Coweta County Board of Commissioners

Public Hearing/Regular Session

22 E Broad Street
Newnan, GA 30263
www.coweta.ga.us

Shannon Zerangue
770.254.2601

Tuesday, October 17, 2023 | **6:00 PM** | **Commission Chambers**

~ Minutes ~

COWETA COUNTY BOARD OF COMMISSIONERS

Call to Order

Attendee Name	Title	Status	Arrived
John Reidelbach	District 4 - Chairman	Present	
Paul Poole	District 1 - Vice Chairman	Present	
Bill McKenzie	District 2	Present	
Bob Blackburn	District 3	Present	
Al Smith	District 5	Present	
Michael Fouts	County Administrator	Present	
Eddie Whitlock	Associate Administrator	Present	
Kelly Mickle	Assistant Administrator	Present	
Nathan Lee	County Attorney	Present	
Fran Collins	Deputy County Clerk	Present	

The Honorable Board of Commissioners of Coweta County, Georgia met in Public Hearing/Regular Meeting Session on Tuesday, October 17, 2023.

Meeting Called to Order

Chairman Reidelbach called the meeting to order at 6:00 p.m.

Pledge of Allegiance

Chairman Reidelbach led the Pledge of Allegiance.

Invocation

Invocation was given by Commissioner McKenzie.

Notification of Location of Rules

Chairman Reidelbach explained that the rules governing the meeting could be found on the County's website as well as on the table located in the lobby outside the meeting room.

REGULAR SESSION

APPROVAL OF MINUTES

1. **Minutes of Tuesday, October 03, 2023**

The Board voted to approve the minutes from the Regular Meeting Session held on Tuesday, October 3, 2023.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Paul Poole, District 1 - Vice Chairman
SECONDER:	Bob Blackburn, District 3
AYES:	Reidelbach, Poole, McKenzie, Blackburn, Smith

CONSENT AGENDA

2. 14033 Confirm Execution of a Proclamation Recognizing Ms. Pearl Presley

The Board voted to confirm execution of a proclamation designating October 28, 2023 as "Pearl Presley's 90th Birthday Party Day" in Coweta County.

RESULT:	**CONFIRMED [UNANIMOUS]**
MOVER:	Bob Blackburn, District 3
SECONDER:	Bill McKenzie, District 2
AYES:	Reidelbach, Poole, McKenzie, Blackburn, Smith

3. 14131 Confirm Execution of a Proclamation Designating Georgia Military Veterans' Hall of Fame, Inc. Day

The Board voted to confirm execution of a proclamation designating November 4, 2023 as "Georgia Military Veterans' Hall of Fame, Inc. Day" in Coweta County.

RESULT:	**CONFIRMED [UNANIMOUS]**
MOVER:	Bob Blackburn, District 3
SECONDER:	Bill McKenzie, District 2
AYES:	Reidelbach, Poole, McKenzie, Blackburn, Smith

SUPPLEMENTAL AND NON-AGENDA ITEMS

Supplemental and/or Non-Agenda Items

There were no Supplemental or Non-Agenda items to be added to the agenda for discussion.

PUBLIC HEARING (The Chairman will Call for Any Comments Regarding the Following Items After Each Item is Presented)

4. Motion To: **14106 : New Package Beer & Wine License - Valero Food Mart (Khodal 369 LLC)**

Business License Coordinator Joy Thompson explained that Anandkumar Pandya, license representative and co-owner of Valero Food Mart (Khodal 369, LLC) located at 3079 East Highway 34, Newnan (Parcel # 121-6038-003F), has applied for a new package beer and wine license. The Business and Alcohol License Division has reviewed the application and finds that it is in order, meets the applicable requirements, and should be considered by the Board of Commissioners in accordance with *Chapter 6* of the *Coweta County Code of Ordinances*. The required background checks (GCIC) and fingerprint reports (GBI) for Mr. Pandaya as applicant for license representative of the establishment, are complete and show that he meets the requirements set forth in the *Alcohol Ordinance* to be the license representative.

The applicant was present but declined an opportunity to address the Board.

Chairman Reidelbach called for any comments in support of or in opposition to the proposed alcohol license. There were none.

The Board voted to close the Public Hearing regarding a new package beer and wine license filed by Anandkumar Pandya, license representative and co-owner of

Valero Food Mart (Khodal 369, LLC) located at 3079 East Highway 34, Newnan (Parcel # 121-6038-003F).

