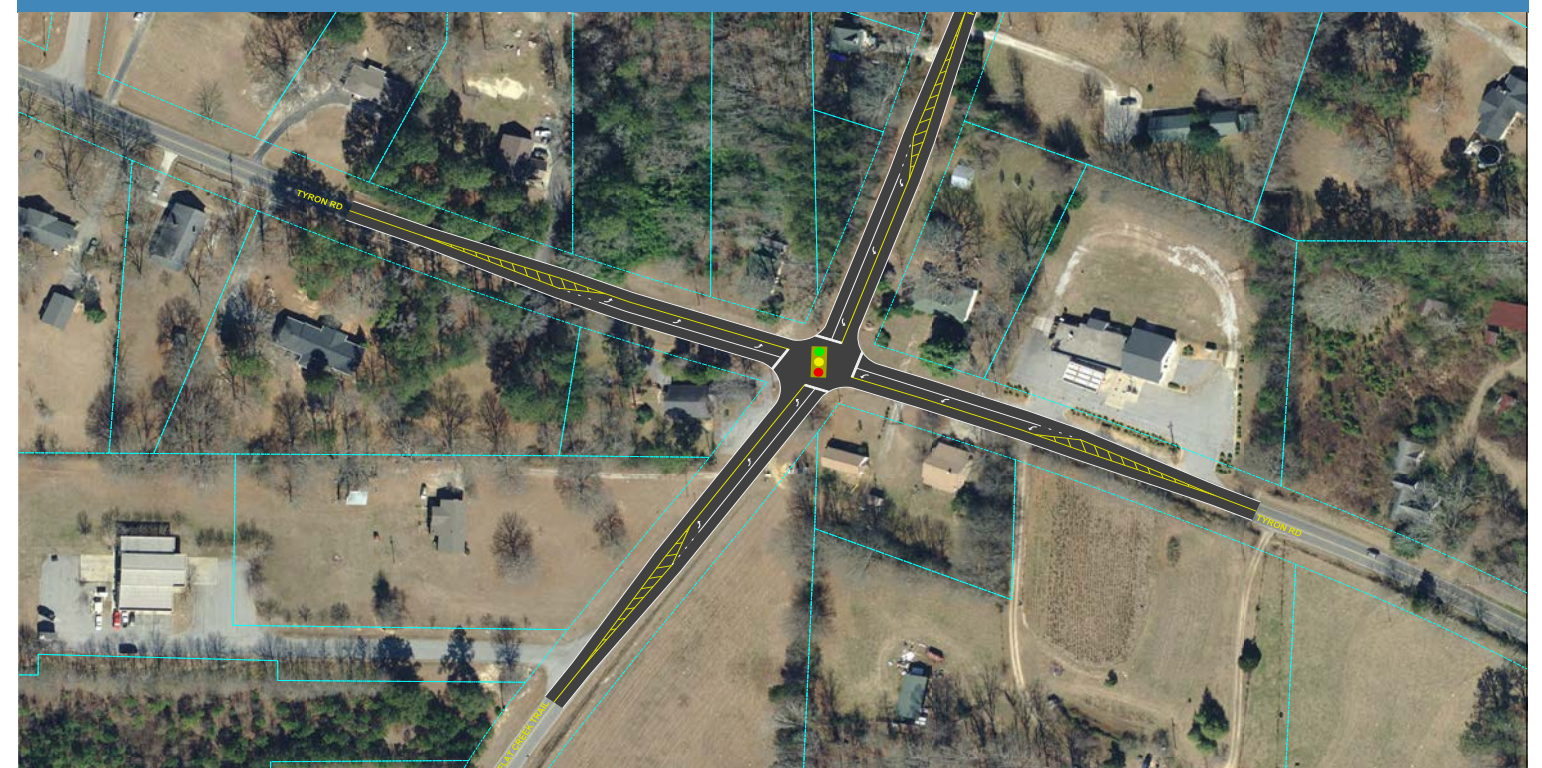


5. Concept: Intersection Improvement at Flat Creek Trail

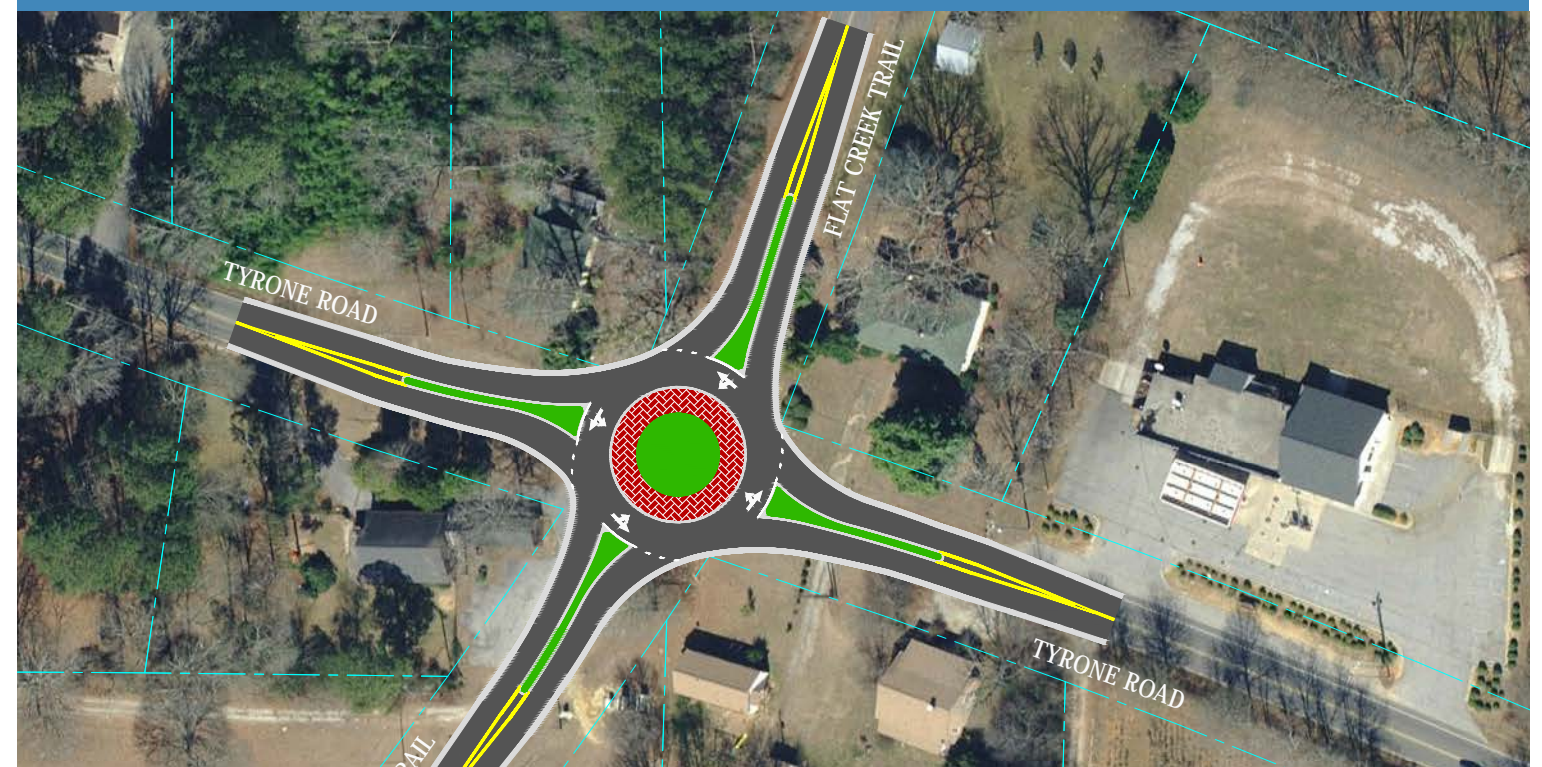
Based on the Needs Assessment and public comments, an intersection improvement at Flat Creek Trail was warranted for additional consideration. Two concepts were proposed: the first installing a traffic signal (Graphic 4.12) and the second installing a roundabout (Graphic 4.13). This project would improve safety and traffic operations at the intersection.

Average No. Crashes Per Year	2018 LOS (AM/PM)	Time Frame	Benefits	Cost
4	D/E	3 - 5 years	Safety, Operations	\$\$\$\$

Graphic 4.12 - Concept: Intersection Improvement at Flat Creek Trail - Traffic Signal



Graphic 4.13 - Concept: Intersection Improvement at Flat Creek Trail - Roundabout

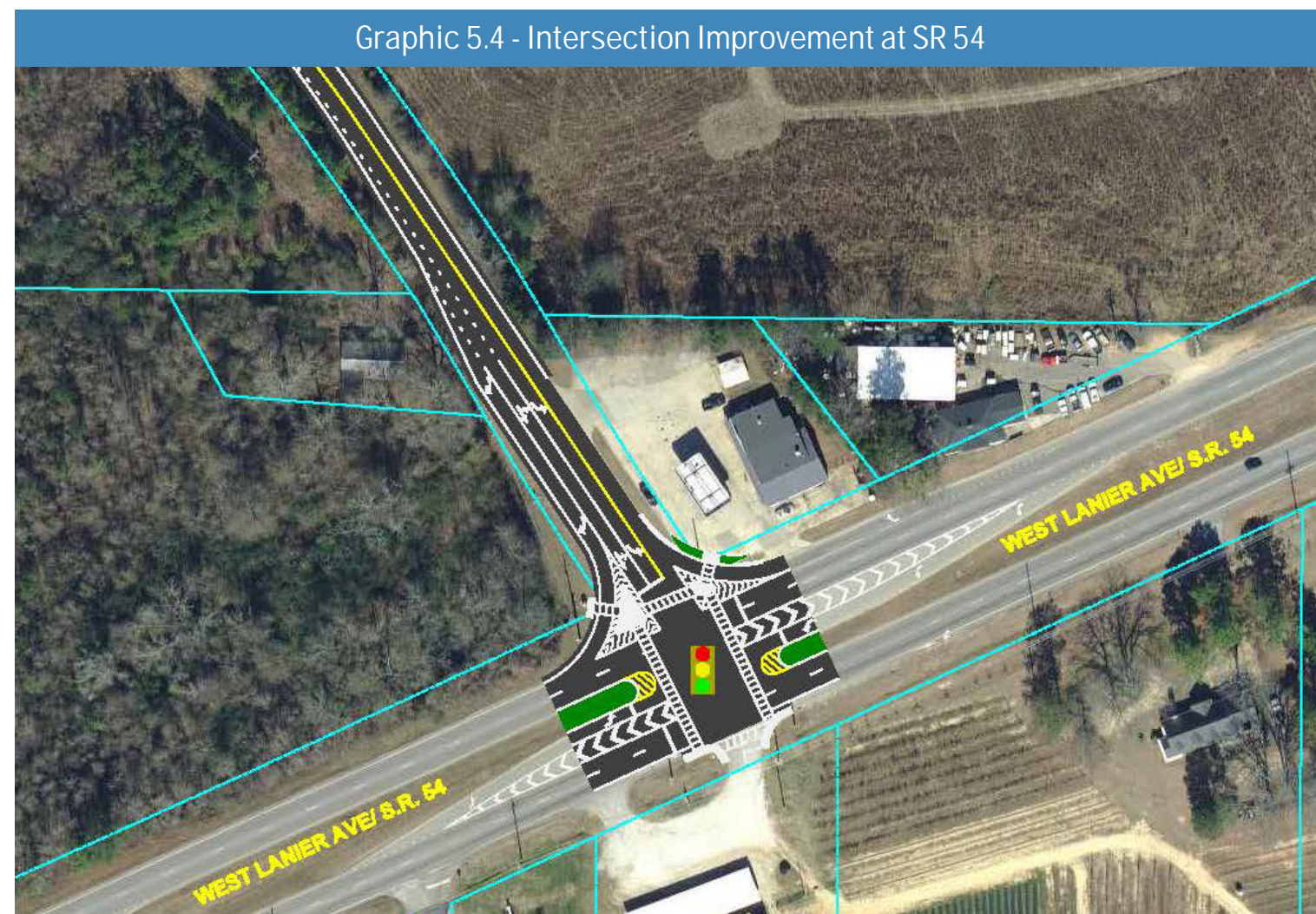


During the Road Safety Audit, southbound trucks turning onto Tyrone Road encroach on eastbound approach. Southbound vehicles turning right on Tyrone Road cannot see pedestrian waiting to crossing. Moreover, pedestrian countdown timers were not working properly on some approaches.

Several alternate intersection designs were evaluated with respect to managing traffic delay and queue lengths, minimizing cost and ROW impacts, and promoting safe and accessible pedestrian and bicycle accommodations. The final recommendation for the intersection of Tyrone Road and SR 54 is to upgrade signal timing and install and additional left turn lane for the eastbound Tyrone Road approach.

Graphic 5.4 shows the proposed concept for Tyrone Road at SR 54 and the table shows the 2040 traffic operations for the No Build for Build conditions.

Intersection	2040 No Build		2040 Build	
	AM Peak	PM Peak	AM Peak	PM Peak
Tyrone Road at SR 54	D (41.1 s)	C (30.3 s)	C (27.7 s)	C (22.4 s)



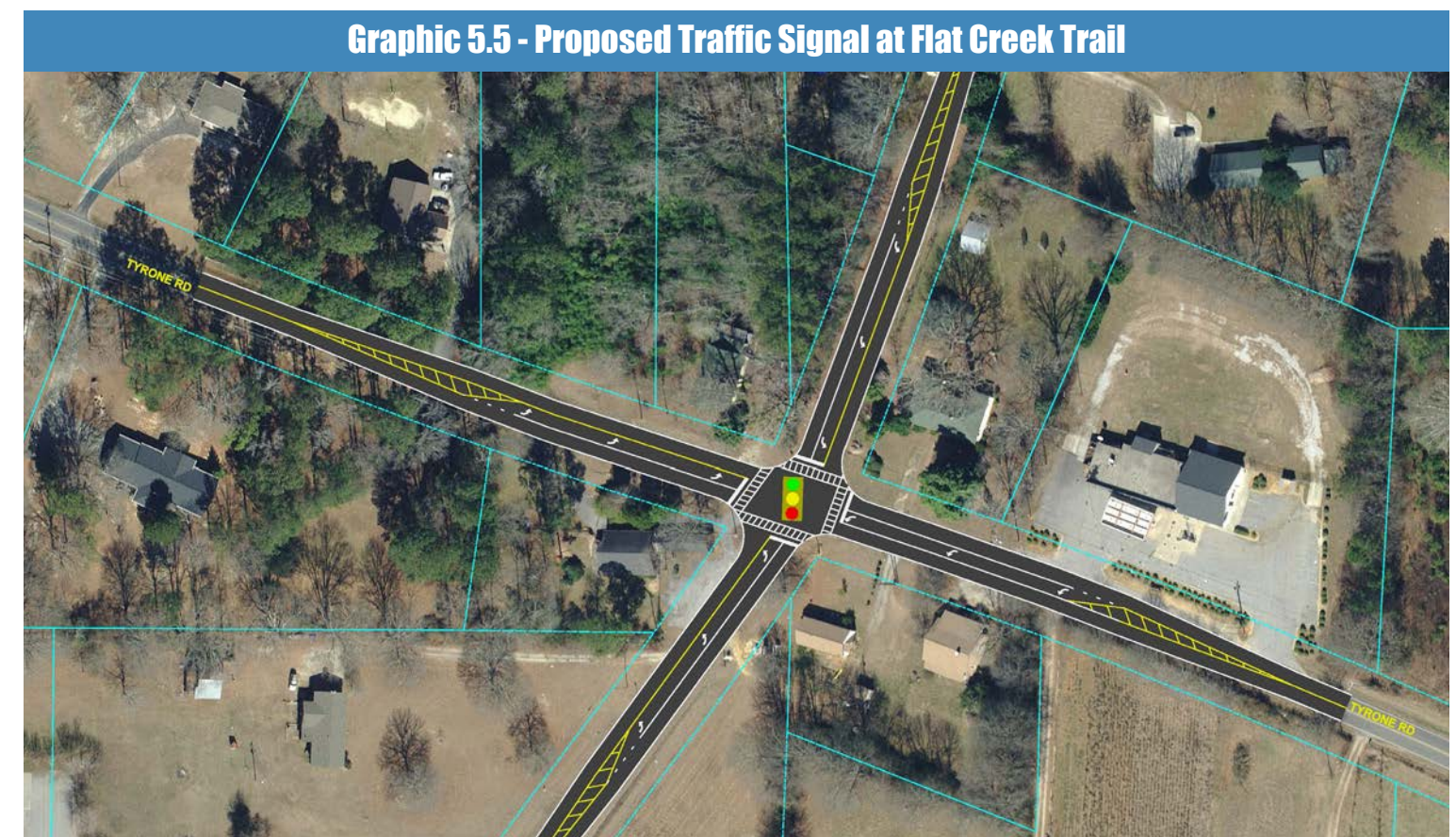
2. Install Traffic Signal at Flat Creek Trail

Excessive delays at Tyrone Road and Flat Creek Trail were enumerated by several public comments at the first public open house. Citizens expressed concerns of long queues at the all-way stop controlled intersection. By 2040, the traffic operations at the intersection approach LOS F during both the morning and afternoon peak hours.

Several alternate intersection designs were evaluated with respect to managing traffic delay and queue lengths, minimizing cost and ROW impacts, and promoting safe and accessible pedestrian and bicycle accommodations. The final recommendation for the intersection of Tyrone Road and Flat Creek Trail is a traffic signal, to be constructed in conjunction with the recommended widening between Dogwood Trail and SR 54. This intersection improvement is suitable to accommodate the traffic volumes forecasted for the intersection through the 2040 design year.

Graphic 5.5 shows the proposed concept for Tyrone Road at Flat Creek Trail and the table shows the 2040 traffic operations for the No Build for Build conditions.

Intersection	2040 No Build		2040 Build	
	AM Peak	PM Peak	AM Peak	PM Peak
Tyrone Road at Flat Creek Trail	F (146.8 s)	F (176.9 s)	C (31.5 s)	C (30.8 s)



THE FAYETTE COUNTY PLANNING COMMISSION met on August 6, 2020 at 7:00 P.M. in the Fayette County Administrative Complex, 140 Stonewall Avenue West, Fayetteville, Georgia.

7. Consideration of amendments to the Land Use Element and Future Land Use Plan Map of the Fayette County Comprehensive Plan for the Flat Creek Trail Corridor.

Pete Frisina said this is a subject that was proposed by a resident on Flat Creek Trail who owns an adjacent house and would like to convert this house for an office so they can have their business next door to their home. He stated that staff did a corridor of Flat Creek Trail north of SR 54 and south of Tyrone Road and that is the limit of the study area and recommendations. He said of there are 18 lots fronting on Flat Creek Trail north of SR 54 and south of Tyrone Road with a total acreage of approximately 80 acres. He stated ten lots have a nonresidential use and/or zoning and the total acreage associated with those lots is approximately 49 acres and these nonresidential uses consist of three places of worship, a cemetery owned by one of the places of worship, two office building including two undeveloped office lots, a C-H lot that is presently being used as a residence and a county fire station. He added that eight lots are zoned residential and equal approximately 31 acres and seven of these lots contain a single-family residence and one lot is currently undeveloped. He said Flat Creek Trail has become something of a cut through road as it connects SR 54 with Tyrone Road. He said given these factors, staff is recommending a Flat Creek Corridor and corresponding Flat Creek Trail Overlay Zone similar to some of the highway corridors where consideration can be given of Office-Institutional zoning with an overlay to control the aesthetics of the new development to maintain a residential character.

Arnold Martin said to be clear please state the boundaries of the Flat Creek Trail Corridor.

Pete Frisina said the boundaries of the Flat Creek Trail Corridor is those properties fronting Flat Creek Trail north of SR 54 and south of Tyrone Road.

Arnold Martin asked if this would extend to the existing gas station/convenience store on Tyrone Road.

Pete Frisina replied it would not extend to that area and would be limited to Flat Creek Trail north of SR 54 and South of Tyrone Road.

The Chairman asked if there was anyone present that would like to make a comment concerning this proposal. Hearing none, he asked if there was anyone in the live streaming audience that would like to call into the meeting to make a comment. Hearing none after approximately one minute the Chairman said he would entertain a motion.

Arnold Martin made a motion to recommend approval of the amendments to the Land Use Element and Future Land Use Map. Brian Haren seconded the motion. The motion passed 5-0.

8. Consideration of amendments to Chapter 110. Zoning Ordinance, regarding Sec. 110-173. - Transportation Corridor Overlay Zone for the Flat Creek Trail Corridor.

Pete Frisina said this proposal is related to the previous proposal. He stated that the overlay zone establishes the regulations for the development of properties zoned for non-residential uses on the Flat Creek Trail Corridor to control the aesthetics of the new development to maintain a residential character. He added that the residential character consists of a pitched roof, siding, and doors and windows consistent with a residential character.

The Chairman asked if there was anyone present that would like to make a comment concerning this proposal. Hearing none, he asked if there was anyone in the live streaming audience that would like to call into the meeting to make a comment. Hearing none after approximately one minute the Chairman said he would entertain a motion.

Brian Haren made a motion to recommend approval of an amendment to Section 110-173. Zoning Ordinance – Transportation Corridor Overlay Zone for the Flat Creek Trail Corridor. Arnold Martin seconded the motion. The motion passed 5-0.

