



BOARD OF COMMISSIONERS

Charles W. Oddo, Chairman
Vacant, Vice Chair
David Barlow
Steve Brown
Randy Ognio



STAFF

Steve Rapson, County Manager
Dennis Davenport, County Attorney
Floyd Jones, County Clerk
Tameca P. White, Deputy County Clerk



MEETING LOCATION

Public Meeting Room
Administrative Complex
140 Stonewall Avenue
Fayetteville, GA 30214



MEETING TIMES

2nd and 4th Thursday each month 7:00 pm



COMMISSION OFFICE

Administrative Complex
Suite 100
140 Stonewall Avenue
Fayetteville, GA 30214
Phone: 770.305.5200
Fax: 770.305.5210



WEB SITE

www.fayettecountyga.gov



Agenda

Board of Commissioners
July 23, 2015
7:00 P.M.

Call to Order
Invocation by Commissioner Randy Ognio
Pledge of Allegiance

Acceptance of Agenda

PROCLAMATION /RECOGNITION:

- 1) Recognition of Dr. William M. Strain, M.D. for his 24 years of service on the Fayette County Board of Health.
- 2) Recognition of McIntosh Trail Community Service Board and its opening of the new Pine Woods Behavioral Health Crisis Center.
- 3) Recognition of the Fayette County's Water System and the 911 Communications Department that were instrumental in the Insurance Services Office (ISO) awarding the City of Peachtree City its new Class 1 Public Protection Classification.

PUBLIC HEARING:

- 4) Public Hearing of Petition No. 1247-15, Askew Estate, Owner, and George Tchaykov, Agent, request to rezone 1.96 acres from A- R to R-70 for Single-Family Residential with said property being located in Land Lot 57 of the 7th District and fronting on Flat Creek Trail, with one (1) Condition.
- 5) Public Hearing of Petition No. 1248-15, Max Fuller, Owner, and John P. Knight, Jr., Agent, request to rezone 10.56 acres from A- R to R-75 to develop a Single-Family Residential Subdivision with said property being located in Land Lot 87 of the 5th District and fronting on South Jeff Davis Drive.
- 6) Public Hearing of Petition No. RP-056-15, Max Fuller, Owner, and John P. Knight, Jr., Agent request to add two (2) lots to the Minor Subdivision Plat for Max Fuller with said property being located in Land Lot 87 of the 5th District and fronting on South Jeff Davis Drive.

CONSENT AGENDA:

- 7) Approval of staff's recommendation to approve a Change Order with Southeastern Pressure Grouting, Inc., in the amount of \$28,000.00, for additional grout-fill of the Lake Peachtree Spillway, and authorization for the County Administrator to sign the Change Order and any related documents.
- 8) Approval of the July 9, 2015 Board of Commissioners Meeting Minutes and the July 15, 2015 Board of Commissioners Special Called Meeting Minutes.

OLD BUSINESS:

NEW BUSINESS:

- 9) Consideration of the Selection Committee's recommendation to appoint Mr. John H. Culbreth, Sr. to Fayette County's Planning Commission to fill an unexpired term that will begin immediately and will expire on December 31, 2016.
- 10) Consideration of Resolution 2015-11 requesting that the Georgia Department of Transportation cease the widening project for McDonough Road and State Route 54 East.

PUBLIC COMMENT:

ADMINISTRATOR'S REPORTS:

ATTORNEY'S REPORTS:

COMMISSIONERS' REPORTS:

EXECUTIVE SESSION:

ADJOURNMENT:

COUNTY AGENDA REQUEST

Proclamation / Recognition #1

Department:

Presenter(s):

Meeting Date:

Type of Request:

Wording for the Agenda:

Recognition of Dr. William M. Strain, M.D. for his 24 years of service on the Fayette County Board of Health.

Background/History/Details:

Dr. William M. Strain was born in Tylertown, MS. He attended Oxford College of Emory in Oxford, GA and later University of Georgia receiving his Bachelor of Science in Zoology and completing his Doctor of Medicine at Medical College of Georgia. Dr. Strain continued his education through his Residency at Emory University Affiliated Hospitals and his Gastroenterology Fellowship at The University of Tennessee.

Currently, Dr. Strain practices Gastroenterology at his offices (Digestive Healthcare of Georgia, P.C) located at Piedmont Fayette Hospital in Fayetteville, Georgia and also at a location in Newnan, Georgia.

Dr. William Strain was appointed to the Fayette County Board of Health 24 years ago on August 6, 1991 where he has served both the Board of Health and the Fayette community throughout his tenure.

The Fayette County Board of Health will be in attendance to recognize Dr. Strain.

What action are you seeking from the Board of Commissioners?

Recognition of Dr. William M. Strain, M.D. for his 24 years of service on the Fayette County Board of Health.

If this item requires funding, please describe:

Not Applicable.

Has this request been considered within the past two years?

If so, when?

Is Audio-Visual Equipment Required for this Request?*

Backup Provided with Request?

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

Approved by Finance

Reviewed by Legal

Approved by Purchasing

County Clerk's Approval

Administrator's Approval

Staff Notes:

COUNTY AGENDA REQUEST

Proclamation / Recognition #2

Department:

Presenter(s):

Meeting Date:

Type of Request:

Wording for the Agenda:

Recognition of McIntosh Trail Community Service Board and its opening of the new Pine Woods Behavioral Health Crisis Center.

Background/History/Details:

The McIntosh Trail Community Service Board is being recognized for opening the Pine Woods Behavioral Health Crisis Center on May 27, 2015.

McIntosh Trail Community Service Board serves individuals in Spalding, Lamar, Fayette, Butts, Upson and Pike Counties through its provision of behavioral health, developmental disability, and addictive diseases services. Its mission is to offer individuals the hope for optimal functioning by providing quality behavioral health services and supports.

Funding for the Crisis Center was provided by the Georgia Department of Behavioral Health and Developmental Disabilities.

Chief Executive Officer Mike Hubbard will attend the meeting and provide additional information on the work of the McIntosh Trail Community Service Board.

What action are you seeking from the Board of Commissioners?

Recognition of McIntosh Trail Community Service Board and its opening of the new Pine Woods Behavioral Health Crisis Center.

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:





Pine Woods
Behavioral Health
Crisis Center

1209 Greenbelt Drive



Pine Woods
Behavioral Health
Crisis Center



AMBULANCE

Admissions

Crisis Walk-in Center

Visitors / Parking



Deliveries

Staff

Life is not



measured by the breaths we take
but by the moments that take our

Breath Away



































Learn *from yesterday*

Live for today ...

Hope for tomorrow



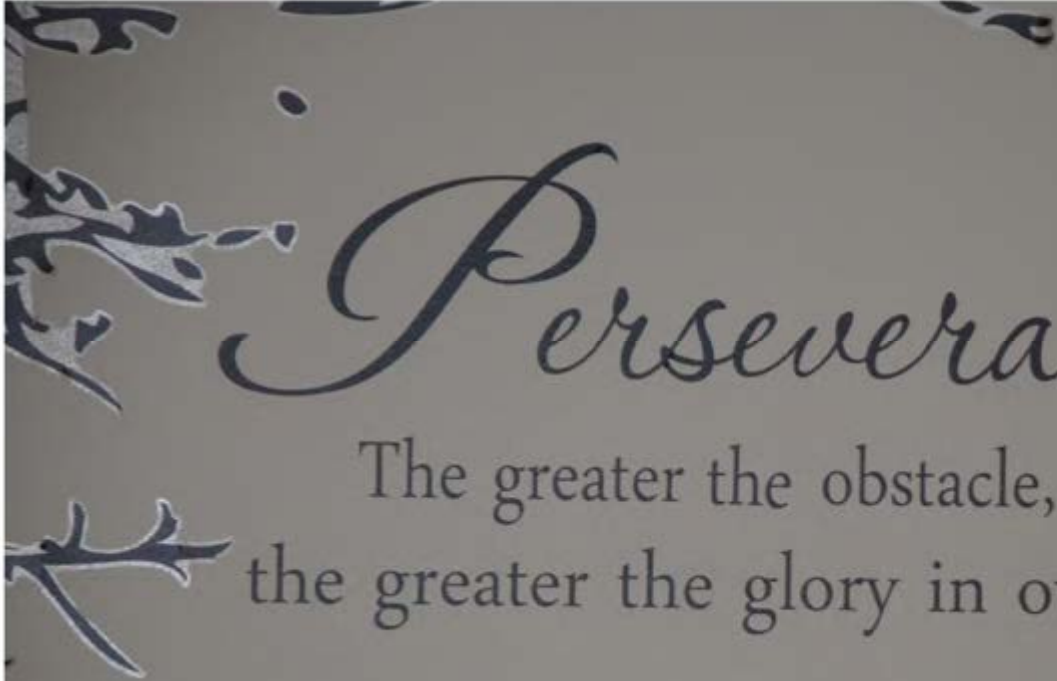












Perseverance

The greater the obstacle,
the greater the glory in overcoming it.















Ability

is what you're capable of doing.

Motivation

determines what you do.

Attitude

determines how well you do it.

COUNTY AGENDA REQUEST

Proclamation / Recognition #3

Department:

Presenter(s):

Meeting Date:

Type of Request:

Wording for the Agenda:

Recognition of the Fayette County's Water System and the 911 Communications Department that were instrumental in the Insurance Services Office (ISO) awarding the City of Peachtree City its new Class 1 Public Protection Classification.

Background/History/Details:

Peachtree City Fire Chief Joe O'Conor has asked for an opportunity to publicly thank the Fayette County Board of Commissioners for the efforts of the Water System and 911 Communications Department, both of which have been instrumental in the ISO awarding the City of Peachtree City its new Class 1 Public Protection Classification.

The ISO evaluates fire protection efforts in cities and districts throughout the country on a scale 1-10, with 1 being the best. The ratings are calculated using multiple factors, such as the effectiveness of the fire department itself, the water supply system, and the communications center. Traditionally, Fayette County's water and communications systems' scores have been disproportionately higher than the rating of the fire department. In 2014, ISO rewrote their scoring system to incorporate factors such as community involvement for fire prevention, record keeping, and actual response statistics- areas in which the Peachtree City Fire Department has traditionally performed very strongly and is now receiving additional credit toward the rating. (Source: The Citizen; ISO rating upgraded from 3 to 1; Wednesday, July 8, 2015.)

What action are you seeking from the Board of Commissioners?

Recognition of the Fayette County's Water System and the 911 Communications Department that were instrumental in the Insurance Services Office (ISO) awarding the City of Peachtree City its new Class 1 Public Protection Classification.

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:

The ISO rating is based on a cooperative effort between the City of Peachtree City's Fire Department, Fayette County's Water System, and Fayette County's 911 Communications Department for the safety and protection of Fayette County citizens.



June 29, 2015

Ms. Vanessa Fleisch, Mayor
Peachtree City
151 Willowbend Rd
Peachtree City, Georgia, 30269

RE: Peachtree City, Fayette County, Georgia
Public Protection Classification: 01/1X
Effective Date: October 01, 2015

Dear Ms. Vanessa Fleisch,

We wish to thank you Mr. Lee Pope and Chief Joseph O'Connor for your cooperation during our recent Public Protection Classification (PPC) survey. ISO has completed its analysis of the structural fire suppression delivery system provided in your community. The resulting classification is indicated above.

If you would like to know more about your community's PPC classification, or if you would like to learn about the potential effect of proposed changes to your fire suppression delivery system, please call us at the phone number listed below.

ISO's Public Protection Classification Program (PPC) plays an important role in the underwriting process at insurance companies. In fact, most U.S. insurers – including the largest ones – use PPC information as part of their decision-making when deciding what business to write, coverage's to offer or prices to charge for personal or commercial property insurance.

Each insurance company independently determines the premiums it charges its policyholders. The way an insurer uses ISO's information on public fire protection may depend on several things – the company's fire-loss experience, ratemaking methodology, underwriting guidelines, and its marketing strategy.

Through ongoing research and loss experience analysis, we identified additional differentiation in fire loss experience within our PPC program, which resulted in the revised classifications. We based the differing fire loss experience on the fire suppression capabilities of each community. The new classifications will improve the predictive value for insurers while benefiting both commercial and residential property owners. We've published the new classifications as "X" and "Y" — formerly the "9" and "8B" portion of the split classification, respectively. For example:

- A community currently graded as a split 6/9 classification will now be a split 6/6X classification; with the "6X" denoting what was formerly classified as "9."
- Similarly, a community currently graded as a split 6/8B classification will now be a split 6/6Y classification, the "6Y" denoting what was formerly classified as "8B."
- Communities graded with single "9" or "8B" classifications will remain intact.

PPC is important to communities and fire departments as well. Communities whose PPC improves may get lower insurance prices. PPC also provides fire departments with a valuable benchmark, and is used by many departments as a valuable tool when planning, budgeting and justifying fire protection improvements.

ISO appreciates the high level of cooperation extended by local officials during the entire PPC survey process. The community protection baseline information gathered by ISO is an essential foundation upon which determination of the relative level of fire protection is made using the Fire Suppression Rating Schedule.

The classification is a direct result of the information gathered, and is dependent on the resource levels devoted to fire protection in existence at the time of survey. Material changes in those resources that occur after the survey is completed may affect the classification. Although ISO maintains a pro-active process to keep baseline information as current as possible, in the event of changes please call us at 1-800-444-4554, option 2 to expedite the update activity.

ISO is the leading supplier of data and analytics for the property/casualty insurance industry. Most insurers use PPC classifications for underwriting and calculating premiums for residential, commercial and industrial properties. The PPC program is not intended to analyze all aspects of a comprehensive structural fire suppression delivery system program. It is not for purposes of determining compliance with any state or local law, nor is it for making loss prevention or life safety recommendations.

If you have any questions about your classification, please let us know.

Sincerely,

Dominic Santanna

Dominic Santanna
Manager - National Processing Center

cc: Mr. James Pennington, Manager, Peachtree City
Mr. Lee Pope, Director, Fayette County Water
Ms. Cheryl Rogers, 911 Director, Fayette County E911 Communications Center
Chief Joseph O'Connor, Chief, Peachtree City FD

COUNTY AGENDA REQUEST

Public Hearing #4

Department:

Presenter(s):

Meeting Date:

Type of Request:

Wording for the Agenda:

Public Hearing of Petition No. 1247-15, Askew Estate, Owner, and George Tchaykov, Agent, request to rezone 1.96 acres from A- R to R-70 for Single-Family Residential with said property being located in Land Lot 57 of the 7th District and fronting on Flat Creek Trail, with one (1) Condition.

Background/History/Details:

Staff recommends approval of rezoning petition 1247-15 with one (1) Condition.

The Planning Commission recommended approval of rezoning petition 1247-15 with one (1) Condition.

Al Gilbert made a motion to recommend approval of Petition 1247-15 with one (1) Condition. Brian Haren seconded the motion. The motion passed 3-0. Arnold Martin was absent.

What action are you seeking from the Board of Commissioners?

Approval of Petition No. 1247-15, Askew Estate, Owner, and George Tchaykov, Agent, request to rezone 1.96 acres from A- R to R-70 for Single-Family Residential with said property being located in Land Lot 57 of the 7th District and fronting on Flat Creek Trail, 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:

Currently, the Planning Commission only has four members due to the resignation of Mr. Bob Simmons. New Business Item #9 is presented on this Agenda to appoint Mr. John Culbreth to the Planning Commission.

RECOMMENDED CONDITIONS

If this petition is approved by the Board of Commissioners, it should be approved **R-70 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 the applicant brings the existing accessory structure (labeled as Building) into compliance with the R-70 zoning district. This can be achieved either through:

(1) The full removal of the existing accessory structure or, if the accessory is to remain, that portion of the accessory structure in the side yard setback must be removed within 180 days from the effective date of this rezoning; or

(2) A variance, obtained from the Zoning Board of Appeals, for the existing accessory structure to remain in the side yard setback. If the owner pursues a variance, said variance shall be obtained from the Zoning Board of Appeals within 180 days from the effective date of this rezoning. If the variances are denied, the owner agrees to take all necessary action consistent with the direction of the Zoning Board of Appeals.

STATE OF GEORGIA
COUNTY OF FAYETTE

RESOLUTION

NO. 1247-15

WHEREAS, Askew Estate, Owner, and George Tchaykov, Agent, having come before the Fayette County Planning Commission on July 1, 2015, 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 1.96 from A-R to R-70, in the area of Flat Creek Trail, Land Lot 57 of the 7th District, for the purpose of developing a Single-Family Residential; and

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

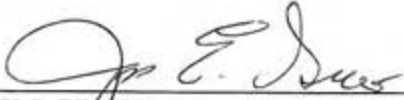
BE IT RESOLVED that the decision of the Fayette County Planning Commission, that said request be APPROVED WITH ONE (1) CONDITION.

This decision is based on the following reasons:

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

PLANNING COMMISSION
OF
FAYETTE COUNTY

ATTEST:



JIM GRAW
CHAIRMAN



PC SECRETARY

PLANNING COMMISSION RECOMMENDATION

DATE: July 1, 2015

TO: Fayette County Commissioners

The Fayette County Planning Commission recommends that Petition No. 1247-15, the application of Askew Estate to rezone 1.96 from A-R to R-70, be:

³⁰ Approved Withdrawn Disapproved

Tabled until _____


This is forwarded to you for final action.



JIM GRAW, CHAIRMAN



BRIAN HAREN, VICE-CHAIRMAN



AL GILBERT

NOT PRESENT

ARNOLD MARTIN, III

Remarks:

1. Consideration of Petition No. 1247-15, Askew Estate, Owner, and George Tchaykov, Agent, request to rezone 1.96 acres from A- R to R-70 for Single-Family Residential. This property is located in Land Lot 57 of the 7th District and fronts on Flat Creek Trail.

George Tchaykov said the intent is to make this property more expanded because he has a child with learning disabilities and two (2) other children and he wants to add a tennis court and a ball court. He said the current setbacks won't allow me to do this and to position the tennis court correctly it has to be north to south and this will violate the current setbacks. He stated he is trying to bring the setbacks in line with the non-conforming lot.

Chairman Graw asked if there was anyone who would like to speak in favor of the petition. Hearing none he asked if there was anyone who would like to speak in opposition to the petition. Hearing none he brought it back to the board.

Al Gilbert asked if the petitioner accepts the condition recommended for the petition as follows:

1. That the applicant brings the existing accessory structure (labeled as Building) into compliance with the R-70 zoning district. This can be achieved either through:
 - (1) The full removal of the existing accessory structure or, if the accessory is to remain, that portion of the accessory structure in the side yard setback must be removed within 180 days from the effective date of this rezoning; or
 - (2) A variance, obtained from the Zoning Board of Appeals, for the existing accessory structure to remain in the side yard setback. If the owner pursues a variance, said variance shall be obtained from the Zoning Board of Appeals within 180 days from the effective date of this rezoning. If the variances are denied, the owner agrees to take all necessary action consistent with the direction of the Zoning Board of Appeals.

George Tchaykov said he agreed with the condition.

Chairman Graw said the petition complies with the Fayette County Comprehensive Plan. Chairman Graw said the lot is currently a 1.96 acre A-R lot which makes it non-conforming and if it goes to R-70 it is still a non-conforming lot.

Pete Frisina said per the Zoning Ordinance it is allowable to rezone a lot that has been rendered non-conforming, especially when the lot was made non-conforming by actions of the County, to go to another zoning district even though the lot will not meet the minimum lot size for that zoning district.

Chairman Graw said in that case it will be a legal non-conforming lot. He said when he looks at the zoning map there is a lot of A-R property surrounding the subject property and there is also some R-40 and I believe and one (1) R-70 lot not too far away. He stated A-R lots eventually

may be rezoned and he likes the R-70 because it sets a precedence for that area, so if someone were to come in with an A-R lot and they ask for one (1) acre zoning the R-70 and the two (2) acres helps the Planning Commission and the County to establish two (2) acre zoning for that area. He said he likes the R-70 zoning in his opinion.

Al Gilbert made a motion to recommend approval of Petition 1247-15 with one (1) condition. Brian Haren seconded the motion. The motion passed 3-0. Arnold Martin was absent.

REQUESTED ACTION: A-R to R-70

PROPOSED USE: Single-Family Residential

EXISTING USE: Single-Family Residential

LOCATION: Flat Creek Trail

DISTRICT/LAND LOT(S): 7th District, Land Lot(s) 57

OWNER: Askew Estate

AGENT: George Tchaykov

PLANNING COMMISSION PUBLIC HEARING: July 1, 2015

BOARD OF COMMISSIONERS PUBLIC HEARING: July 23, 2015

APPLICANT'S INTENT

Applicant proposes Single-Family Residential on an existing lot of 1.96 acres.

STAFF RECOMMENDATION

APPROVAL WITH ONE (1) CONDITION

INVESTIGATION

A. PROPERTY SITE

The subject property is a 1.96 acre lot fronting on Flat Creek Trail in Land Lot 57 of the 7th District. Flat Creek Trail is classified as a Collector road on the Fayette County Thoroughfare Plan. The subject property contains a single-family residence, an accessory structure and is currently zoned A-R.

History: Tax Assessor tax plats indicate the subject property was a nonconforming lot of record in 1980. The lot was later reconfigured and reduced in size due to the taking of property for Fire Station #11. The lot is nonconforming due to the taking of property for a public purpose per the zoning ordinance as follows:

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

B. SURROUNDING ZONING AND USES

The general situation is a 1.96 tract that is zoned A-R. In the vicinity of the subject property is land which is zoned A-R & C-H. 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 | .70 | C-H | Single-Family Residential | Low Density Residential (1Unit/1 to 2 acres) |
| | 2.30 | A-R | Single-Family Residential | Low Density Residential (1Unit/1 to 2 acres) |
| South and West | 3.59 | A-R | Fayette County Fire Station | Low Density Residential (1Unit/1 to 2 acres) |
| East (across Flat Creek Trail) | 3.00 | A-R | Single-Family Residential | Low Density Residential (1Unit/1 to 2 acres) |

C. COMPREHENSIVE PLAN

The subject property lies within an area designated for Low Density Residential (1 Unit/1 to 2 Acres) and Public Facilities/Institution. The purpose of the Public Facilities/Institution land use designation is to indicate the location of Fire Station #11. This request conforms to the Fayette County Comprehensive Plan.

D. ZONING/REGULATORY REVIEW

The applicant seeks to rezone 1.96 acres from A-R to R-70 for the purpose of Single-Family Residential. The Zoning Ordinance states the following:

Sec. 7-2. Nonconformances. A. Nonconforming Lots.

Consideration for the Rezoning of Legal Nonconforming Lots. Any legal nonconforming lot may be considered for rezoning to another zoning district where the lot would be made nonconforming by said rezoning. Factors of consideration, in addition to those enumerated in Article IX., would include the following:

1. The degree of increase or reduction of the nonconformity of existing structures located on the subject property; and

(The applicant's Concept Plan indicates that an existing accessory structure (labeled as Building) is approximately 23 feet 8 inches from the side property line and does not meet the 50 foot side yard setback for A-R. This is an encroachment of 26 feet 4 inches. The side yard setback in R-70 is 25 feet which will reduce the encroachment to one (1) foot 4 inches.)

2. The current zoning and land use designations of adjoining lots as indicated on the Land Use Plan.

(Surrounding properties are zoned A-R and C-H (see Zoning Map) and the Land Use Plan designation for these properties is Low Density Residential (1 Unit/1 to 2 Acres.)

Where the dimensional requirements of the zoning district cannot be met in terms of the placement of new structures, a variance authorized by the Zoning Board of Appeals shall be required.

The applicant's Concept Plan indicates that an existing accessory structure (labeled as Building) is approximately 23 feet 8 inches from the side property line and does not meet the 25 foot side yard setback for R-70. Section 110-170. - Nonconformances of the Zoning Ordinance states:

A property that is improved with a legally existing structure, which would become nonconforming in terms of the setbacks only within the zoning district for which a rezoning is being sought, may be considered for rezoning, except as otherwise provided in Article VI. O-I and Article VII. Transportation Corridor Overlay Zone. Upon approval of the rezoning request, a variance authorized by the Zoning Board of Appeals shall be necessary for the structure to remain within the setback (see Article IX.) Any enlargement, expansion, or extension of said structure which serves to increase nonconformance, either vertical and/or horizontal, shall only be made with the authorization of the Zoning Board of Appeals. Any new structure shall comply with the dimensional minimum requirements herein; and

The owner has the option of removing the existing accessory structure, or portion thereof in the setback, or seeking a variance from the Zoning Board of Appeals for the accessory structure to remain in the setback. Staff is recommending a condition to this affect.

Access

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

E. REVIEW OF CONCEPT PLAN

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

F. DEPARTMENTAL COMMENTS

Water System: Property is currently served by a 3/4" meter tapped from a 16" water main.

Public Works/Engineering: Public Works/Engineering has reviewed rezoning request 1247-15. This is for R-70 zoning on Flat Creek Trail to accommodate accessory structures. Flat Creek Trail is a collector and the survey shows existing 80' of ROW. No dedication needed. No other Public Works/Engineering issues.

Environmental Management:

Floodplain The property **DOES NOT** contain floodplain per FEMA FIRM panel 13113C0039E dated Sept 26, 2008 or future conditions floodplain per the Fayette County 2013 Floodstudy.

Wetlands The property **DOES NOT** contain wetlands per the U.S. Department of the Interior, Fish and Wildlife Service 1994 National Wetland Inventory Map.

Watershed Watershed **DOES NOT** apply.

Groundwater The property **IS** within a groundwater recharge area.

Environmental Health Department;

This department has no objection to the proposed rezoning. While there is an existing septic system on this property, this department has no records of the system likely due to the age of the original structure. Part of the rezoning application showed a concept plan with a tennis court and 1/2 basketball court added. This department cannot approve the concept of the additions until such time that the existing septic system is located and demonstrated to not be adversely effected by the proposed additions. Robert F. Kurbes, Environmental Health County Manager

Fire: The Bureau of Fire Prevention Will Neither Approve Nor Deny Request That Falls Outside The Scope of I.S.O Requirements

STAFF ANALYSIS

This request is based on the petitioner's intent to rezone said property from A-R to R-70 for the purpose of developing Single-Family Residential. Per Section 11-11 of the Fayette County Zoning Ordinance, Staff makes the following evaluations:

1. The subject property lies within an area designated for Low Density Residential (1 Unit/1 to 2 Acres) and Public Facilities/Institution. The purpose of the Public Facilities/Institution land use designation is to indicate the location of Fire Station #11. This request conforms to the Fayette County Comprehensive Plan.
2. The proposed rezoning will not adversely affect the existing use or usability of adjacent or nearby property.
3. The proposed rezoning will not result in a burdensome use of roads, utilities, or schools.
4. Existing conditions and the area's continuing development as a single-family residential district support this petition.

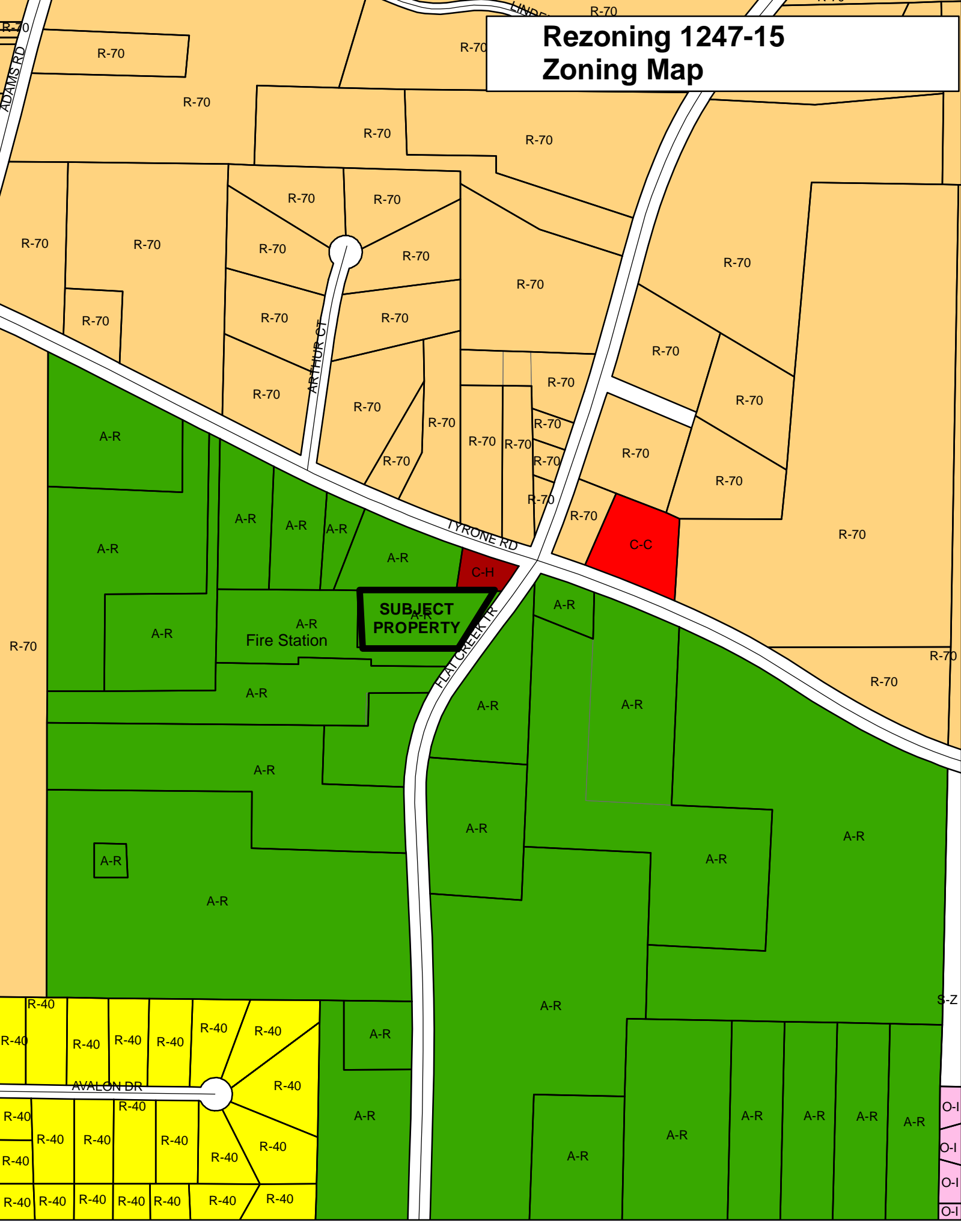
Based on the foregoing Investigation and Staff Analysis, Staff recommends
APPROVAL WITH ONE (1) CONDITION.