RESULT:	**PUBLIC HEARING CLOSED [UNANIMOUS]**
MOVER:	John Reidelbach, District 4 - Chairman
SECONDER:	Bob Blackburn, District 3
AYES:	Reidelbach, Poole, McKenzie, Blackburn, Smith

14106 Public Hearing Regarding a New Package Beer and Wine License Filed by Anandkumar Pandya in Operation of Valero Food Mart (Khodal 369, LLC) Located at 3079 East Highway 34, Newnan - District 4

The Board voted to grant a new package beer and wine license to Anandkumar Pandya, license representative and co-owner of Valero Food Mart (Khodal 369, LLC) located at 3079 East Highway 34, Newnan (Parcel # 121-6038-003F).

RESULT:	**GRANTED [UNANIMOUS]**
MOVER:	Bob Blackburn, District 3
SECONDER:	Paul Poole, District 1 - Vice Chairman
AYES:	Reidelbach, Poole, McKenzie, Blackburn, Smith

5. Motion To: **14087 : REZ 23-13 Trinity Christian School - Rezoning C to O-I**

Zoning Coordinator Lisa Eschman presented Petition # REZ 23-13 filed by Trinity Christian School requesting to rezone property located at 8861 Hwy 54, Sharpsburg (Parcel # 145-6153-013) from *C (Commercial)* to *O-I (Office-Institutional*). She explained that the subject property consists of 0.928± acres and is the former site of Heirloom Market and Bakery which suffered a catastrophic fire in September 2022 resulting in a total loss of the business. The remnants of the damaged structure were demolished and the lot is now vacant. The applicant recently acquired the property and is requesting to rezone it for a campus expansion to provide forty-nine (49) additional parking spaces for the school and church campus. She noted that the property lies within the Hwy 54 *Quality Development Corridor District* (*QDCD*) and will require additional plantings throughout the site, which could reduce the number of parking spaces. In closing, she reviewed current zoning of properties in the surrounding area, highlighted the factors reviewed by staff during the rezoning process, and presented three (3) conditions for consideration by the Board should they choose to approve the request.

Ms. Eschman fielded questions from the Board regarding location of the site, nearby roads, restaurants, school, existing parking, the need for additional parking, and the number of additional spaces requested.

Mr. Norm Tapley, applicant representative and CFO of Trinity Christian School, explained that the Heirloom Market and Bakery suffered a catastrophic loss from a fire several months ago. Most of the area being discussed was previous parking and the school intends to take the area where the building was and turn it into parking also. He further explained that the preliminary site plan may have a few minor changes to accommodate the required islands and landscaping. In closing, he noted that the additional parking will not increase traffic to the campus but is needed for parking because certain events (grandparent’s day, graduations, football games, etc.) are already causing an overflow of parking.

Mr. Tapley fielded questions from the Board regarding repair and paving over the footprint of the building as well as paving over the existing pavement. Lastly, he explained that the site already has lighting and they do not plan to add any more.

In response to a question form Commissioner Smith, Assistant Community Development Director Ben Sewell explained that the Development Review team will review plans prior to construction and the applicant must meet site development standards of the *Coweta County Code of Ordinances* including landscaped islands and stormwater management.

Chairman Reidelbach called for any comments in support of or in opposition to the proposed rezoning. There were none.

The Board voted to close the Public Hearing regarding Petition # REZ 23-13 filed by Trinity Christian School requesting to rezone property located at 8861 Hwy 54, Sharpsburg (Parcel # 145-6153-013) from *C (Commercial)* to *O-I (Office-Institutiona*l).

RESULT:	**PUBLIC HEARING CLOSED [UNANIMOUS]**
MOVER:	Paul Poole, District 1 - Vice Chairman
SECONDER:	John Reidelbach, District 4 - Chairman
AYES:	Reidelbach, Poole, McKenzie, Blackburn, Smith

14087 Public Hearing Regarding Petition # REZ 23-13 Filed by Trinity Christian School Requesting to Rezone Property Located at 8861 Hwy 54, Sharpsburg

The Board voted to rezone 0.928± acres located at 8861 Hwy 54, Sharpsburg (Parcel # 145-6153-013) from *C (Commercial)* to *O-I (Office-Institutiona*l) as requested in Petition # REZ 23-13 filed by Trinity Christian School, subject to the following conditions:

1. The subject property shall be utilized for church and school parking only.
2. All requirements under *Appendix A. Zoning and Development, Article 26, Section 261.E. Development Requirements* of the *Coweta County Code of Ordinances* shall be met for the proposed parking area.
3. Any lighting shall incorporate full cutoff fixtures to preclude glare onto or direct illumination of adjacent properties and streets.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Paul Poole, District 1 - Vice Chairman
SECONDER:	Bob Blackburn, District 3
AYES:	Reidelbach, Poole, McKenzie, Blackburn, Smith

6. Motion To: **14080 : REZ 23-07 U-Haul Corporation - Rezoning LM w/Conditions to LM**

Zoning Coordinator Eschman presented Petition # REZ 23-07 filed by U-Haul Corporation requesting to rezone property located at 97 Gordon Road, Newnan (Parcel # 088-2070-003) from *LM (Light Industrial) w/conditions* to *LM (Light Industrial*). She explained that the subject property is a vacant parcel located at the intersection of Hwy 16 and Gordon Road and abuts I-85 along the western property boundary. She further explained that the subject property consists of 6.84± acres and was originally rezoned on July 16, 2019 under previous Petition # 008-19 from *C (Old Commercial)* to *LM (Light Industrial)* for a four-story self-storage facility as requested by Mr. Charles Douglas. The self-storage facility was never developed and the property was sold to Patten Seed Company. On May 18, 2021 the property was rezoned to *LM (Light Industrial) w/conditions* under previous Petition # 011-21 for a landscape/nursery facility by Patten Seed Company. Patten Seed Compnay never developed the property. The current applicant is proposing a U-Haul Self-Storage and Moving Center. The site plan shows a variety of proposed storage buildings dispersed throughout the site. "Building A" is situated at the northern section of the property and will be a 3-story interior access climate-controlled storage building with a total footprint of 109,428 square feet. "Building

B" is situated along the southern property line and will be a 1-story U-Box storage building with a total footprint of 22,280 square feet. Situated in the center of the site, facing Gordon Road, is a total of six (6) mini-warehouse buildings ranging in size from 2,000 square feet to 2,500 square feet. In addition to the proposed structures, the site plan incorporates parking, landscaping, loading docks, and a shunting area. The pending realignment of Gordon Road will abandon a portion of the existing road where it intersects with SR 16 which will create a future cul-de-sac. With that, there are two (2) entrances proposed along Gordon Road. The first site access is recommended to be located at the new cul-de-sac terminus at the northern most part of the site. A second entrance is located at the southeast corner of the property. She also noted that in conjunction with this rezoning request, the applicant has filed variance applications for a buffer reduction along the southern property line (Petition # VAR 23-10) and a front building setback reduction from Gordon Road (Petition # VAR 23-11). In closing, she reviewed current zoning of properties in the surrounding area, highlighted the factors reviewed by staff during the rezoning process, and presented three (3) conditions for consideration by the Board should they choose to approve the request.

In response to questions from the Board, Ms. Eschman explained that the property has been through three (3) different rezonings. The initial rezoning request was for a self-storage facility and the applicant had also requested a building height variance to add a fourth story (no setback variances were requested). She also pointed out the location of the Seventh Day Adventist School in relation to the subject property.

Administrator Fouts explained that as part of the Gordon Road realignment project, the intersection will be shifted east approximately 500-600 feet because of sight distance issues with the bridge on Hwy 16.

Public Works Director Tod Handley fielded questions from the Board regarding access to the site following realignment of Gordon Road. He also explained that the design phase could take 4-6 months, right-of-way (ROW) acquisition another 4-6 months, and approximately 12-months to construct the road.

In response to a question from Commissioner Smith, Administrator Fouts explained that the only ROW discussion that staff has had is with the proposed developments for either a donation or a commitment if they come forward with a rezoning petition to the Board. He pointed out that the Board has authorized the expense for design phase but has not approved the cost for ROW or construction. Construction costs will be contingent upon future Special Purpose Local Option Sales Tax (SPLOST) proceeds. Currently, staff has direction to complete the design, but funding to complete ROW acquisition or construction is not part of the current SPLOST program.

Mr. Handley pointed out the location of the proposed realignment of Gordon Road, the proposed cul-de-sac, and the new road that will connect to the cul-de-sac. He explained that because of the 55 MPH speed design of Gordon Road, the curved section to realign it has to have a minimum radius of a little over 1,000-feet. The minimum radius determines how sharp the curve can be and in order to obtain adequate sight distance, Gordon Road has to be shifted approximately 600-feet to the east from its existing intersection.