THE FAYETTE COUNTY PLANNING COMMISSION met on July 16, 2020 at 7:00 P.M. in the Fayette County Administrative Complex, 140 Stonewall Avenue West, Fayetteville, Georgia.

5. Discussion of the Flat Creek Trail Corridor

Pete Frisina said we discussed this at the last meeting and I said that I would bring this back. I have now decided not to include the parking requirements by percentage in the area at this time. I am proposing we go to public hearing next month for the amendments to the Zoning Ordinance and the Comprehensive Plan.

THE FAYETTE COUNTY PLANNING COMMISSION met on June 18, 2020 at 7:00 P.M. in the Fayette County Administrative Complex, 140 Stonewall Avenue West, Fayetteville, Georgia.

1. Discussion of the Flat Creek Trail Corridor

Pete Frisina began by stating that this something that we have worked on previously and we are bringing it back up. He added I have Tom and Alice Reeves here, they are the individuals that previously talked to us. He explained they live on Flat Creek Road and they have an additional house out there and they were inquiring whether or not Office-Institutional uses would be allowed on Flat Creek Trail. He stated that we have already started working on the Flat Creek Trail Corridor. He noted on the first page, it states to be added entirely to the Land Use Element and the Comprehensive Plan. He added that we talked about the Flat Creek Trail Overlay District and we used the term “District” when we talking in terms Land Use and we used the term “Overlay Zone” when talking in terms of the Zoning Ordinance, so those are two terms we used. He also noted that the study also talks about the goals and recommendations for the Flat Creek Trail and how it is a connection between State Highway 54 and Tyrone Road, both of those being major roads making the Flat Creek Trail, cut-through road.

Pete Frisina stated that under existing development section it talks about the 18 lots

fronting Flat Creek Trail north by Highway 54, south of Tyrone Road, the total acreage is about 80 acres, eight (8) lots front of the east side and ten (10) lots front on the west side. He explained that approximately ten (10) lots have non-residential use zoning along the corridor already and comprise about 50 acres. He said there are about another eight (8) lots that are used residentially that comprise about 31 acres. The current comprehensive land use plan recommends Rural Residential One (1) to Two (2) unit per acre.

Pete Frisina stated that the study stated that the Comprehensive Transportation Plan recommends some improvements at the intersection of Tyrone Road and Flat Creek and the two recommendations are either a roundabout or a signalized intersection. He said I don't know when those will happen but at some point improvements will be made there, as we all know that is a very busy intersection and improvements are going to be made there eventually. He explained the study also talks about future development and looks at keeping the Rural Residential as the underlying land use. He stated on the next page it says maintaining the underlying land use designation of Rural Residential for the consideration for O-I for lots fronting Flat Creek Trail. He added this very similar to the language that was used on State Route 54 where the underlying land use was still residential but we can give consideration to the lots fronting the highway and that's what we are doing the same thing here for lots fronting Flat Creek Trail.

Pete Frisina stated that the study talks about creating a corresponding Flat Creek Trail Overlay Zone. He noted that the second part on that pages will be the labels that we will add into the legend of the Land Use Plan map. He said with the Flat Creek Trail Overlay Zone, I took the overlay zones that we used under other main highway corridors and used that as a pattern and formed one for the Flat Creek Trail Corridor and it talks about maintaining the residential and intuitional character of the area, controlling the architectural character and aesthetic quality of development within non-residential zoning, which is similar to what we do in all of the other corridors. He noted it talks about architectural standards, these standards are very similar to what we have used all of the other districts and the General State Route Overlay. He explained they don't apply to some corridors like State Route 85 North, since we don't try to maintain a residential character there. He noted this is very indicative of what we have done there before. He said the additional requirements are the about same, the only thing that I think we need to talk about is that we should put this for public hearing in August. He concluded I am proposing that we push this for the first week in August, this gives up one (1) more time to talk about in a workshop, if we have the time.

Pete Frisina stated that there is something that we have placed in all of the highway corridors, which states that no more than 50 % of the required parking should be located in the front yard, established by the front building line of any structure located on site,. He explained that this requirement shall apply with new structures 3,000 square feet or greater built on a non-residentially zoned property. He added you can see under the notes, it talks about that existing homes range in size from 1200 to 1700 square feet, one (1) parking space per 300 square feet equals anywhere from four (4) to six (6) spaces required. He said the handicap and the 50% rule would not apply in the case with these smaller structures, but if someone built a newer building, that's when we would start dividing

between front and side. He noted that the existing office development ranges from 6500 to 8000 square feet, which are the three (3) office buildings located close to the corner on Highway 54. He concluded so the standard for new development would be the 50% rule would apply in this case with a threshold of 3,000 square feet, where ten (10) spaces plus a handicap space would be required.

Pete Frisina said these all sound great when we come up with these things and they seem to work really well along the highway. He asked do you think this we are pushing too much for this corridor to try to make a distinction between the different types of development. He added the larger new development that could come in and subdividing the parking from side to rear. He also asked is this on target for what we should do in that corridor. He explained it wouldn't apply to existing homes that are turned into offices, it would not apply to them because they are too small, there is not enough to split. He concluded when you get into the range of 3,000 square feet and above you hit ten (10) spaces for the required amount of parking.

Pete Frisina asked my question to you guys is are we doing too much?

Arnold Martin asked as related to the existing homes and the square footage, what if someone comes in and says I love this house but I want to increase its size by another 2,000 to 3,000 square feet, so the frontage will look like a home but behind it is a large office. He also asked is there anything in here that is restricting that.

Pete Frisina responded well that would kind of get you into the area of new development, when you start building a lot more buildings on the property. He added you may use the house but if you want to expand, I think that's something we may want to look at.

Pete Frisina asked I am just wonder in general, are we doing too much by splitting the parking like this.

Danny England replied I don't think so. He added we looked at a property recently on the corner of Ebenezer Road and Highway 54, at an office building where Randolph-Williamson was thinking of moving their office. He added we have a conversation about parking that night., because they has their civil engineer design the site where the put the building at the back and it was surrounded by parking on all sides and this rule would apply. He said if you think about that project the only comment I would have had was to think about maybe putting your parking in the back and getting the building towards the front, I think it's a good idea. He concluded I think if we can out parking anywhere other than between the building and the street, it's a good solution.

Pete Frisina replied I want to give you a prime example. He explained that rezoning had 50% of the parking in front of the building in the area of State Route 54 and the other half was going up to Ebenezer Road, so technically that would meet the intent of the Ordinance written for the Overlay Zone. He added in my opinion, people develop in a way that reduces their development cost to the degree they can. He said I think that aesthetics along the highway there is a lot more traffic and the 50% was really just not to have everything

in the front of the building along the highway but to spread it around the building. He concluded that Flat Creek Trail is not quite as busy of a road, I would say that other than those office buildings that were built down towards the southern part of Flat Creek Trail that were built under the State Route 54 Overlay Zone, those have a 50 % rule.

Pete Frisina said none of the churches have to apply any rules. He noted the churches have all their parking right in front. He explained I would think that the lots along Flat Creek Trail are going to be deeper than they are wide, in my opinion, unless somebody assembles some to make a larger development but most of them are going to have a narrow width with a long depth. He said I would think we would have to look at that or we can leave this in as-is.

Pete Frisina explained what that you would do in the context of newer building or a larger building, it would at least put at 50% to the side of the structure. He said I think the ones that I talked about on the south part, some of the parking is behind, because those lots were narrow and you really couldn't put them on the side, so they really did put it behind because that the way it worked out. He concluded I know what you are talking about is not so much about the parking, but if you bring the building closer to the road, it automatically goes to the back.

Danny England replied exactly, just flip the diagram around.

Peter Frisina responded to me that is an urban trait, but the thing is in the Unincorporated County with the way we lay things out we have not pushed that concept because a lot of times they want to put the building further away from the road because of the nature of the road which are the State highways. He added in my opinion, interior to a city or a small urban area it makes sense to push the building to the front and the parking to the rear.

Arnold Martin stated I believe that at Ebenezer Road and Highway 54, the grey building with the doctor's office, isn't the parking in the front, is that an example what we are not trying to be.

Pete Frisina asked you talking about the opposite corner, is that where the rezoning we just heard?

Arnold Martin and Danny England both replied yes.

Danny England responded that kind of parking wraps around, it is a wedge-shaped lot.

Pete Frisina replied it kind of wraps around the building, so it is pretty evenly disbursed. He said so I'll tell you what, I will leave this in here for now, we got one more opportunity to probably talk about before we go to public hearing. He explained I just don't want to be too strict because my experience has been when you when write things that are strict they sound great until you have to apply it to somebody, it never seem to work out the way you envision it, that's why I question it, is that too much or is it just enough. He added

at least you got one more chance to talk about it. He concluded that is pretty much all I got, I think we should push for public hearings in August unless anybody has any issues, if you have some comments or questions get them to me.

THE FAYETTE COUNTY PLANNING COMMISSION met on March 5, 2020 at 7:00 P.M. in the Fayette County Administrative Complex, 140 Stonewall Avenue West, Fayetteville, Georgia.

1. Discussion of Flat Creek Trail Overlay District

Pete Frisina began by saying I have taken those outlines that have been created with your input and what I have come up is the first page of what will be the language that will go into the Land Use element of the Comprehensive Plan, including the note that will be put on the Plan map. He noted this follows the typical format when we have done the Corridor study. He noted that we talked about the existing situations, so what this will identify the Corridor that will on be Flat Creek Trail north of Highway 54 and south of Tyrone Road and all the lots front it. He said it is classified right now as a Collector road; it is a connector between a major arterial which is State Route 54 and a minor arterial which is Tyrone Road and it becoming a connection between those two (2) arterials.

Peter Frisina explained there are a total of 18 lots fronting on the road, of those 18 lots, there is approximately 80 acres, eight (8) lots fronting on the east side, and ten (10) lots fronting on the west side. He further noted ten (10) of the 18 lots have non-residential use and/or zoning and the total acreage associated with those is approximately 49 acres. He said you have two (2) huge churches there, you have some property that was zoned in association with Highway on Highway 54, and there is a cemetery and a fire station. The explained there is one lot zoned C-H, which is still being used as a residence and it was a commercial use, many years ago as a general store. He stated they are four (4) lots zoned O-I, two (2) of them are developed, two (2) are still undeveloped at this time. He further noted there are eight (8) residential lots, mainly zoned A-R with one (1) zoned R-70, these total about 31 acres. He concluded five (5) of the lots are zoned non-conforming, in terms of lot size. He added seven (7) of them, contain single-family residences, and one (1) lot is currently undeveloped.

Peter Frisina stated the current comprehensive plan calls for Rural Residential – One (1) unit per Two (2) acres. He said the only area that seems to be really conducive to a subdivision development with a street is an assemblage of the 15 acres, which have two (2) houses that you have to work around or remove them. He noted that is the only area that I can see that is conducive to that kind of development. He said there are some issues with a stream and a lake in the back which will affect the lot yield. He concluded there are some lots that have the potential to be just subdivided along Flat Creek Trail they are zoned for two (2) acres, cutting out two (2) acre lot would be something you could do.

Pete Frisina stated that the Tyrone Road / Palmetto Road Transportation Study recommends that the intersection of Tyrone Road and Flat Creek Trail be improved with either a round-a-bout or a signalized interchange, which will make that a much easier interchange to get through. He said the pattern we are looking at is to maintain the residential and institutional character, because it is mainly an institutional aspect, you have four (4) places of worship, fire station and a tennis court. He stated that also the purpose of the Overlay is to control the architectural character and aesthetic quality of non-residential development. He concluded the recommendation is to maintain that underlying land use designation of Rural Residential Two (2). He said these to recommendations would be added the notes.

Pete Frisina said the next page covers the Flat Creek Trail Overlay Zone section to be placed in the Zoning Ordinance. He added it follows the same format as the other Overlays but it not quick as extensive because it not a major highway. He explained the development that is out there has already set the pattern for what's going on. He stated this will apply to all non-residentially zoned property which has road frontage on Flat Creek Trail, but it would exempt those properties that are zoned O-I at the corner of Flat Creek Trail and Highway 54, because they were initially rezoned and tied under the Highway 54 West Overlay Zone.

Pete Frisina stated the standards shall maintain a residential character and this shall apply to all new structures built on non-residential zoned property. He said one the things we don't really denote in the other overlays is all of these characteristics such as pitched roof, etc. He added we never go back and look at an existing house and check the roof, it is only for these new buildings. He noted it has the same characteristics such as the pitched roof, the siding, the framed doors and windows, and then the other things such as the roof-top ventilation should be screened. He said that I added the regulation that no more than 50 percent of the parking shall be located in the front yard, this requirement shall apply to new structures of 3,000 square feet built on non-residentially zoned property. He further explained the reason I added this because some of these houses are so small, if I say you have to have 50 percent in front and 50 percent into the lot, we might be dealing with five (5) parking spaces, but not until you get to 3,000 square feet then you will need ten (1) parking spaces. So I think that is a good trade off there. He concluded I am not going to push this through in April because I don't want to put too much on the Board's plate, but I will continue to look at it and see if anything pops up.

Al Gilbert stated I may have mentioned this before behind the fire station is a big open area and I think that under the control of Recreation Department, girls' softball practices are held there, it not residential.

Arnold Martin asked if the homeowner who lives on Flat Creek Trail came to us to with a request to her convert her parent's home to an accounting office, how do you this think this affect her in a positive way based on her request.

Pete Frisina responded this is opening the door for that type of development to occur

along the Corridor, you have seen the maps. He added you have seven (7) homes along there and some of them are pretty large lots, but you have a long skinny lot with a home up front on maybe five (5) acres so technically, what they are really doing is like having a one (1) acre lot in the front with four (4) acres behind it. He concluded if someone came in and bought one of those lots and wanted to develop office behind it, they could do it.

Chairman Culbreth asked are there any further questions.

Pete Frisina said I will make sure that I send everything out to you guys, both electronically and hard copy. He added if you have any ideas, next week is the time to get it to me.

THE FAYETTE COUNTY PLANNING COMMISSION met on February 20, 2020 at 7:00 P.M. in the Fayette County Administrative Complex, 140 Stonewall Avenue West, Fayetteville, Georgia.

5. Discussion of Flat Creek Trail Corridor

Ok, I have started the framework for the Flat Creek Trail Corridor Study. He noted we had one (1) property [owner] that came in and asked us to consider a conversion of a home to an office. He stated and I know there is another lot there that would pursue this as well.

He continued by saying so what I did was a basic analysis of the Corridor and there are 18 lots facing the Corridor between State Route 54 north to Tyrone Road, that is our study area; eight (8) of the eastside and ten (10) on the westside. He indicated the total area of the lots facing Flat Creek Trail is 80 acres. He also indicated 61 percent of that area is non-residential and 39 percent is under residential use right now. He stated ten (10) lots have a non-residential zoning and/or use; two (2) of those lots are zoned O-I and are undeveloped. He pointed out that one (1) commercially zoned lot is being used as a residence right now, even though it is zoned commercial. He remarked it was used commercially many years ago; it's just being used as a residence right now. He said I think maybe it was a general store and I am not sure if the road expansion took some [of the] front yard area.

Arnold Martin asked is the house separate from the general store.

Pete Frisina replied no I think the house was in the same building. He said I think it was an old timey general store the owners lived in the back. He remarked one of the lots contain the County fire station and then one the lots is a cemetery, which I consider non-residential. He said then eight (8) lots are zoned residential, five (5) of the lots are non-conforming, and one (1) of the residential lot is undeveloped at this time. He commented the Corridor has changed character somewhat, now it is basically a cut-through from Highway 54 to Tyrone Road. He noted there are a few concepts in the

Corridor Plan, now this Corridor Plan was for Tyrone Road, not for Flat Creek Trail, but there are two (2) interchange concepts. He also noted one (1) being a lighted, signalized intersection, and the other being a Round-A-Bout. He stated at some point the County is considering some improvement to that intersection. He further stated right now the Land Use Plan has this area under Rural Residential Two (2) which is one (1) unit per two (2) acres. He explained the two (2) undeveloped lots and a lot with a house, I think the total of that area is about 15 acres that can be assembled.

THE FAYETTE COUNTY PLANNING COMMISSION met on January 15, 2020 at 7:00 P.M. in the Fayette County Administrative Complex, 140 Stonewall Avenue West, Fayetteville, Georgia.

2. Discussion of Flat Creek Trail Corridor

Pete Frisina began by stating that he wanted to introduce Alice Reeves (201 Flat Creek Trail) and her husband, Bob, who lives on Flat Creek Trail. He noted that I will put up a map and let her speak. He then asked which is your house and which is your mother's house. He concluded that her mother recently passed away.

Howard Johnson asked what is the address of your house.

Alice Reeves replied that her mother's house is located at 193 Flat Creek Trail and we live at 201 Flat Creek Trail.

Al Gilbert asked where is the church.

Alice Reeves replied next door.

Pete Frisina then responded the two churches are located here.

Danny England replied it is the triangular piece.

Alice Reeves stated this property is seven (7) acres, we have three (3) acres and a house and my mother and daddy had four (4) acres and a house, it was my grandfather's property before that so I am the third (3rd) generation to live on it. She said we are next to Flat Creek Baptist Church and so our property runs from the church to Tyrone Road. She noted when my mother passed away a couple of months ago, we started talking with my brothers. She explained since we have owned an accounting firm for the past 22 years, I thought it would be great if I could use her house as my office because I only have a staff of three, it would be the perfect size. She also noted we also would like to move right now and my brothers said that is a great idea because we would like to keep the house in the family and repurpose it. She concluded I am also president in the Historical Society so that is near and dear to my heart.

Pete Frisina asked how old is that house?

Alice Reeves replied it was built in 1960, now they call it mid-century. She added that is our dream to re-purpose that house into an office space. She noted one of my clients is an architect so he is going to help me look at it and we would probably freshen up the outside, but since it has a stoop in the front, he suggested a ramp that would look nice and quiet.

Pete Frisina asked did he talk about the internal changes that would have to made, like bathrooms and things of that nature.

Alice Reeves replied all of the doors are now wide doors for whatever reason, both my dad and my mom had wheelchairs when they were sick so the doors accommodate that size already. She explained we would like to freshen up the bathroom of course because of the age. She noted the kitchen is open so we would we probably just put one (1) wall up and one (1) door there to make that an office. She concluded we would probably enclose the side porch, which has brick on it, so that's what we are looking to do.

Pete Frisina stated when Alice (Reeves) talked to me about this, I said well you know I never thought much about this corridor, what the nature of this is, and what the character of this area is, so I said well the first thing is to talk to the Planning Commission and to see what you guys think.

Pete Frisina stated when I looked at the corridor I see that on Highway 54, you have a property here that was zoned Office-Institutional (O-I) that was done as part on the Highway 54 corridor. He explained originally this property came in and was going to rezone to Office – Institutional as well, but they have a Muslim worship center there and there was a controversy about the rezoning, but we determined it was zoned A-R and you can have a church or other place of worship within A-R. He explained that the applicants decided rather than going through the public hearing scrutiny, they withdrew the re-zoning and they were allowed to build under A-R, so technically that was going to be another O-I piece of property.

Chairman Culbreth asked so they didn't have to get a special use permit?

Pete Frisina replied conditional use, but it is an administrative conditional use permit.

Al Gilbert and Danny England both replied that churches can go anywhere.

Pete Frisina explained that from Highway 54 to Flat Creek basically what you have is basically non-residential. He noted when you look at the corridor you have this church which takes up a huge span of the roadway and you have non-residential up to this other large church and the only other thing that you have is a cemetery, and sandwiched between all this you have this one lot here that is about a five (5) acre parcel which has a house on it. He said I think at one point, this might have been a part of this, but anyway it is mostly surrounded with non-residential except that area that

backs up to a subdivision. As you get up the road you have non-residential that backs up to the Fayette County Fire Station. He noted you have a little bit of rezoning that took place at the corner which has a small amount of commercial there which is not utilized as a typical commercial use. He concluded the house that is there is sitting a little too close to the road, it was an old store there many, many years ago, it hasn't been used as a store for many years.

Arnold Martin stated that right across the street there is an old gas station.

Pete Frisina replied yes, there is a gas station there. He said here we have a guy who we have dealt with for years who knows well how to get around regulations. He explained we rezoned that property to R-70 many years ago. He added first was renting the house out as a rental but he built two (2) tennis courts in the backyard, which you can have one (1) tennis court on residential property. He concluded he allows the youth tennis group to use his tennis court for free which is how he gets around the regulation.

Pete Frisina explained you have two (2) properties which kind of cut off this entire roadway and you have some properties in the back that can be developed. He added the only thing you have in this area is a house sitting here, these larger tracts which is a five (5) acre tract which is really not that large of a tract which does not have a structure on it. He noted there is also an almost eight (8) and ½ half acre tract which does have a small house on it.

Pete Frisina explained one of the other characteristics of this road is that it is a huge cut-through and that's what has changed the nature of this street. He said there are not a lot of houses on it, three (3) or four (4), you have a huge amount of non-residential in the form of churches and then the fire station so I looked at this and I thought given what has been happening to that road especially being a cut-through.