RECOMMENDED CONDITIONS

If this petition is approved by the Board of Commissioners, it should be approved **R-70 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 the applicant brings the existing accessory structure (labeled as Building) into compliance with the R-70 zoning district. This can be achieved either through:
 - (1) The full removal of the existing accessory structure or, if the accessory is to remain, that portion of the accessory structure in the side yard setback must be removed within 180 days from the effective date of this rezoning; or
 - (2) A variance, obtained from the Zoning Board of Appeals, for the existing accessory structure to remain in the side yard setback. If the owner pursues a variance, said variance shall be obtained from the Zoning Board of Appeals within 180 days from the effective date of this rezoning. If the variances are denied, the owner agrees to take all necessary action consistent with the direction of the Zoning Board of Appeals.

Rezoning 1247-15 Zoning Map



SUBJECT PROPERTY

Fire Station

C-C

C-H

A-R

A-R

A-R

A-R

A-R

A-R

A-R

A-R

A-R

A-R

A-R

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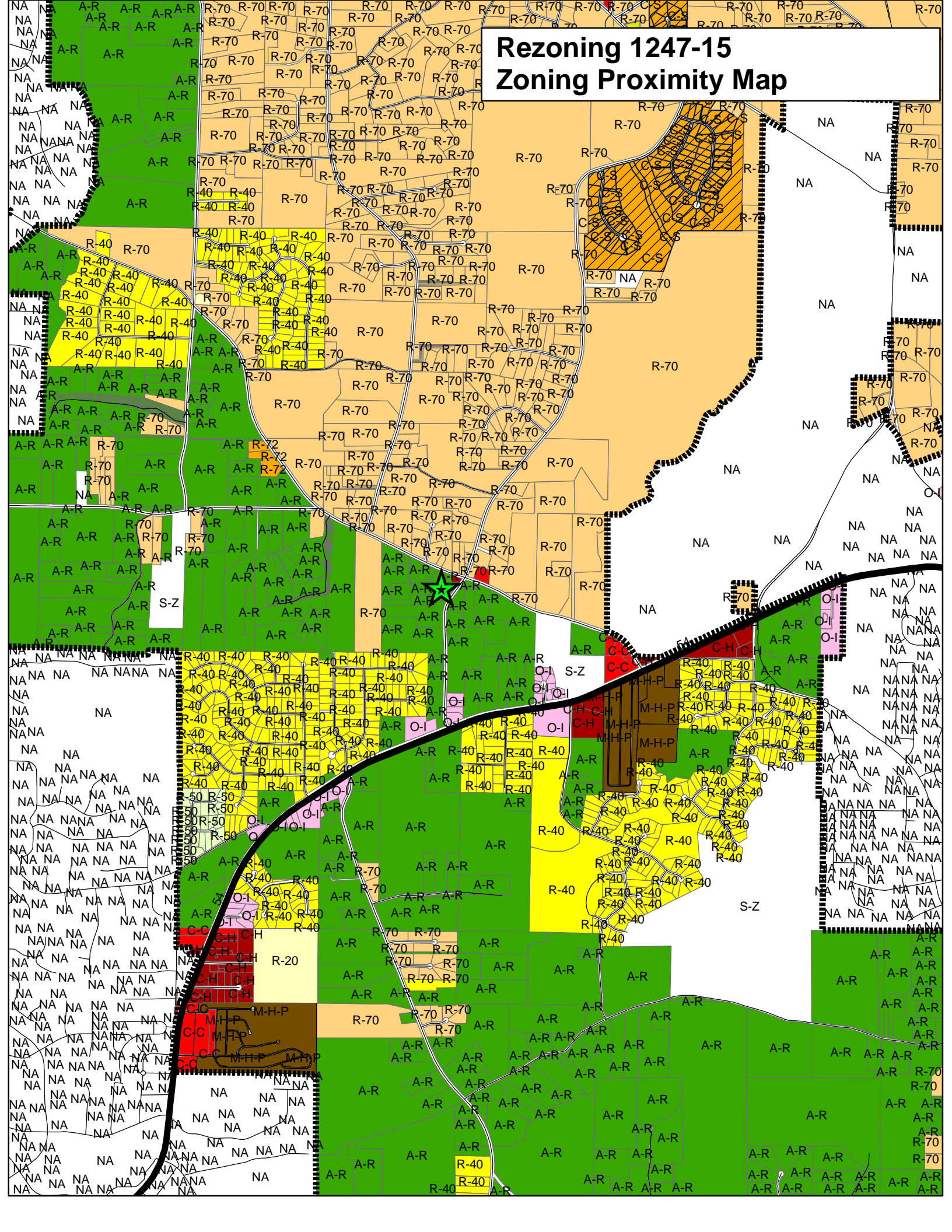
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R-40

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O-I
O-I

Rezoning 1247-15 Zoning Proximity Map



Rezoning 1247-15 Land Use Plan

LOW DENSITY
RESIDENTIAL

PUBLIC
FACILITIES/INSTITUTION

**SUBJECT
PROPERTY**

ADAMS RD

ARTHUR CT

TYRONE RD

FLAT CREEK TR

AVALON DR

Rezoning 1247-15 Aerial Map



**SUBJECT
PROPERTY**

ADAMS RD

ARTHUR CT

TYRONE RD

FLAT CREEK RD

AVALON DR

PROPERTY OWNER CONSENT AND AGENT AUTHORIZATION FORM

(Applications require authorization by ALL property owners of subject property).

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

Ruby Marlene Askew

Please Print Names

Property Tax Identification Number(s) of Subject Property: 0713 059 Flat Creek Trail

(I am) (we are) the sole owner(s) of the above-referenced property. Subject property is located in Land Lot(s) of the 7th District, and (if applicable to more than one land district) Land Lot(s) 57 of the District, and said property consists of a total of 1.96 acres (legal description corresponding to most recent recorded plat for the subject property is attached herewith).

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

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

[Signature] (Exc)

Signature of Property Owner 1

1064 Hannah Mtn Rd OHoNC
Address 28763

[Signature] Notary for Macon County, NC
Signature of Notary Public Tammy R. Stanfield
My Commission Exp. 4-26-2017

3-5-15
Date

Signature of Property Owner 2

Signature of Notary Public

Address

[Signature]

Signature of Authorized Agent

527 Merrill Ln
Address

Address

Peachtree city GA,
30269

Date

[Signature] Sharen E Battie

Signature of Notary Public

6/5/15
Date

AS PER OFFICIAL F.I.R.M. MAP 13113C0083E, DATED 9/26/2008
 THIS PROPERTY IS NOT LOCATED IN A DESIGNATED FLOOD HAZARD AREA.

THIS SURVEY WAS PREPARED IN CONFORMITY WITH THE
 TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA
 AS SET FORTH IN CHAPTER 180-7 OF THE RULES OF THE
 GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL
 ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN
 THE GEORGIA PLAT ACT O.C.G.A. 15-6-67.

GRAPHIC SCALE



(IN FEET)
 1 inch = 50 ft.

NOW OR FORMERLY
BETTY J. CAMPBELL

NOW OR FORMERLY
RUSSEL TEET
 REFERENCE: D.B. 3770/652



LEGEND

- R/W -----RIGHT OF WAY
- I.P.F. -----IRON PIN FOUND
- I.P.P. -----IRON PIN PLACED
- C.T. -----CRIMPED TOP PIPE
- R.B. -----REINFORCING BAR
- O.T. -----OPEN TOP PIPE
- N/F -----NOW OR FORMERLY
- B.L. -----BUILDING LINE

IN MY OPINION, THIS IS A TRUE AND CORRECT
 REPRESENTATION OF THE PLATTED PROPERTY
 AND HAS BEEN PREPARED IN CONFORMITY WITH
 THE STANDARDS AND REQUIREMENTS OF LAW.

RANDY MCLAIN
 GEORGIA R.L.S. #2703



THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS
 A CLOSURE PRECISION OF ONE FOOT IN 19,400
 FEET AND AN ANGULAR ERROR OF 03" PER ANGLE
 POINT AND WAS ADJUSTED USING COMPASS RULE.
 THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND
 IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN
100,000+ FEET.

TYPE OF EQUIPMENT USED: TOPCON GTS 313

SURVEY FOR
GEORGE TCHAYKOV

LOCATED IN LAND LOT 57 - 7TH DISTRICT
FAYETTE COUNTY GEORGIA

SCALE: 1"=50' DATE: MARCH 17, 2015

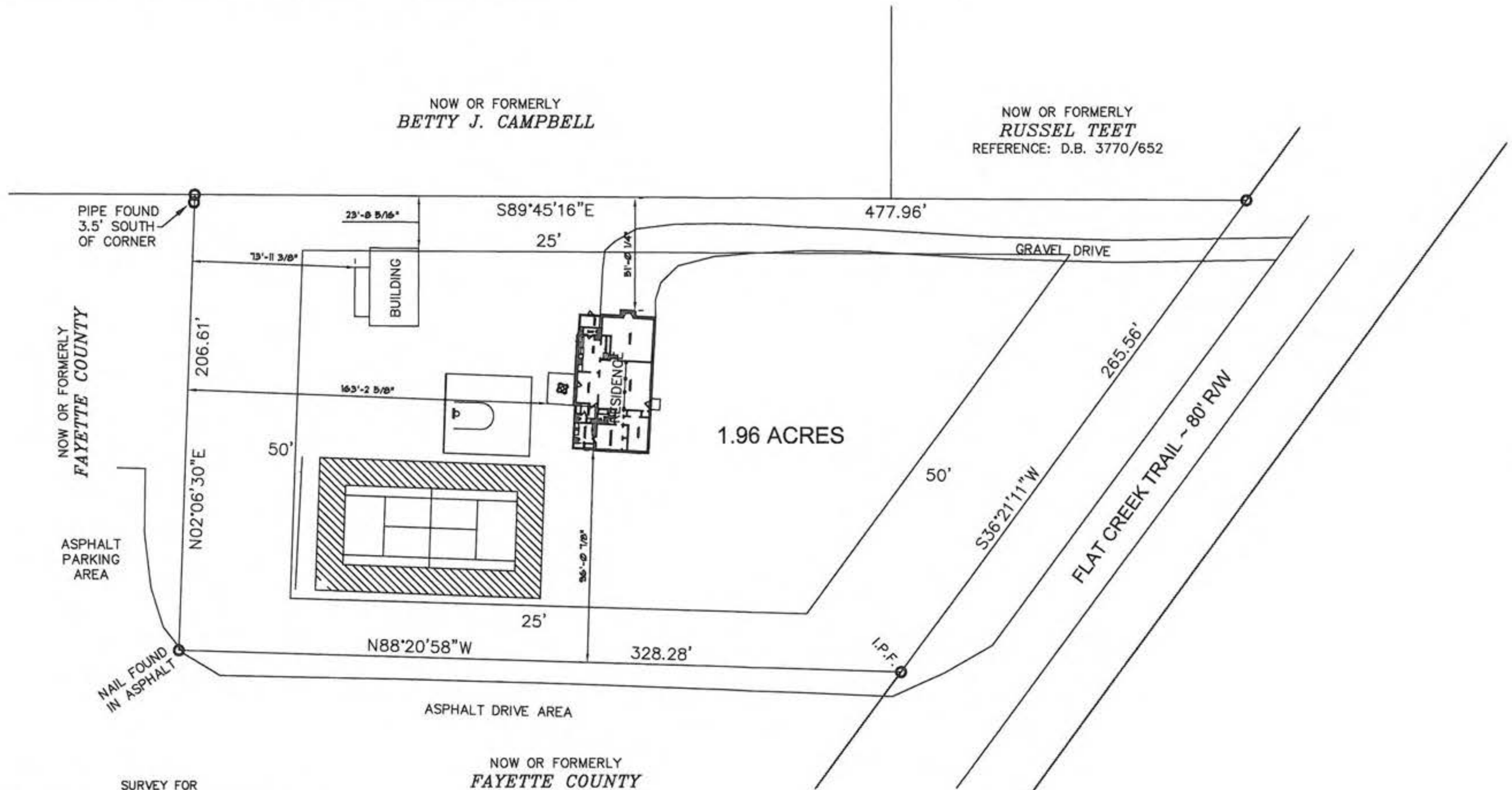
PROJECT NAME: 15-094
 JOB NUMBER: 15-094

NOW OR FORMERLY
FAYETTE COUNTY

PREPARED BY
McLAIN SURVEYING, INC.

LAND SURVEYING LAND PLANNING ENGINEERING SERVICES
 6 MADISON STREET NEWNAN, GEORGIA 30263
 PHONE: 770-251-8523 - FAX: 770-254-8905 - EMAIL: trmcclain@numall.org

AS PER OFFICIAL F.I.R.M. MAP 13113C0083E, DATED 9/26/2008
 THIS PROPERTY IS NOT LOCATED IN A DESIGNATED FLOOD HAZARD AREA.



**SURVEY FOR
 GEORGE TCHAYKOV**

LOCATED IN LAND LOT 57 - 7TH DISTRICT

FAYETTE COUNTY GEORGIA

SCALE: 1"=50' DATE: MARCH 17, 2015

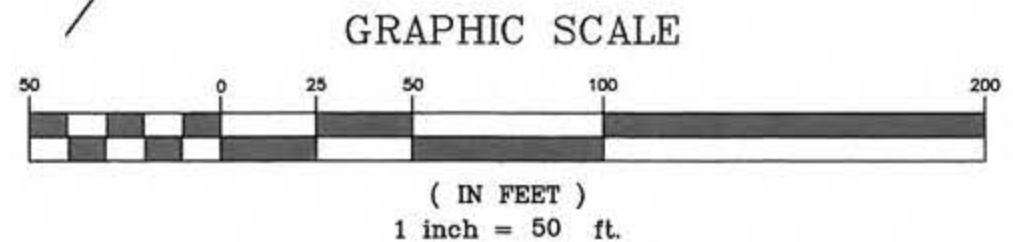
PROJECT NAME: 15-094

JOB NUMBER: 15-094

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John T. Reeves Jr. Architect
 Commercial and Residential
 Fayetteville / Peachtree City
 770.366.2254

Acreege To Eden



924 Flat Creek Trail - Ranch House Addition
 FAYETTEVILLE, GEORGIA

Drawn By: JTR
 Date: 3-16-15
 Job No.: 15-094
 Sheet No.:
A2
 of 2 Sheets

COUNTY AGENDA REQUEST

Public Hearing #5

Department:

Presenter(s):

Meeting Date:

Type of Request:

Wording for the Agenda:

Public Hearing of Petition No. 1248-15, Max Fuller, Owner, and John P. Knight, Jr., Agent, request to rezone 10.56 acres from A- R to R-75 to develop a Single-Family Residential Subdivision with said property being located in Land Lot 87 of the 5th District and fronting on South Jeff Davis Drive.

Background/History/Details:

Staff recommends approval of rezoning petition 1248-15.

The Planning Commission recommended approval of rezoning petition 1248-15 .

Al Gilbert made a motion to recommend approval of Petition 1248-15. Brian Haren seconded the motion. The motion passed 3-0. Arnold Martin was absent.

There are no recommended conditions for this petition.

What action are you seeking from the Board of Commissioners?

Approval of Petition No. 1248-15, Max Fuller, Owner, and John P. Knight, Jr., Agent, request to rezone 10.56 acres from A- R to R-75 to develop a Single-Family Residential Subdivision with said property being located in Land Lot 87 of the 5th District and fronting on South Jeff Davis Drive.

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:

Currently, the Planning Commission only has four members due to the resignation of Mr. Bob Simmons. New Business Item #9 is presented on this Agenda to appoint Mr. John Culbreth to the Planning Commission.

This request is associated with Public Hearing #6.

STATE OF GEORGIA
COUNTY OF FAYETTE

RESOLUTION

NO. 1248-15

WHEREAS, Max Fuller, Owner, and John P. Knight, Agent, having come before the Fayette County Planning Commission on July 1, 2015, 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 10.556 from A-R to R-75, in the area of South Jeff Davis Drive, Land Lot 87 of the 5th District, for the to add two (2) lots to the Minor Subdivision Plat for Max Fuller; and

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


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

This decision is based on the following reasons:

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

PLANNING COMMISSION
OF
FAYETTE COUNTY

ATTEST:



JIM GRAW
CHAIRMAN



PC SECRETARY

PLANNING COMMISSION RECOMMENDATION

DATE: July 1, 2015

TO: Fayette County Commissioners

The Fayette County Planning Commission recommends that Petition No. 1248-15, the application of Max Fuller to rezone 10.556 from A-R to R-75, be:

X ³⁻⁰ Approved _____ Withdrawn _____ Disapproved

_____ Tabled until _____

This is forwarded to you for final action.



JIM GRAW, CHAIRMAN



BRIAN HAREN, VICE-CHAIRMAN



AL GILBERT

NOT PRESENT

ARNOLD MARTIN, III

Remarks:

1. Consideration of Petition No. 1248-15, Max Fuller, Owner, and John P. Knight, Jr., Agent, request to rezone 10.56 acres from A-R to R-75 to develop a Single-Family Residential Subdivision. This property is located in Land Lot 87 of the 5th District and fronts on South Jeff Davis Drive.

Chairman Graw asked if the petitioner would like to move ahead with less than a full board.

Jay Knight said he would move ahead with the petition. He stated his group is requesting the rezoning of 10 and one half acres and about 11 months ago the same property was up for rezoning to divide it into 10 one (1) acre lots as the property is adjacent to two (2) subdivisions with one (1) acre lots. He said the biggest concern seemed to be the number of curb cuts on South Jeff Davis Road and there was discussion about shared driveways to eliminate some of the curb cuts. He said what they are proposing is subdividing the property into four (4) lots each over two (2) acres which is larger than the two (2) adjacent subdivisions.

Chairman Graw said the Planning Commission recommended R-50 zoning and the Board of Commissioners denied the request. Chairman Graw asked if there was anyone who would like to speak in favor of the petition. Hearing none he asked if there was anyone who would like to speak in opposition to the petition.

Frank Love said he is the developer on Jeff Davis Plantation Subdivision adjacent to the subject property and he opposes the rezoning. He said the petitioner is wrong that we all have are one (1) acre lots because I have some six (6) acre lots in my R-45 subdivision, so I just don't have one (1) acre lots in my subdivision. He said to be clear R-75 requires a 2,500 square foot home.

Al Gilbert said R-75 requires a 2,500 square foot home.

Frank Love said he wants the record to show that it is 2,500 square feet. He said what is really happening here is he sees a diamond in the rough and he wants to exploit it. He added that he has been working on his subdivision for years and he actually rezoned it in 1984 and what he's got here is 10 acres he can develop if he can get it through the Board of Commissioners. He stated that he can sell to builders and he is gone, so if the house that is put there by the builder meets the criteria for the County then everything is fine with the County and everybody but me and the people in my subdivision. He said that is the problem if there are no covenants and who is going to write them, if there was going to be some, I mean he's not going to write them because he is selling to builders and he doesn't need to write any covenants because he doesn't need to put in a road and he doesn't need to do anything. He added that if people move in they can have their animals and they can cut all their trees down and let all of their water run down into the subdivision because the vegetation is gone and driveways going out to South Jeff Davis on that hill. He said that is what the Board of Commissioners talked about last time and we have people coming in from Clayton County that are speeding. He added that Mr. Fuller is presently zoned for two (2) lots and that is A-R and he might think because he hasn't sold anything already that maybe it won't sell, so he is trying to do something else. He said none of his are really selling anything right now because it is a slow market. He asked that the Planning Commission shut this down here and now and A-R is a low impact solution for this area and not down grading Jeff Davis Plantation and the Woodlands Subdivisions and creating great problems for us in his

attempt to make a few bucks, as we lose money and he makes a few bucks. He said once they go in and the houses are no telling what and not up to the quality, people won't come into my subdivision and the Woodlands.

Tanya Stai said I live at 145 Cavalier and a neighbor brought photos in from the last time the property owner took trees off of the property and the water that ran into our lots and had nowhere to go. She added that if they rip up trees to put in four (4) 2,500 square foot homes that's going to be our problem and who are we going to go to for a solution. She said she has no doubt that the homes will be lovely homes but her concern is where that leaves us as existing home owners. She asked if they are going to have a deceleration lane because cars fly down that road and four (4) driveways are going to be an issue.

David Day said he lives on lot 1 and if you check the traffic records you will find that after the last Board of Commissioners meeting on this property there was a heck of a crash on South Jeff Davis the entrance to the Woodlands and that his concern. He said the road has double yellow lines in the area and he has had people from Clapton County pass him on the road on the hill. He added that his other concern is water runoff and he has had water runoff from those woods ever since he has lived here with a river running down his driveway which has washed out by the sidewalk and doesn't know what would happen if those trees are taken down behind me so I am either going to have to move or get flooded out.

Jay Knight said we would certainly adopt covenants. He added we are a home building company and intend to build the houses and not sell the lots to other builders. He said currently two (2) curb cuts would be allowed now and we would be open to limiting the curb cuts to just two (2). He stated that leaving the property undeveloped has not helped the water flow and he believes standards will apply when we apply for a land disturbance permit and water flow will have to be addressed. He said they would adopt covenants for 2,800 square foot homes as it is in Jeff Davis Plantation Subdivision.

Chairman Graw asked about water runoff.

Jay Knight said part of the process to build is to address water runoff.

Brian Haren said his concern is traffic on South Jeff Davis and would it be possible to put in a deceleration lane and he didn't know if that could be addressed further down the line.

Pete Frisina said his understanding of our Engineering Department's regulations is a deceleration lane would not be required for a driveway.

Chairman Graw said he would like to read something from Public Works as follows:

Public Works/Engineering has reviewed Rezoning Application 1248-15 and RP-056-15. This application is for R-75 zoning and the concept plan shows four lots along South Jeff Davis Road.

Similar to comments for a previous rezoning request, the applicant/property owner will be responsible for ensuring each lot's driveway meets sight-distance requirements. One or more shared driveways may be used (or required) to maximize safety. Based on previous field studies and correspondence, it seems likely that the sight requirements can be satisfied but they will need to be double-checked at plat stage by the design professional.

Chairman Graw said the request conforms to the Fayette County Comprehensive Plan and an R-75 zoning could set precedence for this area. He added that he likes two (2) acre zoning because it helps to set precedence for this area for any future rezonings in the area.

Al Gilbert said it is hard for the County to enforce water problems on raw land but once a land disturbance permit comes into effect the County can address water runoff. He said if there are current water runoff problems, it will only get better when the County gets involved and the request for two (2) acres more than exceeds the Land Use Plan.

Chairman Graw said the Land Use plan is for one (1) to two (2) acre lots

Al Gilbert made a motion to recommend approval of Petition 1248-15. Brian Haren seconded the motion. The motion passed 3-0. Arnold Martin was absent.

PETITION NO: 1248-15 and RP-056-15

REQUESTED ACTION: A-R to R-75

PROPOSED USE: Single-Family Residential Subdivision

EXISTING USE: Single-Family Residential (undeveloped)

LOCATION: South Jeff Davis Drive

DISTRICT/LAND LOT(S): 5th District, Land Lot(s) 87

OWNER: Max Fuller

AGENT: John P. Knight

PLANNING COMMISSION PUBLIC HEARING: July 1, 2015

BOARD OF COMMISSIONERS PUBLIC HEARING: July 23, 2015

APPLICANT'S INTENT

Applicant proposes to rezone from A-R to R-75 to add two (2) lots to the Minor Subdivision Plat for Max Fuller.

STAFF RECOMMENDATION

APPROVAL

1.

1248-15 and RP-056-15

INVESTIGATION

A. PROPERTY SITE

The subject property is a 10.556 tract fronting on South Jeff Davis Drive in Land Lot 87 of the 5th District. South Jeff Davis Drive is classified as an Arterial road on the Fayette County Thoroughfare Plan. The subject property is undeveloped and currently zoned A-R.

History: The Minor Subdivision Plat for Max Fuller consisting of two (2) A-R lots was approved by the Planning Commission on 12/19/2013 and recorded on 2/7/2014 in Book 47, Page 130.

Petitions 1235-14 & RP-052-14 to rezone from A-R to R-45 and add six (6) lots to the Minor Subdivision Plat for Max Fuller consisting 10.56 acres was denied by the Board of Commissioners on August 28, 2014.

B. SURROUNDING ZONING AND USES

The general situation is a 10.556 tract that is zoned A-R. In the vicinity of the subject property is land which is zoned A-R, R-40 & R-45. 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 and East (across South Jeff Davis Road) | 36.00 | A-R | Vacant | Low Density Residential |
| | 5.00 | A-R | Single-Family Residential | Low Density Residential |
| | 3.40 | A-R | Single-Family Residential | Low Density Residential |
| | 5.00 | A-R | Single-Family Residential | Low Density Residential |
| South | Nine one acre minimum lots | R-40 | Single-Family Residential (Jeff Davis Plantation Subdivision) | Low Density Residential |
| West | Three one acre minimum lots | R-45 | Single-Family Residential (The Woodlands Subdivision) | Low Density Residential |

C. COMPREHENSIVE PLAN

The subject property lies within an area designated for Low Density Residential (1 Unit/1 to 2 Acres). This request conforms to the Fayette County Comprehensive Plan.

D. ZONING/REGULATORY REVIEW

The applicant proposes to rezone from A-R to R-75 to add two (2) lots to the Minor Subdivision Plat for Max Fuller consisting 10.56 acres. The R-75 zoning district requires a minimum lot size of two (2) acres and a minimum house size of 2,500 heated square feet.

Revision to a Recorded Plat

Sec. 104-595. Approval of subdivisions. (2), k. of the Subdivision Regulations states:

...Proposed revisions to a recorded minor subdivision plat of any existing residential or agricultural-residential subdivisions which add property to, increases the number of platted lots, or changes the principal use on lots will be considered in public hearings before the planning commission and the board of commissioners. The legal notice shall be advertised at least seven calendar days prior to the public hearing before the planning commission, but not more than 45 calendar days, nor less than 15 calendar days prior to the public bearing before the board of commissioners. In the event that the timeframes above cannot be met with one advertisement, the notice shall be published twice.

As stated above, the Minor Subdivision Plat for Max Fuller consisting of two (2) A-R lots was approved by the Planning Commission on 12/19/2014 and recorded on 2/7/2014 in Book 47, Page 130. This is a request to add two (2) additional lots to the subdivision.

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 Minor Subdivision Plat for Max Fuller must be revised as a Final Plat as the lots will now be less than five (5) acres in size.

Access

The Concept Plan submitted indicates four (4) possible access points from South Jeff Davis Drive. South Jeff Davis Drive is classified as a Minor Arterial road on the Fayette County Thoroughfare Map. Public Works/Engineering indicates that the applicant/property owner will be responsible for ensuring each lot's driveway meets sight-distance requirements (see Public Works/Engineering comments below).

E. REVIEW OF CONCEPT PLAN

The applicant is advised that the Concept Plan is for illustration purposes only. Any deficiencies must be addressed at the time of submittal of the Preliminary Plat, Final Plat, and/or Site Plan, as applicable. The rear setbacks on lots 2 and 3 are labeled as 75 feet. The rear setback is 50 feet in the R-75 zoning district.

F. DEPARTMENTAL COMMENTS

Water System: Water Available.