In response to a question from Commissioner McKenzie, Mr. Handley explained that as proposed, the realignment of Gordon Road will provide adequate separation from the intersection with Hwy 16 and the Orchard Hills intersection along Hwy 16.

Mr. John Scoville, applicant representative, explained that their design coincides with the proposed realignment of Gordon Road, and accommodates the variables for the corridor on Hwy 16 and visibility for moving and storing onsite. The buildings are more modern and newer than ones planned seven (7) years ago.

There are two (2) proposed entrances along Gordon Road, one from south and one at the cul-de-sac terminus.

In response to a question from Commissioner Smith regarding the possibility to expedite the design, Administrator Fouts explained that the issue at hand is that the consulting engineer the County hired to ensure the road is in the proper place requires field verification, topographic features of the site, etc., and that process takes time. The applicant's existing concept can be laid over the proposed realignment plan to obtain a better rendering of the area if needed.

Commissioner Smith explained that he does not wish to make a decision regarding the rezoning without a better rendering of the site plan overlayed with the proposed realignment of Gordon Road. If the rezoning is denied, the cul-de-sac will still have to be constructed because of the abandonment of a portion of Gordon Road, and the location of the cul-de-sac on the County's plan should match the location as shown on the applicant's site plan to avoid confusion.

Mr. Scoville explained that the cul-de-sac is part of the realignment of Gordon Road and is not related to his development. After the road realignment has been completed, the road at the north end of the cul-de-sac will become a dead end and that is why they are requesting the variances.

Mr. Handley explained that the cul-de-sac will be constructed after the new location of Gordon Road is opened.

In response to a question from Commissioner Smith, Mr. Scoville explained that he is on a timeline with the current owner, has had a contract with the owner for over a year, and is in a pinch. Nothing they are doing will interfere with the road project and will complement it.

Chairman Reidelbach explained that timing is critical and needs to be completed in the right way, that if the rezoning is approved and the applicant completes the project before cul-de-sac is constructed, it could interfere with County plans.

Mr. Handley explained that for the time being, the entrance to the site from the cul-de-sac would just be located off the existing Gordon Road. He would hate to see the applicant have to construct a right turn lane that would be just torn out at a later date.

Administrator Fouts explained that the Board could place conditions on the rezoning if they choose to do so to ensure that the realignment project is complete before the proposed project opens for business.

Chairman Reidelbach explained that acquisition of ROW could take longer than estimated if property has to go through a condemnation process.

In response to a question from Commissioner McKenzie, Mr. Scoville explained that the color scheme will comply with requirements of the QDCD.

In response to an earlier question from Chairman Reidelbach, Mr. Handley explained that in 2022, an estimate of $3 million for construction, a design estimate of $300,000, and utility and ROW estimate of $1.2 million was obtained for the Gordon Road realignment project ($4.5 million total) and includes a roundabout at the intersection of Hwy 16 and Gordon Road. Material costs have stabilized but have not decreased since that time. The traffic study has been completed and GDOT will not approve a traffic signal at that intersection based on the current and anticipated traffic, however GDOT will approve a roundabout. Further along in the process, an Intersection Control Evaluation will be submitted to GDOT.

Chairman Reidelbach called for any comments in support of the proposed rezoning.

- Mr. James Hines, Wilkerson Mill Road, Palmetto, explained that he is not opposed to the rezoning but has questions regarding buffers between the proposed site and the property located to the south. He also asked if the relocation of Gordon Road is in the best interest of everyone along Gordon Road.

- Mr. Alex McCart, civil engineer for Moore Bass Consulting, explained that they drew the site plan, went through the traffic study process with the county, there were no adverse effects, it is a possibility that the project would be completed before the Gordon Road realignment was constructed and would not want to be held back. In regards to buffers, they are located in the QDCD which requires additional landscaping. In closing he is available to answer any questions the Board may have.

Chairman Reidelbach called for any comments in opposition to the proposed rezoning.