He explained that after talking with Phil Mallon, it has been mentioned in most of the transportation plans that it needs to change, something needs to happen at the intersection of Flat Creek Road and Tyrone Road. He added they haven't quite said what is going to happen yet, it may be a roundabout, it may be enhanced turn lanes or things of that nature but something will happen at that intersection. He explained given the nature of this corridor and the traffic, I don't have a problem with at least looking at that corridor for some kind of limited office-use, specialty mixed use existing homes trying to keep them and maintain their residential characteristics, similar to what we have done on highways. He concluded I think we have a huge amount of non-residential that is not going away, those churches are not going away.

Arnold Martin asked so would you rezone each property individually or will you do a blanket.

Pete Frisina replied I think we do some kind of corridor that says based on the corridor and come up with some kind of characteristics of what we think we would want to see rezoned. He said obviously what we did on Highway 54 was started by the widening

of the road. He added we talked about the conversion of existing homes into offices. He explained now as you know, after many years, we are now talking about a much larger development, but that's how it started out. I think that this road, given that the traffic is not going to decrease, it always going to be a cut-through because once you go north of Tyrone Road there is hardly any traffic on Flat Creek Trail. He noted everybody is travelling across Tyrone and travelling down Highway 54. He concluded in my opinion, I think we can come up with some type of corridor plan similar to what we did on Highway 54.

Arnold Martin asked so based on what you described in term of number of homes and residences there, if you turn your parent's home into an office, then you are looking at moving as well.

Alice Reeves replied no, the office would be next door.

Arnold Martin asked would you say there are three (3) or four (4) residence on the street.

Alice Reeves replied there are three 3 across the street plus George.

Pete Frisina replied I don't know if George is renting that house out or not, he was at one (1) point.

Bob Reeves replied I don't believe he is.

Pete Frisina replied so there are a few homes up there.

Danny England replied if you diagram the age of the things built along this road, the most modern and current buildings are the larger commercial pieces, there hasn't been a home built on this road since the 1960s.

Alice Reeves replied I build mine in 1989.

Danny England replied it seems that everything built since 1989 has been church-built and the churches have grown. He added that the type of stuff that has built, no one is buying here to build a house.

Pete Frisina other than those parcels across the street where she (Alice Reeves) lives, you could assemble that and get a small subdivision in there if you really wanted to but it is long and narrow and there is a creek back there that will have some bearing on the rear of that property.

Arnold Martin asked what would be your suggestion, would it be O-I.

Pete Frisina replied yes, between Tyrone Road and Highway 54.

Arnold Martin asked if that were turned into O-I for the properties that have five (5) acres, would that restrict them from a developer coming in wanting to build some houses.

Pete Frisina replied no, like what we did of Highway 54, it is still residential land use but it has that kind of overlay district that says we can give consideration for O-I and given the circumstances and either one is okay. He added it gives you a little more flexibility and a little more choice especially with existing homes in my opinion.

Chairman Culbreath asked if there were any more questions or discussion.

Danny England stated that it's funny until you see it, and I drive through the area all the time, you don't realize how much of the population there is not residential.

Arnold Martin so what would be involved and how long will it take.

Pete Frisina replied that's always the 64,000 dollar question. He added a corridor study like this is really a three (3) to four (4) month process. He explained we have to develop it to get everything here and we have to then advertise it and take it to the Board of Commissioners, and sometimes the Board says yea, nay or go back and work on it some more, but I think the consensus here is that it is worth looking at so we will start the process and we will make sure that you are involved. He asked if you have any information about your property please provide it. He also stated I don't think you have done any conceptual plans yet, but have you looked at the development regulations for the parking lot and all that kind of stuff.

Arnold Martin asked will we have to contact all the neighbors as well.

Pete Frisina replied yes, it is a land use study, there are not that many residents out there. He noted we are not really taking anything from anybody, we are adding more options to the area. Sounds good.

Arnold Martin asked just out curiosity, was any of the land that the church next door to your parents, was that land ever part of your land.

Alice Reeves replied my parents and the church were there about the same time. She added my grandfather originally owned the property and he just farmed it and when my parents wanted to build he gave me some land. He concluded then when I wanted to build he gave me some land.

Alice Reeves asked is there a place we can look to see what we would need to do.

Pete Frisina replied what I can do probably is let me find a site plan for a small site like this. He asked just send me an email and I will return the information for a house that has been converted. He added obviously you are going to have a parking lot and a stormwater acknowledgement.

Bob Reeves asked does the parking lot need to be paved.

Pete Frisina responded I think it will if it is going to be for use by customers and also handicapped parking spot will be required.

COUNTY AGENDA REQUEST

Department:

Presenter(s):

Meeting Date:

Type of Request:

Wording for the Agenda:

Consideration of Ordinance 2020-05; amendments to the Fayette County Zoning Ordinance for the Flat Creek Trail Corridor Overlay Zone.

Background/History/Details:

Staff recommends approval.

Planning Commission recommended approval.

Brian Haren made a motion to recommend approval of an amendment to Section 110-173. Zoning Ordinance – Transportation Corridor Overlay Zone for the Flat Creek Trail Corridor. Arnold Martin seconded the motion. The motion passed 5-0.

See backup for Resolution 2020-07 amendments to the Land Use Element and Future Land Use Plan Map of the Fayette County Comprehensive Plan for the Flat Creek Trail Corridor.

What action are you seeking from the Board of Commissioners?

Approval of Ordinance 2020-05; amendments to the Fayette County Zoning Ordinance for the Flat Creek Trail Corridor Overlay Zone.

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:

- (6) Flat Creek Trail Overlay Zone. All property with a nonresidential zoning which has road frontage on Flat Creek Trail shall be subject to the following regulations, in addition to the zoning district requirements, and other development regulations which apply. The existing O-I properties on the northeast corner of Flat Creek Trail and SR 54 shall be exempt from these requirements as they were established under the SR 54 West Overlay Zone and that overlay zone will continue to apply to those properties. The intent of the overlay zone is to set standards specifically to Flat Creek Trail between SR 54 and Tyrone Road.
- a. The purpose of the SR 54 West Overlay Zone is to achieve the following:
 1. To maintain the residential and institutional character of the area; and
 2. To control the architectural character and aesthetic quality of the development property with a nonresidential zoning.
 - b. Architectural standards. Structures shall maintain a residential character and these standards shall apply to new structures built on property with a nonresidential zoning. Elevation drawings denoting compliance with the following requirements shall be submitted as part of the site plan:
 1. A pitched peaked (gable or hip) roof with a minimum pitch of 4.5 inches in one foot, including accessory structures and shall be of a type and construction complimentary to the facade. A pitched mansard roof facade with a minimum pitch of 4.5 inches in one foot, and a minimum height of eight feet around the entire perimeter of the structure can be used if the structure is two stories or more or the use of pitched peaked roof would cause the structure to not meet the applicable height limit requirements. The mansard roof facade shall be of a residential character with the appearance of shingles, slate or terra cotta;
 2. All buildings shall be constructed in a residential character of fiber-cement siding (i.e., Hardiplank), wood siding, wood textured vinyl siding, brick/brick veneer, rock, stone, cast-stone, stucco (including synthetic stucco), or finished/baked enamel metal siding which establishes a horizontal pattern; and
 3. Framed doors and windows of a residential character. To maintain a residential character, large display windows shall give the appearance of smaller individual panes and framing consistent with the standard residential grid pattern for doors and windows. This does not apply to stained glass windows for a church or other place of worship. Large display or storefront windows shall have a minimum two foot high knee wall consisting of fiber-cement siding (i.e., Hardiplank), wood siding, wood textured vinyl siding, brick/brick veneer, rock, stone, cast-stone, stucco (including synthetic stucco) or finished/baked enamel metal siding which establishes a horizontal pattern.
 - c. Additional requirements.
 1. All roof-top heating, ventilation, and air conditioning equipment and shall be visually screened from adjacent roads and property zoned residential or A-R. The screen shall extend to the full height of the objects being screened.
 2. No outside storage shall be allowed

COUNTY AGENDA REQUEST

Department:

Presenter(s):

Meeting Date:

Type of Request:

Wording for the Agenda:

Consideration of Ordinance 2020-06; amendments to Section 110-127 EST Zoning District.

Background/History/Details:

This amendment is to correct error in the EST Zoning District.

Staff recommends approval.

Planning Commission recommended approval.

Arnold Martin made a motion to recommend approval of an amendment to Section 110-127 EST- Estate Residential District to the Zoning Ordinance. Al Gilbert seconded the motion. The motion passed 5-0.

What action are you seeking from the Board of Commissioners?

Approval of Ordinance 2020-06; amendments to Section 110-127 EST Zoning District.

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:

Sec. 110-127. - EST, Estate Residential District.

- (a) *Purpose.* An estate residential subdivision is a residential subdivision where lots are reduced in size and clustered to provide conservation area. Each estate residential subdivision will consist of two areas, a residential area and a conservation area. The conservation area will be protected from development in perpetuity by an easement or deed restriction. The conservation area will be utilized for approved recreation for the residents of the subdivision. The clustering of lots can result in lower infrastructure costs both for installation and maintenance. The estate residential zoning district is intended for those areas designated agricultural-residential (one unit/five acres) on the county land use plan map. The creation of the EST Estate Residential District is to assist the county in permanently protecting greenspace in the county.
- (b) *Rezoning requirements.* The following is required for a rezoning petition for the estate residential zoning district in addition to what is normally required for a rezoning petition:
- (1) A petition for the estate residential zoning district will require a yield plan. The number of lots allowed in an estate residential zoning district will be determined by a yield plan which is a conventional subdivision design based on the dimensional requirements of the A-R zoning district. This concept is referred to as neutral density. The yield plan shall contain the checklist requirements available in the planning and zoning department. The rezoning petition shall not be filed with the planning and zoning department until the yield plan has been approved by the applicable departments.
 - (2) A development plan shall be required for the rezoning petition. The development plan, as approved, shall establish the layout and uses planned for the development. Any change in the approved development plan, which affects the intent and character of the development, the density or land use pattern, the location or dimensions of streets, or similar substantial changes, shall be reviewed and approved by the board of commissioners upon the recommendation of the planning commission. A petition for a revision of the development plan shall be supported by a written statement as to why the revisions are necessary. Each EST subdivision shall consist of two areas: the residential area and the conservation area. The conservation area will consist of the environmentally sensitive areas, including waterways, water bodies, watershed protection areas, floodplains, wetlands, riparian buffers and woodlands, as well as, agricultural areas existing agricultural structures and historical structures. The conservation area will remain in a natural and undisturbed state with minimal improvements. In addition to what is normally required on the development plan, the development plan shall include the following:
 - a. A delineation of the attributes (see subsection (a) of this section) of the site which will be preserved;
 - b. A delineation of the residential area and the conservation area including the approximate acreage within each area;
 - c. Uses and improvements planned for the conservation area with the acreage devoted to each; and
 - d. Indicate and label existing structures to remain.

~~(c) *Rezoning requirements.* The following is required for a rezoning petition for the conservation subdivision zoning district in addition to what is normally required for a rezoning petition:~~

- ~~(1) A petition for the conservation subdivision zoning district will require a yield plan. The number of lots allowed in a conservation subdivision will be determined by a yield plan which is a conventional subdivision design based on the dimensional requirements of the A-R zoning district. This concept is referred to as neutral density. The yield plan shall contain the check list requirements available in the office of the zoning administrator. Staff analysis of the yield plan will add an additional month to the normal rezoning schedule. The rezoning petition shall not be filed with the planning and zoning department until the yield plan has been approved by the applicable departments.~~

~~(2) A development plan shall be required for the rezoning petition. The development plan, as approved, shall establish the layout and uses planned for the development. Any change in the approved development plan, which affects the intent and character of the development, the density or land use pattern, the location or dimensions of streets, or similar substantial changes, shall be reviewed and approved by the board of commissioners upon the recommendation of the planning commission. A petition for a revision of the development plan shall be supported by a written statement as to why the revisions are necessary. Each conservation subdivision shall consist of two areas: the residential area and the conservation area. The conservation area will consist of the environmentally sensitive areas including waterways, water bodies, watershed protection areas, floodplains, wetlands, riparian buffers and woodlands, as well as agricultural areas, existing agricultural structures and historical structures. The conservation area will remain in a natural and undisturbed state with minimal improvements and will be regulated in a manner consistent with the Georgia Greenspace Program requirements to the greatest degree possible. In addition to what is normally required on the development plan, the development plan shall include the following:~~

- ~~a. A delineation of the attributes (see subsection (a) of this section) of the site which will be preserved;~~
- ~~b. A delineation of the residential area and the conservation area, including the acreage within each area;~~
- ~~c. Uses and improvements planned for the conservation area with the acreage devoted to each; and~~
- ~~d. Indicate and label existing structures to remain.~~

- (d) *Uses permitted within the residential area of an estate residential subdivision.* The following permitted uses shall be allowed in the residential area of the estate residential zoning district:
 - (1) Single-family dwelling; and
 - (2) Residential accessory structures and uses (see article III of this chapter).
- (e) *Conditional uses.* The following conditional uses shall be allowed in the residential area of EST zoning district, provided that all conditions specified in article V of this chapter are met:
 - (1) Developed residential recreational/amenity areas;
 - (2) Home occupation; and
 - (3) Horse quarters.
- (f) *Uses permitted within the conservation area of an estate residential subdivision.* The following permitted uses and structures shall be allowed in the conservation area of the estate residential zoning district:
 - (1) Trails and paths (impervious trails and paths are limited to five percent of the conservation area);
 - (2) Picnic areas which can include picnic tables, grills, benches, playground equipment (swing sets, slides, etc.). Picnic areas and one covered picnic pavilion are required to be setback 50 feet from any residential property line and are limited to five percent of the conservation area. The covered picnic pavilion shall not exceed a maximum of 900 square feet;
 - (3) Community gardens for the use of the residents of the subdivision only;
 - (4) The maintenance of existing orchards and groves including the harvesting of fruit and nuts;
 - (5) The maintenance of existing pastures including the harvesting of hay; and
 - (6) The maintenance of existing farm fields used for row crops including the harvesting of crops.

- (7) Stormwater management facilities per chapter 104, article XIV. - Post-Development Stormwater Management for New Development and Redevelopment and mail CBUs with associated shelter structures.

All improvements within the conservation area shall comply with chapter 104, article VII Watershed Protection.

- (g) *Dimensional requirements.* The minimum dimensional requirements within the residential area in the estate residential zoning district shall be as follows:

- (1) Lot area per dwelling unit: 108,900 square feet (2.5 acres).
- (2) Lot width per dwelling unit: 160 feet.
- (3) Floor area: 2,500 square feet.
- (4) Front yard setback:
 - a. Major thoroughfare:
 1. Arterial: 100 feet.
 2. Collector: 75 feet.
 - b. Minor thoroughfare: 50 feet.
- (5) Rear yard setback: 50 feet.
- (6) Side yard setback: 25 feet.
- (7) Height limit: 35 feet.

- (h) *Use of existing structure.* The preservation of existing historic residential structures listed in the architectural Survey of the county is encouraged as these structures can be used as residences or community facilities for the subdivision. Existing residential structures used for a community facility shall meet all applicable building and safety codes and will be regulated as a conditional use under developed residential recreational/amenity areas. The preservation of existing agricultural structures is also encouraged as they will assist in maintaining a rural character. The use of these residential and agricultural structures will be subject to the approval of the zoning board of appeals in terms of nonconformance with this zoning district.

- (i) *Conservation area requirements.* The conservation area of the subdivision shall meet the following requirements:

- (1) *Ownership.* Title to the conservation area shall be conveyed to one of the following entities:
 - a. A homeowners' association that has been established according to the Georgia Property Owners' Association Act (O.C.G.A. § 44-3-220 et seq.);
 - b. A conservation trust organization approved by the county board of commissioners; or
 - c. The county board of commissioners (for conservation areas with no structures only).
- (2) *Size.* A minimum of 40 percent of the total subject property shall be set aside in conservation area. The conservation area described in its entirety by metes and bounds, total acreage and percentage of total subject property shall be submitted to the county zoning department in the final plat or minor subdivision plat stage prior to final plat or minor subdivision plat approval.
- (3) *Permanent protection.* Each conservation area regardless of ownership shall have a conservation easement as approved by the county attorney filed in the records of the county clerk of superior court. The easement or deed restriction shall reserve the conservation area to uses as defined herein in perpetuity.

THE FAYETTE COUNTY PLANNING COMMISSION met on August 6, 2020 at 7:00 P.M. in the Fayette County Administrative Complex, 140 Stonewall Avenue West, Fayetteville, Georgia.

9. Consideration of amendments to Chapter 110. Zoning Ordinance, regarding, Sec. 110-127. - EST, Estate Residential District.

Pete Frisina said the county approved a number of amendments to the zoning ordinance in May. He stated that one of the county attorneys in preparing a document for the BOC Chairman's signature found a duplicate paragraph in the EST zoning district that was from the C-S zoning district. He stated that the EST zoning district was patterned after the C-S zoning district and that paragraph has probably in the EST zoning district since its inception and just wasn't noticed until now. He added that this amendment is just housekeeping to correct an error in the zoning ordinance.

The Chairman asked if there was anyone present that would like to make a comment concerning this proposal. Hearing none, he asked if there was anyone in the live streaming audience that would like to call into the meeting to make a comment. Hearing none after approximately one minute the Chairman said he would entertain a motion.

Arnold Martin made a motion to recommend approval of an amendment to Section 110-127 EST- Estate Residential District to the Zoning Ordinance. Al Gilbert seconded the motion. The motion passed 5-0.

COUNTY AGENDA REQUEST

Department:

Presenter(s):

Meeting Date:

Type of Request:

Wording for the Agenda:

Approval of staff's recommendation to declare 19 vehicles, two (2) Hustler mowers and one (1) Trailer as unserviceable and sell the assets online utilizing contracted auction services with all proceeds to be returned to the vehicle replacement fund.

Background/History/Details:

Nineteen (19) vehicles, two (2) Hustler mowers and one (1) trailer on the attached list are in process or have been replaced this fiscal year and are no longer serviceable to the County. Staff recommends that these vehicles and equipment be declared surplus and sold through an online auction with all proceeds being returned to the vehicle replacement fund. The County has an existing contract (#1575-A) with Auctions International for auction services and it is recommended these assets be sold online utilizing this vendor.

List attached as backup.

What action are you seeking from the Board of Commissioners?

Approval of staff's recommendation to declare 19 vehicles, two (2) Hustler mowers and one (1) Trailer as unserviceable and sell the assets online utilizing contracted auction services with all proceeds to be returned to the vehicle replacement fund.

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:

Fleet Vehicle #	Vehicle Description	VIN - ID Number	Mileage
23109	2009 Chevy C-5500	1GBE4C1959F407271	292,471
23229	2010 Chevy C-4500	1GBE4V1929F413363	236,950
22903	2003 Ford Ranger	1FTYR10E13PA98798	107,462
25360	2010 Hustler 928929	10090184	N/A
26210	2010 Hustler 928929	10090649	N/A
81702	1982 Custom Trailer	4T20390	N/A
70148	1978 Ford LN-9000	U909VCC5699	194,816
26052	2002 Chevy Tahoe	1GNEC13Z32J308975	155,985
179639	2013 Chevrolet Tahoe	1GNLC2E09DR179639	127,825
362386	2014 Dodge Charger	2C3CDXAT0EH362386	130,003
171241	2014 Dodge Charger	2C3CDXAT5EH171241	127,702
560467	2013 Dodge Charger	2C3CDXAT6DH560467	117,500
171243	2014 Dodge Charger	2C3CDXAT9EH171243	122,027
560471	2013 Dodge Charger	2C3CDXAT8DH560471	105,647
560476	2013 Dodge Charger	2C3CDXAT7DG560476	101,527
B74161	2016 Ford Explorer	1FM5K8AR2GGB74161	140,308
B74159	2016 Ford Explorer	1FM5K8AR4GGB74159	151,193
171244	2014 Dodge Charger	2C3CDXAT0EH171244	76,994
208660	2000 Ford Crown/Vic	2FAFP71W0YX208660	91,716
23079	2009 Chevy C-4500	1GBE4V1949F404597	284,772
23239	2010 Chevy C-4500	1GBE4V1919F413385	222,767
22152	2002 Chevy Van	1GNFG15RX21183236	146,028

COUNTY AGENDA REQUEST

Department:

Presenter(s):

Meeting Date:

Type of Request:

Wording for the Agenda:

Acknowledgment of/and authorization from the Board of Commissioners to sign the Equitable Sharing Agreement and Annual Certification as required by the US Department of Justice and the US Department of the Treasury.

Background/History/Details:

The Fayette County Sheriff's Office is required annually by the US Department of Justice and the US Department of Treasury to submit an Equitable sharing Agreement and Certification. The Certification is a breakdown of total monies received from the US Departments of Justice and Treasury and an accounting of how the monies were spent for the purpose of law enforcement enhancement.

What action are you seeking from the Board of Commissioners?

Approval to have the Chairman sign the Equitable Sharing Agreement and Annual Certification as required by the US Department of Justice and the US Department of the Treasury.