Public Works/Engineering: Public Works/Engineering has reviewed Rezoning Application 1248-15 and RP-056-15. This application is for R-75 zoning and the concept plan shows four lots along South Jeff Davis Road.

Similar to comments for a previous rezoning request, the applicant/property owner will be responsible for ensuring each lot's driveway meets sight-distance requirements. One or more shared driveways may be used (or required) to maximize safety. Based on previous field studies and correspondence, it seems likely that the sight requirements can be satisfied but they will need to be double-checked at plat stage by the design professional.

Environmental Management:

Floodplain Per FEMA FIRM panel 13113C0082E and 13113C0084E, the property **DOES NOT** contain floodplain and **DOES NOT** contain future conditions floodplain per the Fayette County 2013 Floodstudy.

Wetlands The property **DOES NOT** contain wetlands per the U.S. Department of the Interior, Fish and Wildlife Service 1994 National Wetland Inventory Map.

Watershed There are **NO** State Waters on subject property. The Fayette County Watershed Protect regulations do not apply to the subject property.

Groundwater The property **IS NOT** within the groundwater recharge area per the Georgia Department of Natural Resources' 1992 Ground-Water Pollution Susceptibility Map of Georgia (Hydrologic Atlas 20).

Stormwater: Downstream stormwater runoff may need to be redirected if it is determined during final plat design that downstream properties could be significantly impacted by proposed development.

Environmental Health Department: Our department has no objections to proposed rezoning.

Fire: No additional comments from the Fire Marshal Office

Sheriff: No issues.

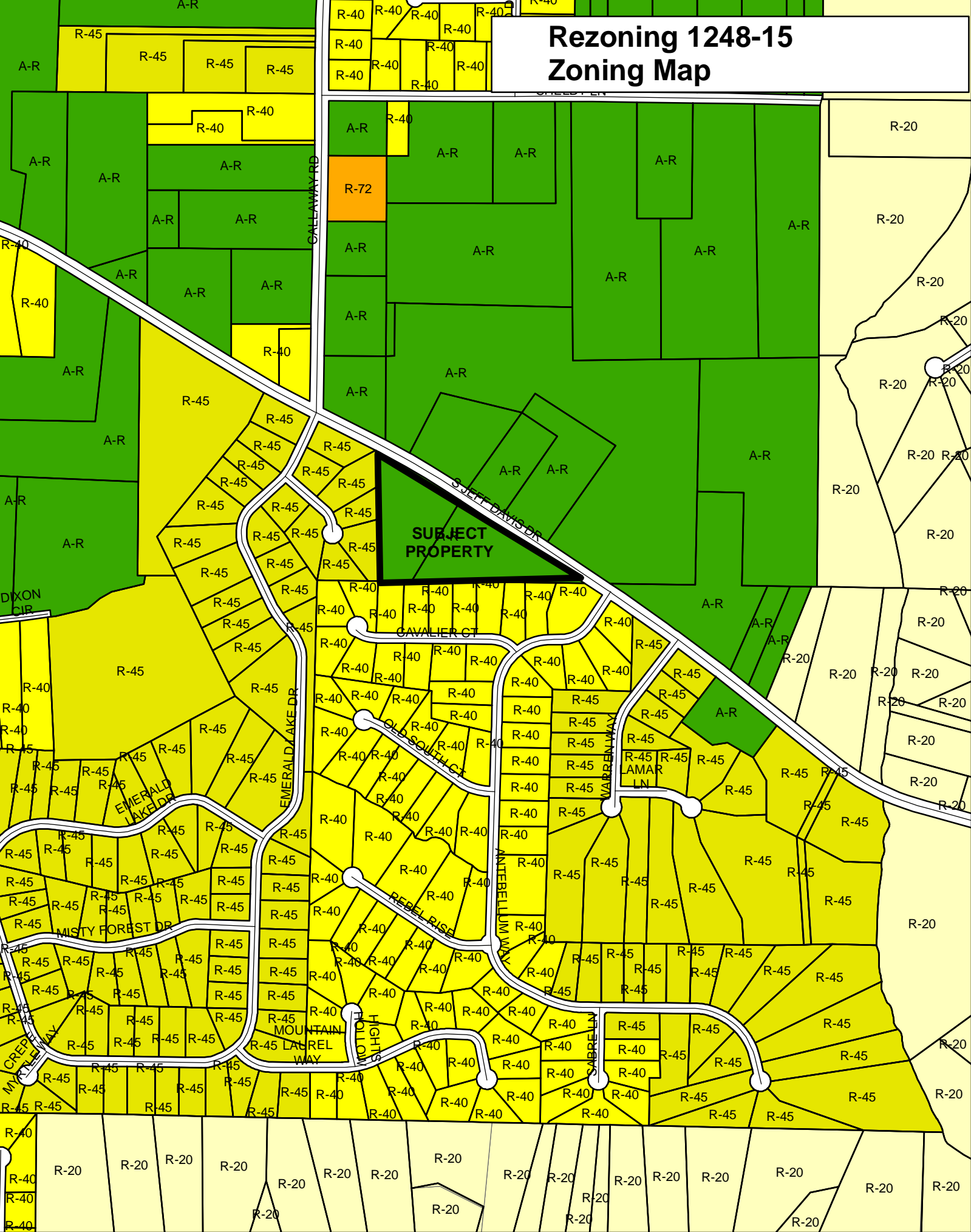
STAFF ANALYSIS

This request is based on the petitioner's intent to rezone said property from A-R to R-75 for the purpose of developing Single-Family Residential Subdivision. Per Section 11-11 of the Fayette County Zoning Ordinance, Staff makes the following evaluations:

1. The subject property lies within an area designated for Low Density Residential (1 Unit/1 to 2 Acres). This request conforms to the Fayette County Comprehensive Plan.
2. The proposed rezoning will not adversely affect the existing use or usability of adjacent or nearby property.
3. The proposed rezoning will not result in a burdensome use of roads, utilities, or schools. Public Works/Engineering indicates that the applicant/property owner will be responsible for ensuring each lot's driveway meets sight-distance requirements (see Public Works/Engineering comments above).
4. Existing conditions and the area's continuing development as a single-family residential district support this petition.

Based on the foregoing Investigation and Staff Analysis, Staff recommends **APPROVAL**.

Rezoning 1248-15 Zoning Map



Rezoning 1248-15 Land Use Plan

**LOW DENSITY
RESIDENTIAL**

**LOW DENSITY
RESIDENTIAL**

**SUBJECT
PROPERTY**

**CONSERVATION
AREAS**

CALLAWAY RD

AMBERWOOD DR

S JEFF DAVIS DR

DIXON CIR

CAVALIER CT

WARREN WAY

LAMAR LN

EMERALD LAKE DR

EMERALD LAKE DR

ANTEBELLUM WAY

OLD SOUTH CT

REBEL RISE

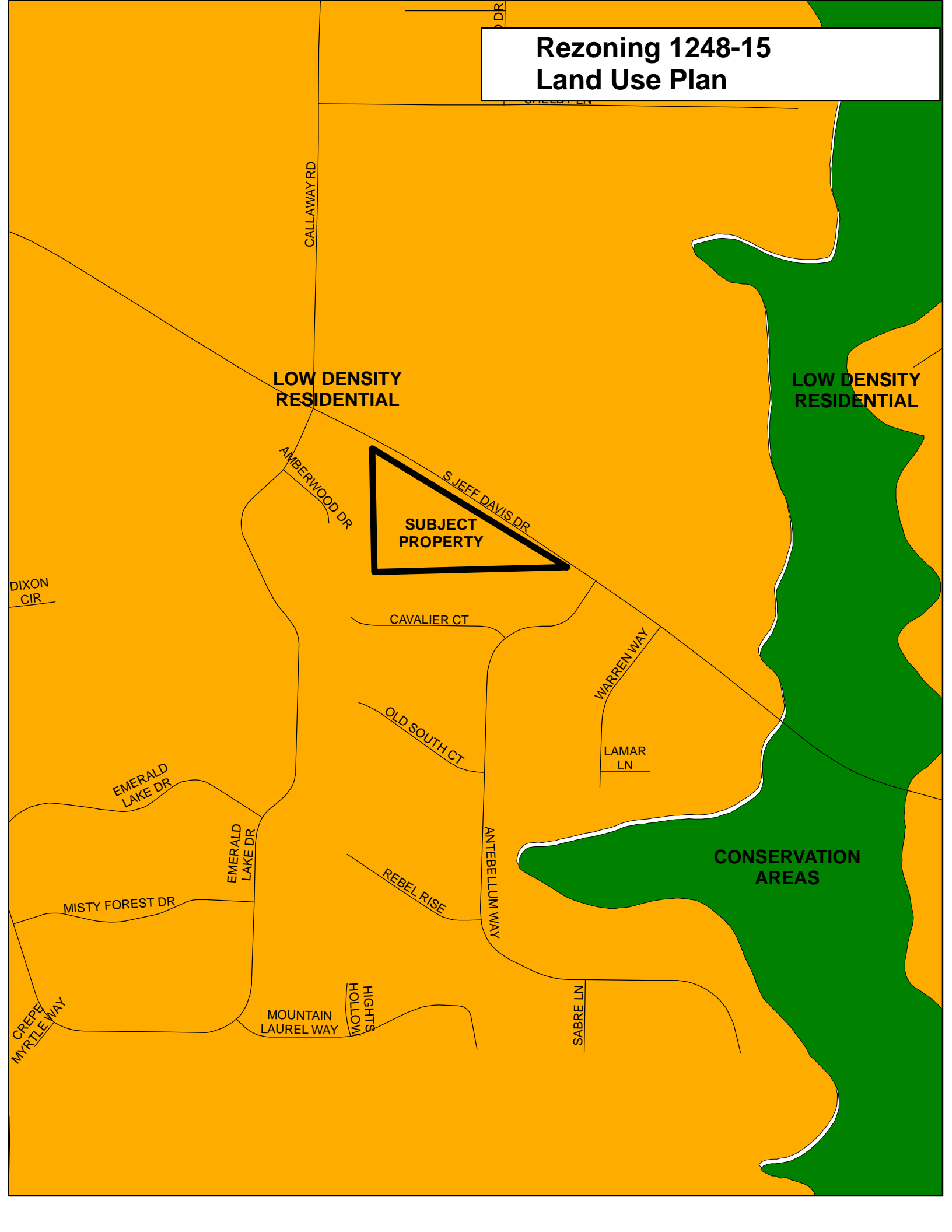
MISTY FOREST DR

MOUNTAIN LAUREL WAY

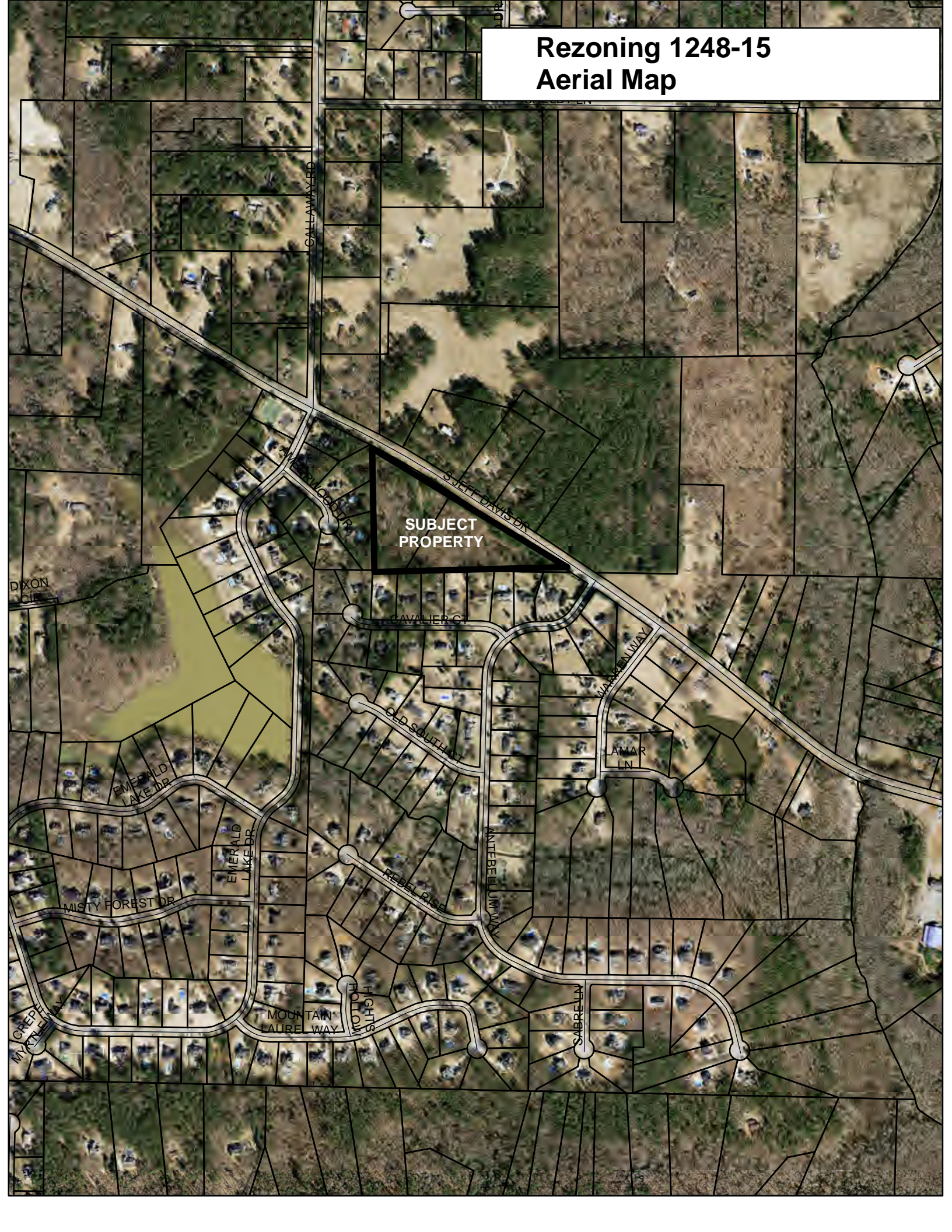
WOTJOF HIGHTS HOLLOW

SABRE LN

CREPE MYRTLE WAY



Rezoning 1248-15 Aerial Map



**SUBJECT
PROPERTY**

CALLAWAY RD

SUBJECT DAVIS DR

CAVALIER CT

OLD SOUTH CT

REBEL RISE

LAMAR LN

WARREN WAY

ANTEBEL LUM WAY

SABRE LN

MOUNTAIN LAURE WAY

HIGHTS FOLLOWS

EMERALD LAKE DR

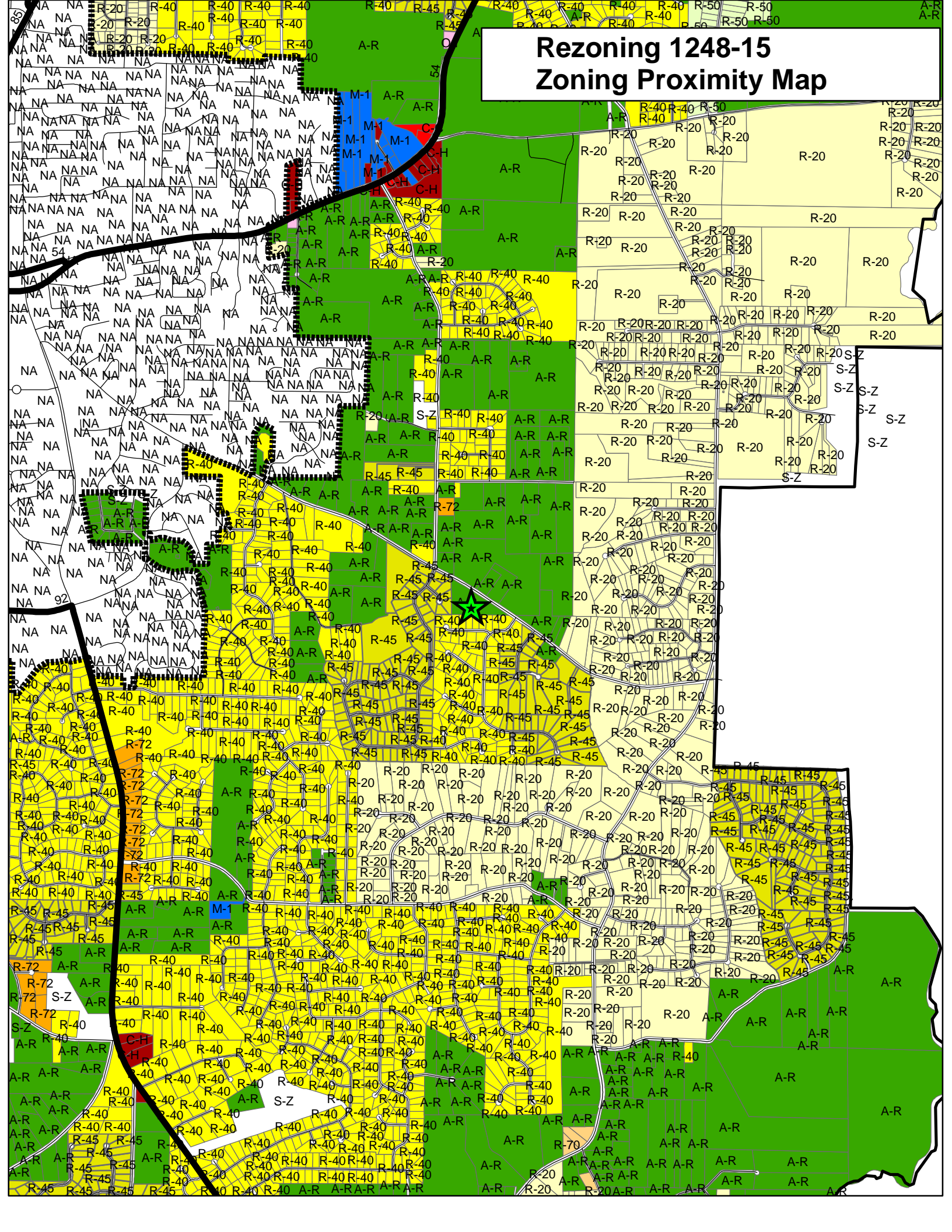
EMERALD LAKE DR

MISTY FOREST DR

MY CREP

DIXON DR

Rezoning 1248-15 Zoning Proximity Map



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

PROPERTY OWNERS: Max Fuller

MAILING ADDRESS: 335 Goza Road, Fayetteville, Ga. 30215

PHONE: 770-253-1155 FAX: _____

AGENT FOR OWNERS: John P. Knight, Jr. (Builers Profecssional Group, LLC)

MAILING ADDRESS: 9497 Thornton Blvd. Jonesboro, GA 30236

PHONE: 770-527-0323 FAX: _____

E-MAIL: jayknight@knighthomes.com

PROPERTY LOCATION: LAND LOT 87 LAND DISTRICT 5tht PARCEL 0519 085
LAND LOT _____ LAND DISTRICT _____ PARCEL _____

TOTAL NUMBER OF ACRES REQUESTED TO BE REZONED: 10.556

EXISTING ZONING DISTRICT: A-R PROPOSED ZONING DISTRICT: R-750

ZONING OF SURROUNDING PROPERTIES: R-20, Woodlands Subdivision, Jeff Davis Rentation

PRESENT USE OF SUBJECT PROPERTY: Vacant

PROPOSED USE OF SUBJECT PROPERTY: 4 Building lots

LAND USE PLAN DESIGNATION: Low Density Residential (1 unit / 1 to 2 acres)

NAME AND TYPE OF ACCESS ROAD: South Jeff Davis Drive

LOCATION OF NEAREST WATER LINE: in South Jeff Davis Drive

(THIS AREA TO BE COMPLETED BY STAFF): PETITION NUMBER: ZA-1248-15
and RD-056-15

Application Insufficient due to lack of: _____

by Staff: _____ Date: _____

Application and all required supporting documentation is Sufficient and Complete

by Staff: [Signature] Date: 6-1-2015

DATE OF PLANNING COMMISSION HEARING: July 1, 2015

DATE OF COUNTY COMMISSIONERS HEARING: July 23, 2015

Received from John P. Knight a check in the amount of \$ 350.00 for application filing fee, and \$ 20.00 for deposit on frame for public hearing sign(s).

Date Paid: 6/1/2015 Receipt Number: 4781711
4781712

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

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

Max Fuller

Please Print Names

Property Tax Identification Number(s) of Subject Property: 0519 085

(I am) (we are) the sole owner(s) of the above-referenced property requested to be rezoned. Subject property is located in Land Lot(s) 87 of the 5th District, and (if applicable to more than one land district) Land Lot(s) _____ of the _____ District, and said property consists of a total of _____ acres (legal description corresponding to most recent recorded plat for the subject property is attached herewith).

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

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

Max Fuller
Signature of Property Owner 1

335 Goza Road
Fayetteville, Ga. 30215

Signature of Property Owner 2

Address


Signature of Property Owner 3

Address

J.P. Knight
Signature of Authorized Agent

9497 Thornton Blvd
Jonesboro, Ga. 30236

Amanda G. Croker
Signature of Notary Public
05.13.15
Date
My Commission Expires August 9, 2016



Signature of Notary Public

Date

Signature of Notary Public

Date

Sharon E. Battle
Signature of Notary Public

June 1, 2015
Date

NAME: John P. Knight

PETITION NUMBER: ZA-1248-

ADDRESS: 9497 Thornton Blvd, Jonesboro, Ga 30236

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

John P. Knight affirms that he is the owner or the specifically authorized agent of the property described below. Said property is located in a(n) A-R Zoning District. He/She respectfully petitions the County to rezone the property from its present classification and tenders herewith the sum of \$ 350.00/100 to cover all expenses of public hearing. He/She petitions the above named to change its classification to R-75.

This property includes: (check one of the following)

[] See attached legal description on recorded deed for subject property or

[] Legal description for subject property is as follows:

PUBLIC HEARING to be held by the Planning Commission of Fayette County on the 1st day of July, 20 15 at 7:00 P.M.

PUBLIC HEARING to be held by the Board of Commissioners of Fayette County on the 25th day of July, 20 15 at 7:00 P.M.

SWORN TO AND SUBSCRIBED BEFORE ME THIS 1 DAY OF June, 20 15

Sharon E. Battle
NOTARY PUBLIC

[Signature]
APPLICANT'S SIGNATURE

CONCEPT PLAN FOR SOUTH JEFF DAVIS PLACE

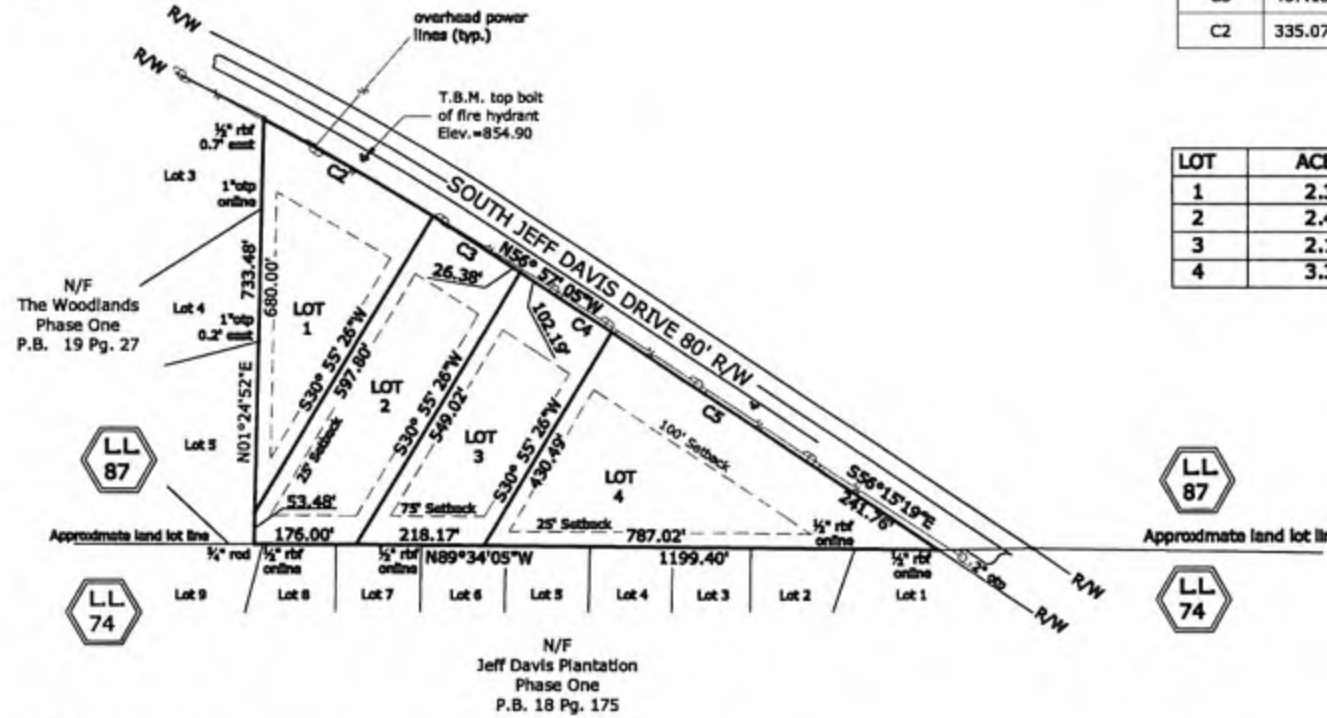
SOUTH JEFF DAVIS DRIVE LAND LOT 87 OF THE 5th DISTRICT FAYETTE COUNTY, GEORGIA MAY 30, 2015



LOCATION MAP
(NOT TO SCALE)

GENERAL NOTES:

1. OWNER/DEVELOPER:
Builders Professional Group, LLC
9497 Thornton Blvd.
Jonesboro, GA 30236
Contact: Jay Knight
(770)527-0323 cell
2. SURVEYOR:
Four Corners Surveying, L.L.C.
P. O. Box 15
Tyronne, GA 30290
770-560-3910
770-823-9377
four_corners@bellsouth.net
3. CLOSURE DATA:
Field Closure=1" IN 10,000+
Angle Point Error=< 20"
Equipment Used=Topcon 3005W,
Sokkia SX, & Topcon Hyper GA GPS System
Adjustment Method=Compass Rule
Plat Closure=1" IN 100,000+
4. SITE DEVELOPMENT DATA:
Location: Land Lot 87 of the 5th District, Fayette County, Georgia
Site Data = 4 Lots
Total area of project = 10.556 Acres 459,811 Sq. Ft.
5. Tax Parcel ID: 0519 085
6. MINIMUM DIMENSIONAL ZONING REQUIREMENTS:
For R-7S Zoning district
Minimum lot width at front setback line = 175'
Minimum floor area of house = 1,200 SF
Minimum lot size = 2.0 ACRES
Front yard = 100'
Side yard = 25'
Rear yard = 75'
Maximum height of structure = 35'
7. 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.
8. Capped 1/2" re-bar to be set at all lot corners unless otherwise noted.
9. This property does not lie within a special flood hazard area according to FEMA Flood Insurance Rate Map #13113C02116E dated September 26, 2009.
10. There are no state waters on this property.
11. There are no wetlands on this property as per national wetlands inventory.
12. There are no groundwater recharge areas on the property.
13. This survey is subject to all easements right-of-way and restrictions shown or not shown, recorded or not recorded.
14. This survey was performed without the benefit of a current and accurate title search, therefore any covenants, easements, and restrictions of record are to be incorporated with this plat.
15. Sewer service provided by individual septic systems on each lot.
16. Lots water service to be provided by Fayette county water department.
17. All distances shown are horizontal ground distances, no conversion factor used.
18. Plat is oriented to state plane north.
19. There are no existing structures, buildings, or improvements on the property.
20. Each residential building lot has a minimum contiguous area that is free and clear of zoning setbacks, watershed protection buffers and setbacks, jurisdictional wetlands, and easements of any kind.



| Curve Table | | | | |
|-------------|---------|-----------|---------------|---------|
| Curve # | Length | Radius | Bearing | Chord |
| C3 | 151.73' | 4751.32' | S57° 10' 13"E | 151.73' |
| C4 | 85.97' | 87968.42' | S56° 22' 58"E | 85.97' |
| C5 | 437.13' | 87968.42' | S56° 33' 12"E | 437.13' |
| C2 | 335.07' | 4751.32' | S60° 06' 20"E | 335.00' |

| LOT | ACERAGE | SQ. FEET | CONTIGUIOUS |
|-----|---------|----------|-------------|
| 1 | 2.313 | 100,776 | 1.054 Ac. |
| 2 | 2.453 | 106,842 | 1.313 Ac. |
| 3 | 2.115 | 92,117 | 1.052 Ac. |
| 4 | 3.356 | 146,169 | 1.477 Ac. |

LEGEND:

- GTP=OPEN TOP PIPE
- RSP=REBAR FOUND
- RSS=REBAR SET
- R/W=RIGHT OF WAY
- LL=LAND LOT
- MFFD=MINIMUM FINISHED FLOOR ELEVATION
- A.E.=ACCESS EASEMENT
- D.E.=DRAINAGE EASEMENT
- S/W=SIDEWALK
- U.E.=UTILITY EASEMENT
- P.O.B.=POINT OF BEGINNING
- B/L=BUILDING LINE
- D.E.=DRAINAGE EASEMENT
- N/P=NOW OR FORMERLY
- F.W.P.D.=FIELD WORK PERFORMED DATE
- GV=VALVE
- W=VALVE
- WM=VALVE
- UP=UTILITY POLE
- DI=DIAPHRAGM
- FH=FIREFIGHTER HYDRANT
- WV=WATER VALVE
- LP=LIGHT POLE
- F=PERCE
- DM=DRAINAGE MANHOLE

OWNER'S CERTIFICATE

We, the undersigned owner(s) of the Max Fuller Subdivision, hereby dedicate the rights-of-way for public use, and/or reserve for public use the easements and other ground shown on this plat.