The following citizens spoke in opposition to the proposed rezoning citing changes in rezoning requests over time, this project is not what the community initially expected, the removal of conditions, level of confusion created in the community, it does not provide a good impression or fulfill the live, work, play, concept of a complete community, it will only provide a few jobs, possible personal interest in the property by any Commissioner (if so asked them to recuse themselves), decreased safety and security for the traveling public on Gordon Road, lack of turn lane, and traffic signal, large truck traffic adding to existing congestion, proximity to Hwy 16 and limited sight distances, 55 MPH speed limit, the one-story building is actually 40-feet in height and will be utilized for storage of three-stories of U-Box containers, requested setbacks are excessive, Gordon Road is a rural 2-lane road, construction traffic will cause issues, lack of visioning related to the Comprehensive Plan, need for a moratorium and workshop, increase in the number of houses, lack of input from the community, conflicts of interest, annexation, real estate community, the purpose of the Development Authority, and how Gordon Road will be realigned.

- Ms. Jean Raines, Walton Road, Newnan
- Mr. Darrell Hester, Gordon Road, Newnan
- Mr. Daniel Wood, Walton Place Drive, Newnan
- Ms. Shirley Church, Walton Road, Newnan
- Mr. Mike Yeager, Martin Mill Road, Moreland

In rebuttal, Mr. Scoville clarified that realignment of Gordon Road is not because of U-Haul and neither is the existing traffic situation. In fact, their proposal will create less traffic than anything else that can be put there. Most traffic is lighter, will occur mostly on weekends and there may be one large truck every day or two. The four (4) orange buildings on the conceptual site plan are the outside drive-up storage buildings and the orange metal doors will be visible through the glass windows. The front building and the rear building are considered one-story although the inside is three-stories in height for stacking of U-Box containers.

Commissioner Poole pointed out that the storage building on Poplar Road is a well-done facility.

Administrator Fouts explained that the Board conditioned the storage building on Poplar Road so that the metal doors could not be visible from the roadway.

Commissioner McKenzie expressed concerns about approving the rezoning without completion of the Gordon Road realignment, the requested variances, and that the road project will take approximately 2-years before it is completed.

The Board voted to close the Public Hearing regarding Petition # REZ 23-07 filed by U-Haul Corporation requesting to rezone property located at 97 Gordon Road, Newnan (Parcel # 088-2070-003) from *LM (Light Industrial) w/conditions* to *LM*

(Light Industrial).

RESULT:	**PUBLIC HEARING CLOSED [UNANIMOUS]**
MOVER:	Bill McKenzie, District 2
SECONDER:	Bob Blackburn, District 3
AYES:	Reidelbach, Poole, McKenzie, Blackburn, Smith

14080 Public Hearing Regarding Petition # REZ 23-07 Filed by U-Haul Corporation Requesting to Rezone Property Located at 97 Gordon Road, Newnan

The Board voted to deny rezoning of 6.84± acres located at 97 Gordon Road, Newnan (Parcel # 088-2070-003) from *LM (Light Industrial) w/conditions* to *LM (Light Industrial)* as requested in Petition # REZ 23-07 filed by U-Haul Corporation.

RESULT:	**DENIED [UNANIMOUS]**
MOVER:	Bill McKenzie, District 2
SECONDER:	Bob Blackburn, District 3
AYES:	Reidelbach, Poole, McKenzie, Blackburn, Smith

REGULAR SESSION

PUBLIC COMMENT (Items on the Agenda)

Public Comments Regarding Items On the Agenda

Chairman Reidelbach called for comments regarding any items on the agenda.

Ms. Elisa Sanders, Jim Starr Road, Newnan, spoke in opposition to Petitions # VAR 23-10 and # REZ 23-11 (agenda item # 8), explained that she submitted a letter in opposition to the Board of Zoning Appeals, has provided a copy to the Board, and is available should the Board have any questions.

Mr. Steve and Ms. Holly Sevigny, applicants for Petition # VAR 23-25 (agenda item # 9) explained that they are available should the Board have any questions.

Mr. Richard Sherman, Palmetto Tyrone Road, Sharpsburg, spoke in support of Petition # VAR 23-25 (agenda item # 9) explaining that his property is located behind the Sevigny's and they have his full support.

Recommendations from Community Development and/or the Board of Zoning Appeals

7. **14062 Recommend Approval of Petitions # VAR 23-10 and # VAR 23-11 Filed by U-Haul Corporation Requesting Buffer and Front Yard Setback Variances for Property Located at 97 Gordon Road, Newnan**

Zoning Coordinator Eschman presented Petitions # VAR 23-10 and # VAR 23-11 filed by U-Haul Corporation requesting buffer and front yard setback variances for property located at 97 Gordon Road, Newnan.