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:



Equitable Sharing Agreement and Certification



NCIC/ORI/Tracking Number: GA0560000
Agency Name: Fayette County Sheriff's Office
Mailing Address: 155 Johnson Avenue
 Fayetteville, GA 30214

Type: Sheriff's Office

Agency Finance Contact

Name: Walker, Michelle
Phone: 7707164753 **Email:** mwalker@fayettecountyga.gov

Jurisdiction Finance Contact

Name: Weinmann, Sheryl
Phone: 7703055186 **Email:** sweinmann@fayettecountyga.gov

ESAC Preparer

Name: Norton, Cindy
Phone: 770-716-4754 **Email:** cnorton@fayettecountyga.gov

FY End Date: 06/30/2020

Agency FY 2021 Budget: \$20,192,512.00

Annual Certification Report

Summary of Equitable Sharing Activity		Justice Funds ¹	Treasury Funds ²
1	Beginning Equitable Sharing Fund Balance	\$405,522.44	\$117,411.25
2	Equitable Sharing Funds Received	\$77,932.73	\$132,087.73
3	Equitable Sharing Funds Received from Other Law Enforcement Agencies and Task Force	\$0.00	\$0.00
4	Other Income	\$69,677.46	\$2,866.20
5	Interest Income	\$2,285.88	\$734.67
6	Total Equitable Sharing Funds Received (total of lines 1-5)	\$555,418.51	\$253,099.85
7	Equitable Sharing Funds Spent (total of lines a - n)	\$467,129.38	\$94,316.99
8	Ending Equitable Sharing Funds Balance <small>(difference between line 7 and line 6)</small>	\$88,289.13	\$158,782.86

¹Department of Justice Asset Forfeiture Program participants are: FBI, DEA, ATF, USPIS, USDA, DCIS, DSS, and FDA

²Department of the Treasury Asset Forfeiture Program participants are: IRS, ICE, CBP and USSS.

Summary of Shared Funds Spent		Justice Funds	Treasury Funds
a	Law Enforcement Operations and Investigations	\$0.00	\$0.00
b	Training and Education	\$25,820.20	\$0.00
c	Law Enforcement, Public Safety, and Detention Facilities	\$92,597.80	\$60,103.10
d	Law Enforcement Equipment	\$309,058.06	\$27,717.98
e	Joint Law Enforcement/Public Safety Equipment and Operations	\$0.00	\$0.00
f	Contracts for Services	\$2,577.94	\$6,142.55
g	Law Enforcement Travel and Per Diem	\$34,346.73	\$353.36
h	Law Enforcement Awards and Memorials	\$0.00	\$0.00
i	Drug, Gang, and Other Education or Awareness Programs	\$2,728.65	\$0.00
j	Matching Grants	\$0.00	\$0.00
k	Transfers to Other Participating Law Enforcement Agencies	\$0.00	\$0.00
l	Support of Community-Based Programs	\$0.00	\$0.00
m	Non-Categorized Expenditures	\$0.00	\$0.00
n	Salaries	\$0.00	\$0.00
Total		\$467,129.38	\$94,316.99

Equitable Sharing Funds Received From Other Agencies

Transferring Agency Name	Justice Funds	Treasury Funds

Other Income

Other Income Type	Justice Funds	Treasury Funds
Reimbursements	\$69,677.46	
Other-To correct for FY 2016 non-conforming expenditures		\$721.00
Reimbursements		\$2,145.20

Matching Grants

Matching Grant Name	Justice Funds	Treasury Funds

Transfers to Other Participating Law Enforcement Agencies

Receiving Agency Name	Justice Funds	Treasury Funds

Support of Community-Based Programs

Recipient	Justice Funds	

Non-Categorized Expenditures

Description	Justice Funds	Treasury Funds

Salaries

Salary Type	Justice Funds	Treasury Funds

Paperwork Reduction Act Notice

Under the Paperwork Reduction Act, a person is not required to respond to a collection of information unless it displays a valid OMB control number. We try to create accurate and easily understood forms that impose the least possible burden on you to complete. The estimated average time to complete this form is 30 minutes. If you have comments regarding the accuracy of this estimate, or suggestions for making this form simpler, please write to the Asset Forfeiture and Money Laundering Section at 1400 New York Avenue, N.W., Washington, DC 20005.

Privacy Act Notice

The Department of Justice is collecting this information for the purpose of reviewing your equitable sharing expenditures. Providing this information is voluntary; however, the information is necessary for your agency to maintain Program compliance. Information collected is covered by Department of Justice System of Records Notice, 71 Fed. Reg. 29170 (May 19, 2006), JMD-022 Department of Justice Consolidated Asset Tracking System (CATS). This information may be disclosed to contractors when necessary to accomplish an agency function, to law enforcement when there is a violation or potential violation of law, or in accordance with other published routine uses. For a complete list of routine uses, see the System of Records Notice as amended by subsequent publications.

Single Audit Information**Independent Auditor**

Name: Gabriel Terrell

Date Printed: 08/10/2020

Company: Nichols, Cauley & Associates, LLC

Phone: 478-275-1163

Email: gterrell@Nicholscauley.com

Were equitable sharing expenditures included on your jurisdiction's prior fiscal year's Schedule of Expenditures of Federal Awards (SEFA)?

YES NO

Prior year Single Audit Number Assigned by Harvester Database: 832945

Affidavit

Under penalty of perjury, the undersigned officials certify that they have read and understand their obligations under the *Guide to Equitable Sharing for State, Local, and Tribal Law Enforcement Agencies (Guide)* and all subsequent updates, this Equitable Sharing Agreement, and the applicable sections of the Code of Federal Regulations. The undersigned officials certify that the information submitted on the Equitable Sharing Agreement and Certification form (ESAC) is an accurate accounting of funds received and spent by the Agency.

The undersigned certify that the Agency is in compliance with the applicable nondiscrimination requirements of the following laws and their Department of Justice implementing regulations: Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d *et seq.*), Title IX of the Education Amendments of 1972 (20 U.S.C. § 1681 *et seq.*), Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. § 794), and the Age Discrimination Act of 1975 (42 U.S.C. § 6101 *et seq.*), which prohibit discrimination on the basis of race, color, national origin, disability, or age in any federally assisted program or activity, or on the basis of sex in any federally assisted education program or activity. The Agency agrees that it will comply with all federal statutes and regulations permitting federal investigators access to records and any other sources of information as may be necessary to determine compliance with civil rights and other applicable statutes and regulations.

Equitable Sharing Agreement

This Federal Equitable Sharing Agreement, entered into among (1) the Federal Government, (2) the Agency, and (3) the Agency's governing body, sets forth the requirements for participation in the federal Equitable Sharing Program and the restrictions upon the use of federally forfeited funds, property, and any interest earned thereon, which are equitably shared with participating law enforcement agencies. By submitting this form, the Agency agrees that it will be bound by the *Guide* and all subsequent updates, this Equitable Sharing Agreement, and the applicable sections of the Code of Federal Regulations. Submission of the ESAC is a prerequisite to receiving any funds or property through the Equitable Sharing Program.

1. Submission. The ESAC must be signed and electronically submitted within 60 days of the end of the Agency's fiscal year. Electronic submission constitutes submission to the Department of Justice and the Department of the Treasury.

2. Signatories. The ESAC must be signed by the head of the Agency and the head of the governing body. Examples of Agency heads include police chief, sheriff, director, commissioner, superintendent, administrator, county attorney, district attorney, prosecuting attorney, state attorney, commonwealth attorney, and attorney general. The governing body head is the head of the agency that appropriates funding to the Agency. Examples of governing body heads include city manager, mayor, city council chairperson, county executive, county council chairperson, administrator, commissioner, and governor. The governing body head cannot be an official or employee of the Agency and must be from a separate entity.

3. Uses. Shared assets must be used for law enforcement purposes in accordance with the *Guide* and all subsequent updates, this Equitable Sharing Agreement, and the applicable sections of the Code of Federal Regulations.

4. Transfers. Before the Agency transfers funds to other state or local law enforcement agencies, it must obtain written approval from the Department of Justice or Department of the Treasury. Transfers of tangible property are not permitted. Agencies that transfer or receive equitable sharing funds must perform sub-recipient monitoring in accordance with the Code of Federal Regulations.

5. Internal Controls. The Agency agrees to account separately for federal equitable sharing funds received from the Department of Justice and the Department of the Treasury, funds from state and local forfeitures, joint law enforcement operations funds, and any other sources must not be commingled with federal equitable sharing funds.

The Agency certifies that equitable sharing funds are maintained by the entity that maintains the Agency's appropriated or general funds and agrees that the funds will be subject to the standard accounting requirements and practices employed by the Agency's jurisdiction in accordance with the requirements set forth in the *Guide*, any subsequent updates, and the Code of Federal Regulations, including the requirement to maintain relevant documents and records for five years.

The misuse or misapplication of equitably shared funds or assets or supplantation of existing resources with shared funds or assets is prohibited. The Agency must follow its jurisdiction's procurement policies when expending equitably shared funds. Failure to comply with any provision of the *Guide*, any subsequent updates, and the Code of Federal Regulations may subject the Agency to sanctions.

6. Single Audit Report and Other Reviews. Audits shall be conducted as provided by the Single Audit Act Amendments of 1996 and OMB Uniform Administrative Requirements, Costs Principles, and Audit Requirements for Federal Awards. The Agency must report its equitable sharing expenditures on the Schedule of Expenditures of Federal Awards (SEFA) under Catalog of Federal Domestic Assistance number 16.922 for Department of Justice and 21.016 for Department of the Treasury. The Department of Justice and the Department of the Treasury reserve the right to conduct audits or reviews.

7. Freedom of Information Act (FOIA). Information provided in this Document is subject to the FOIA requirements of the Department of Justice and the Department of the Treasury. Agencies must follow local release of information policies.

8. Waste, Fraud, or Abuse. An Agency or governing body is required to immediately notify the Money Laundering and Asset Recovery Section of the Department of Justice and the Executive Office for Asset Forfeiture of the Department of the Treasury of any allegations or theft, fraud, waste, or abuse involving federal equitable sharing funds.


Civil Rights Cases

During the past fiscal year: (1) has any court or administrative agency issued any finding, judgment, or determination that the Agency discriminated against any person or group in violation of any of the federal civil rights statutes listed above; or (2) has the Agency entered into any settlement agreement with respect to any complaint filed with a court or administrative agency alleging that the Agency discriminated against any person or group in violation of any of the federal civil rights statutes listed above?

Yes No

Agency Head

Name: Babb, Barry H.
Title: Sheriff, Fayette County, GA
Email: bbabb@fayettecountyga.gov

Signature:  Date: 8/10/2020

To the best of my knowledge and belief, the information provided on this ESAC is true and accurate and has been reviewed and authorized by the Law Enforcement Agency Head whose name appears above. Entry of the Agency Head name above indicates his/her agreement to abide by the Guide, any subsequent updates, and the Code of Federal Regulations, including ensuring permissibility of expenditures and following all required procurement policies and procedures.

Governing Body Head

Name: Ognio, Randy
Title: Chairman, Fayette County BOC
Email: ROgnio@fayettecountyga.gov

Signature: _____ Date: _____

To the best of my knowledge and belief, the Agency's current fiscal year budget reported on this ESAC is true and accurate and the Governing Body Head whose name appears above certifies that the agency's budget has not been supplanted as a result of receiving equitable sharing funds. Entry of the Governing Body Head name above indicates his/her agreement to abide by the policies and procedures set forth in the Guide, any subsequent updates, and the Code of Federal Regulations.

I certify that I have obtained approval from and I am authorized to submit this form on behalf of the Agency Head and the Governing Body Head.

COUNTY AGENDA REQUEST

Department:

Presenter(s):

Meeting Date:

Type of Request:

Wording for the Agenda:

Approval to award Task Order FC-21-02 Sludge Collector Design and Bid Phase Services under Contract No. 1221-P Water System Engineer of Record, in the amount of \$170,000 to produce design documents, technical specifications and final contract documents for bidding.

Background/History/Details:

Solids handling capitol improvements continue in response to the 2013 EPD Sanitary Survey results. The Water System's Engineer of Record is recommending replacement of both water treatment plants' Trac-Vac systems, that have reached the end of their useful design life, with hoseless collection systems. These new systems will eliminate continuous repair and maintenance challenges, accommodate future installation of plate settlers and reduce the total blowdown volume to existing solids basin. There are a total of 12 Trac-Vac systems between both plants, one associated with each sedimentation basin.

The current Meurer Research, Inc. (MRI), Trac-Vac systems use a pneumatically driven tractor that travels along a guide-rail mounted to the bottom of the sedimentation basin sucking in settled coagulants from the basin bottom. Lines and suction boots of the Trac-Vacs crack or leak, stopping operations and requiring staff to take an entire sedimentation basin offline. The flexible sludge hoses also kink/entangle in the movement of the tractor. Because each pair of basins share a common basin drainpipe, both sedimentation basins must be taken offline simultaneously when a single Trac-Vac is down. Numerous repairs have been conducted on each system.

Total funding available for this project is \$1,357,000.

What action are you seeking from the Board of Commissioners?

Approval to award Task Order FC-21-02 Sludge Collector Design and Bid Phase Services under Contract No. 1221-P Water System Engineer of Record, in the amount of \$170,000 to produce design documents, technical specifications and final contract documents for bidding.

If this item requires funding, please describe:

Funding of \$170,000 is available in the Water System funds 507-117616-8SHDC and 507-117616-21WSA.

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:



Purchasing Department
 140 Stonewall Avenue West, Ste 204
 Fayetteville, GA 30214
 Phone: 770-305-5420
 www.fayettecountyga.gov

To: Steve Rapson

Through: Ted L. Burgess 

From: Natasha M. Duggan 

Date: August 27, 2020

Subject: Contract 1221-P: Water System Engineer of Record
 Task Order FC-21-02: Sludge Collector Design and Bid Phase Services

The Water System currently uses a Trac-Vac system to suck coagulants from the sedimentation basins at each water treatment plant. The Trac-Vac systems have reached the end of their useful design life. The Water System Engineer of Record is recommending replacing the current systems with hoseless collection systems. The installation of new hoseless sludge collection systems will eliminate the maintenance issues seen with the existing pneumatic Trac-Vac systems, will accommodate the potential for future installation of plate settlers, and reduce the total blowdown volume to the existing solids thickening basin.

This Task Order is requesting authorization to design a new hoseless sludge collection system for both water treatment plants. It will also allow for Bid Phase Services under the current Engineer of Record contract which includes production of design documents, technical specifications and final contract documents for bidding.

A Contractor Performance Evaluation is attached. (Attachment 1)

Specifics of the proposed Task Order are as follows:

Contract Name	#1221-P: Water System Engineer of Record		
Contractor	CH2M		
Type of Contract	Professional Services		
Task Order Name	FC-21-02 Sludge Collector Design & Bid Phase Services		
Task Order Amount	\$170,000.00		
Budget:			
	Crosstown	S. Fayette	Total
Fund	507	507	
Org Code	507	507	
Object	117616	117616	
Project	8SHDC	21WSA	Solids Handling
Available	\$1,005,502.80	\$451,500.00	\$1,457,002.80 (As of 8/19/2020)

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: Jacobs	Contract Number: 1221-P
Mailing Address: 6600 Peachtree Dunwoody Rd., Bldg. 400 – Suite 600	Contract Description or Title: Water System Engineer of Record
City, St, Zip Code: Atlanta, GA 30328	Contract Term (Dates) From: 7/1/2017 – Present
Phone Number: n/a	Task Order Number: n/a
Cell Number: 678-458-4908	Other Reference:
E-Mail Address: Jason.bodwell@jacobs.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.

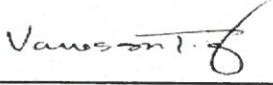
SATISFACTORY (Sat) - Vendor met minimum contractual requirements or performance expectations of the products/services.

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: 4-8-2020
Print Name: Vanessa Tigert	Department/Division: Water System
Title: Director	Telephone No: 770-320-6016



CH2M ATL
Ten 10th Street
Suite 1400
Atlanta, GA 30309

Ms. Vanessa Tigert
Director
Fayette County Water System
245 McDonough Road
Fayetteville, Georgia 30215

August 6, 2020

Subject: Task Order FC-21-02 Crosstown and South Fayette WTP Sludge Collector Design and Bid Phase Services - UPDATED

Ms. Tigert

Attached is a task order to provide design services and bid phase services for new hoseless sludge collectors at both the Crosstown and South Fayette WTPs.

Please review these items and let me know if you have any questions or comments. Upon your review and approval, please sign and return the Task Order.

Please feel free to contact me with any questions.

Regards,

A handwritten signature in blue ink that reads 'Jason Bodwell'.

Jason Bodwell
Client Account Manager/Project Manager

cc: Ed Minchew, Design Manager

Background

CH2M recently completed project FC-19-05 titled Crosstown WTP Solids Handling Evaluation and FC-19-04 titled South Fayette WTP Solids Handling Evaluation. Within those evaluations, CH2M made recommendations that the existing pneumatic Trac Vac sludge collection systems at both WTPs be replaced with hoseless sludge collection systems. The installation of new hoseless sludge collection systems will provide the following benefits:

- Eliminate the maintenance issues seen with the existing pneumatic Trac Vac systems and the continuous repair challenges
- Accommodate the potential for future installation of plate settlers
- Reduce the total blowdown volume to the existing solids thickening basin.

Within the technical memo for these projects, Meurer Research, Inc (MRI) provided a quote to provide eight (8) complete hoseless sludge collection systems for installation in (8) clarifier basins at the Crosstown WTP at a cost of \$394,000. MRI provided a quote to provide four (4) complete hoseless sludge collection systems for installation in (4) clarifier basins at the South Fayette WTP for \$197,000. These quotes are for the delivery of the systems only and do not include the installation. Installation will need to be performed by a general contractor.

This proposed task order will allow CH2M to assist the County in performing detailed design and bid phase services for this hoseless sludge collection system. The work will include the production of design documents, technical specification and final Contract Documents for bidding. Front end documents (Div 0) will be provided by Fayette County Procurement and accompany the detailed design drawings and technical specifications produced within this project.

Scope of Services

Task 1 – Detailed Design Services (Crosstown WTP and South Fayette WTP)

CH2M will build on the preliminary design outlined in the *Crosstown WTP Solids Handling Evaluation TM* and *South Fayette WTP Solids Handling Evaluation TM*. CH2M has performed an on-site assessment of the current sludge collection systems and the clarifier basins.

CH2M will perform detailed design tasks pertaining to the preparation of the construction drawings and technical specifications for the following:

1. Installation of 8 hoseless sludge collection systems at the Crosstown WTP
2. Installation of 4 hoseless sludge collection systems at the South Fayette WTP

The detailed design will be completed with two major milestones – 60 percent and 90 percent design – for internal quality review by CH2M and review by FCWS.

At the 60 percent design milestone, CH2M will provide FCWS with five half-sized copies (11-inch x 17-inch) of the design drawings for review. CH2M will then schedule a design review meeting to review and discuss the 60 percent design.

At the 90 percent design milestone, CH2M will provide FCWS with five half-sized copies (11-inch x 17-inch) of the design drawings and specifications for review. A Class 1 (-10% to +15% accuracy)

construction cost estimate will be developed at the end of the 90 percent design phase. Following incorporation of the FCWS 90 percent review comments in the 90 percent design documents, CH2M will finalize the 100 percent contract documents that will serve as the basis for the bidding process.

Two design review meetings will be conducted by CH2M with FCWS to review design progress during the course of the detailed design. The meetings will be scheduled after each of the submittals of 60 percent and 90 percent design drawings.

Deliverables

The following deliverables are included in Task 1:

- 60 percent and 90 percent design document deliverables for FCWS review, including 60- and 90-percent drawings and 90 percent technical specifications. Specifications table of contents will be provided with the 60 percent design deliverable.
- Class 1 construction cost estimate with the 90 percent design deliverable.

Assumptions

The following assumptions are included in Task 1:

- Due to current travel restriction and to save costs, the 60 percent and 90 percent design review meetings will take place on Microsoft Teams.
- Any cost estimates provided by CH2M will be on a basis of experience and judgment. Since CH2M has no control over market conditions or bidding procedures, CH2M does not warrant that bids or ultimate construction costs will not vary from these cost estimates.
- It is assumed that the design package will include up to 33 design drawings and associated technical specifications. The preliminary list of design drawings may be revised during the 60 percent design.
- Technical specifications will be part of the 90 percent submittal. The FCWS front end (Div 0) documents will be provided to CH2M by Fayette County Procurement. CH2M will prepare supplemental conditions, unique conditions, invitation to bid, qualifications, Division 1 documents, and technical specifications to be included in the contract documents.
- CH2M will not provide any construction support services (services beyond recommendation of contract award) as part of this Task Order. Construction support may be provided via a future task order.
- This scope of services does not include the upgrade or replacement of any other facilities or components other than those described.
- It is assumed that FCWS will complete its review of deliverables at the 60 and 90 percent milestones within two weeks of submission by CH2M.
- FCWS will complete all permitting necessary for this project. This includes, but is not limited to, Fayette County building and construction permits, and coordination with GAEPD.

Task 2 - Bid Phase Services

CH2M will assist FCWS during the bid phase by providing the following services:

- Provide contract documents to the County in .pdf format. Fayette County Procurement will manage the distribution of the contract document package to prospective bidders.
- Assist the County in preparing the bid advertisement.
- Assist Fayette County Procurement with preparing responses to bidders' questions.
- Assist Fayette County Procurement with preparing addenda, if required.
- Attend mandatory pre-bid meeting.
- Attend the bid opening.

- Assist in the preparation of a bid tabulation and review the bids.
- Provide recommendation of award letter to FCWS.