We the undersigned owner(s) understand this Minor Subdivision Plat and any Maintenance Bond and/or Irrevocable Letter-of-Credit shall expire and thus become void if the Minor Subdivision Plat is not recorded into the Fayette County Clerk of Superior Court records within 90 calendar days (____/____/____) of the date of approval by the Planning Commission.

Owner _____ Date _____
Owner _____ Date _____

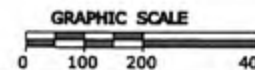
SURVEYOR'S CERTIFICATE:

I HEREBY CERTIFY THAT THIS PLAT IS A TRUE REPRESENTATION OF THE RESULTS OF AN ACTUAL SURVEY BY ME OR UNDER MY SUPERVISION, CONFORMING TO THE NORMAL STANDARDS OF CARE OF PROFESSIONAL SURVEYORS PRACTICING IN THE STATE OF GEORGIA AND THAT ALL MONUMENTS SHOWN HEREON ACTUALLY EXIST OR ARE MARKED "FUTURE" AND THEIR LOCATION, SIZE, TYPE, AND MATERIAL ARE CORRECTLY SHOWN.

BY: _____
GA RLS RONALD T. GOODWIN REGISTERED LAND SURVEYOR NO. _____ DATE _____

DISCLAIMER:

INFORMATION REGARDING THE REPUTED PRESENCE, SIZE, CHARACTER AND LOCATION OF EXISTING UNDERGROUND UTILITIES AND STRUCTURES IS SHOWN HEREON. THERE IS NO CERTAINTY OF THE ACCURACY OF THIS INFORMATION AND IT SHALL BE CONSIDERED IN THAT LIGHT BY THOSE USING THIS DRAWING. THE LOCATION AND ARRANGEMENT OF UNDERGROUND UTILITIES AND STRUCTURES SHOWN HEREON MAY BE INACCURATE AND UTILITIES AND STRUCTURES NOT SHOWN MAY BE ENCOUNTERED. THE OWNER, HIS EMPLOYEES, HIS CONSULTANTS AND HIS CONTRACTORS SHALL HEREBY DISTINCTLY UNDERSTAND THAT THE SURVEYOR IS NOT RESPONSIBLE FOR THE CORRECTNESS OR SUFFICIENCY OF THIS INFORMATION. THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A CURRENT AND ACCURATE TITLE SEARCH, THEREFORE ANY COVENANTS, EASEMENTS, AND RESTRICTIONS OF RECORD ARE TO BE INCORPORATED WITH THIS PLAT.



FOUR CORNERS SURVEYING
P.O. BOX 15 Tyronne, GA 30290 770-560-3910 & 770-823-9377
four_corners@bellsouth.net

DESCRIPTION: _____
DATE: _____
REVISION: _____

JAY KNIGHT
SOUTH JEFF DAVIS DRIVE
Land Lot 87 of the 5th District Fayette County, Georgia
JOB NUMBER: 13-053CONCEPT
DATE: 05/30/15 DRAWN BY: JCB SCALE: 1" = 200'

SHEET
1
OF
ONE

COUNTY AGENDA REQUEST

Public Hearing #6

Department:

Presenter(s):

Meeting Date:

Type of Request:

Wording for the Agenda:

Public Hearing of Petition No. RP-056-15, Max Fuller, Owner, and John P. Knight, Jr., Agent request to add two (2) lots to the Minor Subdivision Plat for Max Fuller with said property being located in Land Lot 87 of the 5th District and fronting on South Jeff Davis Drive.

Background/History/Details:

Staff recommends approval of rezoning petition RP-056-15.

The Planning Commission recommended approval of rezoning petition RP-056-15.

Brian Haren made a motion to recommend approval of Petition RP-056-15. Al Gilbert seconded the motion. The motion passed 3-0. Arnold Martin was absent.

What action are you seeking from the Board of Commissioners?

Approval of Petition No. RP-056-15, Max Fuller, Owner, and John P. Knight, Jr., Agent request to add two (2) lots to the Minor Subdivision Plat for Max Fuller with said property being located in Land Lot 87 of the 5th District and fronting on South Jeff Davis Drive.

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:

Currently, the Planning Commission only has four members due to the resignation of Mr. Bob Simmons. New Business Item #9 is presented on this Agenda to appoint Mr. John Culbreth to the Planning Commission.

This request is associated with Public Hearing #5.

STATE OF GEORGIA
COUNTY OF FAYETTE

RESOLUTION

NO. RP-056-15

WHEREAS, Max Fuller, Owner, and Shane Shanks, Agent, having come before the Fayette County Planning Commission on July 1, 2015 requesting a revision to a recorded plat as per the Fayette County Subdivision Regulations; and

WHEREAS, said request being as follows: Request approval to revise the Minor Subdivision Plat for Max Fuller to add two lots.

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:



JIM GRAW
CHAIRMAN

PLANNING COMMISSION RECOMMENDATION

DATE: RP-056-15

TO: Fayette County Commissioners

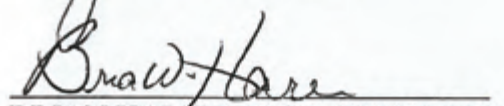
The Fayette County Planning Commission recommends that Petition No. RP-056-15 to revise the
Minor Subdivision Plat for Max Fuller to add two (2) lots be:

³⁻⁰ Approved Withdrawn Disapproved

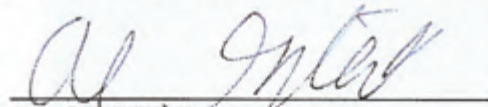
Tabled until _____



JIM GRAW, CHAIRMAN



BRIAN HAREN, VICE-CHAIRMAN



AL GILBERT

NOT PRESENT

ARNOLD MARTIN

Remarks:

6. Consideration of Petition No. RP-056-15, Max Fuller, Owner, and John P. Knight, Jr., Agent request to add two (2) lots to the Minor Subdivision Plat for Max Fuller. This property is located in Land Lot 87 of the 5th District and fronts on South Jeff Davis Drive.

Chairman Graw said since there is a subdivision plat for two (2) five (5) acre A-R lots, the petitioner has to revise the plat to allow two (2) additional lots with the R-75 zoning, which allows two (2) acre lots.

Chairman Graw asked if there was anyone who would like to speak in favor of the petition. Hearing none he asked if there was anyone who would like to speak in opposition to the petition. Hearing none he brought it back to the board.

Brian Haren made a motion to recommend approval of Petition RP-056-15. Al Gilbert seconded the motion. The motion passed 3-0. Arnold Martin was absent.

PETITION NO: 1248-15 and RP-056-15

REQUESTED ACTION: A-R to R-75

PROPOSED USE: Single-Family Residential Subdivision

EXISTING USE: Single-Family Residential (undeveloped)

LOCATION: South Jeff Davis Drive

DISTRICT/LAND LOT(S): 5th District, Land Lot(s) 87

OWNER: Max Fuller

AGENT: John P. Knight

PLANNING COMMISSION PUBLIC HEARING: July 1, 2015

BOARD OF COMMISSIONERS PUBLIC HEARING: July 23, 2015

APPLICANT'S INTENT

Applicant proposes to rezone from A-R to R-75 to add two (2) lots to the Minor Subdivision Plat for Max Fuller.

STAFF RECOMMENDATION

APPROVAL

1.

1248-15 and RP-056-15

INVESTIGATION

A. PROPERTY SITE

The subject property is a 10.556 tract fronting on South Jeff Davis Drive in Land Lot 87 of the 5th District. South Jeff Davis Drive is classified as an Arterial road on the Fayette County Thoroughfare Plan. The subject property is undeveloped and currently zoned A-R.

History: The Minor Subdivision Plat for Max Fuller consisting of two (2) A-R lots was approved by the Planning Commission on 12/19/2013 and recorded on 2/7/2014 in Book 47, Page 130.

Petitions 1235-14 & RP-052-14 to rezone from A-R to R-45 and add six (6) lots to the Minor Subdivision Plat for Max Fuller consisting 10.56 acres was denied by the Board of Commissioners on August 28, 2014.

B. SURROUNDING ZONING AND USES

The general situation is a 10.556 tract that is zoned A-R. In the vicinity of the subject property is land which is zoned A-R, R-40 & R-45. 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 | Acreeage | Zoning | Use | Comprehensive Plan |
|---|-----------------------------|---------------|---|---------------------------|
| North and East (across South Jeff Davis Road) | 36.00 | A-R | Vacant | Low Density Residential |
| | 5.00 | A-R | Single-Family Residential | Low Density Residential |
| | 3.40 | A-R | Single-Family Residential | Low Density Residential |
| | 5.00 | A-R | Single-Family Residential | Low Density Residential |
| South | Nine one acre minimum lots | R-40 | Single-Family Residential (Jeff Davis Plantation Subdivision) | Low Density Residential |
| West | Three one acre minimum lots | R-45 | Single-Family Residential (The Woodlands Subdivision) | Low Density Residential |

C. COMPREHENSIVE PLAN

The subject property lies within an area designated for Low Density Residential (1 Unit/1 to 2 Acres). This request conforms to the Fayette County Comprehensive Plan.

D. ZONING/REGULATORY REVIEW

The applicant proposes to rezone from A-R to R-75 to add two (2) lots to the Minor Subdivision Plat for Max Fuller consisting 10.56 acres. The R-75 zoning district requires a minimum lot size of two (2) acres and a minimum house size of 2,500 heated square feet.

Revision to a Recorded Plat

Sec. 104-595. Approval of subdivisions. (2), k. of the Subdivision Regulations states:

...Proposed revisions to a recorded minor subdivision plat of any existing residential or agricultural-residential subdivisions which add property to, increases the number of platted lots, or changes the principal use on lots will be considered in public hearings before the planning commission and the board of commissioners. The legal notice shall be advertised at least seven calendar days prior to the public hearing before the planning commission, but not more than 45 calendar days, nor less than 15 calendar days prior to the public bearing before the board of commissioners. In the event that the timeframes above cannot be met with one advertisement, the notice shall be published twice.

As stated above, the Minor Subdivision Plat for Max Fuller consisting of two (2) A-R lots was approved by the Planning Commission on 12/19/2014 and recorded on 2/7/2014 in Book 47, Page 130. This is a request to add two (2) additional lots to the subdivision.

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 Minor Subdivision Plat for Max Fuller must be revised as a Final Plat as the lots will now be less than five (5) acres in size.

Access

The Concept Plan submitted indicates four (4) possible access points from South Jeff Davis Drive. South Jeff Davis Drive is classified as a Minor Arterial road on the Fayette County Thoroughfare Map. Public Works/Engineering indicates that the applicant/property owner will be responsible for ensuring each lot's driveway meets sight-distance requirements (see Public Works/Engineering comments below).

E. REVIEW OF CONCEPT PLAN

The applicant is advised that the Concept Plan is for illustration purposes only. Any deficiencies must be addressed at the time of submittal of the Preliminary Plat, Final Plat, and/or Site Plan, as applicable. The rear setbacks on lots 2 and 3 are labeled as 75 feet. The rear setback is 50 feet in the R-75 zoning district.

F. DEPARTMENTAL COMMENTS

Water System: Water Available.

Public Works/Engineering: Public Works/Engineering has reviewed Rezoning Application 1248-15 and RP-056-15. This application is for R-75 zoning and the concept plan shows four lots along South Jeff Davis Road.

Similar to comments for a previous rezoning request, the applicant/property owner will be responsible for ensuring each lot's driveway meets sight-distance requirements. One or more shared driveways may be used (or required) to maximize safety. Based on previous field studies and correspondence, it seems likely that the sight requirements can be satisfied but they will need to be double-checked at plat stage by the design professional.

Environmental Management:

Floodplain Per FEMA FIRM panel 13113C0082E and 13113C0084E, the property **DOES NOT** contain floodplain and **DOES NOT** contain future conditions floodplain per the Fayette County 2013 Floodstudy.

Wetlands The property **DOES NOT** contain wetlands per the U.S. Department of the Interior, Fish and Wildlife Service 1994 National Wetland Inventory Map.

Watershed There are **NO** State Waters on subject property. The Fayette County Watershed Protect regulations do not apply to the subject property.

Groundwater The property **IS NOT** within the groundwater recharge area per the Georgia Department of Natural Resources' 1992 Ground-Water Pollution Susceptibility Map of Georgia (Hydrologic Atlas 20).

Stormwater: Downstream stormwater runoff may need to be redirected if it is determined during final plat design that downstream properties could be significantly impacted by proposed development.

Environmental Health Department: Our department has no objections to proposed rezoning.

Fire: No additional comments from the Fire Marshal Office

Sheriff: No issues.

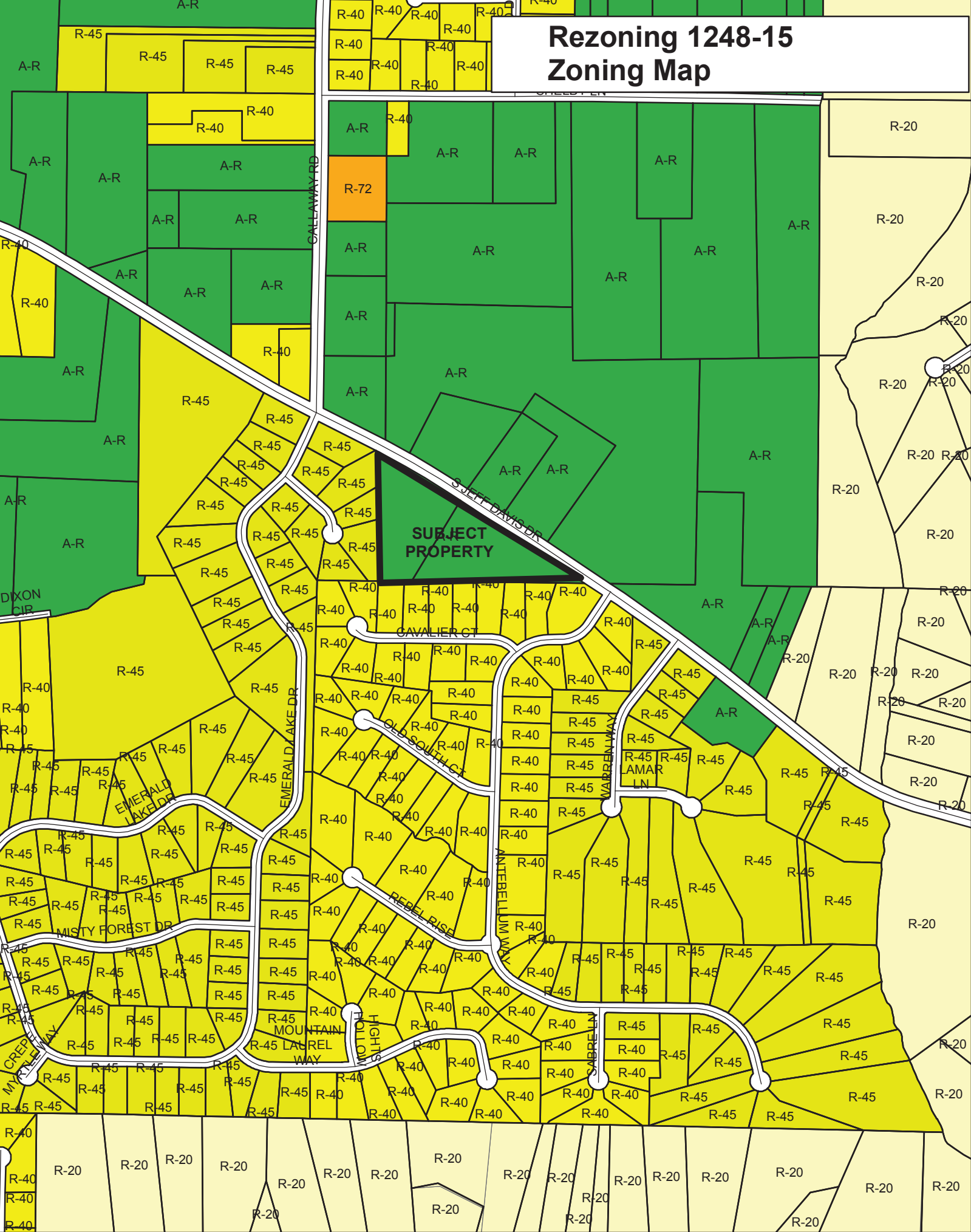
STAFF ANALYSIS

This request is based on the petitioner's intent to rezone said property from A-R to R-75 for the purpose of developing Single-Family Residential Subdivision. Per Section 11-11 of the Fayette County Zoning Ordinance, Staff makes the following evaluations:

1. The subject property lies within an area designated for Low Density Residential (1 Unit/1 to 2 Acres). This request conforms to the Fayette County Comprehensive Plan.
2. The proposed rezoning will not adversely affect the existing use or usability of adjacent or nearby property.
3. The proposed rezoning will not result in a burdensome use of roads, utilities, or schools. Public Works/Engineering indicates that the applicant/property owner will be responsible for ensuring each lot's driveway meets sight-distance requirements (see Public Works/Engineering comments above).
4. Existing conditions and the area's continuing development as a single-family residential district support this petition.

Based on the foregoing Investigation and Staff Analysis, Staff recommends **APPROVAL**.

Rezoning 1248-15 Zoning Map



Rezoning 1248-15 Land Use Plan

**LOW DENSITY
RESIDENTIAL**

**LOW DENSITY
RESIDENTIAL**

**SUBJECT
PROPERTY**

**CONSERVATION
AREAS**

CALLAWAY RD

AMBERWOOD DR

S JEFF DAVIS DR

DIXON CIR

CAVALIER CT

WARREN WAY

LAMAR LN

EMERALD LAKE DR

EMERALD LAKE DR

ANTEBELLUM WAY

OLD SOUTH CT

REBEL RISE

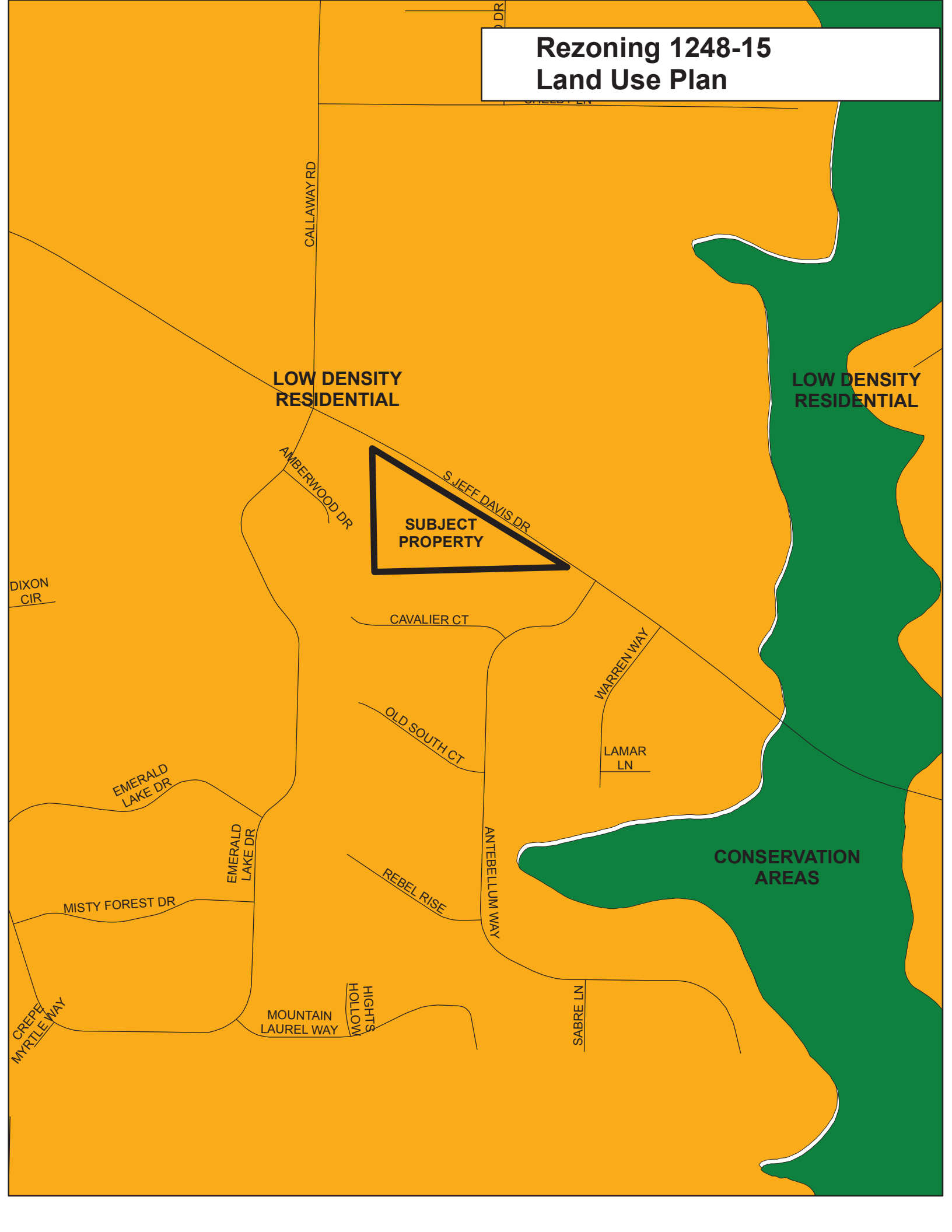
MISTY FOREST DR

MOUNTAIN LAUREL WAY

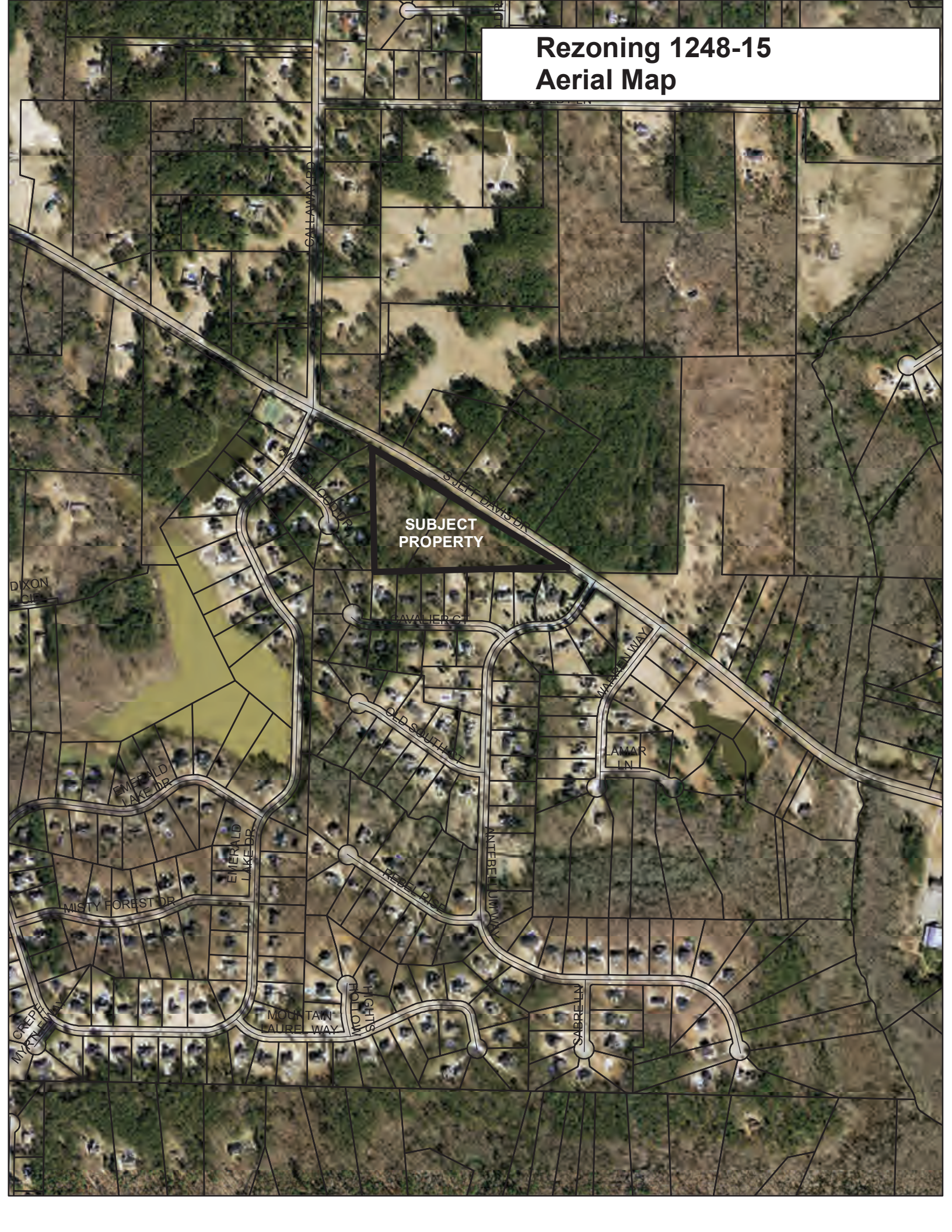
MOTTO HOLLOW

SABRE LN

CREPE MYRTLE WAY



Rezoning 1248-15 Aerial Map



**SUBJECT
PROPERTY**

CALLAWAY RD

Rezoning 1248-15
Aerial Map

SWIFT DAVIS DR

CAVALIER CT

OLD SOUTH DR

REBEL RISE

ANTEBELLUM WAY

LAMAR LN

WARREN WAY

SABRE LN

MOUNTAIN LAURE WAY

MISTY FOREST DR

EMERALD LAKE DR

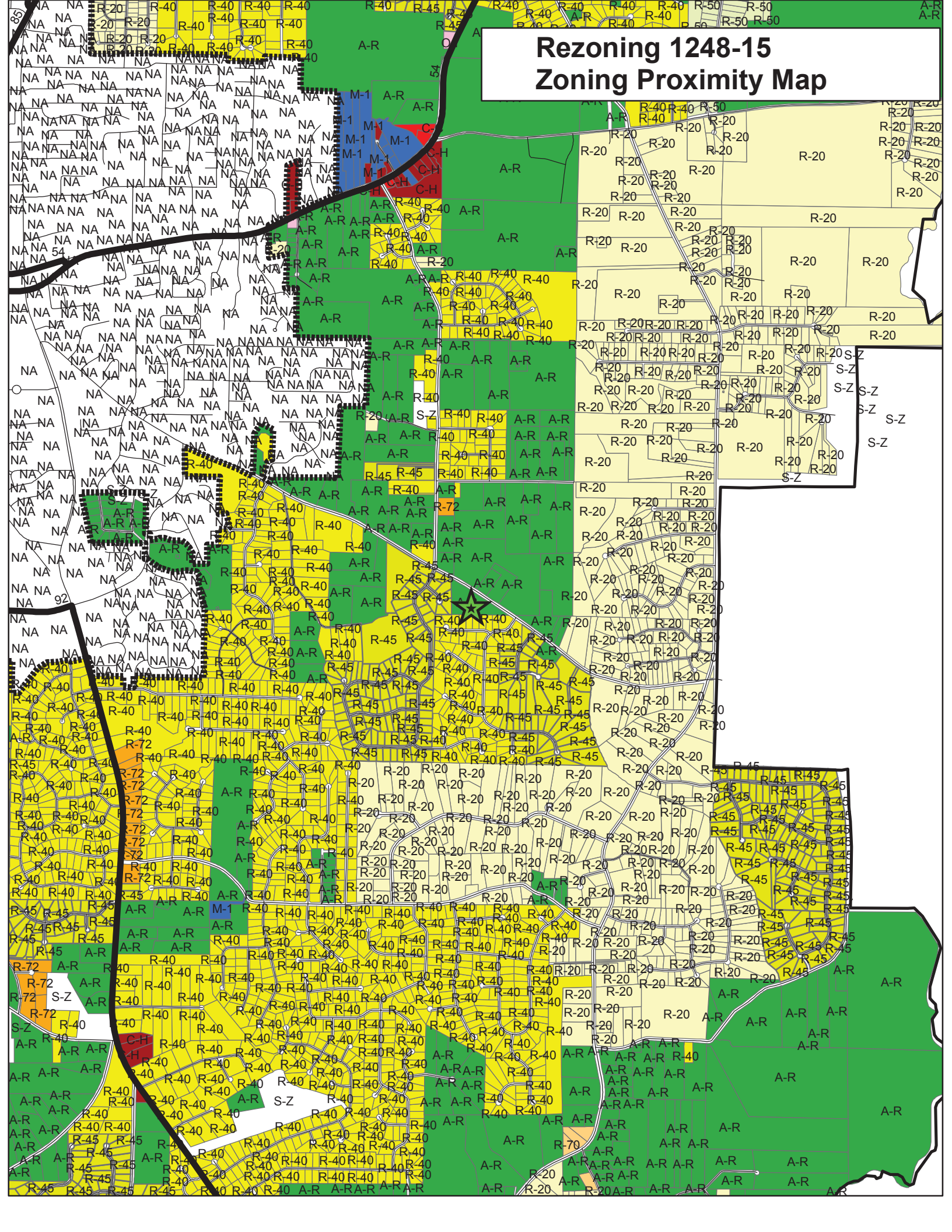
EMERALD LAKE DR

MYRTLE WAY

DIXON CIR

HIGHTS FOLLION

Rezoning 1248-15 Zoning Proximity Map



June 25, 2015

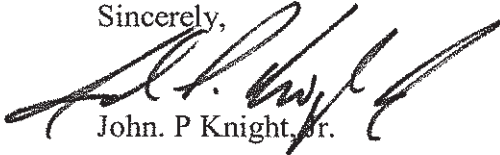
Pete Frisina
Fayette County Community Services/Planning & Zoning
140 Stonewall Avenue West, Suite 202
Fayetteville, GA 30214

Dear Pete,

In conjunction with rezoning petition 1248-15, we are requesting a revision to the Minor Subdivision Plat of Max Fuller to add two (2) lots, bringing the total number of lots up to four (4). This property is zoned A-R and we are requesting to rezone to R-75 Single Family Residential. The Minor Subdivision Plat of Max Fuller consisting of two (2) lots was approved by the Planning Commission on February 7, 2014.