The Board voted to deny an 80-feet buffer reduction (from 100-feet to 20-feet) along the southern property line and to deny a 50-feet front building setback reduction (from 100-feet to 50-feet) for property located at 97 Gordon Road, Newnan (Parcel # 088-2070-003) as requested in Petitions # VAR 23-10 and VAR 23-11 filed by U-Haul Corporation.

RESULT:	**DENIED [UNANIMOUS]**
MOVER:	Bob Blackburn, District 3
SECONDER:	Bill McKenzie, District 2
AYES:	Reidelbach, Poole, McKenzie, Blackburn, Smith

8. **14060 Recommend Denial of Petition # VAR 23-25 Filed by Ryan West/Slippery When Wet Pools Requesting a No Structure Setback Encroachment Variance for Property Located at 835 Jim Starr Road, Newnan**

Zoning Coordinator Eschman presented Petition # VAR 23-25 filed by Ryan West (dba Slippery When Wet Pools) requesting a variance to encroach within the 75-feet "No Structure Setback" boundary of property located at 835 Jim Starr Road, Newnan (Parcel # 069-8138-017) along with a recommendation of denial from the Board of Zoning Appeals. She explained that the subject property is Lot 11 in the Fairwinds Subdivision and consists of 2.50± acres zoned *RC* (*Rural Conservation*). She further explained that the subject property was developed under the RE 2.5 Estate Lot development type which was eliminated when the Board voted to implement a Land Development Guidance System (LDGS) at the Commission meeting held on March 30, 2020. Because the final plat for the property was recorded on August 31, 2018, the Lot is vested under the RE 2.5 Estate Lot development and all required setbacks shall be met including the 75-feet “No Structure Setback”. The applicant is requesting a variance to encroach 26-feet (from 75-feet to 49-feet) within the “No Structure Setback” boundary to install a 20-feet x 44-feet inground pool directly behind the home. In closing, she highlighted the factors considered by staff during the application process and presented one (1) condition for consideration by the Board should they choose to grant the variance.

Ms. Eschman fielded questions from the Board regarding whether there is room on the property to place the pool without encroaching into the no structure setback. She is explained that the pool can be shifted 26-feet which will comply with the ordinance, and still be located behind the home. In addition, the request does not meet the definition of a hardship.

The Board voted to deny a 26-feet setback reduction (from 75-feet to 49-feet) within the “No Structure Setback” boundary of property located at 835 Jim Starr Road, Newnan (Parcel # 069-8138-017) as requested in Petition # VAR 23-25 filed by Ryan West (dba Slippery When Wet Pools).

RESULT:	**DENIED [UNANIMOUS]**
MOVER:	Bob Blackburn, District 3
SECONDER:	Al Smith, District 5
AYES:	Reidelbach, Poole, McKenzie, Blackburn, Smith

9. **14020 Recommend Approval of Petition # VAR 23-24 Filed by 7E Sales, LLC/RCHS Holdings, LLC Requesting a Rear Yard Setback Variance for Property Located at 53 Johnston Circle, Palmetto**

County Planner II Kim Dutton presented Petition # VAR 23-24 filed by 7E Sales, LLC/RCHS Holdings, LLC requesting two (2) rear yard setback variances for property located at 53 Johnston Circle, Palmetto (Parcel # 117-7064-011) along with a recommendation of approval from the Board of Zoning Appeals. She explained that the applicant constructed a permitted 40-feet by 124-feet storage building in 2019. According to the applicant, during the COVID pandemic his company was deemed an essential business and it was necessary to spread out employees for safe social distancing while keeping customers on the road with truck repairs. At some time, the applicant constructed a lean-to onto the storage building without obtaining a permit. On February 7, 2023, the storage building and lean-to burned to the ground. In order to return to normal business operations as soon as possible and to keep up morale, the applicant proceeded with reconstructing the storage building and lean-to without obtaining the required building permits. The applicant now realizes it was a mistake, but because the same storage building was being reconstructed, he thought a building permit was not required. The storage building and lean-to encroaches into the required 30-feet rear setbacks, therefore, the applicant is requesting a 6-feet rear yard setback reduction (from 30-feet to 24-feet) and a 16-feet rear yard setback reduction (from 30-feet to 14-feet). In closing, she highlighted the factors considered by staff during the application process and presented two (2) conditions for consideration by the Board should they choose to grant the variance requests.