Deliverables

The following deliverables are included in Task 2:

- Provide input to Fayette County Procurement on bid advertisement
- Provide responses to questions from contractors preparing bids
- Provide addenda, if required, to be distributed by Fayette County Procurement
- Bid tabulation
- Recommendation of award letter
- Twelve sets of conformed contract documents to be provided. We assume five full size hard copies to the County, three copies for CH2M and four copies to the Contractor

Assumptions

The following assumptions are included in Task 2:

- CH2M will provide up to two addenda, if required.
- Fayette County Procurement will review the bids submitted for completeness and to determine if the bid meet all requirements. Fayette County procurement will review all bonds submitted and verify insurance.
- CH2M will review the bids to determine the lowest responsive bidder.
- Fayette County Purchasing Department will coordinate with the Contractor to execute the Contract Documents.
- CH2M shall be appointed as Owner's agent for the limited purpose of performing any bid or procurement services under the contract and shall have no liability associated with the services procured by CH2M on Owner's behalf. Such services shall be performed under Owner's direction and in accordance to such forms, terms and conditions, or modifications or revisions to same as Owner may in its sole discretion at any time instruct CH2M to use. All services shall be carried out in accordance with the procedures mutually agreed upon by Owner and CH2M.

Proposed Staffing

Table 1 - Project Staffing

Task Order FC-20-12 Crosstown and South Fayette WTP Sludge Collector Design and Bid Phase Services

Labor Category	Estimated Hours
Jason Bodwell, Project Manager	60
Ed Minchew, Design Manager	124
Mihika Ram, Engineer 4, Process Mechanical	144
Kirsten Horton, Senior Technologist, Electrical	214
Chip Bates, Senior Technologist, Instrumentation and Controls	42
Marlin Hales, Lead Technician, CADD Support	218
Jill Kaylor, Lead Technician, Specifications Processor	60
Dave Everson, Senior Engineering Manager, Structural	20
Gary Messer, Lead Technician, CADD Support	248
Karolina Walenzik, Office Support	16

Derek Ratzlaff, Engineer 3, Civil	45
Erika Smith, Engineering Manager, Cost Estimation	28
Nathan Meade, Engineer 5, Civil QC	8
Jay Horton, Senior Technologist, Process Mechanical QC	8
Greg Yarberry, Senior Technologist, Electrical QC	8
Creig Wilson, Senior Technologist, Instrumentation and Controls QC	8
Total Budgeted Hours	1,251

The key staff, role and associated estimated labor hours are preliminary estimates only. We intend to reallocate labor hours between any of these staff as necessary in order to achieve the most efficient project delivery.

Schedule

The CH2M team will begin work under this Task Order when authorized by the FCWS. Proposed project milestones are summarized as follows.

Table 2 – Project Milestones

Task Order FC-20-12 Crosstown and South Fayette WTP Sludge Collector Design and Bid Phase Services

Task	Months
Task 1: Detailed Design Services (Crosstown WTP and South Fayette WTP)	6 months
Task 2: Bid Phase Services	2 months

The project schedule is based on receiving comments from the FCWS on review submittals within two weeks after submission.

Compensation

Compensation for the work in this task order will be based upon a time and materials basis, not to exceed the amount shown in Table 3 below. Compensation is based upon the previously agreed upon rates associated with CH2M's Engineer of Records contract with Fayette County and the following summary by task.

Table 3 – Project Compensation

Task Order FC-20-12 Crosstown and South Fayette WTP Sludge Collector Design and Bid Phase Services

Task	Estimated Hours	Labor	Estimated Expenses	Total
Task 1: Detailed Design Services (Crosstown WTP and South Fayette WTP)	1,112	\$148,160	\$250	\$148,410
Task 2: Bid Phase Services	139	\$21,340	\$250	\$21,590
Estimated Total	1,251	\$169,500	\$500	\$170,000

The estimated labor hours and budget by task shown above are preliminary estimates only. We intend to reallocate labor hours between any of these tasks as necessary in order to achieve the most efficient project delivery. The overall total estimated fee shown shall not be exceeded without an amendment and proper authorization.

COUNTY AGENDA REQUEST

Department:

Presenter(s):

Meeting Date:

Type of Request:

Wording for the Agenda:

Approval of Resolution 2020-09 to adopt the Fayette County 2019 Annual Report on Fire Services Impact Fees (FY2019), including Comprehensive Plan amendments for updates to the Capital Improvements Element and Short-Term Work Program (FY2020-FY2024.)

Background/History/Details:

As required by the Georgia Development Impact Fee Act and the Minimum Planning Standards, Fayette County in collaboration with Tyrone, Brooks, and Woolsey, has prepared the Fayette County 2019 Annual Report on Fire Services Impact Fees (FY2019), including Comprehensive Plan amendments for updates to the Capital Improvements Element and Short-Term Work Program (FY2020-FY2024.) Public hearings were held by the Fayette County Board of Commissioners on February 27, 2020, and by the three (3) towns. Each entity approved the report for transmittal to Atlanta Regional Commission (ARC) for coordination of state and regional review.

We have received notifications of compliance from the Georgia Department of Community Affairs and the Atlanta Regional Commission for the 2019 Fire Services Impact Fee Report including amendment to the Capital Improvements Element and Short Term Work Program of the Comprehensive Plan. The next step is for each local government to adopt this report and for the adopting Resolutions to be transmitted to ARC. The deadline for this adoption and transmittal of the adopting Resolutions to ARC is October 31, 2020. These actions are required for each government to retain its Qualified Local Government status.

What action are you seeking from the Board of Commissioners?

Approval of Resolution 2020-09 to adopt Fayette County 2019 Annual Report on Fire Services Impact Fees (FY2019), including Comprehensive Plan amendments for updates to the Capital Improvements Element and Short-Term Work Program (FY2020-FY2024.)

If this item requires funding, please describe:

N/A

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:

August 13, 2020

Chairman Randy Ognio
Fayette County
140 Stonewall Avenue West
Fayetteville, GA 30214

RE: 2020 Capital Improvements Element (CIE) Update

Dear Chairman Ognio:

ARC has completed the regional review of the 2020 CIE Annual Update for Fayette County and the Towns of Brooks, Tyrone, and Woolsey. We are pleased to inform you that the Georgia Department of Community Affairs (DCA) has determined that the updates conform to the Development Impact Fee Compliance Requirements.

Renewal of Qualified Local Government (QLG) status is contingent on local adoption of the update, which may take place at any time. Once adopted, please send ARC digital copies of the adoption resolution and the final, "as adopted" update documents, so that we may forward them to DCA. Upon receiving notice that the update has been adopted, DCA will renew the County's QLG status.

I commend the County's leadership and staff for your commitment to the comprehensive planning process. Please contact Greg Giuffrida at ggiuffrida@atlantaregional.org or 470-378-1531 if you have any questions or if we can provide further assistance.

Sincerely,



Samyukth Shenbaga, AICP
Manager, Community Development Group

Enclosures

Cc: Pete Frisina, Director of Planning & Zoning

August 13, 2020

Chairman Randy Ognio
Fayette County
140 Stonewall Avenue West
Fayetteville, GA 30214

RE: 2020 Capital Improvements Element (CIE) Update

Dear Chairman Ognio:

ARC has completed the regional review of the 2020 CIE Annual Update for Fayette County and the Towns of Brooks, Tyrone, and Woolsey. We are pleased to inform you that the Georgia Department of Community Affairs (DCA) has determined that the updates conform to the Development Impact Fee Compliance Requirements.

Renewal of Qualified Local Government (QLG) status is contingent on local adoption of the update, which may take place at any time. Once adopted, please send ARC digital copies of the adoption resolution and the final, "as adopted" update documents, so that we may forward them to DCA. Upon receiving notice that the update has been adopted, DCA will renew the County's QLG status.

I commend the County's leadership and staff for your commitment to the comprehensive planning process. Please contact Greg Giuffrida at ggiuffrida@atlantaregional.org or 470-378-1531 if you have any questions or if we can provide further assistance.

Sincerely,



Samyukth Shenbaga, AICP
Manager, Community Development Group

Enclosures

Cc: Pete Frisina, Director of Planning & Zoning

From: [Greg Giuffrida](#)
To: [Pete Frisina](#)
Subject: FW: Fayette County CIE Notice of Approval
Date: Thursday, August 13, 2020 3:12:27 PM
Attachments: [image002.png](#)
[2020.08.13.FayetteJoint.CIEAnnualUpdate_ARCApproval\(Woolsey\).pdf](#)
[2020.08.13.FayetteJoint.CIEAnnualUpdate_ARCApproval\(Tyrone\).pdf](#)
[2020.08.13.FayetteJoint.CIEAnnualUpdate_ARCApproval\(Brooks\).pdf](#)
[2020.08.13.FayetteJoint.CIEAnnualUpdate_ARCApproval\(FayetteCo\).pdf](#)

***External Email* Be cautious of sender, content, and links**

Hi Pete:

Georgia DCA has approved the joint County/Towns CIE Annual Update. Local adoption may take place at any time. I've attached ARC approval letters for each. Please let me know if I need to send these along to the Towns directly.

Thanks,

Greg Giuffrida

Plan Reviews Program Manager, Community Development

Atlanta Regional Commission

P | 470.378.1531

ggiuffrida@atlantaregional.org

atlantaregional.org

International Tower

229 Peachtree Street NE | Suite 100

Atlanta, Georgia 30303

From: Jon West <Jon.West@dca.ga.gov>
Sent: Thursday, August 13, 2020 9:43 AM
To: Greg Giuffrida <GGiuffrida@atlantaregional.org>
Cc: PEMD OPQG Administration <pemd.opqga@dca.ga.gov>
Subject: Fayette County CIE Notice of Approval

Greg,

Our staff has reviewed the Annual Capital Improvement Element (CIE) Update for Fayette County, Brooks, Tyrone, Woolsey and finds that it adequately addresses applicable requirements. The next step is for the local government to adopt the CIE Update. As soon as your office provides written notice that the CIE Update has been adopted and provides DCA with a digital copy of the final adopted version of this document, we will notify the local government that its Qualified Local Government status has been extended. If you have any questions, please contact us at 404-679-5279.

Thank you,



Learn more about our commitment to [fair housing](#).



Jon A. West, AICP
Principal Planner | Community & Regional Planning
Georgia Department of Community Affairs
60 Executive Park South, NE
Atlanta, Georgia 30329

Direct 404-327-6872
Fax 770-302-9703
Jon.West@dca.ga.gov

TRANSMITTAL RESOLUTION 2020-02

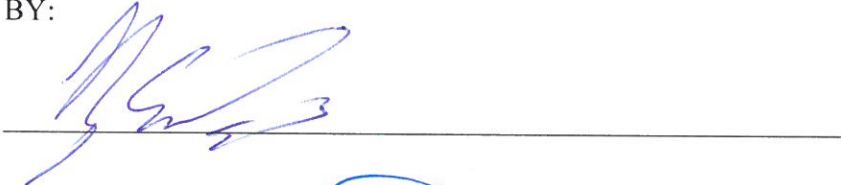
WHEREAS, Fayette County, Georgia has prepared an annual update to a Capital Improvements Element and Community Work Program; and

WHEREAS, the annual update of the Capital Improvements Element and Community Work Program was prepared in accordance with the Development Impact Fee Compliance Requirements and the Minimum Planning Standards and Procedures for Local Comprehensive Planning established by the Georgia Planning Act of 1989, and a Public Hearing was held on February 27, 2020.

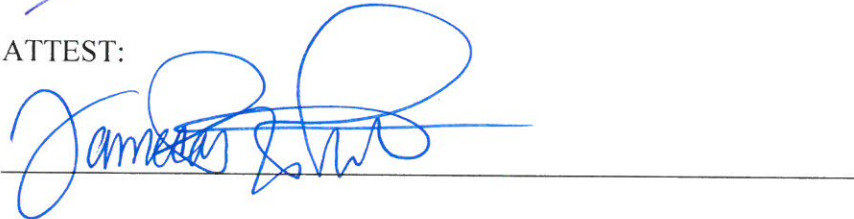
BE IT THEREFORE RESOLVED, that Fayette County, Georgia does hereby submit the annual update of the Capital Improvements Element and Community Work Program covering the five-year period of FY 2020 to FY 2024 to the Atlanta Regional Commission and Georgia Department of Community Affairs for regional review, as per the requirements of the Georgia Planning Act of 1989.

Adopted this 27th day of February, 2020

BY:



ATTEST:



Fayette County and Towns of Brooks, Tyrone, and Woolsey Summary Impact Fee Financial Report FY2019	
	Fire Services
Total Impact Fee Balance From Previous Fiscal Year	\$0.00
Impact Fees Collected in FY 2019 By Jurisdiction	
Fayette County	99,094.28
Brooks	3,002.85
Tyrone	27,517.06
Woolsey	\$0.00
Total	\$129,614.19
Accrued Interest	185.74
(Administrative Other Costs)	(3,792.29)
(Impact Fee Refunds)	\$0.00
(Impact Fee Expenditures)	(126,007.64)
Impact Fee Fund Balance Ending FY 2019	\$0.00
Impact Fees Encumbered	\$0.00

Fayette County Impact Fee Financial Report FY2019	
	Fire Services
Total Impact Fee Balance From Previous Fiscal Year	\$0.00
Impact Fees Collected in FY 2019 By Jurisdiction	
Fayette County	99,094.28
Accrued Interest	143.18
(Administrative Other Costs)	(2,903.46)
(Impact Fee Refunds)	\$0.00
(Impact Fee Expenditures)	(96,334.00)
Impact Fee Fund Balance Ending FY 2019	\$0.00
Impact Fees Encumbered	\$0.00

Fayette County Comprehensive Plan Amendment - Capital Improvement Element - Project Update FY2019 - FY2023

Public Facility - Fire Services

Project Description	FY Project Start	FY Project End	Actual / Estimated Cost of Project	Funding from Impact Fees	Percent By Impact Fees	Other Funding Sources	Current Year Impact Fee Applied	Impact Fee Applied Previous Years	Remaining amount to be funded from impact fees	Status / Remarks
Construct Fire Station 1: SR 279	FY 2002	FY 2002	\$ 872,836	\$ 471,331	54.00%	Fire Tax	na	\$471,331	\$0	Completed in FY 2002
Construct Fire Station 10: Seay Road	FY 2002	FY 2002	\$ 838,295	\$ 687,402	82.00%	Fire Tax	na	\$687,402	\$0	Completed in FY 2002
Construct Fire Station 5: SR 85 South	FY 2002	FY 2003	\$ 1,191,565	\$ 369,385	31.00%	Fire Tax	na	\$369,385	\$0	Completed in FY 2003
Construct Fire Station 7: Hampton Road	FY 2003	FY 2003	\$ 1,066,472	\$ 586,559	55.00%	Fire Tax	na	\$586,559	\$0	Completed in FY 2003
Purchase Acreage for Future Fire Station - McElroy Road	FY 2004	FY 2004	\$ 25,000	\$ 25,000	100.00%	None	na	\$25,000	\$0	Completed in FY 2004
Purchase two (2) Quints	FY 2006	FY 2007	\$ 675,000	\$ 675,000	100.00%	None	na	\$675,000	\$0	Purchased in FY 2007
Emergency Operations Center	FY 2012	FY 2015	\$ 1,107,921	\$ 131,864	83.50%	Fire Tax / Grant	na	\$131,864	\$ 0	Completed in FY15
Construct Fire Training Center (Burn Building)	FY 2018	Future	\$ 1,120,000	\$ 253,680	22.65%	Fire Tax	\$126,008	\$111,438	\$ 16,234	Future/Planned
Construct FS2: S.R. 92N	Future	Future	\$ 1,644,000	\$ 164,400	10.00%	Fire Tax	\$0	\$0	\$ 164,400	Future/Planned
Construct FS14: Sandy Creek/Flat Ck	Future	Future	\$ 1,613,773	\$ 1,613,773	100.00%	None	\$0	\$0	\$ 1,613,773	Future/Planned
Construct FS15: Ginger Cake/Graves	Future	Future	\$ 2,061,333	\$ 2,061,333	100.00%	None	\$0	\$0	\$ 2,061,333	Future/Planned
Rescue Truck (1)	Future	Future	\$ 224,334	\$ 224,334	100.00%	None	\$0	\$0	\$ 224,334	Future/Planned
Brush Truck (1)	Future	Future	\$ 57,011	\$ 57,011	100.00%	None	\$0	\$0	\$ 57,011	Future/Planned
Engine/Pumpers (8)	FY 2018	Future	\$ 3,252,082	\$ 3,252,082	100.00%	None	\$0	\$0	\$ 3,252,082	Future/Planned
Totals			\$ 15,749,622	\$ 10,573,155			\$ 126,008	\$ 3,057,979	\$ 7,389,167	

**FAYETTE COUNTY COMPREHENSIVE PLAN
COMMUNITY WORK PROGRAM FY2020- FY2024**

This section presents an updated five-year work program for FY 2020 through FY 2024 to implement the vision and goals of the Fayette County Comprehensive Plan. In addition to the scheduling of projects for the county, the Community Work Program indicates potential sources of funding.

**FAYETTE COUNTY COMPREHENSIVE PLAN
COMMUNITY WORK PROGRAM FY2020-FY2024 - PUBLIC SAFETY**

Goal: Maintain and Improve the Level of Service for Public Safety			Plan Element: Community Facilities		
Project Description	Initiation Year	Completion Year	Total Estimated Costs	Funding Sources	Responsibility
Fire and Emergency Medical Services					
Links Training Facility Concept Design & Site Development	FY 2020	FY 2021	\$800,000	Fire Fund	Fayette County Emergency Services
Sheriff's Office					
Links Master Plan/Phase 1 (Sheriff's Training Center)	FY 2020	FY 2021	\$1,250,000	General Fund	Sheriff's Office

**FAYETTE COUNTY COMPREHENSIVE PLAN
COMMUNITY WORK PROGRAM FY2020-FY2024 – GOVERNMENTAL SERVICES**

Goal: Provide Support for Effective and Efficient Delivery of Governmental Services			Plan Element: Community Facilities		
Project Description	Initiation Year	Completion Year	Total Estimated Costs	Funding Sources	Responsibility
Conduct Aerial Photography	FY2020	FY2020	\$53,740	General Fund	Information Systems

**FAYETTE COUNTY COMPREHENSIVE PLAN
COMMUNITY WORK PROGRAM FY2020-FY2024 RECREATION**

Goal: Upgrade Recreation Services			Plan Element: Community Facilities		
Project Description	Initiation Year	Completion Year	Total Estimated Costs	Funding Sources	Responsibility
Make Enhancements to Kiwanis Park	FY 2020	FY 2024	\$180,000	General Fund	Recreation Dept.
Make Enhancements to McCurry Park	FY 2020	FY 2024	\$ 1,305,000	General Fund	Recreation Dept.

FAYETTE COUNTY COMPREHENSIVE PLAN COMMUNITY WORK PROGRAM FY2020-FY2024 - WATER SYSTEM					
Goal: Upgrade County Water System			Plan Element: Community Facilities		
Project Description	Initiation Year	Completion Year	Total Estimated Costs	Funding Sources	Responsibility
Make Enhancements to North Waterline	FY 2020	FY 2024	\$500,000	Enterprise Funds	Fayette County Water System
Update the SCADA System	FY 2020	FY 2024	\$1,000,000	Enterprise Funds	Fayette County Water System
FAYETTE COUNTY COMPREHENSIVE PLAN COMMUNITY WORK PROGRAM FY2020-FY2024 - HAZARD MANGEMENT					
Goal: Upgrade and Repair Infrastructure to Mitigate Future Hazards			Plan Element: Community Facilities		
Project Description	Initiation Year	Completion Year	Total Estimated Costs	Funding Sources	Responsibility
Address deteriorating and hazardous stormwater infrastructure, bridges and water impoundments/dams including, but not limited to, the inventory of Stormwater Projects in the 2017 SPLOST document, the non-splost pipe replacements in the FY 2020 Budget - Capital Improvement Plan (CIP) and items identified in the Fayette County Hazard Mitigation Plan Update 2020-2025.	FY2020	FY2024	\$23,991,641	SPLOST and General Fund	Fayette County Public Works, Fayette County Environmental Management Department and Fayette County Fire and Emergency Services

**FAYETTE COUNTY COMPREHENSIVE PLAN
COMMUNITY WORK PROGRAM FY2020-FY2024 – PLANNING AND ZONING**

Goal: Growth and development should be consistent with the county comprehensive plan.

Plan Element: **Needs and Opportunities**

Project Description	Initiation Year	Completion Year	Total Estimated Costs	Funding Sources	Responsibility
Review County Code regarding Development Regulations and Zoning Ordinance in preparation of electronic plan review system	FY 2020	FY 2021	Staff Time	General Fund	Fayette County Planning and Zoning

BOARD OF COUNTY COMMISSIONERS

Randy Ognio, Chairman
 Charles W. Oddo, Vice Chairman
 Edward Gibbons
 Eric K. Maxwell
 Charles D. Rousseau

Consent #13

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

August 13, 2020

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 Randy Ognio called the August 13, 2020 Board of Commissioners meeting to order at 6:30 p.m. A quorum of the Board was present. Commissioner Charles Rousseau attended the meeting virtually via Microsoft Teams as allowed during the pandemic.

Invocation and Pledge of Allegiance by Vice Chairman Charles Oddo

Vice Chairman Charles Oddo offered the Invocation and led the Board and audience in the Pledge of Allegiance.