Thank you for your assistance.

Sincerely,



John. P Knight, Jr.

MINOR SUBDIVISION PLAT FOR MAX FULLER SOUTH JEFF DAVIS DRIVE LAND LOT 87 OF THE 5TH DISTRICT FAYETTE COUNTY, GEORGIA NOVEMBER 12, 2013

APPROVED BY FAYETTE COUNTY ENVIRONMENTAL HEALTH DEPARTMENT
DATE: 12/13/13
APPROVED BY FAYETTE COUNTY STORMWATER MANAGEMENT DEPARTMENT
DATE: 12/14/13
APPROVED BY FAYETTE COUNTY ENGINEER
DATE: 11/25/13
APPROVED BY FAYETTE COUNTY PLANNING COMMISSION
DATE: 11/25/2013

APPROVED BY FAYETTE COUNTY ZONING ADMINISTRATOR
DATE: 11/25/2013
SECRETARY
APPROVED BY FAYETTE COUNTY ZONING ADMINISTRATOR
DATE: 11/25/2013

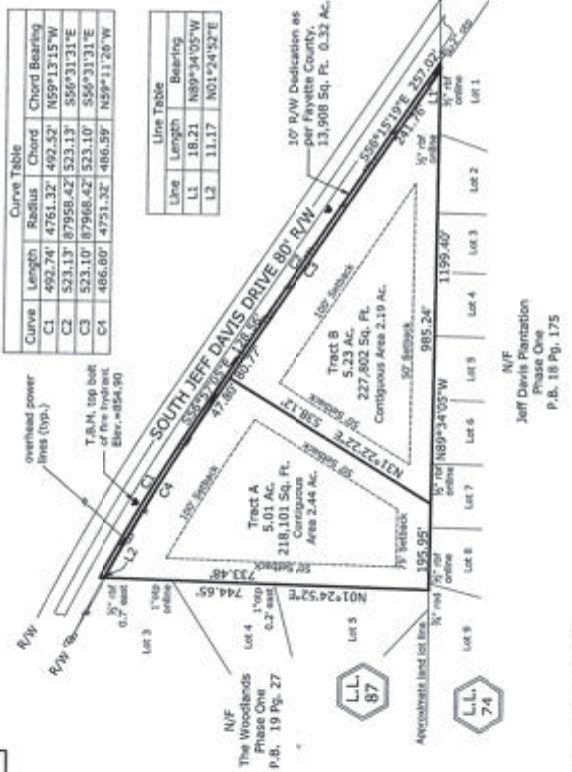
do hereby certify that the Level III Soil Survey information provided on this plat was performed by a professional engineer as specified in the Georgia Department of Human Resources' current Manual for On-site Sewerage Management Systems.

Soil Classifier Professional
Registration No.
Registration Number/License Numbers
Company Address & Telephone

LEVEL III SOIL SURVEY
Information provided on this plat was performed by a professional engineer as specified in the Georgia Department of Human Resources' current Manual for On-site Sewerage Management Systems.

| Curve | Length | Radius | Chord Bearing |
|-------|---------|-----------|---------------------|
| C1 | 492.74' | 4761.32' | 492.52' N59°13'15"W |
| C2 | 523.13' | 87958.42' | 523.13' S56°31'31"E |
| C3 | 523.10' | 87948.42' | 523.10' S56°31'31"E |
| C4 | 486.80' | 4721.32' | 486.59' N59°11'20"W |

| Line | Length | Bearing |
|------|--------|-------------|
| L1 | 18.21 | N89°34'05"W |
| L2 | 11.17 | N01°24'52"E |



OWNER'S CERTIFICATE

I HEREBY CERTIFY THAT THIS IS A TRUE REPRESENTATION OF THE RESULTS OF AN ACTUAL SURVEY BY ME OR UNDER MY SUPERVISION, AND THAT I AM A LICENSED PROFESSIONAL SURVEYOR PRACTICING IN THE STATE OF GEORGIA AND THAT ALL INSTRUMENTS SHOWN HEREON ACTUALLY EXIST AND ARE CORRECTLY SHOWN.

DATE: 11/13/13

OWNER: Max Fuller
DATE: 11/13/13

GENERAL NOTES:

- OWNER DEVELOPER: Max Fuller, Fayetteville, GA 30215
- SURVEYOR: Four Corners Surveying, LLC, P.O. Box 13 0290, Fayetteville, GA 30215
- CLOSURE DATA: Provided by the Georgia Department of Transportation
- SITE DEVELOPMENT DATA: Lot 87 of the 5th District, Fayette County, Georgia
- Tax Parcel ID: 0610 008
- MINOR DIMENSIONAL ZONING REQUIREMENTS: R-1.5 Zoning District
- This property does not sit within a special flood hazard area according to FEMA Flood Insurance Rate Map #131130116E dated September 26, 2008.
- There are no state waters on this property.
- There are no wetlands on this property as per national wetlands inventory.
- There are no groundwater recharge areas on the property.
- This survey is subject to all easements right-of-way and restrictions shown or not shown, recorded or not recorded.
- This survey was performed without the benefit of a compass and accurate title search, therefore any easements, encumbrances, and restrictions of record are to be incorporated with this plat.
- Sewer service provided by individual septic systems on each lot.
- Water service to be provided by Fayette County water department.
- All distances shown are horizontal ground distances, no conversion factor used.
- Plat is oriented to state plane north.
- Each residential building lot has a minimum contiguous area that is five and clear of zoning setbacks, setbacks, and easements of any kind.
- All that property contained within the required right-of-way of South Jeff Davis having a minimum recorded right-of-way, 10 feet shall be dedicated to create a minimum 100 foot right-of-way as required by the Georgia Department of Transportation and are hereby dedicated to Fayette County, a political subdivision of the State of Georgia, for use in the construction and maintenance of said Minor Subdivision Plat into the Fayette County Clerk of Superior Court records.

APPROVED BY FAYETTE COUNTY ENVIRONMENTAL HEALTH DEPARTMENT
DATE: 12/13/13
APPROVED BY FAYETTE COUNTY STORMWATER MANAGEMENT DEPARTMENT
DATE: 12/14/13
APPROVED BY FAYETTE COUNTY ENGINEER
DATE: 11/25/13
APPROVED BY FAYETTE COUNTY PLANNING COMMISSION
DATE: 11/25/2013

APPROVED BY FAYETTE COUNTY ZONING ADMINISTRATOR
DATE: 11/25/2013
SECRETARY
APPROVED BY FAYETTE COUNTY ZONING ADMINISTRATOR
DATE: 11/25/2013

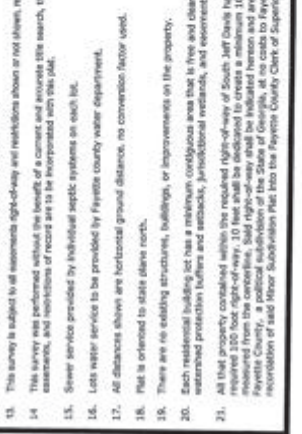
do hereby certify that the Level III Soil Survey information provided on this plat was performed by a professional engineer as specified in the Georgia Department of Human Resources' current Manual for On-site Sewerage Management Systems.

Soil Classifier Professional
Registration No.
Registration Number/License Numbers
Company Address & Telephone

LEVEL III SOIL SURVEY
Information provided on this plat was performed by a professional engineer as specified in the Georgia Department of Human Resources' current Manual for On-site Sewerage Management Systems.

| Curve | Length | Radius | Chord Bearing |
|-------|---------|-----------|---------------------|
| C1 | 492.74' | 4761.32' | 492.52' N59°13'15"W |
| C2 | 523.13' | 87958.42' | 523.13' S56°31'31"E |
| C3 | 523.10' | 87948.42' | 523.10' S56°31'31"E |
| C4 | 486.80' | 4721.32' | 486.59' N59°11'20"W |

| Line | Length | Bearing |
|------|--------|-------------|
| L1 | 18.21 | N89°34'05"W |
| L2 | 11.17 | N01°24'52"E |



OWNER'S CERTIFICATE

I HEREBY CERTIFY THAT THIS IS A TRUE REPRESENTATION OF THE RESULTS OF AN ACTUAL SURVEY BY ME OR UNDER MY SUPERVISION, AND THAT I AM A LICENSED PROFESSIONAL SURVEYOR PRACTICING IN THE STATE OF GEORGIA AND THAT ALL INSTRUMENTS SHOWN HEREON ACTUALLY EXIST AND ARE CORRECTLY SHOWN.

DATE: 11/13/13

OWNER: Max Fuller
DATE: 11/13/13

FOUR CORNERS SURVEYING
P.O. BOX 13 0290 770-560-3910 770-823-9377
FAYETTE COUNTY, GEORGIA



REVISION: DATE: DESCRIPTION:

SCALE: 1" = 200'
DRAWN BY: JCB
JOB NUMBER: 13-0539F
Land Lot 87 of the 5th District Fayette County, Georgia

SOUTH JEFF DAVIS DRIVE
Max Fuller

SHEET 1 OF 1



DISCLAIMER:
INFORMATION REGARDING THE REQUIRED PERMITS, SIZE, CHARACTER AND LOCATION OF EXISTING UNDERGROUND UTILITIES AND STRUCTURES IS AN ESTIMATE AND THERE IS NO CERTAINTY OF THE ACCURACY OF THIS INFORMATION AND IT SHALL BE USED AT THE SURVEYOR'S RISK. THE LOCATION AND ARRANGEMENT OF UNDERGROUND UTILITIES AND STRUCTURES SHOWN HEREON MAY BE INACCURATE AND UTILITIES AND STRUCTURES NOT SHOWN MAY BE ENCOUNTERED. THE OWNER, HIS AGENT, CONTRACTORS, AND OTHERS SHALL BE RESPONSIBLE FOR THE CORRECTNESS OF SUFFICIENCY OF THIS INFORMATION. THIS SURVEY HAS BEEN CONDUCTED WITHOUT THE BENEFIT OF A CURRENT AND ACCURATE TITLE SEARCH, AND RESTRICTIONS OF RECORD ARE TO BE INCORPORATED WITH THIS PLAT.

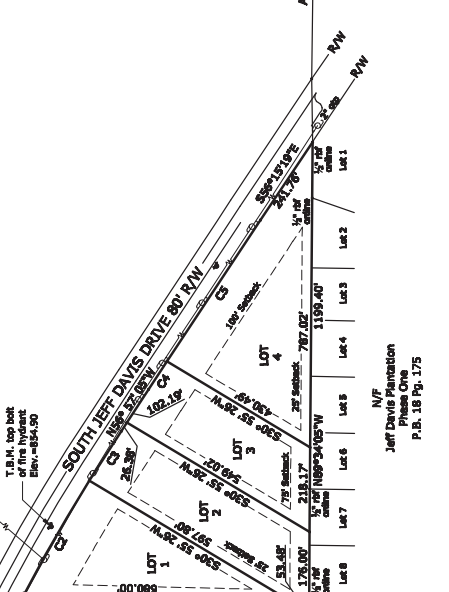
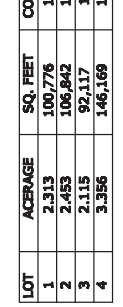


CONCEPT PLAN FOR SOUTH JEFF DAVIS PLACE SOUTH JEFF DAVIS DRIVE LAND LOT 87 OF THE 5th DISTRICT FAYETTE COUNTY, GEORGIA MAY 30, 2015



| Curve # | Length | Radius | Bearing | Chord |
|---------|---------|-----------|---------------|---------|
| C3 | 151.73' | 4751.32' | S57° 10' 13"E | 151.73' |
| C4 | 85.97' | 87968.42' | S56° 22' 58"E | 85.97' |
| C5 | 437.13' | 87968.42' | S56° 33' 12"E | 437.13' |
| C2 | 335.07' | 4751.32' | S60° 06' 20"E | 335.00' |

| LOT | ACERAGE | SQ. FEET | CONTIGUOUS |
|-----|---------|----------|------------|
| 1 | 2.313 | 100,776 | 1,054 AC. |
| 2 | 2.453 | 106,842 | 1,113 AC. |
| 3 | 2.115 | 92,117 | 1,052 AC. |
| 4 | 3.356 | 146,169 | 1,477 AC. |



OWNER'S CERTIFICATE
I HEREBY CERTIFY THAT THIS PLAN IS A TRUE AND CORRECT REPRESENTATION OF THE RESULTS OF AN ACTUAL SURVEY MADE BY ME OR UNDER MY CLOSE PERSONAL SUPERVISION AND TO THE BEST OF MY KNOWLEDGE AND BELIEF THE SAME ACCURATELY REPRESENTS THE TRUE AND CORRECT LOCATION AND DIMENSIONS OF THE LAND DESCRIBED HEREIN AND THAT THE SAME COMPLY WITH ALL APPLICABLE LAWS, ORDINANCES, AND REGULATIONS OF THE STATE OF GEORGIA AND THE COUNTY OF FAYETTE, GEORGIA.

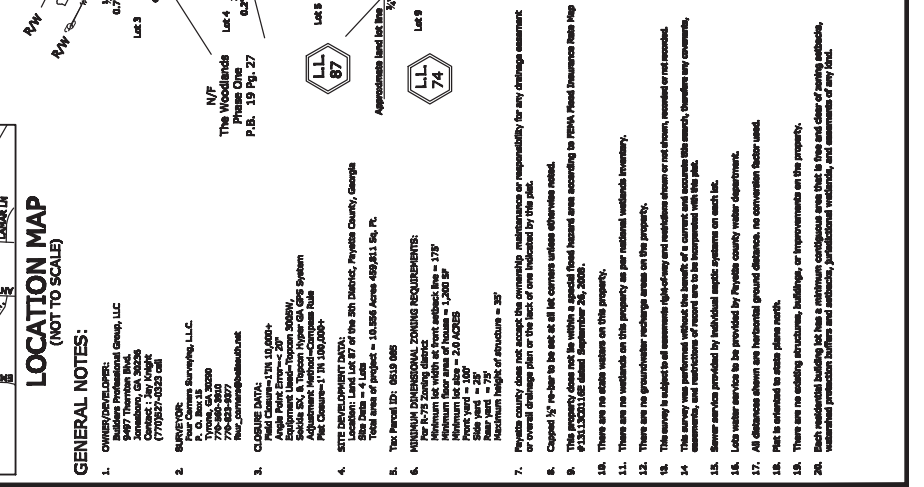
Owner: _____ Date: _____
 Owner: _____ Date: _____

SURVEYOR'S CERTIFICATE:
I HEREBY CERTIFY THAT THIS PLAN IS A TRUE AND CORRECT REPRESENTATION OF THE RESULTS OF AN ACTUAL SURVEY MADE BY ME OR UNDER MY CLOSE PERSONAL SUPERVISION AND TO THE BEST OF MY KNOWLEDGE AND BELIEF THE SAME ACCURATELY REPRESENTS THE TRUE AND CORRECT LOCATION AND DIMENSIONS OF THE LAND DESCRIBED HEREIN AND THAT THE SAME COMPLY WITH ALL APPLICABLE LAWS, ORDINANCES, AND REGULATIONS OF THE STATE OF GEORGIA AND THE COUNTY OF FAYETTE, GEORGIA.

BY: _____ DATE: _____
 SUPERVISOR NO. _____

DISCLAIMER:
INFORMATION REGARDING THE EXISTENCE, SIZE, CHARACTER AND LOCATION OF EXISTING UNDERGROUND UTILITIES AND STRUCTURES IS SHOWN AS SHOWN ON THIS PLAN. THE SURVEYOR HAS CONDUCTED VISUAL SEARCH AND IT SHALL BE CONSIDERED THAT LIGHT BY THOSE USING THIS DRAWING AND THE LOCATION AND CHARACTER OF UNDERGROUND UTILITIES AND STRUCTURES NOT SHOWN MAY BE ENCOUNTERED. THE OWNER, HIS AGENTS, CONTRACTORS AND ANY OTHER PERSONS SHALL BE RESPONSIBLE FOR THE LOCATION AND CHARACTER OF UNDERGROUND UTILITIES AND STRUCTURES. THE SURVEYOR HAS CONDUCTED VISUAL SEARCH, THROUGH ANY CONDUITS, ASBESTOS, AND DISTURBANCES OF RECORD ARE TO BE INCORPORATED WITH THIS PLAN.

- GENERAL NOTES:**
- OWNER'S SURVEY:
 - Jeff Knight Surveying, LLC
 - 3497 Thornton Blvd.
 - Tyngsboro, VA 22650
 - Contact: Jay Knight
 - (770)325-0253 cell
 - (770)325-0253 cell
 - SURVEYOR:
 - Four Corners Surveying, LLC
 - 1500 Northside Blvd., Suite 100
 - Tyngsboro, VA 22650
 - 770-852-8870
 - 770-852-8870
 - fourcornersurveying.com
 - CLIENTS DATA:
 - Field Closure= 1/31 10:00 AM
 - Survey Method= GPS
 - Equipment Used= Trimble SPS560
 - Software= AutoCAD
 - Scale= 1" = 400'
 - Project Name= 1/13 100,000+
 - SETBACK REQUIREMENTS:
 - Location: Land Lot 87 of the 5th District, Fayette County, Georgia
 - Site Area = 4.166 Ac.
 - Total Area of Project = 10.686 Acres 469,811 Sq. Ft.
 - Tax Parcel ID: 0533 885
 - HIGHWAY DIMENSIONAL ZONING REQUIREMENTS:
 - Minimum front setback = 150'
 - Minimum floor area of house = 1,200 SF
 - Minimum lot width at front setback line = 175'
 - Minimum front setback = 20' ACROSS
 - Front yard = 100'
 - Side yard = 25'
 - Maximum height of structure = 35'
 - Fayette county does not accept the responsibility for any drainage easement or overall drainage plan on the lot of one indicated by this plan.
 - Capped 1/2" re-bar to be set at all lot corners unless otherwise noted.
 - 1/4" re-bar to be set at all lot corners unless otherwise noted.
 - 1/4" re-bar to be set at all lot corners unless otherwise noted.
 - There are no stone walls on this property as per national standards inventory.
 - There are no stone walls on this property as per national standards inventory.
 - There are no stone walls on this property as per national standards inventory.
 - The survey is subject to all easements, rights-of-way and encroachments or red lines, recorded or not recorded.
 - This survey was performed without the benefit of a current soil accuracy field survey, therefore any contours, dimensions, and restrictions of record are to be incorporated with this plan.
 - Survey services provided by individual clients are not shown, recorded or not recorded.
 - Lot water service to be provided by Fayette county water department.
 - All distances shown are horizontal ground distances, no correction factor used.
 - File is intended to obtain state title.
 - File is intended to obtain state title.
 - All distances shown are horizontal ground distances, no correction factor used.
 - Each residential building lot has a minimum contiguous area that is three and one-half acres, including all easements, rights-of-way, and encroachments of any kind.



FOUR CORNERS SURVEYING
 P.O. BOX 15 TYNGS, VA 22650 770-560-3910 & 770-823-9377
 fourcornersurveying.com

| | | |
|--------------------------------------|--|------------------|
| DATE: 05/30/15 | DRAWN BY: JCB | SCALE: 1" = 200' |
| JOB NUMBER: 13-0830CONC1 | Land Lot 87 of the 5th District, Fayette County, Georgia | |
| JAY KNIGHT SOUTH JEFF DAVIS DRIVE | REVISION: | DATE: |
| DESCRIPTION: | REVISION: | DATE: |

SHEET 1 OF 1

COUNTY AGENDA REQUEST

Consent Agenda #7

Department:

Presenter(s):

Meeting Date:

Type of Request:

Wording for the Agenda:

Approval of staff's recommendation to approve a Change Order with Southeastern Pressure Grouting, Inc., in the amount of \$28,000.00, for additional grout-fill of the Lake Peachtree Spillway, and authorization for the County Administrator to sign the Change Order and any related documents.

Background/History/Details:

On March 10, 2015, the Board of Commissioners awarded Quote #934-Q- Grouting Lake Peachtree Spillway to Southeastern Pressure Grouting Company in the amount of \$71,855.00. This agreement was based on the Intergovernmental Agreement between the City of Peachtree City and Fayette County that makes water in Lake Peachtree available to the county. The quote was to add grout to the spillway while the lake is currently drained for dredging.

Additional areas of the spillway were identified and required grouting. The proposed Change Order, attached as backup to this request, will provide for labor, grout-filling and resealing of the spillway.

What action are you seeking from the Board of Commissioners?

Approve a Change Order with Southeastern Pressure Grouting, Inc., in the amount of \$28,000.00, to grout-fill four additional unmarked areas of the Lake Peachtree Spillway, and authorize the County Administrator to sign the Change Order and any related documents.

If this item requires funding, please describe:

The \$28,000 would be transferred to the Lake Peachtree Spillway project from the Water System Renewal & Extension account's current balance of \$7,016,706.47.

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:

The proposed cost is \$1,850.00 per day for approximately 4-5 days and \$12.85 per cubic foot of ground (approximately 1,250 cubic feet.)

County Administrator Steve Rapson briefed the Board about this Change Order at the July 9, 2015 Board of Commissioners meeting during Administrator's Report.



**SOUTHEASTERN
PRESSURE GROUTING, INC.**
3069 McCALL DRIVE
SUITE 1
DORAVILLE, GA 30340

*“When professionalism counts,
Count on the professionals”*

Tele: 770-452-0390

FAX: 770-452-8138

www.sepgi.com

southeasternpressuregrouting@gmail.com

PROPOSAL

TO: Fayette County
Purchasing Department
140 Stonewall Avenue, W
Suite 204
Fayetteville, GA 30214

ATTN: Lee Pope

SUBJECT: Void Fill
Lake Peachtree Spillway

DATE: May 12, 2015

SCOPE OF WORK:

To grout-fill 4 additional unmarked areas of spillway, measuring approximately 4' x 5' x 8', 25' x 3' x 3', 30' x 3' x 3', and 22' x 3' x 3' as discussed and specified.

Southeastern Pressure Grouting, Inc., hereinafter referred to as SPGI, proposes to furnish:
A working crew of two (2) men including an experienced superintendent plus the following equipment:

1. Grout Pump
2. Grout Mixer
3. Drills
4. Necessary Water Hose and other concrete grouting materials.

Fayette County, hereinafter referred to as the buyer, agrees to furnish free to SPGI:

1. Water for mixing and clean up (3/4 water bib)
2. Access to areas where work is to be performed for checking and /or performing work.
3. Location of all underground utilities
4. Electricity
5. See Contract Conditions

The work outlined above is to be performed for amounts listed on the next page, including applicable insurance and taxes.

Fayette County
Proposal – Page 2
May 12, 2015

1. The sum of \$ 1,850.00 per 8-hour day will be charged for all labor, equipment, material, and travel. Approximately 4 to 5 days.
2. The sum of \$12.85 per cubic foot of grout will be charged (approximately 1,250 cubic feet).
3. Payment net 30 days.

This proposal is extended through June 12, 2015.

Proposal Presented By: Glenn Burns
Date: May 12, 2015
Glenn Burns
Southeastern Pressure Grouting, Inc.
3069 McCall Drive Suite 1
Doraville, GA 30340

Proposal Accepted By: _____

Date: _____

07/16/2015 09:04
9597mpar

FAYETTE COUNTY, GA
ACCOUNT SUMMARY TRIAL BALANCE FOR FY15/JUL TO JUN
FUND

P 1
glatrbal

| ACCOUNT ACCOUNT NAME | BEG. BALANCE | ORG | DEBITS | CREDITS | NET CHANGE | END BALANCE |
|--|--------------|-----|--------------|------------|--------------|--------------|
| 505 -00-00000-00000-00-00-116119- RENEWAL & EXTENSION GA FUND 1 | 5,182,903.44 | 505 | 2,307,497.03 | 473,694.00 | 1,833,803.03 | 7,016,706.47 |
| TOTALS FOR FUND 505 WATER SYSTEM FUND | 5,182,903.44 | | 2,307,497.03 | 473,694.00 | 1,833,803.03 | 7,016,706.47 |
| REPORT TOTALS | 5,182,903.44 | | 2,307,497.03 | 473,694.00 | 1,833,803.03 | 7,016,706.47 |

** END OF REPORT - Generated by Mary Parrott **



Minutes

Board of Commissioners

July 9, 2015

7:00 P.M.

The Board of Commissioners of Fayette County, Georgia, met in an Official Meeting on July 9, 2015 at 7:00 p.m. in the Public Meeting Room of the Fayette County Administrative Complex, 140 Stonewall Avenue, Fayetteville, Georgia.

Commissioners Present:

Charles Oddo, Chairman
David Barlow
Steve Brown
Randy Ognio

Staff Present:

Steve Rapson, County Administrator
Floyd L. Jones, County Clerk
Dennis Davenport, County Attorney

Staff Absent:

Tameca P. White, Chief Deputy Clerk

Call to Order

Chairman Oddo called the July 9, 2015 Board of Commissioners meeting to order at 7:01 p.m. He acknowledged that Vice Chair Coston was not at the meeting due to her recent passing away, and he said the Board was still in shock at her loss.

Invocation by Chairman Charles W. Oddo

Chairman Oddo asked Mr. Brian K. Coston to offer the Invocation. Mr. Coston offered the Invocation. After the Invocation, Chairman Oddo asked for the song *Amazing Grace* to be played. A YouTube video of *Amazing Grace* entitled *Andrea Bocelli conmueve al Papa Francisco al cantar Amazing Grace* was played.

Pledge of Allegiance

Chairman Oddo led the Board and audience in the Pledge of Allegiance.

Acceptance of Agenda

Commissioner Brown moved to accept the Agenda as published. Commissioner Ognio seconded the motion. No discussion followed. The motion passed 4-0.

PROCLAMATION /RECOGNITION:

There was no Proclamation / Recognition on the Agenda.

PUBLIC HEARING:

There was no Public Hearing on the Agenda.

CONSENT AGENDA:

Commissioner Brown moved to approve Consent Agenda #1-4 with the corrections made to Consent Agenda #2. Commissioner Ognio seconded the motion. No further discussion followed. The motion passed 4-0.

- 1) **Approval of staff's recommendation to award RFP #940-P - Public Works' Engineer of Record to Tetra Tech, Inc. for a one-year contract expiring on June 30, 2016 and with provisions for two 12-month extensions. Copies of the request and contract, identified as "Attachment 1," follow these minutes and are made an official part hereof.**

- 2) **Approval of staff's recommendation to award Chemical Bid #985-B, to seven companies who bid on chemicals used by the Fayette County Water System for water treatment for a one-year period in an amount not to exceed \$307,185.80, and authorization for the Chairman to sign any contracts or related documents related to this request.**

Commissioner Brown pointed out that Chairman Oddo had read that there were eight companies who bid on chemicals but that there were seven companies. Chairman Oddo acknowledged that he was using a previously drafted Agenda and he re-read Consent Agenda #2 into the record. County Administrator Rapson verified that only seven companies were recommended for award of Bid #985-B. Copies of the request and contract, identified as "Attachment 2," follow these minutes and are made an official part hereof.