Chairman Reidelbach pointed out the applicant never obtained a permit to add the "lean-to" onto the storage shed that was permitted in 2019, and did not obtain permits to rebuild either structure after the fire burned both to the ground.

In response to questions from the Board, Community Development Director Jon Amason explained that the applicant will be required to obtain a permit in the form of approval letters from a professional engineer certifying that everything is constructed and meets building codes. Staff from Community Development and the Fire Department have visited the site. To date, no citations have been issued as the first step is an attempt to educate the applicant and bring them into compliance. He further explained that staff was unable to get the applicant into compliance because of the setback violation, and the variance request is the avenue to get it as close to being in compliance as possible.

In response to a question from Chairman Reidelbach, Administrator Fouts explained that a Certificate of Occupancy (CO) can be withheld until the proper documentation and inspections have been completed, and the structures meet the *Coweta County Code of Ordinances.*

The Board voted to grant a 6-feet rear yard setback reduction (from 30-feet to 24-feet) and to grant a 16-feet rear yard setback reduction (from 30-feet to 14-feet) for property located at 53 Johnston Circle, Palmetto (Parcel # 117-7064-011) as requested in Petition # VAR 23-24 filed by 7E Sales, LLC/RCHS Holdings, LLC, subject to the following conditions:

1. The applicant shall be responsible for providing a stormwater management plan and report giving proof that this site meets or will meet the intent of *Chapter 30, Article IV* of the *Coweta County Code of Ordinances*. The report, plan, and construction shall be approved by staff. The applicant shall also submit upon completion of the project prior to obtaining a Certificate of Occupancy (CO), the Stormwater Management Facility Maintenance Agreement, easement documents, and engineer’s certification.
2. The existing building shall not be any closer than 14-feet from the rear property line.
3. The applicant shall obtain a building permit and comply with all requirements of the *Coweta County Code of Ordinances.*

RESULT:	**GRANTED [UNANIMOUS]**
MOVER:	John Reidelbach, District 4 - Chairman
SECONDER:	Bill McKenzie, District 2
AYES:	Reidelbach, Poole, McKenzie, Blackburn, Smith

10. 14135 Request Direction from the Board Regarding Condition # 14 Associated with Previous Petition # REZ 22-26 Filed by RC & CL Investments, LLC for Property Located off SR 34 East, Sharpsburg - District 1

Zoning Coordinator Eschman explained that at the Commission meeting held on November 1, 2022, the Board voted to rezone 1.70± acres located at SR 34 East, Sharpsburg (Parcels # 133-6092-078, # 133-6092-079) from *RC* (*Rural Conservation*) to *O-I* (*Office-Institutional District*) as requested in Petition # REZ 22-26 filed by RC & CL Investments, LLC, subject to fourteen (14) conditions. Condition # 14 requires that a land disturbance permit (LDP) be obtained within a 12-month period. As of October 17, 2023, the applicant has not obtained a land disturbance permit because of delays in moving the required utilities and the uncertainty of the market no tenant has been confirmed for the building or an individual business that may wish to build. Out of respect for the Board, the applicant does not wish to provide a time frame for the extension, but notes that consideration for an extension is appreciated. Subsequently, Community Development is requesting direction from the Board regarding the request.

In response to a question from Chairman Reidelbach, Ms. Eschman explained that some utilities have been relocated with the exception of AT&T lines.

The Board voted to set a Public Hearing on November 16, 2023 at 6:00 p.m. regarding possible rezoning of 1.70± acres located at SR 34 East, Sharpsburg (Parcels # 133-6092-078, # 133-6092-079) from *O-I* (*Office-Institutional District*) to *RC* (*Rural Conservation*) associated with Petition # REZ 22-26, thereby granting the applicant (RC & CL Investments, LLC) a 15-day extension to obtain a Land Disturbance (LDP) [see Condition # 14 of previous Petition # REZ 22-26].

RESULT:	**PUBLIC HEARING SET [UNANIMOUS] Next: 11/16/2023 6:00 PM**
MOVER:	Paul Poole, District 1 - Vice Chairman
SECONDER:	John Reidelbach, District 4 - Chairman
AYES:	Reidelbach, Poole, McKenzie, Blackburn, Smith

11. 14007 Request to Cancel Public Hearing Regarding Previous Petition # REZ 22-08 Filed by CA Ventures Associated with Condition # 15 - District 2

Administrator Fouts explained that Community Development staff has confirmed that CA Ventures was issued a building permit on September 27, 2023 as required in Condition # 15 associated with previous Petition # REZ 22-08. Therefore, a Public Hearing is no longer needed regarding possible initiation of rezoning of the subject property by the Board.