Acceptance of Agenda

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

PROCLAMATION/RECOGNITION:**PUBLIC HEARING:****PUBLIC COMMENT:**

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:

Vice Chairman Oddo moved to accept the Consent Agenda as written. Commissioner Gibbons seconded. The motion passed 5-0.

1. **Approval to authorize staff to acquire all fee simple right-of-way and easements for the 2017 SPLOST Stormwater Category II, Tier II Project: 19SBJ; 130 Darren Drive Culvert Replacement.**
2. **Approval of the July 23, 2020 Board of Commissioners Meeting Minutes.**

OLD BUSINESS:**NEW BUSINESS:**

3. Consideration of the Public Facilities Authority Selection Committee's recommendation to re-appoint Alice Reeves to the Public Facilities Authority to serve two consecutive one-year terms beginning July 24, 2020 and expiring July 23, 2022, as permitted in Policy 100.19; Board Appointments.

Commissioner Gibbons moved to approve the Public Facilities Authority Selection Committee's recommendation to re-appoint Alice Reeves to the Public Facilities Authority to serve two consecutive one-year terms beginning July 24, 2020 and expiring July 23, 2022, as permitted in Policy 100.19; Board Appointments. Vice Chairman Oddo seconded. The motion passed 5-0.

4. Consideration of the Public Facilities Authority Selection Committee's recommendation to re-appoint Edward Outlaw to the Public Facilities Authority to serve two consecutive one-year terms beginning July 24, 2020 and expiring July 23, 2022, as permitted in Policy 100.19; Board Appointments.

Vice Chairman Oddo moved to approve the Public Facilities Authority Selection Committee's recommendation to re-appoint Edward Outlaw to the Public Facilities Authority to serve two consecutive one-year terms beginning July 24, 2020 and expiring July 23, 2022, as permitted in Policy 100.19; Board Appointments. Commissioner Rousseau seconded. The motion passed 5-0.

5. Consideration of the Public Facilities Authority Selection Committee's recommendation to re-appoint Thomas Gray to the Public Facilities Authority to serve two consecutive one-year terms beginning July 24, 2020 and expiring July 23, 2022, as permitted in Policy 100.19; Board Appointments.

Vice Chairman Oddo moved to approve the Public Facilities Authority Selection Committee's recommendation to re-appoint Thomas Gray to the Public Facilities Authority to serve two consecutive one-year terms beginning July 24, 2020 and expiring July 23, 2022, as permitted in Policy 100.19; Board Appointments. Commissioner Gibbons seconded. The motion passed 5-0.

6. Consideration of staff's request to accept the Coronavirus Relief Fund (CRF) Terms and Conditions and apply for the Corona Virus Relief Fund (CRF) Grant Funding payments through the Governor's Office of Planning and Budget (OPB), GeorgiaCARES.

Commissioner Maxwell asked the Fayette County Chief Financial Officer Sheryl Weinmann to explain what the Corona Virus Relief Fund (CRF) Grant was, to help the public understand what the Board was authorizing.

Fayette County Chief Financial Officer Sheryl Weinmann stated that initially Coronavirus Relief Fund Grant- Phase 1 monies were provided to counties with over 500,000 residents which only applied to about four counties in the state of Georgia. Ms. Weinmann continued that the Association of County Commissioners of Georgia (ACCG) along with Georgia Municipal Association (GMA) prepared a proposal to submit to Governor Kemp that would allocate the remaining funds to counties and cities based upon population. Ms. Weinmann stated that each county and city was provided information regarding the Coronavirus Relief Fund (CRF) Terms and Conditions along with other information. She stated that the initial 30% of available funds for Fayette County had been received and was about \$816,000 and the remaining 70% of funds would be requested for payment. Ms. Weinmann stated that the total the County should receive was \$2.72M.

County Administrator Steve Rapson stated that these funds are used primarily for direct and indirect COVID- 19 related expenses. He stated that it was a pass through from the State, which was defined as a Public Safety related expense. The expense did not necessarily have to be tied to a COVID-19 case but had to be tied to Public Safety. Mr. Rapson stated that the County could capture expenses from March 1st through September 1st under Phase 1, which was included in the \$2.72M. The County had received the 30% allocation and the back-up documentation was being submitted to support the \$816,000 (30%) allocation of expenses. He stated that there was a two-step authorization process initially in

order for the Georgia Department of Community Affairs (DCA) to approve it, from there it would be forwarded to the Office of Procurement Services (OPS) for approval. He stated once the \$813,000 (30%) allotment was approved, the Corona Virus Relief Fund (CRF) Grant Funding portal would open to submit request for the remaining 70%.

Commissioner Maxwell stated that he appreciated the hard work of the Finance Department and the due diligence and foresight of the County Administrator. He stated that he had had a conversation with Mr. Rapson back in April discussing the potential for state and local government assistance and the need for the County to keep a detailed record of COVID-19 related expense. Commission Maxwell stated that Mr. Rapson had already began monitoring COVID-19 related expense, which was commendable.

Commissioner Gibbons stated as a point of clarification that the \$2.72M was the allotment solely for unincorporated Fayette County and that all of the cities/municipalities within the County would receive a separate allocation based on their population. He asked if the \$816,000 (30%) allocation had been received or was it only committed funds.

Ms. Weinmann stated that the \$816,000 (30%) allocation had been received as an advance and that the County had until September 1st to submit all the supporting documentation regarding all qualifying expenses. Once approved, the portal would open for the County to request the remaining 70%.

Vice Chairman Oddo moved to approve staff's request to accept the Coronavirus Relief Fund (CRF) Terms and Conditions and apply for the Corona Virus Relief Fund (CRF) Grant Funding payments through the Governor's Office of Planning and Budget (OPB), GeorgiaCARES. Commissioner Gibbons seconded. The motion passed 5-0.

7. Consideration to approve Ordinance 2020-07 for the purpose of dissolving the Public Arts Committee.

Fayette County Public Arts Committee Chairman Cameron LaFoy, stated that although the Public Arts Committee had been moved under the charge of Park and Recreation and the Recreation Committee the time had come to dissolve the Fayette County Public Arts Committee due to continual participation issues and trouble making a quorum for the meetings. He thanked Fayette County Parks and Recreation Director Anita Godbee for her assistance and guidance. He stated that the committee would more than likely be reformed as a volunteer panel serving as an arm to the Fayette County Parks and Recreation Committee.

Commissioner Maxwell asked, if approved, what happens to the funds allocated to the Public Arts Committee. He asked if the funds would remain in the Park and Recreation's budget or are the funds returned to the General Fund.

Mr. Rapson stated that those funds are allocated for "Arts" under the Parks and Recreation and thus would stay in that capital project fund. He stated that these funds would be a source of funding for projects that the Recreation Committee and Parks and Recreation develop or establish. He stated that it was about \$56,000.

Commissioner Maxwell stated that he was sorry to see the Public Arts Committee be dissolved but acknowledged that it was not working in its current form. Commissioner Maxwell encouraged Mr. LaFoy to stay in contact with the Board and the Parks and Recreation Department.

Commissioner Gibbons thanked Mr. LaFoy for the effort he put forth to serve the community.

Commissioner Rousseau stated that he would have appreciated the opportunity to review the Public Arts Committee mandate to possibly revamp the committee's structural composition. Commissioner Rousseau stated that this could be a missed opportunity to serve the community. He thanked the Public Arts Committee for their service and Parks and Recreation Director Anita Godbee for her guidance. He stated that in the future he would like to be provided with the opportunity to discuss alternate options before moving to dissolution of a standing committee that the Board established.

Commissioner Rousseau asked as a point of clarification prior to the Public Arts Committee being moved under the charge of Park and Recreation, where the allocated funds for Public Arts had originally been assigned.

Mr. Rapson stated that in its creation the allocated funds was assigned to Park and Recreation.

Vice Chairman Oddo stated that the goal of the Public Arts Committee was not missed by the Board but acknowledged that a committee could not function if its member did not show up for meetings. Vice Chairman Oddo thanked the Public Arts Committee for all their hard work and effort over the years.

Chairman Ognio expressed his appreciation for the Public Arts Committee, but acknowledged the difficulty the committee was having.

Commissioner Gibbons moved to approve Ordinance 2020-07 for the purpose of dissolving the Public Arts Committee. Vice Chairman Oddo seconded. The motion passed 4-1, with Commissioner Rousseau voting in opposition.

8. Consideration to authorize the development of a conceptual design for intersection improvements at Tyrone Road and SR 54 using 2017 SPLOST funds and allocation of \$700,000 of "possible federal aid corridor improvement" money to be allocated to the project.

Public Works Director Phil Mallon stated as an overview for the citizens that this item was being funded via the 2017 SPLOST. Mr. Mallon stated that transportation was a major component of the 2017 SPLOST. He stated that the voters approved the County to utilize a \$19.2M SPLOST budget to complete a list of designated projects throughout the County. The designated projects list contained about five different types of projects which included infrastructure and maintenance projects, possible federal aid corridor improvement projects, intersection projects, path projects, and project studies. Approximately \$8.4M was allocated for possible federal aid corridor improvement projects. Mr. Mallon stated that in 2019 the Board approved for staff to submit three grant applications to Atlanta Regional Commission (ARC).

Mr. Mallon stated that over several meetings in 2020, the Transportation Committee evaluated other recommendations from the 2019 Corridor Studies and ultimately recommended, at their July meeting, that two projects be funded and delivered: the intersection improvements at Tyrone Road and Flat Creek Trail; and the intersection improvements at Tyrone Road and SR 54. Mr. Mallon stated that staff would seek state and/or federal funds to offset the completion of both projects, but the intent was to fund 100% with 2017 SPLOST money if other funding was not provided.

Commissioner Gibbons asked if the County used the \$5.5M to move forward with the designated projects, would that preclude the County from receiving additional state and/or federal aid to offset the County's funds should monies become available at a later date.

Mr. Mallon state that was correct. He stated that funding of this project would not preclude Fayette County from seeking state and/or federal aid on other projects in response to future project solicitations by the Atlanta Regional Commission (ARC). He stated that he would also recommend specific processes for design and right-of way acquisition that would keep the doors open to receive aid. He stated that with this combination of projects at the \$5.5M price point, there would be enough funds remaining in reserves. He stated that if the Banks Road widening project were approved, the County would have enough funds to satisfy the local match requirement.

Commissioner Rousseau asked if approved, would it be to only proceed with the design phase of the project.

Mr. Mallon stated that if approved, this would authorize staff to move forward to develop a concept design and a more detailed cost estimate but would also be allocating the full dollar amount for each project, having the money set aside or encumbered.

Mr. Rousseau expressed his concern and desire to try and leverage the funds the County had available.

Commissioner Gibbons moved to authorize the development of a conceptual design for intersection improvements at Tyrone Road and SR 54 using 2017 SPLOST funds and allocation of \$700,000 of "possible federal aid corridor improvement" money to be allocated to the project. Vice Chairman Oddo seconded. The motion passed 5-0.

9. Consideration to authorize the development of a conceptual design for intersection improvements at Tyrone Road and Flat Creek Trail using 2017 SPLOST funds and allocation of \$2,200,000 of "possible federal aid corridor improvement" money to be allocated to the project.

Commissioner Maxwell stated that he had concerns related to the amount of money that would be spent on the design itself. He stated that he did not want to end up paying for a design but never using it, similar to what happened with the project at Antioch and Goza Roads.

Mr. Mallon stated that the design would be a very small amount in comparison to the \$100,000 spent on the project at Antioch and Goza Roads. He stated that he would estimate the design cost to be about \$7k-\$8k.

Commissioner Maxwell also asked as a point of clarification if the study to be conduct would only be related to an intersection on a two-lane road.

Mr. Mallon stated that was correct, the design study would only consider the option of an intersection as a two-lane road.

Commissioner Gibbons moved to authorize the development of a conceptual design for intersection improvements at Tyrone Road and Flat Creek Trail using 2017 SPLOST funds and allocation of \$2,200,000 of "possible federal aid corridor improvement" money to be allocated to the project. Vice Chairman Oddo seconded. The motion passed 5-0.

10. Consideration of the Water Committee's recommendation to adopt the Waterline Extension Policy.

Water System Director Vanessa Tigert stated that the Water System's existing waterline extension policy was adopted June 22, 2006. Ms. Tigert acknowledged that it was fairly inexpensive for a resident to process a line extension having had to go through this process personally a few years prior. She stated that the existing policy requires individuals to pay for a distribution line extension based on the calculation of a resident's property road frontage at a cost \$3.50 per linear foot plus a meter fee. She stated that currently, the costs, paid by an individual, cover less than 15 percent of the actual line extension cost to the Water System rate payers. Developers are responsible for the complete cost to provide water infrastructure in new development and under the existing policy, rate payers absorb the bulk of the costs for establishing connection to current infrastructure. Ms. Tigert stated that the proposed Waterline Extension Policy would provide consistent treatment of both individuals and developers when a line extension is requested, alleviating the extra cost paid by the Water System rate payers. She stated that the Waterline Extension Policy had been unanimously approved by the Water committee.

Vice Chairman Oddo stated as a point of reference that it was important to note that the cost was not borne by Fayette County tax payer but by the smaller pool of Fayette County Water System rate payers.

Commissioner Gibbons asked how much each year does the Water Department spend of rate payer funds performing waterline extensions.

Ms. Tigert stated that Kirkley Road was the only extension performed last year.

Mr. Rapson added that in regards to the budget, roughly \$200,000 is typically allocated for water line extension, with an additional amount set for north waterline extensions. He continued that it really depended on who asked. There are several nuances and other determining factors when performing a waterline extension. He stated that the goal of the policy was to alleviate the extra cost paid by the Water System rate payers versus the individuals who request the waterline extension.

Commissioner Gibbon expressed his concerns of the astronomical increase in costs being asked of individuals requesting the waterline extension proposed by this new Waterline Extension Policy. He asked what percentage of the Water Systems overall budget had been dedicated to waterline extensions.

Mr. Rapson stated that it was a relatively small percentage of the Water Systems overall budget.

Vice Chairman Oddo stated that these potential requests would be from individuals who currently are on a well and for one reason or another would choose to request to tie on to the County's water distribution system. He acknowledged that these requests would be outside of the County's established water system extension plan.

Ms. Tigert stated that potential requestors currently have a few options, but when tying on to the County's water distribution system is the most inexpensive option for the homeowners, it is the choice most often selected.

Commissioner Rousseau asked if there had been consideration given to phasing this new policy in and was there consideration given on how the public would be advised and/or notified of the drastic change in the policy. He expressed his concern of the proposed astronomical increase in cost for a waterline extension and the lack of consideration given to requestors during the current climate of the nation. He shared several variables that should have been considered and discussed when drafting the proposed policy. Commissioner Rousseau stated that issues such as fighting a global pandemic, seniors and those working on a fixed income, and /or the loss of a job due to the pandemic were factors that would create challenges for individual who may have requested a waterline extension.

Chairman Ognio stated that he understood the need for an updated policy to ensure the Water System rate payers are not carrying the burden of the costs for the waterline extensions. He also noted that at its current cost it takes about 37 years for the Water System to recoup the cost of a waterline extension. He stated that if the Waterline Extension policy goes unchanged and the fees are not updated, the County may have to consider the need to increase the cost of water.

Commissioner Rousseau moved to deny the Water Committee's recommendation to adopt the Waterline Extension Policy, and to review alternative options and/or measures regarding the waterline extension process and procedure and ensuring the public was aware of pending changes once a decision was made. Commissioner Gibbons seconded. The motion passed 5-0.

11. Consideration of the County Attorney's recommendation to approve the disposition of tax refunds, as requested by Beatrice Acosta for tax year 2018 in the amount of \$305.87.

County Attorney Dennis Davenport stated that Ms. Beatrice Acosta requested a partial refund of the taxes paid on her home on Groveland Drive in Peachtree City for 2017 and 2018. He stated that in 2016, Ms. Acosta received a permit to enclose the 460 square foot attached garage and a permit to build a detached garage on the property. In the beginning of tax year 2017, the property was redrawn for assessment with the permitted improvements; an additional 460 square feet of finished living area and a detached garage. Mr. Davenport stated that Ms. Acosta appealed her 2017 assessment and ended up paying a negotiated amount based on that valuation. He stated that in 2018 the home was re-valued for assessment, including the detached garage and the additional 460 square feet of finished living area. Ms. Acosta paid 2018 taxes on that value. In 2019 the home was assessed with the detached garage and the additional 460 square feet of living space. The value was appealed and adjusted. Mr. Davenport stated that the records of the assessors show that

although the 460 square foot attached garage was enclosed, heat/air were not installed on this improvement at the time of enclosure. He stated that the valuation of this space as finished living area was erroneous. Mr. Davenport stated that a refund of local property taxes was recommended when taxes have been assessed and collected in error. A qualifying error was found in the record of assessment and in this case, the taxpayer was assessed and paid taxes on finished square footage that did not exist in her home. Mr. Davenport stated that ultimately, this error caused an overpayment of taxes by Ms. Acosta in 2018 and a partial refund for 2018 was recommended. Mr. Davenport stated that, however, due to the settlement of value in 2017, no refund was recommended. The error has been corrected for future tax years.

Commissioner Gibbons moved to approve of the County Attorney's recommendation to approve the disposition of tax refunds, as requested by Beatrice Acosta for tax year 2018 in the amount of \$305.87. Vice Chairman Oddo seconded. The motion passed 5-0.

ADMINISTRATOR'S REPORTS:

Hot Projects

Mr. Rapson stated that the Board had conducted the official ribbon cutting for Dogwood Trail prior to the Board Meeting and that the road was official open. He stated that Kenwood Road had also open on August 12, 2020 and its official ribbon cutting would be scheduled for mid-September once the guardrails were installed.

Mr. Rapson advised the Board that the Animal Shelter /Peachtree City merge track evaluation was moving forward and staff would be providing recommendation in the coming weeks.

ATTORNEY'S REPORTS:

Notice of Executive Session: County Attorney Dennis Davenport stated that there were two items of threatening litigation and the review of the Executive Session minutes for July 23, 2020.

COMMISSIONERS' REPORTS:

Commissioner Rousseau

Commissioner Rousseau thanked all who had reach out to him with concerns and advised that he was doing fine.

Local Youth

Commissioner Rousseau expressed his appreciation for the youth in the local community who spearheaded a law enforcement discussion/town hall meeting at the Southern Ground Amphitheater. He applauded their continued efforts in and engagement of the community.

Fayette Factor

He thanked Fayette Factor for hosting the event. Commissioner Rousseau encouraged citizens to participate in the upcoming book and school supply drive being conducted at the Lafayette Center. The goal of the drive was to ensure children return to school with adequate school supplies.

COVID-19

Commissioner Rousseau encouraged all to stay safe and vigilant, as we continued the fight against COVID-19 and as cases have increased locally.

CDC Protocol

Commissioner Rousseau encouraged citizens to be mindful of the Center of Disease Control recommended safety protocol.

Kenwood Road

Commissioner Rousseau expressed his appreciation for the contractor performing the Kenwood Road project and the Fayette County Public Works Office for their diligent efforts in adhering to the project deadlines and completing that project expeditiously.

Vice Chairman Oddo

County Board, Committee and Authorities

Vice Chairman Oddo expressed his appreciation to the many volunteers of the various Board, Committee and Authorities within the County. Their service was invaluable and their efforts do not go unnoticed. He stated as a reminder there was three vacancy open for the Hospital Authority for citizens who would like to apply.

Chairman Ognio

2020 Census

Chairman Ognio encouraged Fayette County citizens who had not already done so to participate in the 2020 Census.

2020 Legislative Package

Chairman Ognio stated that he would like to begin crafting the legislative package that the County sends to the State each year. He stated that if there were any topics or issues that the Board wanted to include in the package this year, his goal was to have it ready by the end of September. He stated that he would like to include fluoride in this year's legislative package.

Blood Donation

Chairman Ognio also advised that there was a new blood donation site in the area at 100 Promenade Parkway in Fayetteville and they are open Monday- Saturday. He encouraged all who could to please donate.

Transportation Committee

Chairman Ognio stated that the Transportation Committee along with the cities' input and guidance from the County Attorney would bring a request before the Board regarding establishing "No Truck Route" throughout the County.

Chairman Ognio stated the Transportation Committee received a few updates from the Georgia Department of Transportation (GDOT). He stated that within the quick response program Georgia Department of Transportation (GDOT) had added a roundabout at State Route 92/Inman Road/ Goza Road with a goal to start the project in late 2021. He expressed his appreciation for the responsiveness of GDOT regarding projects throughout the County. Chairman Ognio also noted that GDOT mentioned that the I-85/State Route 74 project was making progress.

EXECUTIVE SESSION:

Notice of Executive Session: County Attorney Dennis Davenport stated that there were two items of threatening litigation and the review of the Executive Session minutes for July 23, 2020. Vice Chairman Oddo moved to go into Executive Session. Commissioner Gibbons seconded. The motion passed 5-0.

The Board recessed into Executive Session at 7:56 p.m. and returned to Official Session at 8:07 p.m.

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

Approval of the July 23, 2020 Executive Session Minutes: Chairman Ognio moved to approve the July 23, 2020 Executive Session Minutes. Vice Chairman Oddo seconded. The motion passed 4-1, Commissioner Rousseau opposed.

ADJOURNMENT:

Chairman Ognio moved to adjourn the August 13, 2020 Board of Commissioners Meeting. Vice-Chairman Oddo seconded. The motion passed 5-0.