- 3) **Approval of the Water Committee's recommendation for Southeastern Pressure Grouting, Inc. to perform spillway repairs in an amount not-to-exceed \$10,000.00 and approval for Piedmont Geotechnical Consultants, Inc. to perform a post-construction analysis in an amount not-to-exceed \$1,600.00 at the Lake Peachtree Dam Spillway. Copies of the request and contracts, identified as "Attachment 3," follow these minutes and are made an official part hereof.**

- 4) **Approval of the June 25, 2015 Board of Commissioners Meeting Minutes.**

OLD BUSINESS:

There was no Old Business on the Agenda.

NEW BUSINESS:

- 5) **Consideration of the Selection Committee's recommendation to appoint Mr. Terrence Williamson to the Fayette County Recreation Commission for a four-year term beginning January 1, 2015 and expiring December 31, 2018.**

Commissioner Brown stated that both he and Vice Chair Coston had interviewed Mr. Williamson and found him to be a capable candidate for the position.

Commissioner Brown moved to approve the appointment of Mr. Terrence Williamson to the Fayette County Recreation Commission for a four-year term beginning January 1, 2015 and expiring December 31, 2018. Commissioner Ognio seconded the motion. No discussion followed. The motion passed 4-0. A copy of the request, identified as "Attachment 4," follows these minutes and is made an official part hereof.

- 6) **Consideration of staff's recommendation to award Bid #960-B- Filtration System Improvements Project to Lakeshore Engineering, LLC, for a not-to-exceed amount of \$4,523,281.00, including a \$200,000 contingency allowance, with authorization to utilize existing bond proceeds, and authorization for the Chairman to sign the contract and all related documents.**

County Administrator Steve Rapson stated this request was a combination of seven major Capital Improvement Projects that will complete the Environmental Protection Division's (EPD) Consent Order requirements. He added that this is an eighteen-month project that will dove-tail behind the liquid-lime project.

Commissioner Brown moved to approve staff's recommendation to award Bid #960-B- Filtration System Improvements Project to Lakeshore Engineering, LLC, for a not-to-exceed amount of \$4,523,281.00, including a \$200,000.00 contingency allowance, with authorization to utilize existing bond proceeds, and authorization for the Chairman to sign the contract and all related documents. Commissioner Ognio seconded the motion. No discussion followed. The motion passed 4-0. Copies of the request and contract, identified as "Attachment 5," follow these minutes and is made an official part hereof.

7) Discussion of proposed intersection controls and tunnel along Veterans Parkway to serve Pinewood Studios and the proposed Pinewood Forrest development.

County Administrator Steve Rapson stated there would be three presenters for this project, namely, Mr. Bill Foley, President of Foley Design, City of Fayetteville Assistant Manager Alan Jones, and Fayette County Public Works Director Phil Mallon. Mr. Rapson then turned the floor over to Mr. Foley.

Mr. Bill Foley gave a twenty-five minute presentation utilizing a PowerPoint entitled *Roundabout: Pinewood Atlanta Studios*, and he spoke about the basics, safety factors, and various locations of existing roundabouts. He stated that the City of Fayetteville was asking to amend the Intergovernmental Agreement to construct a roundabout instead of a tunnel. He stated that the proposed roundabout would be built as a two-lane roundabout but eventually would be expanded to a four-lane roundabout.

Commissioner Brown asked how unauthorized access into Pinewood Studios would be prevented from the roundabout and he asked how a "stacking situation" would be handled with vehicles being checked into Pinewood Studios. Mr. Foley stated that the plan was to add a slip lane to accommodate traffic, to move the security gate back to allow for more vehicles, and to add a turnaround point for vehicles that accidentally turn into Pinewood Studios property.

Mr. Rick Halbert, owner of Halbert Development, stated that when the City of Fayetteville entered into the Intergovernmental Agreement with Fayette County there was not a clear understanding of what the project would be since it was in its initial stages, and he spoke about the progress that has been made since 2013. Mr. Halbert reported that the first movie that was filmed in Fayetteville, Georgia, specifically *Ant-Man*, produced 3,579 new jobs in Georgia, more than \$106,000,000 was spent in Georgia, and it used 22,413 hotel rooms. He said Pinewood Studios is a jewel in the state, that more than \$100 million was spent developing Pinewood Studios, and three major motion pictures have been filmed at the studios. He mentioned that the Georgia Film Academy and the Georgia Military College were moving to the area. He stated that the developers were going to contribute \$60,000.00 to the development of the tunnel. He spoke about the development at Pinewood Studios and the many expenditures that the developers have made to date for the betterment of Fayette County. Mr. Halbert stated that a roundabout would be the best fit for

Pinewood Studios and Pinewood Forrest. He said the main goal was to make a decision between a roundabout and a tunnel. He said a tunnel would exceed more than \$1 million and that a roundabout would cost less money. He said there were many who were in favor of the roundabout and he was offering the county a cost savings with the roundabout.

Commissioner Barlow commented on what is required in the Intergovernmental Agreement and he concluded that he supported the proposed roundabout.

City of Fayetteville Assistant Manager Alan Jones stated that the City Council unanimously supported the option to revisit the Intergovernmental Agreement to reconsider the tunnel for a roundabout. He asked the Commissioners to accept the roundabout alternative. He said the City Council wanted to make sure that a safety study would demonstrate that the roundabout was safe. Commissioner Ognio asked if Mr. Jones was trying to state traveling at grade was as safe as traveling underground. Mr. Jones stated that tunnels bring safety challenges of their own. Commissioner Ognio asked if there have been accidents in tunnels in Peachtree City, and Mr. Jones said he was not aware of Peachtree City's statistics but that he would defer to the third-party safety study.

Mr. Rapson reminded the Board that City of Fayetteville Mayor Greg Clifton came to the June 25, 2015 Board of Commissioners meeting and asked for the Board to approve a change to the Intergovernmental Agreement.

Public Works Director Phil Mallon gave a seventeen minute presentation using a PowerPoint entitled *Intersection Controls Along Veterans Parkway for the Pinewood Developments*. He pointed out that once Veterans Parkway is completed it will become a major corridor to move traffic in the area. Mr. Mallon stated that his cost estimate for the tunnel was substantially cheaper than the estimate provided by Pinewood Studios. Mr. Rapson interjected that Mr. Mallon's estimate was the net estimate based on the \$60,000.00 contribution from Pinewood Studios meaning the gross estimate was \$896,000.00.

Commissioner Ognio stated that the Intergovernmental Agreement was in place when the utilities were put in and it seemed that the developers did not do adequate planning and did not want a tunnel in the first place. Mr. Halbert returned to the public comment podium and explained that there was planning involved and he got a permit for his plans.

Commissioner Barlow pointed out that a tunnel would not mitigate traffic on Veterans Parkway, but that a roundabout would mitigate traffic. Mr. Mallon agreed with Commissioner Barlow's observation, but he added that there is not a design of the roundabout to such an extent that anyone could review it for traffic volumes so a study was needed. Commissioner Ognio stated he did not want to see people crossing a four-way road since it could cause a bad accident.

Chairman Oddo opened the floor for public comment.

Aaron Wright: Mr. Wright spoke in favor of the roundabout saying he has cycled across the United States and has cycled in roundabouts. He stated once the general populace gets use to roundabouts then roundabouts are not a big deal.

Derryl Anderson: Ms. Anderson stated that she slows down at roundabouts. She said she was concerned about tunnels during major, heavy rainstorms since they have their own issues. She stated a roundabout would be more attractive and suited to the development and that the roundabout makes sense.

Commissioner Ognio replied that the choice was not between a roundabout or a tunnel but rather was a choice between a roundabout with a tunnel or a roundabout without a tunnel.

Walter Hopewell: Mr. Hopewell stated that tunnels brought other safety problems since they are low, dark places. He suggested that a bridge would have to be incorporated to move traffic while allowing the ability to cross the street.

Brian Coston: Mr. Coston, a resident of New Albany, Ohio, spoke about the benefits roundabouts have brought to his area by reducing traffic congestion while increasing safety dramatically.

John Reed: Mr. John Reed stated that golf carts are a function of the studio's transportation system. He thought Pinewood Studios would not want Ben Affleck cross a four-lane roundabout so he suggested there would be a study. He thought the discussion should be about a study to determine if the land is feasible for a roundabout or a tunnel before talking and budgeting for them.

Roy Bishop: Mr. Bishop said he did not favor either a roundabout or a tunnel since they made no difference to him, but he reminded the Board that the road was built as a bypass. He stated that putting a roundabout on a bypass did not make sense. He mentioned that the developers came across rock in the location, and he suggested that the Transportation Department would show them how to drill holes.

Commissioner Ognio stated that a bridge could be considered so long as it would keep people from crossing at-grade.

Mr. Rapson stated he received an email from the Fayetteville City Manager asking if Mr. John Walker of Kimley-Horn Associates wanted to speak. Mr. Walker said his unbiased opinion was that if the only goal was to keep a golf cart from being hit by a car then a tunnel is safe, but he added that vehicles and other forms of transportation can cross the road at-grade safely with roundabouts. He suggested that multiple forms of transportation are possibly not safe solely with a tunnel. He added that there are a lot of design options available to help traffic cross roads at-grade. He also mentioned that the Georgia Department of Transportation prefers roundabouts and that many roundabouts will be constructed in Georgia in the next twenty years.

Commissioner Brown stated that the Development Regional Impact (DRI) study stated there was traffic that would be created and mitigated on Veterans Parkway regardless of how it is mitigated. He concluded that something would happen to mitigate traffic regardless of the Board's decision. Mr. Halbert asked the Board not to prompt another study, but he reiterated that he was offering a cost savings so that he could offer either a tunnel or a roundabout. Commissioner Brown repeated that the DRI study concluded that the roundabout would be done at the intersection, but the other agreement was to build a tunnel. He said this was not choosing between a tunnel or a roundabout.

Michael Shane: Mr. Shane asked for the Board to stop discussing this issue and for the Board to be sensitive to the fact that there are 150 people who do not care about the project and who want to get back to their lives.

Chairman Oddo moved to approve the use of funds to construct a roundabout, contingent on a study per the suggestion of the Public Works Department, and that the roundabout be capped at \$688,000.00. Commissioner Barlow seconded the motion.

Commissioner Brown stated that Mr. Halbert did not want the study so he wished there was no study in the motion. He stated that the DRI is a study conducted by both the Atlanta Regional Transportation Authority and the Atlanta Regional Commission that informs developers what they need to do to mitigate the regional impact. He said the Pinewood Development was much larger than first anticipated. He said the people likely will travel from Pinewood Forrest to Pinewood Studios via bicycles and ATVs and golf carts, so this is not a typical work-type situation. He said the impact has to be mitigated or the Pinewood Forrest project cannot be built. He said the issue is not whether or not a roundabout or other mitigation effort will take place. He stated that the tunnel is an entirely separate entity and that it was agreed at-grade crossings are not the way to go since they bring safety concerns. He said the mitigation has to be done at the developer's cost. Commissioner Brown said the DRI and the tunnel have two separate uses, and the original plan took citizen safety into consideration. He said the roundabout may not work, but tunnels provide 40 to 50 years without interference with automotive traffic and with 100% safety guarantee. He said the bicycles and golf carts introduce a different traffic-dynamic and there are no studies on the matter.

Commissioner Brown stated no one knows what will be developed in the area on the future meaning a roundabout could be overwhelmed in the future. He stated that there were many out-of-town employees who are not familiar with roundabouts and golf carts so there is a lot of unpredictability that is reduced with a tunnel. He stated that the City of Peachtree City's biggest problem is at-grade crossings, and he asked why repeat a mistake that is already known. He concluded saying the tunnel is the safest and most effective option available.

Chairman Oddo said there is more than safety to consider, but he added that the County is limited in its budget. He said it is unknown how safe a roundabout is compared to a tunnel, and he said traffic control and traffic safety are two separate issues. He said the County is stretching its budget to do many things. He stated that the Intergovernmental Agreement does not place a spending cap on the tunnel with no limit on how much can be spent. He suggested that the roundabout would save significant money to take care of other needs. He said it was unknown if a tunnel is accident proof and he said tunnels are not crime proof, so there is more to the matter than safety alone. He said a tunnel would serve residents only while a roundabout would serve everyone on the road. He suggested that the County could build a roundabout and Fayetteville could eventually build its tunnel. He said experience shows roundabouts work and will cost less money. He said the county needs to be responsible with its money. He suggested that if the savings can fix another intersection then two problems are solved potentially saving lives. Chairman Oddo said there was an excellent offer from the developer.

Commissioner Brown said there was no design for the roundabout so the savings could not be determined at this time. He said he drives tunnels every day in Peachtree City, and he reminded the Board that the developer asked not to do the study despite the motion on the table. He said the developer is responsible for the roundabout and the county would build the tunnel. Chairman Oddo replied that there is no spending cap on the tunnel while there is a spending cap for building the roundabout in the motion.

Mr. Halbert stated that if he talks to the owners of Pinewood Studios and if they are willing to do the roundabout for \$680,000.00 could the matter be put to bed. He said he would have to get the approval, but if he could get approval then he would propose the idea.

Chairman Oddo amended his motion to include Mr. Halbert's proposal. Commissioner Barlow seconded the amended motion.

The motion to approve the use of funds to construct a roundabout, contingent on a study per the suggestion of the Public Works Department, to include Mr. Halbert's proposal, and that the roundabout be capped at \$688,000.00 failed 2-2 with Commissioners Brown and Ognio voting in opposition. A copy of the request that includes the two PowerPoint presentations, identified as "Attachment 6," follows these minutes and is made an official part hereof.

PUBLIC COMMENT:

Bernie Coston: Mr. Coston thanked the Board, staff, and citizens for showing love and support for his wife, Commissioner Pota Coston. He asked the Board to reconsider a decision that was recently made to conduct a Special Election to fill Commissioner Coston's seat through the at-large vote. He stated that district voting was to allow citizens to be heard. He stated that while Commissioner Coston was serving the people were energized, looking forward to a bright future, and were postured for success. He said citizens wanted to serve at unprecedented levels. He said the charter allows the Board to hold Special Elections through the at-large process, but he said the judge overlooked the charter for Special Elections. He said the Board could continue to exercise the spirit and intent of the law without lawyers and additional costs. He said Commissioner Coston loved Fayette County and he stood in the background supporting what she did in any capacity he could. He said now was the time to take the lead in memory of his wife and he asked the Board to lead with him. He said Commissioner Coston gave her life for Fayette County and now is the time for the Board to give back to her. He said Commissioner Coston always took the high road and he asked if the Board was taking the high road. Mr. Coston reminded the Board that they will give an account to God for the service they have done. He stated that each Commissioner asked him what could be done, and he said the answer was to reverse the decision to hold the at-large Special Election. He asked for the spirit and legacy of Pota Coston to lead them to do the right thing.

Joe Beasley: Mr. Beasley agreed with Mr. Coston's comments. He said when *Amazing Grace* was played earlier in the meeting it only showed white people and not a true representation of Fayette County. He said Fayette County was his home. He said over \$1 million was spent running away from doing what is right and he asked the Board to try to do the right thing. He said he did not want to come back to Fayette County but was prepared to do so unless Fayette County does the right thing.

Larry Younginer: Mr. Younginer stated that his home state of South Carolina voted to remove the Confederate flag from the capitol and he asked Fayette County not to pull its Confederate flag back out again.

Terrence Williamson: Mr. Williamson stated that he had just been appointed to the Recreation Commission earlier in the meeting. He said that in the run-up to the election there was very nasty and divisive things that occurred that made him worry. He said he also saw things that made him proud to be a citizen of Fayette County. He said he helped Commissioner Coston run for office. He said he has lived and worked all over the world and seen democracies torn asunder. He said he saw people in Fayette County and the Board come together. He said he saw Commissioner Barlow become a changed man after the election. He said Chairman Oddo stepped up to the plate and that Commissioner Brown does what he does. Mr. Williamson said he was a former citizen of South Carolina and it did him proud to see the Confederate flag come down. He said at the prayer service he saw all sorts of people come together to stand up for Commissioner Coston. He said the Board needs to do the right thing.

Representative Virgil Fludd: Representative Fludd said each time he comes to the podium it is to admonish the Commissioners for not doing the right thing. He said he could not imagine the Board would be so disrespectful to hold at-large voting before Commissioner Coston was laid to rest. He said he too was from South Carolina and that the Confederate flag was going to be removed from the capitol. He said the flag was not a symbol of Confederate honor, and he said symbols and actions matter. He said Fayette County was considering a return to the same symbolism of discrimination that Commissioner Coston was chipping away at. He said if the Board did not reconsider its action then he did not know what kind of men made up the County Commission. He suggested that there would be more litigation with the at-large voting system. He said if the County really wanted to save money then it needed to drop the lawsuit. Mr. Fludd asked the Board to honor Commissioner Coston the way it did at the beginning at the meeting and to treat her service with the dignity and honor that she served Fayette County. He urged the Board to do the right thing.

Sharon DeHaven: Ms. DeHaven said Commissioner Coston was a dear person who touched everyone and who left a legacy in Fayette County for generations to come. She said if the Board reversed its decision and replaced Commissioner Coston as she should be the Board would also leave a legacy for great-great grandchildren since they did the righteous thing.

Derrick Jackson: Mr. Jackson stated that a week ago the room was filled to capacity where words were expressed about a phenomenal wife, mother, sister, neighbor and Commissioner. He said words meant something, and he spoke about when he and Commissioner Coston ran for office in Tyrone, Georgia. He said she told him, "Actions speak louder than words." He said he agreed with her, but he added that actions need to be aligned with your words and that your "say-do" ratio needs to be tight. He said profound words were said last week, but he urged the Board to let its actions be aligned with the words. He said the Board needed to stop the appeal for district voting, and he said the Special Election should be for District Five— not at-large. He said the people would filibuster talking about Commissioner Coston's legacy and would hold the Board accountable.

Rick Halbert: Mr. Halbert said he only knew Commissioner Coston for a short while but that she made a big impact. He told the Board that he did not want to see her efforts go to waste and that it was time for the Board to walk the walk and talk the talk.

John E. Jones: Mr. Jones said by the grace of God he was able to come to the meeting. He addressed the spirit of Commissioner Coston by thanking her for what she did for Fayette County and for bringing everyone together. He said her legacy goes on in the person who replaces her. He said as President of the Fayette County Branch of the National Association for the Advancement of Colored People (NAACP), advancement is what "we do." He said the people would not stand by and let what "we have worked for be erased." He said the room was full and if the Board does not do the right thing then it will bring more attention that it does not want to Fayette County. He said the Board had some great guys, but while some may not like him or what he does, God does.

Charles Rousso: Mr. Rousso offered his deepest condolences and he said it was a sad state of affairs that the family had to be at the meeting for this discussion. He said Commissioner Coston's official picture is not on the wall where everyone meets to deliberate the business of Fayette County. He asked for the picture to be moved to the Public Meeting Room. He further suggested that a boycott of Pinewood Studio's products that are produced in Fayette County.

Melinda Sylvester: Ms. Sylvester said she has met each of the Commissioners and she stated they should honor the legacy of Commissioner Coston. She said when she first met Commissioner Coston it was like the scriptural encounter of Mary and Elizabeth where something took place. She said she and Commissioner Coston shared the same vision and dream for Fayette County. She said she loved the Board and public servants, but she thought this decision was a no-brainer and an easy decision. She said Commissioner Coston brought hope and a blessing to Fayette County, and she should be honored. She said she was ashamed this matter was being discussed tonight. She held a pen in the air and stated that the Board had the power of the pen to make the right decision. She asked the Board to use their power and do the right thing.

Eric Woods: Mr. Woods, a retired Army Lieutenant Colonel, stated that one thing that has been congruent in areas that he lived in across the United States was that those areas with district voting were successful since it allows for everyone to be heard. He said people in leadership positions do not grow or progress when they are filled with people who think and do exactly the same way. He said Commissioner Coston added the diversity needed on the Board and to grow better. He spoke about how he met Commissioner Coston and how he helped with her election. He said Commissioner Coston extended her right hand of friendship to everyone regardless of who they were. He said when she became people there were many who wanted to participate in the government. He said if the Board does not do the right thing then it will "awaken a sleeping giant." He added the sleeping giants that awake will win.

Fayetteville City Councilman Edward Johnson: Councilman Johnson stated he tried to let the conversation go forth pertaining to be an egregious act on Fayette County's behalf. He said when he heard the Board was considering going back to at-large voting for the Special Election that he was appalled. He said the decision would go back on the law, and that men of courage would not be despicable and deceitful while turning the tables while turning away something that is just and righteous. He said if the Board would disrespect Commissioner Coston and their individual offices as Commissioners if it turns back to open elections instead of district voting.

Walter Triche: Mr. Triche said he met Commissioner Coston at a homeowner's association meeting, and he said Commissioner Coston impressed him and the association. He said she made everyone feel special. He said he received a text earlier in the evening concerning the Board's decision to hold at-large voting for the Special Election. He said he was tired but he thought about Commissioner Coston coming to the meeting and being a real person. He gave his condolences to the family and asked the Board to do the right thing.

Chairman Oddo thanked the speakers for their passion and stated it was a tough time for everyone.

ADMINISTRATOR'S REPORTS:

Notification of FEMA / Homeland Security Grant Award: County Administrator Steve Rapson stated that Fayette County was notified that it received a FEMA / Homeland Security Grant Award for \$136,355.00 for Fire and Emergency Services radios. He gave kudos to the 911 Communications Department to the Fire Chief David Scarbrough for obtaining the grant award.

Change Order for the Lake Peachtree Spillway: County Administrator Steve Rapson stated Fayette County has a Change Order in the amount of \$28,000.00 for grouting the Lake Peachtree Spillway and he said the Change Order would be placed on the July 23, 2015 Board of Commissioners Agenda for approval. He said, in regards to what was approved earlier in the evening with Consent Agenda Item #3, the County would move forward with post-construction analysis with Piedmont Geotechnical Consultants but, at the request of the Peachtree City Council, the County would defer from moving forward with the spillway crack sending change order with Southeastern Pressure Grouting.

GDOT Improvement of the State Route 74 Corridor: County Administrator Steve Rapson stated that the Georgia Department of Transportation (GDOT) has notified Fayette County that it is proposing to put an "R-cut" improvement at the State Route 74 corridor. He said the improvement would cost about \$200,000.00, and that improvement was encompassed with the DRI study involving Pinewood Studios.

West Fayetteville Bypass Study Accelerated: County Administrator Steve Rapson stated that Fayette County was notified that the West Fayetteville Bypass study was being accelerated and that a report would be provided to the Board on August 14, 2015. He said Mr. Tom Waller would be notified about this report as well.

Engineer of Record to Proceed with Redwine Road Golf Cart Path: County Administrator Steve Rapson stated that the Board approved an Engineer of Record earlier in the meeting with Consent Agenda Item #1. He said the Engineer of Record would first proceed with the Redwine Road Golf Cart Path in an effort to expedite that project. He said land would have to be acquired for the project and that process would begin soon.

Personal Remarks about Commissioner Pota Coston: County Administrator Steve Rapson stated that his Vice Chair, Pota Coston, was a class act, and he assured everyone that she is missed. He said her calming hand is missed and that he missed his friend. He said his heart and prayers go out to Bernie Coston and he wished God's grace would carry him this weekend.

ATTORNEY'S REPORTS:

Notification of Executive Session: County Attorney Dennis Davenport notified the Board that he had two items for Executive Session involving Pending Litigation and one item concerning the review of the June 25, 2015 Executive Session Minutes.

COMMISSIONERS' REPORTS:

Commissioner Brown: Commissioner Brown stated that the funeral arrangements for Vice Chair Coston were available on the Fayette County website at the home page. He said she was to be buried at the Hopeful Primitive Baptist Church's cemetery and he thought it was incredible and touching given all the work she was involved in to restore the church and property. Commissioner Brown stated that the County was not disrespecting Commissioner Coston by not having her official picture in the Public Meeting Room, but instead, the picture of the current Board of Commissioners is kept in the County's Administrative Office where business is done every day. He said that was the tradition since the day the Administrative Complex opened and he said the wall in the back of the room is reserved for past Boards of Commissioners. He said the Board of Commissioners would never disrespect Commissioner Pota Coston. He said he was sorry that some in the audience felt the way they do and that he felt for them and for Commissioner Coston's family. He said he wished the Board was not in the scenario to have this type of discussion, and that he did not ask for Commissioner Coston to be in the situation that she was in. He said no one wanted that for her or for anyone else. He wished she was present and sitting in her chair and that whatever the judge orders would allow the County to "go on with it." Commissioner Brown said the Board would go into Executive Session, look at things, and come back with a decision. At this point, a member of the audience shouted "racist." Commissioner Brown said it tore him apart that anyone would use the word racist since he spent ten years with the NAACP. He said when they needed something done at the local government in Peachtree City they came to him and he help get it done. He said when the Magistrate Judge was using the "n-word" while conducting business and he was informed about it by a Peachtree City police officer, he took the matter to the Judicial Qualifications Committee and that he was the only elected official in the entire county who would stand up and say, "He's got to go." He said there were people in the room who could back up what he was saying. Commissioner Brown said his family is "half me and half you" and when you have an African-American wife and African-American kids and someone tells you that you are a racist, that person is telling him that he does not care for his kids and wife. He said the people do not have to agree with what has to be done, but he implored the people to be very careful with the words they choose to "throw out there." He said there were many people in the room who did not attend the NAACP meetings where he was. He said he did not apologize for his political beliefs, the color of his skin, or for who he is. He thought that he has been willing to help anyone who asks for it, and that he listens to what people say. He said he made a pledge when he became a Commissioner and when he was the minority vote for the first two years that if he could get a Board who would support him then the County would put African-Americans on the boards, commissions, and authorities. He said Fayette County now has more than at any time in its history and that there are more than the proportional population of Fayette County. He said he has really tried to bring that type of representation and make the community reflect the

faces on the streets and neighborhoods. He said Commissioner Coston was an adorable woman who did a great job in representing the people and county. He said everyone has a story, been places, and lived through different experiences, but that everyone needed to try to work together and find common ground. He asked everyone to be mindful of who we are and what we say and to give as much as we want to receive and to make Fayette County a better place.

Commissioner Ognio: Commissioner Ognio stated he knew Commissioner Coston for a short period of time while she was on the Board of Commissioners. He said the Board welcomed her and she welcomed the Commissioners. He said she was everything everyone believes she was. He said she worked for the County. Commissioner Ognio said when she was elected no one knew that they would be sitting here today in the situation the County is in today. Commissioner Ognio stated that the Board had not taken a vote for at-large voting, but rather, that the Board had asked about the criteria concerning "a deadline to do something." He said it seemed that the people wanted to make this an issue "right off the bat" before the services for Commissioner Coston took place. He said he was ashamed since he did not want to be in this position to make a decision on replacing someone due to such a tragedy as cancer. He said he lost his sister to the same basic cancer and that it is tragic. He said he felt for the Coston family even though there are no words to adequately describe the feelings. He said the Board would look at the facts and would make a decision even though he did not know the decision at this point. He said the Board would do what it understands to be the right thing even though, regardless of the decision, there would be people who do not like the outcome. He said the Commissioners represented everyone regardless of color and that the Board would be more than happy to work with anyone since it has never been an issue about what color someone's skin is. He said it was hard to come to the meeting and see such aggression toward the Board about something that has not happened. He stated that there are no easy decisions that the Board had to make and that every decision is taken with much thought and investigation. He said he preferred to have Commissioner Coston sitting beside him and leaning over to ask questions. He said for the short time he knew her there was a connection. He said he felt for the family and that he would do what he could for the family.