The August 13, 2020 Board of Commissioners Meeting adjourned at 8:07 p.m.

Marlena Edwards, Chief Deputy County Clerk

Randy C. Ognio, 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 August 2020. Referenced attachments are available upon request at the County Clerk's Office.

Marlena Edwards, Chief Deputy County Clerk

COUNTY AGENDA REQUEST

Department:

Presenter(s):

Meeting Date:

Type of Request:

Wording for the Agenda:

Consideration of staff's recommendation to approve Contract #1813-S: SagesGov Plan Review, Permitting & Inspection Software, in the amount of \$449,236.00 for a five-year term with an option to renew for one additional five-year term.

Background/History/Details:

On January 28, 2016 the Board of Commissioners awarded Contract #1016-P to Sages Networks, Inc. to automate the Plan Review and Markup management processes for issuing building permits. On January 26, 2017 the Board approved additions of Permitting, Inspections, Enforcement, Interactive Voice Response (IVR), and Credit Card Modules. The project included migration of existing data from the old EnerGov Solutions system to the new SagesGov system, and discontinuance of EnerGov Solutions.

The initial five-year contract has expired. In light of the success of the project to date, the Department of Building Safety wished to continue the relationship with Sages Networks, Inc. with a new professional services contract. The new contract will have an initial term of five years, as did the previous one, and will also contain an option to renew for one additional five-year term.

The total five-year cost of the new contract will be \$449,236.00.

What action are you seeking from the Board of Commissioners?

Approval of Contract #1813-S: SagesGov Plan Review, Permitting & Inspection Software, in the amount of \$449,236.00 for a five-year term with an option to renew for one additional five-year term.

If this item requires funding, please describe:

Licenses, Fees and Functional Support are to be budgeted by users departments in M&O (522236) each year and have been included for FY2021. An FY2021 CIP was approved for Dashboards with Funds available in 37570210 542410 - 217AA for \$48,000.00.

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:

SagesGov Inc. has become a significant partner providing Fayette County with Permitting, Plan Review, Inspections as well as other departmental functions. User departments include Department of Building Safety, Planning and Zoning, Environmental Management, Water, Public Works, Fire, Code Enforcement, Environmental Health and Finance.



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 27, 2020
 Subject: Contract #1813-S: SagesGov Plan Review, Permitting & Inspection Software

On January 28, 2016 the Board of Commissioners awarded Contract #1016-P to Sages Networks, Inc. to automate the plan review and markup management processes for issuing building permits. On January 26, 2017 the Board approved additions of permitting, inspections, enforcement, interactive voice response (IVR), and credit modules. The project included migration of existing data from the old EnerGov Solutions system to the new SagesGov system, and discontinuance of EnerGov Solutions.

The initial five-year contract has expired. In light of the success of the project to date, the Department of Building Safety wished to continue the relationship with Sages Networks, Inc. with a new professional services contract. The new contract will have an initial term of five years, as did the previous one, and will also contain an option to renew for one additional five-year term.

The total five-year cost of the new contract will be \$449,236.00 (Attachment 1). This includes \$48,000.00 for development of a new dashboard for the Department.

A Contractor Performance Evaluation for Sages Networks' previous work with the county is attached (Attachment 2). Specifics of the proposed contract are as follows:

Contract Name	1813-S: SagesGov Plan Review, Permitting & Inspection Software
Contractor	Sages Networks, Inc.
Type of Contract	Professional service – Software as a Service
Contract Amount:	
FY 2021	\$124,004.00
5-Year Term	\$449,236.00 Five-Year Total

Budget:

	Org	Obj	Proj	Cost	Budget	
Licenses & Fees	Multiple	522236	Software Maint	64,004.00	64,004.00	
Functional Support	10070210	522236	Software Maint	12,000.00	12,000.00	
Dashboard Project	37570210	542410	Software	217AA Sages	48,000.00	48,000.00
					124,004.00	124,004.00

CONTRACT #1813-S
SagesGov Plan Review, Permitting & Inspection Software

	# Users		First Five-Year Term					Total
	FY21	FY22	FY 21	FY22	FY23	FY24	FY25	
A. ANNUAL PAYMENT								
Licenses & Maintenance								
Plan Reviewer License / Bluebeam Revu	4	4	6,912.00	6,912.00	6,912.00	6,912.00	6,912.00	34,560.00
Permit Tech License	3	6	5,184.00	10,368.00	10,368.00	10,368.00	10,368.00	46,656.00
Mobile Inspector License	4	4	4,800.00	4,800.00	4,800.00	4,800.00	4,800.00	24,000.00
Plan Review, Permit Tech, Mobile Insp. License	14	14	40,320.00	40,320.00	40,320.00	40,320.00	40,320.00	201,600.00
Bluebeam Revu Standard Maintenance	16	17	1,920.00	2,040.00	2,040.00	2,040.00	2,040.00	10,080.00
SagesGov read-only license	1	1	600.00	600.00	600.00	600.00	600.00	3,000.00
Bluebeam Revu eXtreme Maintenance	1	1	160.00	160.00	160.00	160.00	160.00	800.00
Total Licenses & Maintenance	43	47	59,896.00	65,200.00	65,200.00	65,200.00	65,200.00	320,696.00
Data Migration								
Completion of Data Migration			4,108	4,108	4,108	4,108	4,108	20,540.00
TOTAL ANNUAL PAYMENT			64,004	69,308	69,308	69,308	69,308	341,236
B. SEMI-ANNUAL PAYMENT								
Functional Support - max 5 hours / month ^(A)			12,000.00	12,000.00	12,000.00	12,000.00	12,000.00	60,000.00
C. ONE-TIME PAYMENT								
Dashboard for DBS (FY 2021 CIP #217AA) ^(B)			48,000.00	-	-	-	-	48,000.00
TOTAL CONTRACT			124,004	81,308	81,308	81,308	81,308	449,236

ADDITIONAL WORK - HOURLY FEES

5-50 Hours	\$225
51-100 Hours	200
101-150 Hours	175
151 Hours & Up	150

(A) Payments of \$6,000 every six months (mid-year & end-of-year) - flat fee.

(B) To be paid upon completion & acceptance of the dashboard.

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: Sages Networks, Inc.	Contract Number: 1016-P
Mailing Address: 50 Hurt Plaza SE, Suite 1446	Contract Description or Title: Permits & Inspections Plan Review Software
City, St, Zip Code: Atlanta, GA 30303	Contract Term (Dates) From: 2/2/2016 To: 6/30/2020
Phone Number: 404-892-6184 Extension 101	Task Order Number: NA
Cell Number: 678-471-7392	Other Reference: NA
E-Mail Address: hkrishna@sagesnetworks.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					

EVALUATED BY

Signature: Steven P Tafoya	Date of Evaluation: 8/4/20
Print Name: Steven P Tafoya	Department/Division: Dept. of Building Safety
Title: Director	Telephone No: 770-305-5127

COUNTY AGENDA REQUEST

Department:

Presenter(s):

Meeting Date:

Type of Request:

Wording for the Agenda:

Consideration of staff's recommendation to award Contract #1861-S to Sound Principles to provide and install A/V equipment in the courtrooms and jail, in the not-to-exceed amount of \$79,503.51 and to reallocate \$80,000 from General Fund Project Contingency to a CIP Project for State, Probate, Juvenile, Magistrate, Superior Courts and the Jail for A/V equipment to facilitate virtual court proceedings.

Background/History/Details:

Due to COVID-19, the courts are changing the ways that they handle court sessions. They are using video conferencing, Zoom meetings, etc. to facilitate these virtual proceedings thereby limiting contact and minimizing risk of virus infection. These changes in procedure make it necessary to upgrade their A/V equipment. Quotes from Sound Principles have been received for each of the courts and the jail. Please refer to the attached CIP request form for the individual breakdowns. The total quoted price for all locations was \$83,783.50. By bundling all seven locations, Sound Principles extended a discount of \$4,279.99 for a project total of \$79,503.51.

What action are you seeking from the Board of Commissioners?

Approval to award Contract #1861-S to Sound Principles to provide and install A/V equipment in the courtrooms and jail, in the not-to-exceed amount of \$79,503.51 and to reallocate \$80,000 from General Fund Project Contingency to a CIP Project for State, Probate, Juvenile, Magistrate, Superior Courts and the Jail for A/V equipment to facilitate virtual court proceedings.

If this item requires funding, please describe:

This project will be funded from the General Fund Project Contingency account. The balance in this account is \$594,231.

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:

**Purchasing Department**

140 Stonewall Avenue West, Ste 204
 Fayetteville, GA 30214
 Phone: 770-305-5420
 www.fayettecountyga.gov

To: Steve Rapson

Through: Ted L. Burgess 

From: Natasha M. Duggan 

Date: August 27, 2020

Subject: Contract 1861-S: A/V Systems Upgrades for Judicial System and Jail

In 2013 the county issued Request for Proposals #877 for a company to design, install, and support an audio and video system for the Commissioners' public meeting chamber. Twenty-two companies attended a mandatory pre-proposal conference, and nine submitted proposals. The county awarded the resulting contract to Sound Principles.

Since that time, there have been needs for audio, video, sound, and lighting system upgrades or installations in other county facilities. It is not economically or operationally effective to have multiple technologies installed by multiple vendors, and supported by a number of maintenance agreements. For these reasons, it was decided to continue our business relationship with Sound Principles for related installations and service. In addition to the public meeting chamber, they have installed sound and lighting at the Historic Court House. They also installed the AV system in multiple courtrooms and the administrative conference and meeting rooms in the Stonewall Complex.

Due to COVID-19, the courts are changing the ways that they handle court sessions. They are using video conferencing, Zoom meetings, etc. to facilitate these virtual proceedings thereby limiting contact and minimizing risk of infection. These changes in procedure make it necessary to upgrade A/V equipment. The total quoted price for all locations was \$83,783.50. By bundling all seven locations, Sound Principles extended a discount of \$4,279.99 for a project total of \$79,503.51.

A contractor evaluation is attached for previous work completed in the Stonewall Administrative conference and meeting rooms.

Specifics of the proposed contract are as follows:

Contract Name	1861-S: A/V Systems Upgrades for Judicial System and Jail		
Contractor	Sound Principles		
Contract Amount	\$79,503.51		
Budget:			
Fund	375	CIP	
Org Code	TBD		
Object	TBD		
Project	TBD		A/V Upgrades Judicial System & Jail
Available	\$80,000.00		Available Upon BOC Approval

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: Sound Principles	Contract Number: 1512-S
Mailing Address: 403A McDonough Parkway	Contract Description or Title: A/V for Conference Room & Training
City, St, Zip Code: McDonough, GA 30253	Contract Term (Dates) From: 7/5/2018 – 9/21/2018
Phone Number: 770-477-6227	Task Order Number: N/A
Cell Number: N/A	Other Reference: for approval of contract 1861-S A/V System Upgrade Judicial Center & Jail
E-Mail Address: matt@theshowbusiness.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.

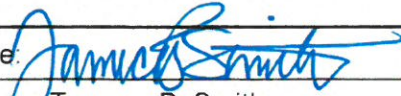
SATISFACTORY (Sat) - Vendor met minimum contractual requirements or performance expectations of the products/services.

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: August 13, 2020
Print Name: Tameca P. Smith	Department/Division: Clerk
Title: County Clerk	Telephone No: 770-305-5103

FY2021 CIP / CAPITAL - PROJECT REQUEST FORM

Project Code: (for Finance use only)

All fields must be completed for submission. Incomplete forms will be rejected.

1. Project Name:

2. Department:

Department Contact(s):

3. Is this a construction project? Yes/No No If yes, is a permit required?

3a. If this is a continuation or add-on to an existing project, provide the full account number (include existing project number):

4. Total Requested Project Funds by Fiscal Year (\$):	Other Funding Sources:	Other Funding Source Type:
FY21 <input style="width: 150px;" type="text" value="80,000"/>	FY21 <input style="width: 150px;" type="text"/>	<input style="width: 150px;" type="text"/>
FY22 <input style="width: 150px;" type="text"/>	FY22 <input style="width: 150px;" type="text"/>	<input style="width: 150px;" type="text"/>
FY23 <input style="width: 150px;" type="text"/>	FY23 <input style="width: 150px;" type="text"/>	<input style="width: 150px;" type="text"/>
FY24 <input style="width: 150px;" type="text"/>	FY24 <input style="width: 150px;" type="text"/>	<input style="width: 150px;" type="text"/>
FY25 <input style="width: 150px;" type="text"/>	FY25 <input style="width: 150px;" type="text"/>	<input style="width: 150px;" type="text"/>

5. Estimated Total Cost (\$): 6. Estimated Useful Life:

7. Detailed Project Description/Cost Breakdown:
 Include as much information as possible. If necessary, attach additional sheets. *Requests with insufficient detail will be returned.*

Separate Detail Sheet Attached: Yes/No Yes

8. Start Date (estimate): 8a. Completion Date (estimate):

9. Project Cost - Budget Line Items (Object Code)

Account Description	\$ Amount
541110 - Land	
541111 - ROW	
541210 - Other Improvements	
541320 - Building and Structures	
542530- Business Communication Equipment	80,000
Total Project Cost	\$ 80,000

10. Impact on Operating Budget
 (Future Annual Fees/Cost to any M&O Account)

Budget Line Items	Annual Amount (\$)
Personnel Costs	
Software Maintenance	
Capital Outlay	
Utilities	
Technical Services	
Total	\$ -

The breakdown of the costs by departments are as follows:

Department	Total cost
State Court	\$ 16,939.32
Probate Court	\$15,186.70
Juvenile Court Courtroom	\$17,689.00
Juvenile Court Waiting Room	\$5,932.66
Magistrate Court	\$10,564.83
Superior Court (Part 1)	\$7,381.75
Jail	\$5,809.25
Project Total	\$ 79,503.51

The department contacts are as follows:

State Court	Jason Thompson 770-716-4270 Toni Starr Tumlin 770-716-4264
Probate Court	Lynn Crittenden 770-716-4224 Judge Jackson 770-716-4220
Juvenile Court	Katie Cunningham 770-716-4214 Judge Ott 770-716-4210
Magistrate Court	Judge Ruppenthal 770-716-4230
Superior Court	Sheila Studdard 770-490-7474 Jill Curtis 770-716-4288
Jail	Major Michelle Walker 770-716-4753

Sound Principles - A/V Vendor Record - Technical Services Covid Project

	State Court			Probate Court			Juvenile Court			Juvenile Court Waiting Room			Magistrate Court			Superior Court			Jail			Total		
	Qty.	Price	Amount	Qty.	Price	Amount	Qty.	Price	Amount	Qty.	Price	Amount	Qty.	Price	Amount	Qty.	Price	Amount	Qty.	Price	Amount			
TV 70" Vizio LED / 4K / HD	2	819.00	1,638.00	1	819.00	819.00	1	819.00	819.00	1	819.00	819.00										4,095.00		
Samsung Flip 2 65" Touch Monitor																1	2,799.00	2,799.00				2,799.00		
TV Mount Heavy Duty Flat mount up to 75" TV	2	94.00	188.00													1	94.00	94.00				282.00		
TV Mount - swing arm mount up to 75"				1	514.00	514.00																514.00		
TV Mount Heavy Duty up to 85" TV/Display										1	211.00	211.00										211.00		
Heavy Duty TV Stand w/casters - Mobile - up to 75" TV									1	614.00	614.00											614.00		
Furman Power Conditioner for TVs									1	218.00	218.00											436.00		
HD Web Cam (will capture people seated in room & send to zoom partner)	2	79.00	158.00																			158.00		
HD Web Cam									2	129.00	258.00											258.00		
HD Web Cam DataVideo PTZ Full 1080p w/mounting bracket				1	1,889.00	1,889.00															1	1,899.00	1,899.00	3,788.00
Audio box USB interface for audio to zoom	4	99.00	396.00	1	99.00	99.00	1	99.00	99.00							1	99.00	99.00				99.00	792.00	
Inogeni HDMI to USB 3.0 interface																					1	535.00	535.00	535.00
PCC 160 Flat boundary mic	4	349.00	1,396.00	2	349.00	698.00																	2,094.00	
USB/HDMI/XLR/A.C./Desk, Wall or Floor pocket w/connections designed for cable connectivity	2	279.00	558.00	1	279.00	279.00	3	279.00	837.00														1,674.00	
JBL C28 2 way passive fill speaker	4	249.00	996.00																				996.00	
JBL Control 25 Speaker				2	139.00	278.00	2	139.00	278.00														556.00	
JBL Control 16C/T 6.5" Coaxial Ceiling Speaker 70V							8	118.00	944.00	4	118.00	472.00											1,416.00	
TOA 70V amp to power speakers	2	489.00	978.00	2	489.00	978.00	2	489.00	978.00	1	489.00	489.00											2,934.00	
Cable Package for connectivity	2	702.00	1,404.00	1	492.00	492.00	1	784.00	784.00	1	161.00	161.00	1	622.00	622.00	1	82.00	82.00					3,463.00	
Installation Labor	6	375.00	2,250.00	4	375.00	1,500.00	5	375.00	1,875.00	4	375.00	1,500.00	4	375.00	1,500.00	1	375.00	375.00					9,000.00	
Installation Overseer	4	750.00	3,000.00	2	750.00	1,500.00	2	750.00	1,500.00	2	750.00	1,500.00	2	750.00	1,500.00	1	750.00	750.00					9,375.00	
Installation Programming	2	850.00	1,700.00	1	850.00	850.00	1	850.00	850.00	1	850.00	850.00	1	850.00	850.00	1	850.00	850.00					4,250.00	
Installation Truck	1	375.00	375.00	1	375.00	375.00	1	375.00	375.00	1	375.00	375.00	1	375.00	375.00	0	375.00	75.00					1,837.50	
Installation Materials: Connectors																							82.00	
HDMI Extender Package	2	749.00	1,498.00	1	749.00	749.00				1	749.00	749.00											2,996.00	
Lenovo Laptop for zoom connectivity & mains system	2	918.00	1,836.00			0.00																	1,836.00	
20" HDMI Monitor				1	89.00	89.00	2	89.00	178.00														267.00	
HDMI Video Multiplier Kramer 1 in 4 out HDMI Video Input Multiplier				1	489.00	489.00	1	489.00	489.00				1	489.00	489.00								1,467.00	
Hanging Mics to pickup speech activity in table areas				2	249.00	498.00																	498.00	
Tascam Recorder: SS R250 Solid State Recorder				1	889.00	889.00	1	889.00	889.00														1,778.00	
JB Control 16C/T 6.5" Coaxial Ceiling Speaker 70V				6	118.00	708.00																	708.00	
Interface to get audio to speaker system																							0.00	
Equipment Rack to hold items in media control area w/PD with switch & drawer in rack				1	689.00	689.00	1	819.00	819.00														1,508.00	
Equipment Rack media control area w/PD with switch & drawer in rack - Middle Atlantic							1	1,355.00	1,355.00														2,174.00	
Shure Rack Mixer SCM 810 rack mount audio mixer				1	1,355.00	1,355.00																	1,704.00	
Shure Condenser Mic (lawyer area)				1	249.00	249.00																	1,604.00	
Room Kit Mini to go with Samsung Flip 2 TV *Licensing to be purchased separately																1	3,199.00	3,199.00					3,199.00	
Streaming Add On - Camera; DataVideo PTZ Full 1080p HD camera w/mounting bracket													2	1,489.00	2,978.00								2,978.00	
HDMI Switcher: Kramer 4:1 switcher													1	589.00	589.00								589.00	
Inogeni: Web cam dual screen / dual camera switcher							1	1,289.00	1,289.00				1	1,289.00	1,289.00							1	0.00	2,578.00
Streaming PC: Desktop or Laptop							1	789.00	789.00				1	789.00	789.00								1,578.00	
Whirlwind Mic Mute for Judge							1	89.00	89.00														89.00	
QSC RMX 850a							1	549.00	549.00														549.00	
Crown PCC 160 flat boundary mic to sit on table & provide auto to zoom partner							5	349.00	1,745.00														1,745.00	
Pocket Desk, Wall or Floor pocket w/connections as designed for neat cable connectivity												1	149.00	149.00									149.00	
Overall Project Discount - Economies Scale/Staging	1	(894.18)	(894.18)	1	(799.30)	(799.30)	1	(931.00)	(931.00)	1	(335.34)	(335.34)	1	(597.17)	(597.17)	1	(417.25)	(417.25)	1	(305.75)	(305.75)	(4,279.99)		
Total		16,939.32		15,186.70		17,689.00		5,932.66		10,564.83		7,381.75		5,809.25									79,503.51	

State	16,939.32	21.3%
Probate	15,186.70	19.1%
Juvenile Ct.	23,621.66	29.7% Court & Meeting Room
Magistrate	10,564.83	13.3%
Superior	7,381.75	9.3% includes A/V & Speakers
Jail	5,809.25	7.3%

*Courtroom is limited to 20 ppl. By law viewing space is needed in case there are more than 20 ppl in attendance. Would like to use waiting room



ESTIMATE

FC Courthouse - Conference (Jury) Room Zoom AV package

Sound Principles, Pro Multi Media, Inc.

403a McDonough Parkway
McDonough, Georgia 30253
United States

770 477-6227

www.soundprinciplespro.com

BILL TO
Fayette County Purchasing
Ted Crumbley

770 305-5235
mdomaleski@fayettecountyga.gov

Estimate Number: 2152 - State

Estimate Date: June 25, 2020

Expires On: August 27, 2020

Grand Total (USD): \$16,939.32

Items	Quantity	Price	Amount
TV 70" Vizio LED / 4K / HD TV	2	\$819.00	\$1,638.00
TV Mount Heavy Duty TV mount - flat -up to 75" TV	2	\$94.00	\$188.00
Streaming Add On - Camera HD Web Cam - Will capture people seated in room and send to zoom partner	2	\$79.00	\$158.00
PreSonus Audio box USB interface for audio to zoom	4	\$99.00	\$396.00
Crown PCC 160 flat boundary mic to sit on table and provide audio to zoom partner	4	\$349.00	\$1,396.00
Pocket USB/ HDMI / XLR / A/C / Desk, Wall or Floor pocket w/ connections as designed for neat cable connectivity	2	\$279.00	\$558.00
JBL C28 Speaker JBL C28 2 way passive fill speaker -white or black	4	\$249.00	\$996.00
TOA Amp TOA 70V amp to power fill or ceiling speakers	2	\$489.00	\$978.00
Cable Cable Package needed for all connectivity /	2	\$702.00	\$1,404.00
Installation Labor Installation Labor - hands to assist x 2 for 2 days	6	\$375.00	\$2,250.00
Installation Overseer Manages Staff and Project Timelines	4	\$750.00	\$3,000.00



ESTIMATE

FC Courthouse - Conference (Jury) Room Zoom A/V package

Sound Principles, Pro Multi Media, Inc.
 403a McDonough Parkway
 McDonough, Georgia 30253
 United States

770 477-6227
 www.soundprinciplespro.com

Items	Quantity	Price	Amount
Installation Programming All systems programmed and demonstrated working with Zoom for customer *Customer to provide computer or we can quote	1.5	\$850.00	\$1,275.00
Installation Truck Deliver equipment, ladders, Tools as needed	0.7	\$375.00	\$262.50
HDMI Extender Package Kramer HDMI Extender set to CAT6 /Extended Range / Transmitter and Receiver	2	\$749.00	\$1,498.00
Lenovo Laptop Laptop for zoom connectivity and mains system I5/8GB/1TB Hard drive + DVD player	2	\$918.00	\$1,836.00
Customer Discount Quantity discount 5% with 7 tickets	-1	\$894.18	(\$894.18)
Subtotal:			\$16,939.32
No tax 0%:			\$0.00
Total:			\$16,939.32
Grand Total (USD):			\$16,939.32

Notes / Terms

*Customer to provide or be billed for any electrician or lift needs. Final payment is due upon completion - By accepting this proposal, Customer agrees to these terms superseding any PO or other document signed or submitted.

It's all about the Experience - Yours and Ours. Thank You!



ESTIMATE

FC Probate Court - A/V package

Sound Principles, Pro Multi Media, Inc.
 403a McDonough Parkway
 McDonough, Georgia 30253
 United States

770 477-6227
www.soundprinciplespro.com

BILL TO

Fayette County Purchasing
 Ted Crumbley

770 305-5235
mdomaleski@fayettecountyga.gov

Estimate Number: 2172 Probate

Estimate Date: July 21, 2020

Expires On: August 27, 2020

Grand Total (USD): \$15,186.70

Items	Quantity	Price	Amount
TV 70" Vizio LED / 4K / HD TV	1	\$819.00	\$819.00
TV Mount Heavy Duty TV mount - swing arm mount - up to 75" TV	1	\$514.00	\$514.00
Streaming Add On - Camera DataVideo PTZ Full 1080p HD camera w mounting bracket	1	\$1,889.00	\$1,889.00
PreSonus Audio box USB interface for audio to zoom	1	\$99.00	\$99.00
Crown PCC 160 flat boundary mic to sit on table and provide audio	2	\$349.00	\$698.00
Pocket USB/ HDMI / XLR / A/C / Desk, Wall or Floor pocket w/ connections as designed for neat cable connectivity	1	\$279.00	\$279.00
JBL C25 Speaker JBL Control 25 speaker -Black or White	2	\$139.00	\$278.00
TOA Amp TOA 70V amp to power fill or ceiling speakers	2	\$489.00	\$978.00
Cable Cable Package needed for all connectivity /	1	\$492.00	\$492.00
Installation Labor Installation Labor - hands to assist x 2 for 2 days	4	\$375.00	\$1,500.00



ESTIMATE

FC Probate Court - A/V package

Sound Principles, Pro Multi Media, Inc.
 403a McDonough Parkway
 McDonough, Georgia 30253
 United States

770 477-6227
www.soundprinciplespro.com

Items	Quantity	Price	Amount
Installation Overseer Manages Staff and Project Timelines	2	\$750.00	\$1,500.00
Installation Programming All systems programmed and demonstrated working with Zoom for customer *Customer to provide computer or we can quote	1	\$850.00	\$850.00
Installation Truck Deliver equipment, ladders, Tools as needed	1	\$375.00	\$375.00
HDMI Extender Package Kramer HDMI Extender set to CAT6 /Extended Range / Transmitter and Receiver	1	\$749.00	\$749.00
20" Monitor 20" video HDMI Monitor	1	\$89.00	\$89.00
HDMI Video Multiplier Kramer 1 in 4 out HDMI Video input Multiplier	1	\$489.00	\$489.00
Shure Condensor Hanging Mics to pickup speech activity in table areas	2	\$249.00	\$498.00
Tascam Recorder SS R250 Solid State Recorder	1	\$889.00	\$889.00
Ceiling Speakers JBL Control 16C/T 6.5" Coaxial Ceiling Speaker 70V	6	\$118.00	\$708.00
Equipment Rack Rack to hold items in media control area w PD with switch and drawer in rack	1	\$689.00	\$689.00
Shure Rack Mixer Shure SCM 810 rack mount audio mixer	1	\$1,355.00	\$1,355.00
Shure Condensor Podium (lawyer area) Condensor mic	1	\$249.00	\$249.00
Customer Discount Quantity discount 5% with 7 tickets	-1	\$799.30	(\$799.30)



ESTIMATE

FC Probate Court - AV package

Sound Principles, Pro Multi Media, Inc.
403a McDonough Parkway
McDonough, Georgia 30253
United States

770 477-6227
www.soundprinciplespro.com

Subtotal:	\$15,186.70
No tax 0%:	\$0.00
<hr/>	
Total:	\$15,186.70
<hr/>	
Grand Total (USD):	\$15,186.70

Notes / Terms

*Customer to provide or be billed for any electrician or lift needs. Final payment is due upon completion - By accepting this proposal, Customer agrees to these terms superseding any PO or other document signed or submitted.

It's all about the Experience - Yours and Ours. Thank You!



ESTIMATE

Juvenile Courtroom A/V package

Sound Principles, Pro Multi Media, Inc.

403a McDonough Parkway

McDonough, Georgia 30253

United States

770 477-6227

www.soundprinciplespro.com

BILL TO

Fayette County Purchasing

Ted Crumbley

770 305-5235

mdomaleski@fayettecountyga.gov

Estimate Number: 2199 - Jv

Estimate Date: July 30, 2020

Expires On: August 27, 2020

Grand Total (USD): \$17,689.00

Items	Quantity	Price	Amount
TV 70" Vizio LED / 4K / HD TV	1	\$819.00	\$819.00
TV Mount Heavy Duty TV Stand w casters - Mobile - up to 75" TV	1	\$614.00	\$614.00
PreSonus Audio box USB interface for audio to zoom	1	\$99.00	\$99.00
Pocket USB/ HDMI / XLR / A/C / Desk, Wall or Floor pocket w/ connections as designed for neat cable connectivity	3	\$279.00	\$837.00
JBL C25 Speaker JBL Control 25 speaker -Black or White	2	\$139.00	\$278.00
TOA Amp TOA 70V amp to power fill or ceiling speakers	2	\$489.00	\$978.00
Cable Cable Package needed for all connectivity /	1	\$784.00	\$784.00
Installation Labor Installation Labor - hands to assist x 2 for 2.5 days	5	\$375.00	\$1,875.00
Installation Overseer Manages Staff and Project Timelines	2	\$750.00	\$1,500.00
Installation Programming All systems programmed and demonstrated working with Zoom for customer	1	\$850.00	\$850.00
Installation Truck Deliver equipment, ladders, Tools as needed	1	\$375.00	\$375.00



ESTIMATE

Juvenile Courtroom A/V package

Sound Principles, Pro Multi Media, Inc.
 403a McDonough Parkway
 McDonough, Georgia 30253
 United States

770 477-6227

www.soundprinciplespro.com

Items	Quantity	Price	Amount
20" Monitor 20" video HDMI Monitor	2	\$89.00	\$178.00
HDMI Video Multiplier Kramer 1 in 4 out HDMI Video input Multiplier	1	\$489.00	\$489.00
Tascam Recorder SS R250 Solid State Recorder	1	\$889.00	\$889.00
Equipment Rack Rack to hold items in media control area w PD with switch and drawer in rack - Middle Atlantic increase	1	\$819.00	\$819.00
Shure Rack Mixer Shure SCM 810 rack mount audio mixer	1	\$1,355.00	\$1,355.00
Ceiling Speakers JBL Control 16C/T 6.5" Coaxial Ceiling Speaker 70V	8	\$118.00	\$944.00
Furman Power conditioner for TV	1	\$218.00	\$218.00
Streaming PC Desktop or laptop PC	1	\$789.00	\$789.00
Whirlwind Mic Mute Mic mute switch for Judge	1	\$89.00	\$89.00
QSC RMX QSC RMX 850a	1	\$549.00	\$549.00
Crown PCC 160 flat boundary mic to sit on table and provide audio to zoom partner	5	\$349.00	\$1,745.00
Inogeni Web cam dual screen / dual camera switcher	1	\$1,289.00	\$1,289.00
Logitech HD Web Cam	2	\$129.00	\$258.00
Customer Discount Quantity discount 5% with 7 tickets	-1	\$931.00	(\$931.00)



ESTIMATE

Juvenile Courtroom AV package

Sound Principles, Pro Multi Media, Inc.
403a McDonough Parkway
McDonough, Georgia 30253
United States

770 477-6227
www.soundprinciplespro.com

Subtotal:	\$17,689.00
No tax 0%:	\$0.00
<hr/>	
Total:	\$17,689.00
<hr/>	
Grand Total (USD):	\$17,689.00

Notes / Terms

*Customer to provide or be billed for any electrician or lift needs. Final payment is due upon completion - By accepting this proposal, Customer agrees to these terms superseding any PO or other document signed or submitted.

It's all about the Experience - Yours and Ours. Thank You!



ESTIMATE

Juvenile Waiting Room - A/V package

Sound Principles, Pro Multi Media, Inc.

403a McDonough Parkway

McDonough, Georgia 30253

United States

770 477-6227

www.soundprinciplespro.com

BILL TO

Fayette County Purchasing

Ted Crumbley

770 305-5235

mdomaleski@fayettecountyga.gov

Estimate Number: 2197 - Jv waiting room

Estimate Date: July 27, 2020

Expires On: August 27, 2020

Grand Total (USD): \$5,932.66

Items	Quantity	Price	Amount
Cable Cable Package needed for all connectivity /	1	\$161.00	\$161.00
Installation Labor Installation Labor - hands to assist x 2 for 3 days	4	\$375.00	\$1,500.00
Installation Overseer Manages Staff and Project Timelines	1.5	\$750.00	\$1,125.00
Installation Truck Deliver equipment, ladders, Tools as needed	1	\$375.00	\$375.00
HDMI Extender Package Kramer HDMI Extender set to CAT6 /Extended Range / Transmitter and Receiver	1	\$749.00	\$749.00
TV 70" Vizio LED / 4K / HD TV	1	\$819.00	\$819.00
TV Mount Heavy Duty TV Mount - up to 85" TV /Display	1	\$211.00	\$211.00
Furman Power conditioner for TV	1	\$218.00	\$218.00
Pocket Desk, Wall or Floor pocket w/ connections as designed for neat cable connectivity	1	\$149.00	\$149.00
Ceiling Speakers JBL Control 16C/T 6.5" Coaxial Ceiling Speaker 70V	4	\$118.00	\$472.00
TOA Amp TOA 70V amp to power ceiling speakers	1	\$489.00	\$489.00



ESTIMATE

Juvenile Waiting Room - AV package

Sound Principles, Pro Multi Media, Inc.
 403a McDonough Parkway
 McDonough, Georgia 30253
 United States

770 477-6227
www.soundprinciplespro.com

Items	Quantity	Price	Amount
Customer Discount Quantity discount 5% with 7 tickets	-1	\$313.40	(\$313.40)
Subtotal:			\$5,954.60
No tax 0%:			\$0.00
Henry 7%:			(\$21.94)
Total:			\$5,932.66
Grand Total (USD):			\$5,932.66

Notes / Terms

*Customer to provide or be billed for any electrician or lift needs. Final payment is due upon completion - By accepting this proposal, Customer agrees to these terms superseding any PO or other document signed or submitted.

It's all about the Experience - Yours and Ours. Thank You!



ESTIMATE

Magistrate

Sound Principles, Pro Multi Media, Inc.
 403a McDonough Parkway
 McDonough, Georgia 30253
 United States

770 477-6227
 www.soundprinciplespro.com

BILL TO
Fayette County Purchasing
 Ted Crumbley

770 305-5235
 mdomaleski@fayettedcountyga.gov

Estimate Number: 2198 Magistrate

Estimate Date: July 29, 2020

Expires On: August 26, 2020

Grand Total (USD): \$10,564.83

Items	Quantity	Price	Amount
Streaming Add On - Camera DataVideo PTZ Full 1080p HD camera w mounting bracket + Labor and programming	2	\$1,489.00	\$2,978.00
HDMI Switcher Kramer 4::1 switcher	1	\$589.00	\$589.00
HDMI Video Multiplier Kramer 1 in 4 out HDMI Video input Multiplier	1	\$489.00	\$489.00
Inogeni Web cam dual screen / dual camera switcher	1	\$1,289.00	\$1,289.00
PreSonus Audio box USB interface for audio to zoom	1	\$99.00	\$99.00
Cable Cable Package needed for all connectivity /	1	\$622.00	\$622.00
Installation materials Materials for installation / connectors	1	\$82.00	\$82.00
Installation Labor Installation Labor - 2 assistants / 2 days	4	\$375.00	\$1,500.00
Installation Overseer Manages Staff and Project Timelines	2	\$750.00	\$1,500.00
Installation Programming Audio - Room analyzation, tuning and left ready for service/ Platform and House - Instruction on use Streaming - Programming to live and instruction on Use Lighting - Programming and left ready for service - instruction on use Projection - Programming and instruction on use	1	\$850.00	\$850.00



ESTIMATE

Magistrate

Sound Principles, Pro Multi Media, Inc.
 403a McDonough Parkway
 McDonough, Georgia 30253
 United States

770 477-6227
 www.soundprinciplespro.com

Items	Quantity	Price	Amount
Installation Truck Deliver equipment, ladders, Tools as needed	1	\$375.00	\$375.00
Streaming PC Desktop or laptop PC	1	\$789.00	\$789.00
Customer Discount Quantity discount 5% with 7 tickets	-1	\$558.10	(\$558.10)
Subtotal:			\$10,603.90
No tax 0%:			\$0.00
Henry 7%:			(\$39.07)
Total:			\$10,564.83
Grand Total (USD):			\$10,564.83

Notes / Terms

*Customer to provide or be billed for any electrician or lift needs. Final payment is due upon completion - By accepting this proposal, Customer agrees to these terms superseding any PO or other document signed or submitted.

It's all about the Experience - Yours and Ours. Thank You!



ESTIMATE

Part 1 of 2 - FC Superior Court - WEB X - A/V package

Sound Principles, Pro Multi Media, Inc.

403a McDonough Parkway
McDonough, Georgia 30253
United States

770 477-6227

www.soundprinciplespro.com

BILL TO

Fayette County Purchasing
Ted Crumbley

770 305-5235
mdomaleski@fayettecountyga.gov

Estimate Number: 2174 - WebX A/V
Package

Estimate Date: July 21, 2020

Expires On: August 27, 2020

Grand Total (USD): \$7,381.75

Items	Quantity	Price	Amount
WEB X Display Monitor -Touch Samsung Flip 2 - 65"	1	\$2,799.00	\$2,799.00
TV Mount Heavy Duty TV mount - flat mount - up to 75" TV	1	\$94.00	\$94.00
Cable Cable Package needed for all connectivity /	1	\$82.00	\$82.00
Installation Labor Installation Labor - hands to assist x 2 for 1 day	1	\$375.00	\$375.00
Installation Overseer Manages Staff and Project Timelines	1	\$750.00	\$750.00
Installation Programming All systems programmed and demonstrated working for customer *Customer to provide any needed computer or we can quote	0.5	\$850.00	\$425.00
Installation Truck Deliver equipment, ladders, Tools as needed	0.2	\$375.00	\$75.00
WEBX Room Kit Mini to go with Samsung Flip 2 TV -Licensing to be purchased separately	1	\$3,199.00	\$3,199.00
Customer Discount Quantity discount 5% with 7 tickets	-1	\$389.95	(\$389.95)



ESTIMATE

Part 1 of 2 - FC Superior Court - WEB X - AV package

Sound Principles, Pro Multi Media, Inc.
403a McDonough Parkway
McDonough, Georgia 30253
United States

770 477-6227
www.soundprinciplespro.com

Subtotal:	\$7,409.05
No tax 0%:	\$0.00
Henry 7%:	(\$27.30)
<hr/>	
Total:	\$7,381.75
<hr/>	
Grand Total (USD):	\$7,381.75

Notes / Terms

*Customer to provide or be billed for any electrician or lift needs. Final payment is due upon completion - By accepting this proposal, Customer agrees to these terms superseding any PO or other document signed or submitted.

It's all about the Experience - Yours and Ours. Thank You!



ESTIMATE

Sheriff / Jail Office AV

Sound Principles, Pro Multi Media, Inc.
 403a McDonough Parkway
 McDonough, Georgia 30253
 United States

770 477-6227
 www.soundprinciplespro.com

BILL TO

Fayette County Purchasing
 Ted Crumbley

770 305-5235
 mdomaleski@fayettecountyga.gov

Estimate Number: 2205

Estimate Date: August 5, 2020

Expires On: September 2, 2020

Grand Total (USD): \$5,809.25

Items	Quantity	Price	Amount
DataVideo PTZ 140TH HD Camera 20xOptical Zoom / 1920x1080 Full HD Resolution 60fps	1	\$1,899.00	\$1,899.00
Cable Cable Package needed for all connectivity /	1	\$334.00	\$334.00
Ceiling Speakers JBL Control 16C/T 6.5" Coaxial Ceiling Speaker 70V	2	\$118.00	\$236.00
TOA Amp TOA 70V amp to power fill or ceiling speakers	1	\$489.00	\$489.00
Shure Condensor SM81 Condensor mic	1	\$349.00	\$349.00
PreSonus Audio box USB interface for audio to zoom	1	\$99.00	\$99.00
Inogeni HDMI to USB 3.0 interface	1	\$535.00	\$535.00
Equipment Rack Rack to hold items in media control area w PD with switch and drawer in rack - Middle Atlantic increase	1	\$819.00	\$819.00
Shure Rack Mixer Shure SCM 810 rack mount audio mixer	1	\$1,355.00	\$1,355.00
Customer Discount Quantity discount 5% with 7 tickets	-1	\$305.75	(\$305.75)



ESTIMATE

Sheriff / Jail Office AV

Sound Principles, Pro Multi Media, Inc.
403a McDonough Parkway
McDonough, Georgia 30253
United States

770 477-6227
www.soundprinciplespro.com

Subtotal:	\$5,809.25
No tax 0%:	\$0.00
<hr/>	
Total:	\$5,809.25
<hr/>	
Grand Total (USD):	\$5,809.25

Notes / Terms

*Customer to provide or be billed for any electrician or lift needs. Final payment is due upon completion - By accepting this proposal, Customer agrees to these terms superseding any PO or other document signed or submitted.

It's all about the Experience - Yours and Ours. Thank You!

08/06/2020 15:30
9597sace

FAYETTE COUNTY, GA
YEAR-TO-DATE BUDGET REPORT

P 1
g1ytdbud



FOR 2021 12

ACCOUNTS FOR: ORIGINAL APPROP TRANSFRS/ADJUSTMTS REVISED BUDGET YTD EXPENDED ENCUMBRANCES AVAILABLE BUDGET PCT USED

37510599	579000	CONTINGENCY ACC	0	594,231	594,231	.00	.00	594,231.00	.0%
37510599	579000	911 CONTINGENCY	0	1,710	1,710	.00	.00	1,710.28	.0%
37510599	579000	EMS CONTINGENCY	0	156,752	156,752	.00	.00	156,751.71	.0%
37510599	579000	FIRE CONTINGENCY	0	82,532	82,532	.00	.00	82,531.64	.0%
37510599	579000	PARKS CONTINGENC	0	94,468	94,468	.00	.00	94,467.90	.0%
37510599	579000	SIRFN CONTINGENC	0	363	363	.00	.00	363.00	.0%

TOTAL CIP CONTINGENCY	0	930,056	930,056	.00	.00	930,055.53	.0%
TOTAL EXPENSES	0	930,056	930,056	.00	.00	930,055.53	.0%