Commissioner Barlow: Commissioner Barlow said Commissioner Coston was his friend and he described her as "Precious Pota." He said he met her in 2010 when she was campaigning in Tyrone, and that Mr. Derrick Jackson remembers them standing on the street corner in the cold drinking hot chocolate. He said he and Commissioner Coston became friends and discussed faith and family. He said they had their differences about things, but she knew that he went to jail in 1989 saving black children from an abortion clinic in Jackson, Mississippi. He said Commissioner Coston knew he disagreed with the Democratic platform that approves of providing for abortion, and that it was egregious to him for every Democrat in Congress to vote in favor of late-term abortions. He said Commissioner Coston was aware of the differences but there were no "crossed sabers" since she knew his heart. Commissioner Barlow stated he was the Promise Keeper Coordinator for the State of Mississippi in the late 1990s and that the campaign was to bring racial reconciliation. He said the effort was to bring down racial barriers in an effort to bring all people into the fold of Jesus Christ. He said the campaign was to reach out to men of all colors but that women truly get the work done. He said over the years he developed a reputation as being a man of integrity

and that he was referred to as the "Hallelujah Man" throughout Mississippi. He said when Commissioner Coston became Commissioner and when he nominated and voted for Commissioner Coston to be Vice Chair of the Board of Commissioners, the local GOP vilified him and lied about what he said while the press wrote about him. He said he has been stepped on and stomped on with his good name by the local GOP since he stood up for Commissioner Coston who was a Democrat. He said his stance for Commissioner Coston had nothing to do with her being a Democrat but rather had to do with her being an outstanding lady that he trusted would present Fayette County in a wonderful way. He stated that Mr. Coston could attest to the many times he came by the Coston home to pick Commissioner Coston up but that their work together was never broadcasted. He said he cannot help the perception that the public has since his good name has been tainted by the press in many cases and by lies by the GOP. He said he has not been to a GOP meeting for months due to the way they have treated him. He said his values have never changed: Faith, Family, and Fayette County. He said no Commissioner serves on as many boards as he is at his own expense and that no Commissioner does Meals on Wheels every week. He said he is serving the citizens of Fayette County and that there is one individual who knows it all: Almighty God. He said he is serving the Lord Jesus Christ and that God honors service, but that He does not honor those who vilify others in the paper. He said people do not lift themselves up by tearing others down, irrespective of race or creed. He said Mr. Coston had to minister to him the day he went to see Commissioner Coston at the hospital. He said he touched her and said, "My Precious Pota." He said he knew God would heal Commissioner Coston and she was one of the first people she called to give the diagnosis of cancer. He said he told her, "The Bible says we have to pick up our cross daily and you have a heavy cross to pick up. But you are going to pick it up and God is going to bring you through this because He did not bring you here to die." Commissioner Barlow said his heart went out to the Coston family and that he was sad information got out through the press that the Board had made a decision. He said there has been no vote, but rather, that the Board needs to find out what path needs to be taken. He asked the people to not take things in the paper as gospel, but he thanked *The Citizen* for quoting him accurately.

Chairman Oddo: Chairman Oddo said he could not add much more than what had already been said. He verified that the Board had not made a decision on how to proceed. He said that the Board may make decisions the people do not want to hear. He said he was adamant that he spoke to the County Administrator, a couple of Commissioners, and with the press that the time to make the decision is not while "we are taking care of Pota." He understood the emotions and the feelings expressed by those in the audience and he said the emotions and feelings were mutual. He said he lost his mother 3 ½ years ago and saw how she declined in health. He said it was tough. He said he and his brothers took care of his father and they had a lot of passion when they passed. He said he had a very good report with Commissioner Coston, that she was a marvelous lady, and that he enjoyed her company. He said that does not mean there was agreement on every issue. He said he spoke with Commissioner Coston on the issues and even with disagreement there was respect. He said the country is a nation of laws and that the Board has to work with the laws. He said the Board cannot chose which laws it will obey since the practice brings implications for future actions. He said the Board would talk to its attorneys and make the best decisions it could. He said everyone is free to react but nothing was being done or said that would disrespect Commissioner Coston but would be done to respect

the laws in place. He said people do not always have or get what they want and that it took years to make progress from the bloodshed from the 1960s. He understood that the people want it all now, but that sometimes goals are accomplished by taking small steps. He said Commissioner Coston would be in the Board's hearts and minds as it makes its decisions and that she would not be disrespected by the Board. He said she was a wonderful bridge to the community and that her legacy would not go away. He thanked the people for sharing their heartfelt thoughts.

Commissioner Brown: Commissioner Brown spoke to Mr. Beasley saying he knew his story well since he's heard it several times. He said it was an honor to have him in Fayette County and thanked him for his service.

Chairman Oddo: Chairman Oddo stated that the video of *Amazing Grace* was filmed in Ecuador last week and that the culture is very different there. He said it showed Protestants and Catholics coming together in a mass celebration, and he thought seeing all the people coming together would be very appropriate in honor of Commissioner Coston.

EXECUTIVE SESSION:

Two Items of Pending Litigation and Review of the June 25, 2015 Executive Session Minutes: Commissioner Brown moved to go into Executive Session. Commissioner Barlow seconded the motion. No discussion followed. The motion passed 4-0.

The Board recessed into Executive Session at 10:08 p.m. and returned to Official Session at 11:13 p.m.

Return to Official Session and Authorization to Sign the Executive Session Affidavit: Commissioner Ognio moved to return to Official Session and for the Chairman to sign the Executive Session Affidavit. Commissioner Barlow seconded the motion. No discussion followed. The motion passed 4-0.

Approval of the June 25, 2015 Executive Session Minutes: Commissioner Ognio moved to approve the June 25, 2015 Executive Session Minutes. Commissioner Barlow seconded the motion. No discussion followed. The motion passed 4-0.

ADJOURNMENT:

Commissioner Ognio moved to adjourn the July 9, 2015 Board of Commissioners meeting. Commissioner Barlow seconded the motion. No discussion followed. The motion passed 4-0.

The July 9, 2015 Board of Commissioners meeting was adjourned at 11:13 p.m.

Floyd L. Jones, County Clerk

Charles W. Oddo, Chairman

The foregoing minutes were duly approved at an official meeting of the Board of Commissioners of Fayette County, Georgia, held on the 23rd day of July 2015. Referenced attachments are available upon request at the County Clerk's Office.

Floyd L. Jones, County Clerk



Minutes

Board of Commissioners
Special Called Meeting
July 15, 2015
9:00 A.M.

The Board of Commissioners of Fayette County, Georgia, met in a Special Called Meeting on July 15, 2015 at 9:00 p.m. in the Public Meeting Room of the Fayette County Administrative Complex, 140 Stonewall Avenue, Fayetteville, Georgia.

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| Commissioners Present: | Charles Oddo, Chairman David Barlow Steve Brown Randy Ognio |
| Staff Present: | Steve Rapson, County Administrator Floyd L. Jones, County Clerk Dennis Davenport, County Attorney |
| Staff Absent: | Tameca P. White, Chief Deputy Clerk |

Call to Order

Chairman Oddo called the July 15, 2015 Board of Commissioners Special Called Meeting to order at 8:59 a.m.

Acceptance of Agenda

Commissioner Ognio moved to accept the Agenda. Commissioner Barlow seconded the motion. No discussion followed. The motion passed 4-0.

NEW BUSINESS:

- 1) Consideration of Resolution 2015-10 establishing qualifying fees for the 2015 Special Called Election in Fayette County.**

Commissioner Brown moved to adopt Resolution 2015-10 establishing qualifying fees for the 2015 Special Called Election in Fayette County. Commissioner Ognio seconded the motion.

Chairman Oddo pointed out that qualifying fee is \$595.29.

Chairman Oddo opened the floor for public comment but no one spoke.

The motion to adopt Resolution 2015-10 establishing qualifying fees for the 2015 Special Called Election in Fayette County passed 4-0. Copies of the request and Resolution 2015-10, identified as "Attachment 1," follow these minutes and are made an official part hereof.

ADJOURNMENT:

Commissioner Brown moved to adjourn the July 15, 2015 Board of Commissioners Special Called Meeting. Commissioners Barlow and Ognio seconded the motion. No discussion followed. The motion passed 4-0.

The July 15, 2015 Board of Commissioners Special Called Meeting was adjourned at 9:00 a.m.

Floyd L. Jones, County Clerk

Charles W. Oddo, Chairman

The foregoing minutes were duly approved at an official meeting of the Board of Commissioners of Fayette County, Georgia, held on the 23rd day of July 2015. Referenced attachments are available upon request at the County Clerk's Office.

Floyd L. Jones, County Clerk

COUNTY AGENDA REQUEST

New Business #9

Department:

Presenter(s):

Meeting Date:

Type of Request:

Wording for the Agenda:

Consideration of the Selection Committee's recommendation to appoint Mr. John H. Culbreth, Sr. to Fayette County's Planning Commission to fill an unexpired term that will begin immediately and will expire on December 31, 2016.

Background/History/Details:

The Fayette County Planning Commission is a body comprised of five members who are appointed to three-year terms. The Planning Commission hears and makes recommendations concerning amendments to the zoning ordinance, including the rezoning of property and the comprehensive plan. The Planning Commission also approves preliminary plats, final plats, and minor subdivision plats, and hears variances on subdivision regulations, floodplain regulations, and watershed protection regulations. Each member of the Fayette County Planning Commission must be a resident of Fayette County. No member of the Planning Commission may hold any other public office, except that one (1) member may also be a member of the Fayette County Zoning Board of Appeals.

Mr. Bob Simmons resigned from the Planning Commission after he moved to a neighboring county; leaving an unexpired term. The position was advertised and one citizen, Mr. John Culbreth, made application. The Selection Committee, comprised of Chairman Oddo and Commissioner Ognio interviewed Mr. Culbreth and have recommended him for appointment to fill the unexpired term.

Mr. Culbreth has served on the McIntosh Trail Community Service Board but he has resigned from that Board in lieu of being appointed Planning Commission.

What action are you seeking from the Board of Commissioners?

Approval of the Selection Committee's recommendation to appoint Mr. John H. Culbreth, Sr. to Fayette County's Planning Commission to fill an unexpired term that will begin immediately and will expire on December 31, 2016.

If this item requires funding, please describe:

Not Applicable.

Has this request been considered within the past two years?

If so, when?

Is Audio-Visual Equipment Required for this Request?*

Backup Provided with Request?

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

Approved by Finance

Reviewed by Legal

Approved by Purchasing

County Clerk's Approval

Administrator's Approval

Staff Notes:

COUNTY AGENDA REQUEST

New Business #10

Department:

Presenter(s):

Meeting Date:

Type of Request:

Wording for the Agenda:

Consideration of Resolution 2015-11 requesting that the Georgia Department of Transportation cease the widening project for McDonough Road and State Route 54 East.

Background/History/Details:

After several years of deliberation on the McDonough Road widening and the State Route 54 East widening, noting no demand for the projects from Fayette citizens and the considerable costs and inconvenience to the taxpayers, Commissioner Brown has asked that this resolution be brought before the Board of Commissioners for a vote.

"Exhibit A" provides Resolution 2015-11 and an associated map.

"Exhibit B" provides a section of the September 26, 2013 Board of Commissioners Minutes when Georgia Department of Transportation (GDOT) Board Member Dana Lemon addressed the Board of Commissioners on the widening project. Exhibit B also includes Attachment 24, which is the presentation given by GDOT at the meeting.

"Exhibit C" provides a memo from Public Works Director Phil Mallon to GDOT concerning a Public Information Open House that was held for the widening projects and an associated map.

What action are you seeking from the Board of Commissioners?

Adoption of Resolution 2015-11 requesting that the Georgia Department of Transportation cease the widening project for McDonough Road and State Route 54 East.

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:

EXHIBIT A

County of Fayette;
State of Georgia

RESOLUTION 2015-11

**A RESOLUTION REQUESTING THAT GDOT CEASE THE WIDENING
PROJECT FOR MCDONOUGH ROAD AND STATE ROUTE 54-EAST**

- WHEREAS,** Fayette County strives to plan and implement transportation projects that will enhance the quality of life for our citizens in future years; and
- WHEREAS,** Transportation funds are limited at all levels and must be used in the most productive and efficient manner possible; and
- WHEREAS,** The Georgia Department of Transportation (GDOT) has introduced the widening project for McDonough Road and State Route 54-East, taking the project out of the control of Fayette County's GDOT District 3 and assigning the project within our county to a neighboring GDOT district; and
- WHEREAS,** There is no citizen demand for the McDonough Road and State Route 54 projects in Fayette County and no desire for implementation from the Board of Commissioners; and
- WHEREAS,** The road project would have a significant negative community and financial impact on the Water System headquarters, the Public Works facility and the largest recreation area in the county in addition the county utility movement cost; and
- WHEREAS,** The 2007 Regional Strategic Transportation System (RSTS), looking at capacity expansion of strategic arterial facilities, established the realization that capacity is heavily restricted on SR 85 and SR 54 in historic downtown Fayetteville and that creating more traffic flow through increased capacity into that area would create future traffic issues; and
- WHEREAS,** The Board of Commissioners does not want to ruin the rural feel and entice large scale development to the valued rural southern portion of Fayette County; so

BE IT THEREFORE RESOLVED THAT the Board of Commissioners of Fayette County does hereby formally request that the Georgia Department of Transportation withdraw any plans to widen McDonough Road and State Route 54-East within the boundaries of Fayette County and that the funds be used for projects affecting a greater number of Fayette commuters such as the interchange at SR 74 and I-85. **Be it further resolved,** Fayette County withdraws any county funds for utilities committed to this project.

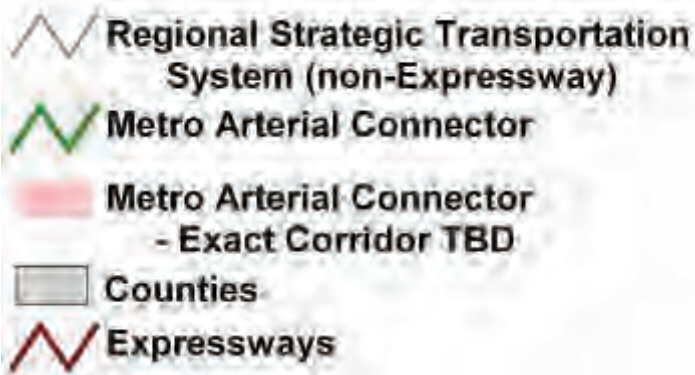
So resolved this 23th day of July 2015, by the

**BOARD OF COMMISSIONERS
FAYETTE COUNTY, GEORGIA**

Attest:

Charles Oddo, Chairman

Floyd L. Jones, County Clerk



“A critical concept in the RTP is the Regional Strategic Transportation System (RSTS), which supports capacity expansion of strategic arterial facilities.”

Atlanta Regional Commission, July 2007

EXHIBIT B

has a cell tower in the middle of the property. He said staff wants to put something in the County Ordinance that allows the County to work with the property owner in an effort to revise the site plan for that property and to move the cell tower to a different location. He said he wanted to set time limits on how long it would take to move the tower to a different location and to take the existing tower down. He explained that this issue would be mainly a housekeeping effort, but it would allow something to be in place that sets a deadline for the work to be completed since, as some point, there will be two cell towers on the property. Mr. Frisina said staff was looking at about a 108-day period of time, or approximately four months, to get all the equipment moved, get the new tower built, and to take down the existing tower. The Board agreed with Mr. Frisina's request to put all of these changes into one amendment and to handle them all quickly. The Board did not object to Mr. Frisina's request.

The Board directed staff to move forward with public hearings for the proposed amendments. The Board took no action on this item. A copy of the request, identified as "Attachment 23", follows these minutes and is made an official part hereof.

NEW BUSINESS:

17. Presentation by the Georgia Department of Transportation concerning the department's project to widen McDonough Road.

Public Works Director Phil Mallon introduced Georgia Department of Transportation (GDOT) Board Member Dana Lemon, who represents the 13th Congressional District, and he introduced Georgia Department of Transportation Project Manager Jeremy Busby to the Board. Mr. Mallon explained that the GDOT project was a very large project, and that it would have substantial impact on many of Fayette County's facilities as well as future transportation projects. He said this presentation was for the Board's information only and that shortly after the meeting he would provide each Commissioner a draft set of comments to be officially submitted to the GDOT. He thanked Ms. Lemon and Mr. Busby for taking their time to come to the meeting, and he told the Board that they have sat through many public meetings concerning this project. He told the Board and audience that there is a drawing showing the proposed project, that the drawing was in back of the room, and that he would stay until after the meeting to talk to the citizens about the project.

Representative Lemon thanked the Board and county staff for always being willing to work with the GDOT. She agreed that this is a significant project, but she pointed out that this is a proposed project—and that part of the process was to get feedback from the Board and the citizens. She emphasized that feedback is critical not only for this project but for all of GDOT's projects and she thanked the Board for allowing them to come and for feedback. She said if the GDOT could do anything to support transportation and economic development in the Fayette County community that the GDOT looked forward to the opportunity to help and serve.

GDOT Project Manager Jeremy Busby gave a PowerPoint presentation concerning the GDOT's proposed project to widen McDonough Road. He said the project was intended to be about six-miles long and that it would stretch from State Route 54 in Fayette County to Tara Boulevard in Clayton County. He said the reasons for the proposed widening of McDonough Road were: 1) safety since the geometry of the current road is substandard for the speed and amount of cars on the road, and 2) due to projection for traffic to increase on McDonough Road and the widening will address both current and future congestion. He told the Board that the GDOT was proposing widening McDonough Road from two lanes to four lanes, and that it would have a concrete, raised median that would be about twenty feet wide, and that it would have

bicycle lanes in both directions with sidewalks, and that it would have three additional traffic signals. He said the work would also replace the bridges at the Flint River and Hurricane Creek. He said the GDOT is in the information gathering process for this proposed project, and that the GDOT was conducting utility studies to determine what utilities are currently on the corridor. He said the GDOT was also making right-of-way determinations and was trying to reduce impact as much as possible. He clarified that although the GDOT is looking at right-of-ways, there have been no requisitions at this point in time. He added that the GDOT is also working through environmental studies, historical studies, and that there are schools and churches that have environmental protections, that there is a historic farm, and that there is a historic cemetery from the Civil War. Mr. Busby said the GDOT held a public meeting in the month of July where the project was presented at a local public high school, and that the GDOT did additional outreach throughout the community. He said 199 people attended the outreach and that the GDOT received 107 comments that are currently being reviewed. He said the GDOT will prepare responses to all of the comments it had received, that right-of-way activities should begin as early as 2016, and that the widening project would potentially begin in 2019.

Chairman Brown said Fayette County always appreciated working with its neighboring districts and counties, and he pointed out that Fayette County is involved with the Interstate 85 and State Route 74. He said the south side of metro Atlanta has realized that "we are all in this together and we've got to pull for each other" since "we're competing with gigantic counties on the north side." Chairman Brown pointed out that Fayette County has a lot of infrastructures near the intersection of State Route 54 and McDonough Road. He explained that the County has a huge recreational complex in the area, and at the County's Public Works facilities and the Water System were located along McDonough Road. He told Mr. Busby that one major concern is that the Public Works facility is near the intersection of State Route 54 and McDonough Road, and that it appeared that the current plans called for making a right-hand turn out of the facility and the U-turn to get back to State Route 54. He told Mr. Busby that the trucks that would have to make the U-turn are dump trucks, large trucks carrying large trailers with large pieces of equipment and machinery, and similar-type vehicles, and he said the Board was really worried about not having the capacity to make a U-turn with that type of equipment. He said the County would like to work with the GDOT in exploring the possibility of having an extension road that could take these vehicles to the next logical intersection so that the vehicles could make a legitimate left-hand turn. He said that would keep the County from damaging equipment and possibly harming someone in the process. Chairman Brown also pointed out the County was concerned about access to the ball fields, and that there should be some type of logical entry to the fields so that the families can get in and out of that recreation area. He asked the GDOT to work with the County to help figure out how to get kids in and out of the recreation area. Chairman Brown informed the GDOT that Fayette County is starting an initiative for multi-use paths, in lieu of sidewalks, and that it this project would be a great potential corridor for multi-use paths since there are recreation facilities in the area. He thought it would be a good idea for GDOT to look into constructing a multi-use path and a box culvert that could be used to access the ball fields. He concluded that those would be some of the top issues Fayette County would like for the GDOT to work with.

Commissioner Barlow acknowledged that he has not been involved with the relocation of a cemetery, and he asked how that issue would be resolved. Mr. Busby replied that the cemetery would not be relocated, but that the GDOT was looking for ways to avoid the cemetery.

Commissioner Ognio said he was really concerned about the parks along McDonough Road and being able to get in and out of the parks. He explained that he saw there were potential problems with the plans as they are currently proposed, and that there could be safety issues with people making U-turns in an effort to get to the park. Mr. Busby recognized Commissioner Ognio's concerns, and briefly spoke about ways the concerns could be addressed.

The Board thanked Mr. Busby and Representative Lemon for coming to them on this proposed project. The Board gave no direction and took no action in this matter. Copies of the request and PowerPoint presentation, identified as "Attachment 24", follow these minutes and are made an official part hereof.

18. Consideration of staff's recommendation to adopt Ordinance 2013-12 amending the Code of Ordinances for Fayette County, Georgia; to enact provisions pertaining to registration of vacant or foreclosed real property; to provide an effective date, to repeal conflicting ordinances; to provide for severability, to promote the public health, safety and welfare, and for other purposes.

Community Service Director Pete Frisina said this recommendation was a procedure that was rectified in State law, and it set standards for how communities set up registries for vacant and foreclosed properties. He reminded the Board that Fayette County has had a lot of vacant and foreclosed properties over the past years, and that they can cause property maintenance issues that are very difficult to resolve. He said many times the County cannot find the owners of the properties. He said this Ordinance would require property owners to register with the County and to maintain a registry, and he said it would give the County the ability to enforce County ordinances much better. Mr. Frisina acknowledged that the hard part would be to get the property owners to register their properties, but that there are penalties involved for those who do not register. He explained that the state has directed that the fee could not be more than \$100 per registrant, and he suggested that Fayette County set the fee at the \$100 maximum. He explained that staff would have to take the applications, maintain them, check on them, and keep up with the properties when they come out of foreclosure. He concluded that the work would involve a lot of staff time since it would entail creating a database and writing letters to industries telling them to submit their properties.

Commissioner Ognio asked if there were penalties involved if a property was not registered. Mr. Frisina replied that there were penalties, and that the penalties were not to exceed \$1,000.00.

Commissioner Barlow moved to accept staff's recommendation to adopt Ordinance 2013-12 amending the Code of Ordinances for Fayette County, Georgia; to enact provisions pertaining to registration of vacant or foreclosed real property; to provide an effective date, to repeal conflicting ordinances; to provide for severability, to promote the public health, safety and welfare, and for other purposes. Commissioners McCarty and Oddo seconded the motion. No discussion followed. The motion passed unanimously.

County Administrator Steve Rapson asked the Board to hold a second vote establishing the fee at \$100.00.

Chairman Brown moved to establish a fee at \$100.00. Commissioner McCarty seconded the motion. No discussion followed. The motion passed unanimously. Copies of the request and Ordinance 2013-12, identified as "Attachment 25", follow these minutes and are made an official part hereof.

COUNTY AGENDA REQUEST

Department: Commissioners

Presenter(s): Jeremy Busby, Georgia DOT

Meeting Date: Thursday, September 26, 2013

Type of Request: New Business

Wording for the Agenda:

Presentation by the Georgia Department of Transportation concerning the department's project to widen McDonough Road.

Background/History/Details:

The Georgia Department of Transportation (GDOT) is the in public comment phase of a proposed project to widen McDonough Road from State Route 54 to US 19/State Route 3; consisting of approximately 6 miles. This presentation to the Fayette County Board of Commissioners will be part of GDOT's outreach to stakeholders and constituents in the project area during this public comment period.

What action are you seeking from the Board of Commissioners?

Presentation by the Georgia Department of Transportation concerning the department's project to widen McDonough Road. No action is requested or required.

If this item requires funding, please describe:

Not Applicable.

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

If so, when?

Is Audio-Visual Equipment Required for this Request?* Yes

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 Not Applicable

Reviewed by Legal

Approved by Purchasing Not Applicable

County Clerk's Approval Yes

Administrator's Approval

Staff Notes:

Proposed Widening Project: McDonough Road Fayette and Clayton Counties – PI 742870

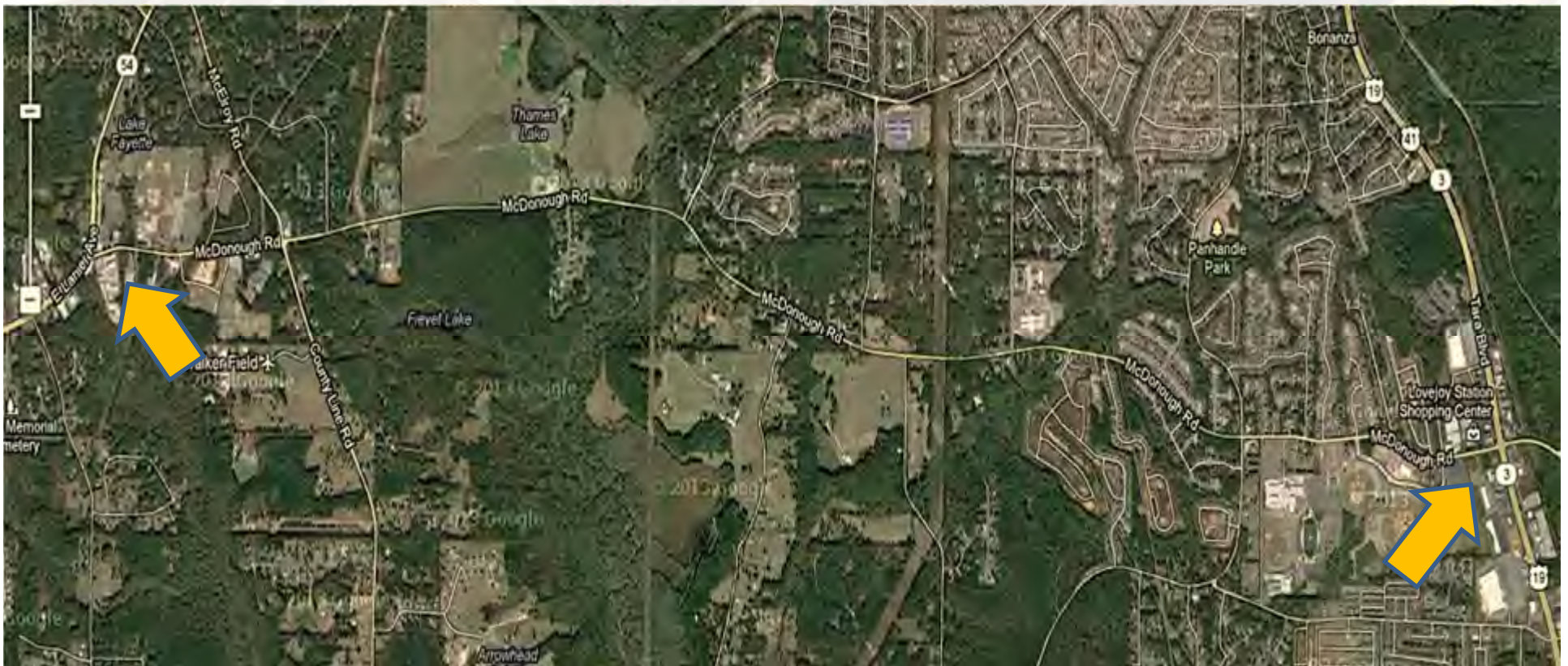
Jeremy Busby, Project Manager
Georgia DOT



Proposed McDonough Rd Widening

Approximately 6 miles

McDonough Rd/SR 920 (temp) from SR 54 in Fayette to
Tara Blvd./SR 3/US 19 in Clayton



Proposed McDonough Rd Widening

Why is this Project Proposed/Needed?

1. SAFETY

- Improve sight distances, eliminate blind curves.
- Address this road's high accident, fatality rates.

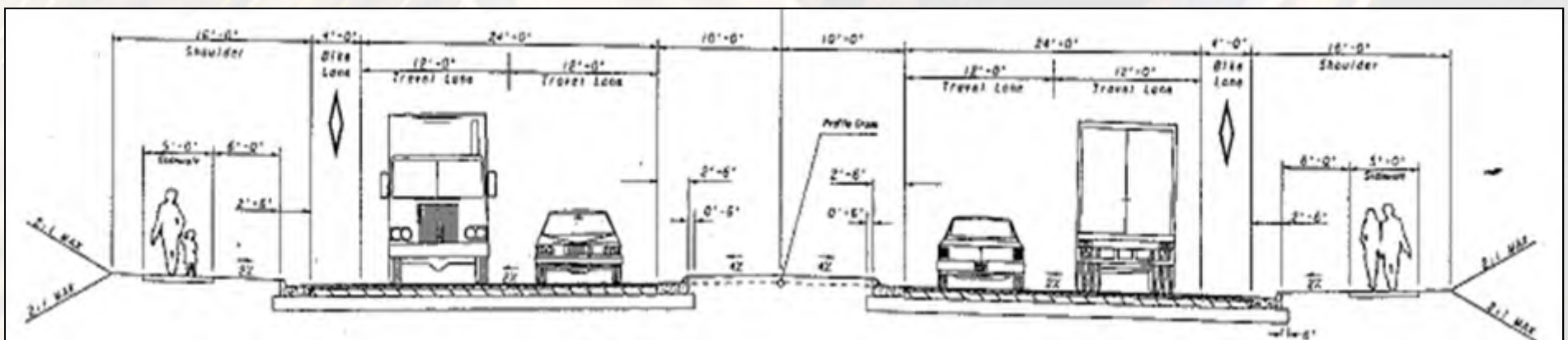
2. EASE CONGESTION

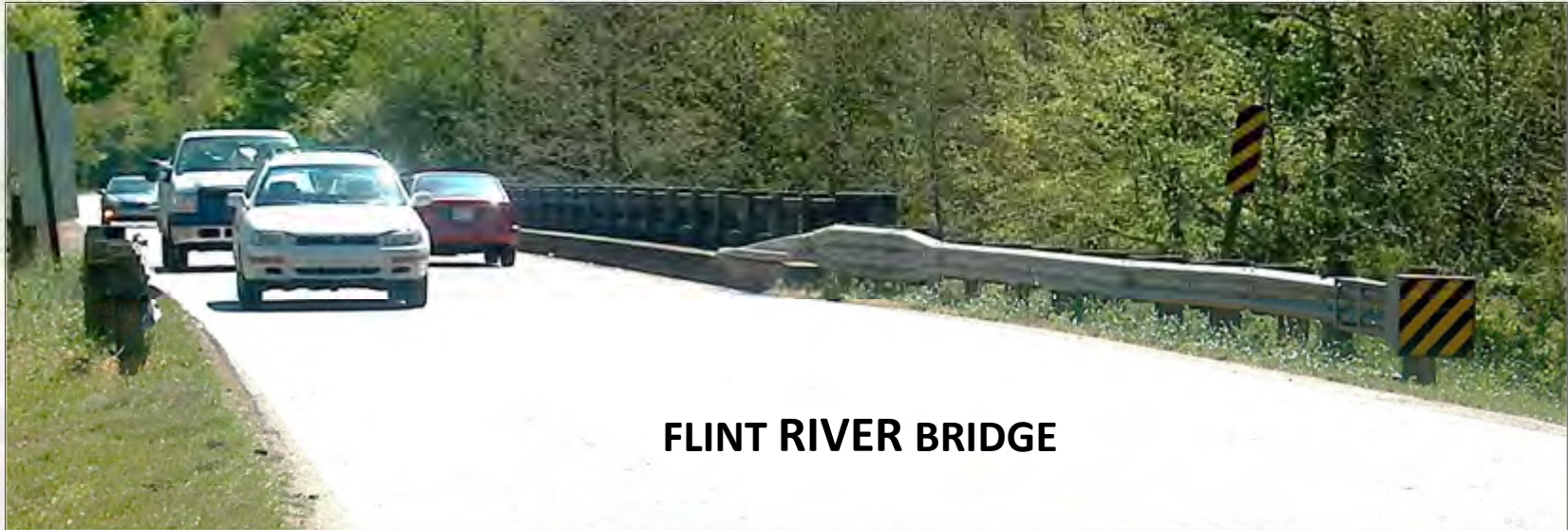
- Provide additional capacity on this congested roadway.
- Enhance pedestrian and vehicular traffic flow from surrounding neighborhoods.



Proposed McDonough Rd Widening

- Widen existing 2 lanes to 4 lanes (2 in each direction).
- 20-foot wide raised concrete median.
- Bike lanes both directions and 5-foot sidewalks along each side.
- 3 new traffic signals in addition to 3 existing signals.
- Replace bridges at Flint River and Hurricane Creek.





FLINT RIVER BRIDGE



HURRICANE CREEK BRIDGE

Proposed McDonough Rd Widening

Where are we in the decision-making process?

- Utility relocations:
 - Gathering information regarding utility facilities on corridor.
- Right of Way determinations:
 - Changes in design reduced residential displacements from 50 to 8.
 - No right of way acquisitions until 2016.

Proposed McDonough Rd Widening

Where are we in the decision-making process?

- Environmental studies –
 - 4F impacts to school, churches
 - Impacts to stream at South Woods Drive.
 - Impacts to Flint Woods Farm.
 - Historical impacts to and mitigation of Civil War cemetery and remnants near Lovejoy Battlefield



Proposed McDonough Rd Widening

Where are we in the decision-making process?

- Public Involvement –
 - Public Information Open House held July 11, 2013 at Lovejoy High School.
 - In addition to standard outreach, we distributed 3500 flyers to area homeowners, businesses and emailed Clayton, Fayette officials to announce PIOH.
 - 199 attendees, 107 comments received and reviewed.
 - Plans for another PIOH and public comment period late September/early October 2013.



Proposed McDonough Rd Widening

Anticipated Next Steps:

- Next PIOH – September, October 2013.
- Careful consideration of the public comments.
 - Responses to be prepared and distributed by GDOT.
- Right of Way activities in 2016, 2017 (tentative).
- Project to let, contract award.
- Begin construction in 2019 (tentative)
 - Information to residents, businesses in project area on any traffic interruptions related to construction.

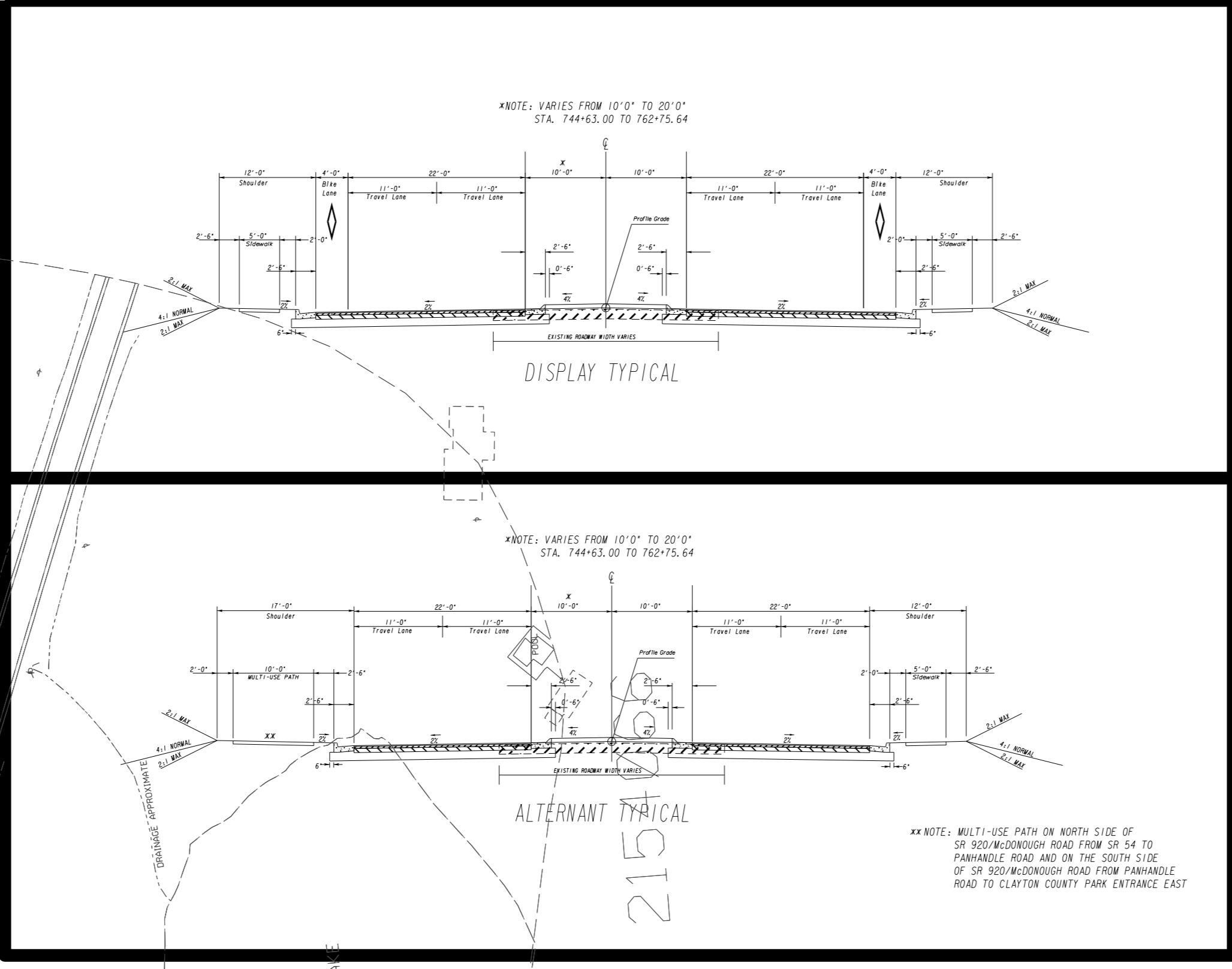
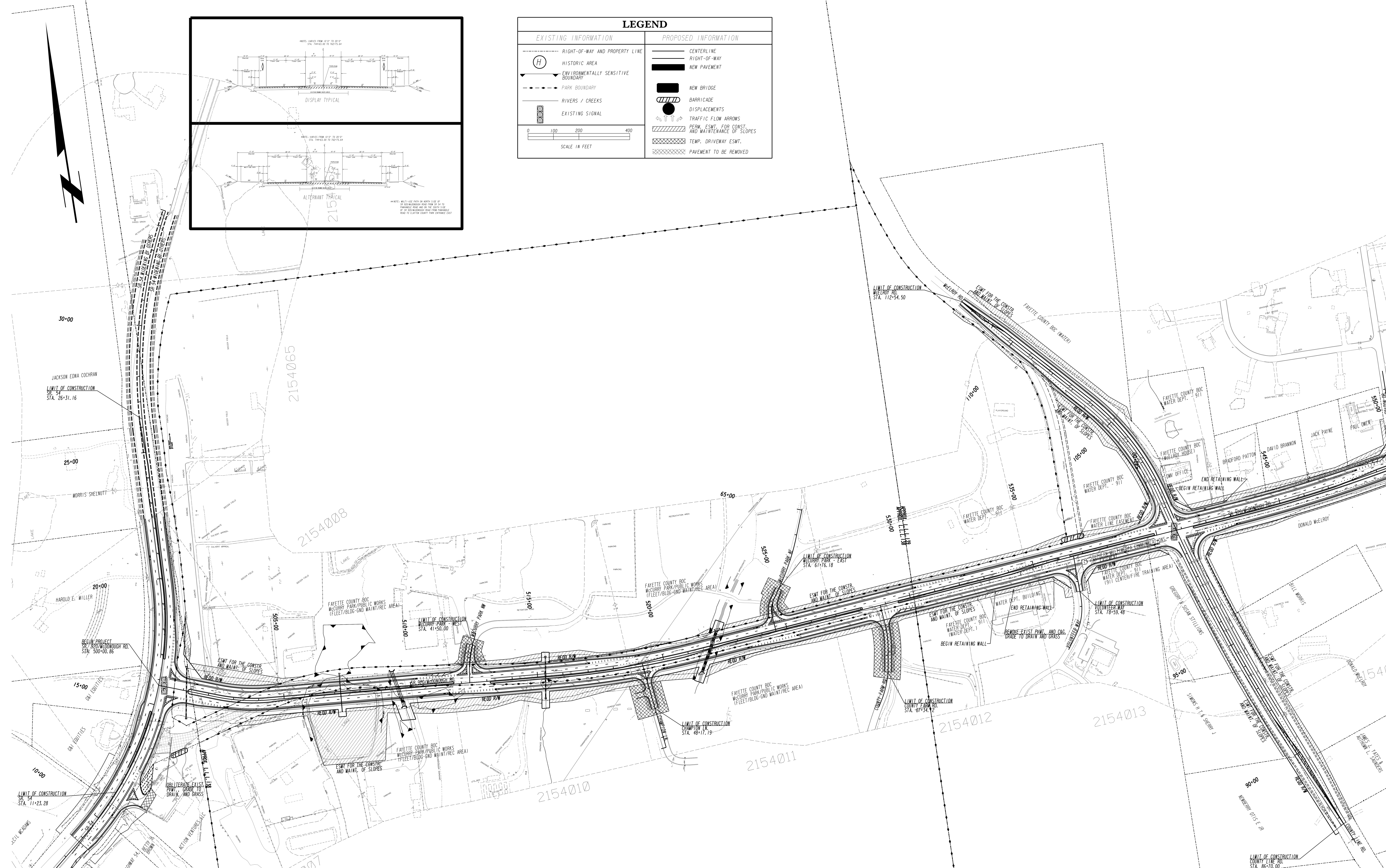
Thank you.

Jeremy Busby, P.E., Project Manager
Georgia DOT

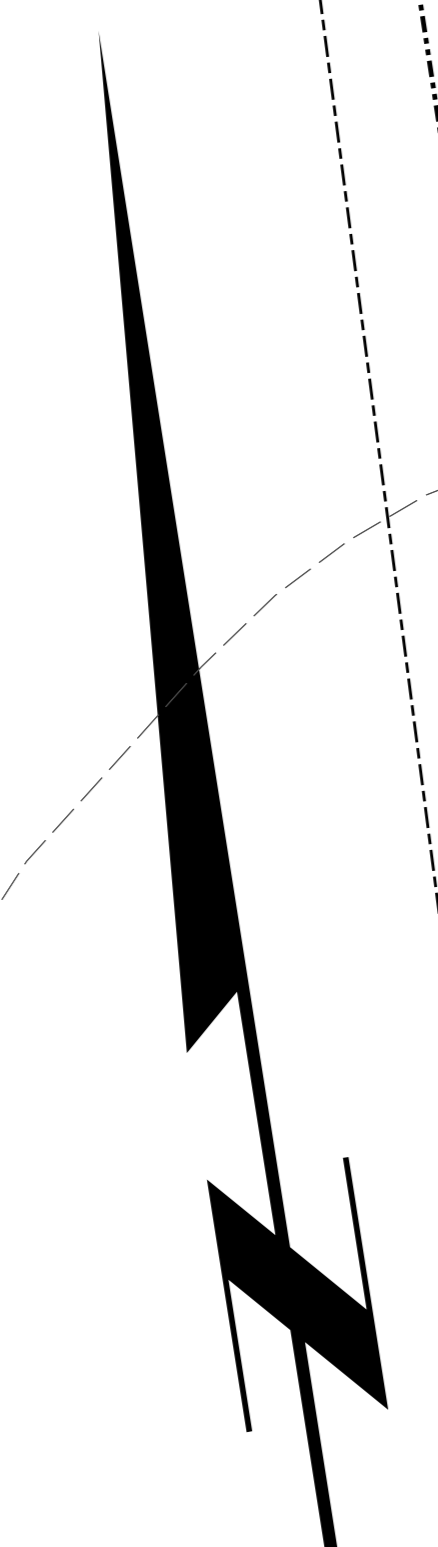
jbusby@dot.ga.gov

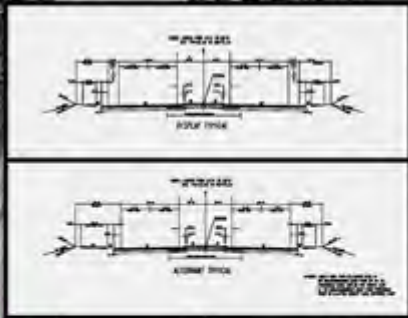
404-631-1154

www.dot.ga.gov



| LEGEND | |
|--------------------------------------|--|
| EXISTING INFORMATION | PROPOSED INFORMATION |
| —○— RIGHT-OF-WAY AND PROPERTY LINE | — CENTERLINE |
| —(H)— HISTORIC AREA | — RIGHT-OF-WAY |
| — ENVIRONMENTALLY SENSITIVE BOUNDARY | — NEW PAVEMENT |
| — PARK BOUNDARY | — NEW BRIDGE |
| — RIVERS / CREEKS | — BARRICADE |
| — EXISTING SIGNAL | — DISPLACEMENTS |
| 0 100 200 400 | — TRAFFIC FLOW ARROWS |
| SCALE IN FEET | — PERM. ESMT. FOR CONST. AND MAINTENANCE OF SLOPES |
| | — TEMP. DRIVEWAY ESMT. |
| | — PAVEMENT TO BE REMOVED |





| LEGEND | |
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| EXISTING INFORMATION | PROPOSED INFORMATION |
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| ROADWAY RIGHT-OF-WAY | ROADWAY RIGHT-OF-WAY |
| ROADWAY LEFT-OF-WAY | ROADWAY LEFT-OF-WAY |
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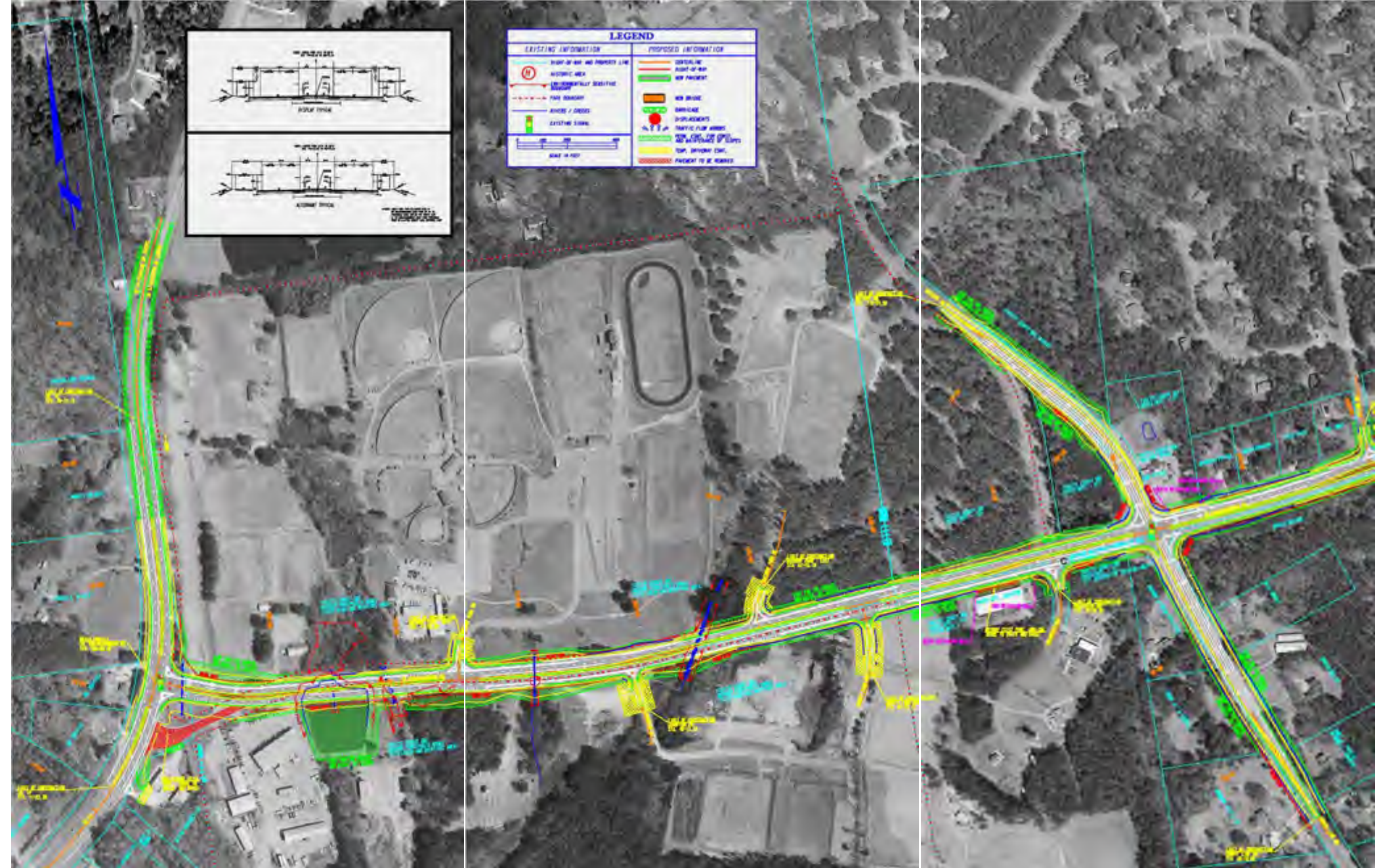


EXHIBIT C



Where Quality Is A Lifestyle

TO: GDOT Project Team – PI No. 742870

FROM: Phil Mallon, Fayette County Public Works

DATE: July 11, 2013

RE: Public Information Open House - County comments regarding widening of SR 920 (McDonough Road) from SR 54 to SR 3/US 19.

Thank you for the opportunity to attend the Public Information Open House. Below are comments from Fayette County Public Works on the project. I can be reached at 770-320-6010 or pmallon@fayettecountyga.gov if any questions.

1. *Need for on-going Coordination* – As a whole, Fayette County supports the widening of McDonough Road, however, many County operations and properties will be significantly impacted. The cost to mitigate these impacts may be substantial and requires appropriate planning and coordination. It is essential that Fayette County and the GDOT develop an understanding of what mitigation (e.g., access road) will be provided as part of the project.
2. *Access* – It is essential to maintain full left and right turn movements for the Public Works, Building & Grounds, McCurry Park North, McCurry Park South, Water System and E911 facilities. Limiting any of these facilities to right-in, right-out would have unacceptable impacts to traffic safety, public safety/emergency response, and traffic efficiency. Fayette supports the two median breaks proposed between SR 54 and McElroy Road, but additional detail is needed on intersection controls and access roads/drives. At least one of the two intersections should be signalized due to the trucks and tractor trailers traveling to and from Public Works each day. The periodic high traffic volumes associated with McCurry Park and youth sport tournaments also necessitate a signal.
3. *Parking* – McCurry Park north and south currently experience parking shortages during weekend games and tournaments. This project will reduce the number of spaces at both the north and south areas and further restrict access into and within the park. A plan is needed to mitigate for the lost parking spaces.
4. *Water System Offices* – The Water System’s administrative office is located at 245 McDonough Road. Customer parking and the main entrance are located in the front of the building. Under the proposed plan the new ROW would be approximately 28 feet from the building. The widening project will remove all front parking and likely require reconfiguration of the building interior to allow customer parking at a new “front” entrance.

Although the facility is not required to meet zoning setbacks because it is a County building, the required A-R front yard setback would be 100 feet if applicable. Significant changes to the building's parking, driveways, landscaping, and septic drain fields may also be required.

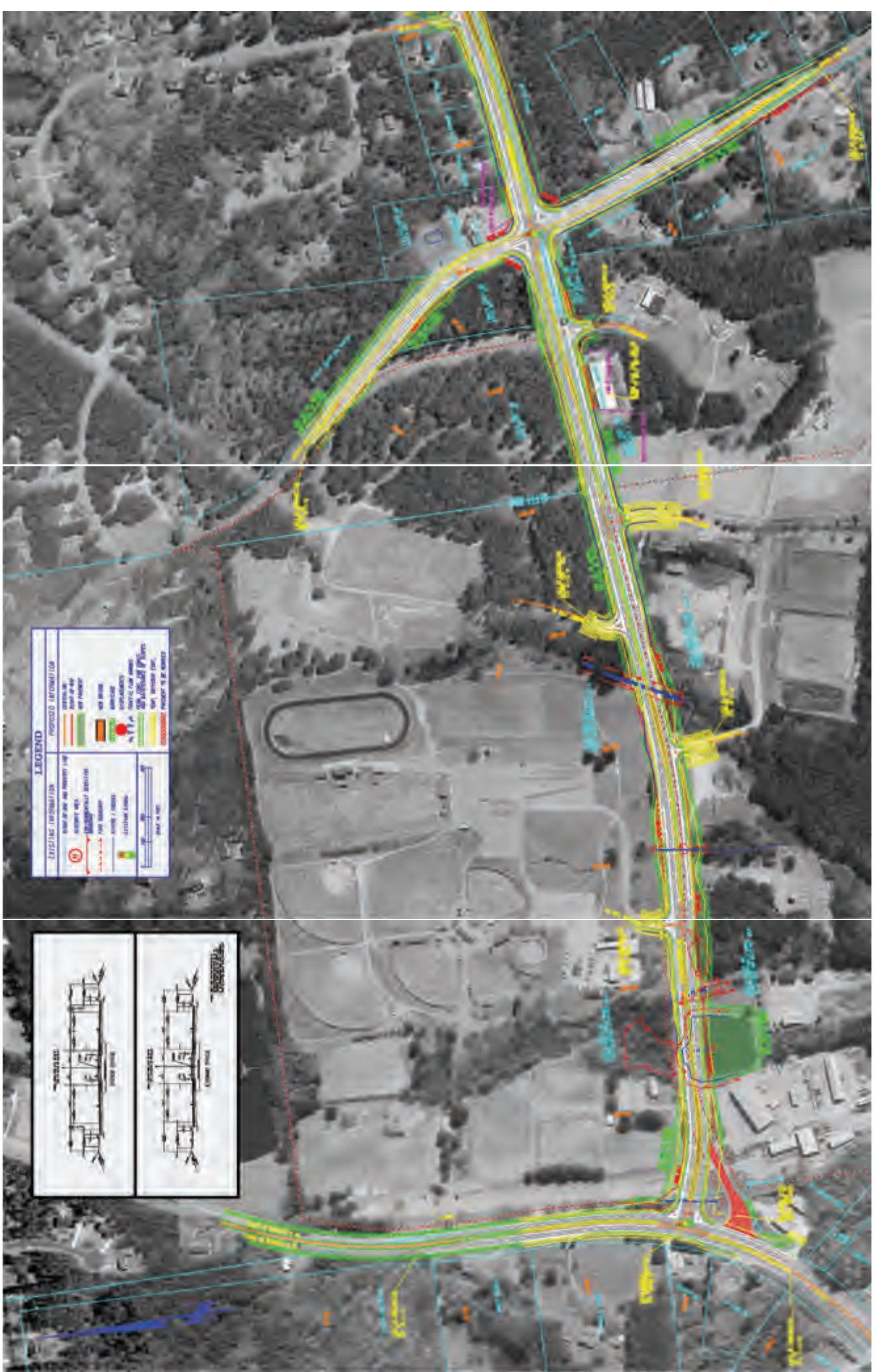
5. *Multi-Use Path* – Fayette County prefers the installation of multi-use paths in lieu of sidewalks and bike lanes. Reasons include: safety, consistency with other areas in County, and better opportunity for access to park areas. The paths could be located within the GDOT ROW or possibly on easement areas outside the ROW.
6. *Pedestrian Crosswalks, Tunnel and/or Overpass* – McCurry Park receives heavy traffic from youth soccer, football, baseball and softball. Providing a safe and practical means for people to cross the divided highway is important to maintain connectivity between the fields and amenities on both sides of McDonough Road.
7. *E911 Communications* – The 911 Center is located on Volunteer Way and is the sole communication center for all City and County emergency calls and dispatches. The facility is also the training center for Fire and Emergency Management Services so it is common for emergency response personnel and equipment to be on-site (thus the need for left turn ability from the E911 Center).

A large utility box is located immediately to the east of existing Volunteer Way. It appears to be shown on the drawings and is located near the middle of the proposed eastbound lane. This box is critical to all emergency/public safety dispatch in the County.

Communication to the facility cannot be interrupted. Appropriate planning is needed to ensure continuous power, communication and access to the 911 Center.

8. *Bedrock and Utilities*– Past County work around the intersections of McDonough Road with Volunteer Way and County Line Road has revealed substantial bedrock outcrops in this area. Besides the extra cost associated with bedrock removal, this is noted because of potential impacts to the E911 utility box and three key water lines in the area: a 24-inch line along McElroy Road; an 8-inch line along north side of McDonough; and a 10-inch line along the south side of McDonough.
9. *Utility Easements at existing McDonough Road and SR 54* – Fayette County's Water System requests that existing ROW at this location be maintained (or protected by easements) to accommodate existing utility infrastructure. The County may also be interested in maintaining this area as landscape green space once the intersection is moved.
10. *Public Works Septic* – Sewage from the Public Works building is pumped under McDonough Road to a septic tank located behind the north soccer concession building. The waste line is 2-inch PVC inside a 4-inch steel casing. Contact us if assistance is needed to locate this line during Subsurface Utility Engineering.
11. *Shooting Range for Law Enforcement* – The Sheriff's Office maintains a shooting range on the south side of McDonough Road. There is concern that shifting McDonough Road further south, especially if a frontage/access road or driveway is also needed across the property, may impact use of this facility. Currently there is 306 feet from the edge of existing pavement to the nearest shooting station. Opportunities exist to modify parking area.

12. *ROW Minimization* – Because of the impacts noted above, Fayette County supports any effort to reduce ROW width and limits of construction. Options for doing so include use of off-system multi-use paths in lieu of bike lanes and sidewalks and use of retaining walls at select areas.
13. *East Fayetteville Bypass* – Fayette County’s EFB (Phase 1) project will intersect with McDonough Road near Flintwood Farms. Continued coordination is essential during the environmental and design stage. The EFB is a new road construction project that runs north/south in Fayette County. ARC Project No. FA-236A / GDOT PI No. 0006904
14. *Park Netting / Buffer* – The proposed McDonough Road will shift closer to McCurry Park Soccer Field 1. Nets, fence, and/or landscaping along a portion of the perimeter will be needed for errant soccer balls, safety and aesthetics.



LEGEND

| EXISTING INFORMATION | PROPOSED INFORMATION |
|---|---|
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