The Board voted to cancel the Public Hearing scheduled on November 16, 2023 at 6:00 p.m. regarding Petition # REZ 22-08 filed by CA Ventures and possible rezoning of 56.15± acres located at 765/775 East Highway 16, Newnan [Parcels # 088-2060-10; # 088-2060-005; and # 088-2069-001 (partial)] from *LM* (*Light Industrial*) to *RC* (*Rural Conservation*) [See July 25, 2023 minutes].

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Al Smith, District 5
SECONDER:	Bill McKenzie, District 2
AYES:	Reidelbach, Poole, McKenzie, Blackburn, Smith

12. 14105 Request Acceptance of Roadways and Execution of a Deed of Open Space Restriction for Property Located in Chapel Hill Subdivision, Phase 1 Unit 2 - District 5

Administrator Fouts explained that DRB Group Georgia, LLC has submitted a deed of open space restriction for 4.42± located in the Chapel Hill Subdivision. In addition, the grading, storm drainage, curb and gutter, and street base have been completed for Scout Way (796.63 LF), Dane Place (142.91 LF) extension, and Fayme Court (143.54 LF) extension for Chapel Hill Subdivision, Phase 1 Unit 2, in accordance with Coweta County regulations. The developer posted a maintenance bond of $18,031.00 to cover any defects in materials or workmanship that may occur within three (3) years of acceptance. In closing, he explained that staff and the County Attorney have reviewed the legal documents and find them to be in order.

The Board voted to execute a Deed of Open Space Restriction associated with Chapel Hill Subdivision, Phase 1 Unit 2 , to accept Scout Way (796.63 LF), Dane Place (142.91 LF) extension, and Fayme Court (143.54 LF) extension into the Coweta County Public Roads System, and to place the constructed improvements into a three (3) year maintenance period.

RESULT:	**EXECUTED [UNANIMOUS]**
MOVER:	Al Smith, District 5
SECONDER:	Paul Poole, District 1 - Vice Chairman
AYES:	Reidelbach, Poole, McKenzie, Blackburn, Smith

13. 14125 Request Acceptance of Performance Bond, Execution of Easement Over Private Right-of-Way, and Execution of a Deed of Open Space Restriction for Property Located in Cresswind at Spring Haven, Phase 1A - District 2

Administrator Fouts explained that KH Cresswind Spring Haven, LLC, has submitted a Deed of Open Space Restriction for 7.572± acres total (being shown as 7.156± acres in Open Space # 1 and 0.416± acres in Open Space # 3) located in Cresswind at Spring Haven Subdivision, Phase 1A. He noted that Phase 1A does not contain any tract labeled Open Space # 2. In addition, the grading, storm drainage, curb and gutter, and street base in Cresswind at Spring Haven Subdivision, Phase 1A, have been completed for private streets Catalina Court and Trident Way, in accordance with Coweta County regulations. An Easement Over Private Right-of-Way for 1.107± acres (48,223 square feet) total and a performance bond for $70,542.50 to cover topping those private streets once construction activities on the lots in Phase 1A are complete and have been submitted for consideration by the Board. Staff has received proof that the bond premium has been paid in full by the developer and that a maintenance bond for $21,882.00 was posted to cover any defects in materials or workmanship that may occur within three (3) years of acceptance on those improvements that were required within existing public right-of-way. Per requirements of the *Coweta County Code* of *Ordinances*, a 2-year landscape maintenance bond in the amount of $16,006.00 has been posted. The letter from the bonding company confirming payment in full of the premiums for both of these bonds has been received. In closing, he explained that staff and the County Attorney have reviewed the legal documents and find them to be in order.

Commissioner McKenzie explained that the Board is not accepting Catalina Court and Trident Way which are private streets into the County's Public Roads System, but are executing a bond to ensure the applicant completes the work being performed.

The Board voted to accept a performance bond for topping of Catalina Court and Trident Way (private streets), to execute an Easement Over Private Right-of-Way, and to execute a Deed of Open Space Restriction associated with 7.572± acres located in the Cresswind at Spring Haven Subdivision, Phase 1A.

RESULT:	**EXECUTED [UNANIMOUS]**
MOVER:	Bill McKenzie, District 2
SECONDER:	Paul Poole, District 1 - Vice Chairman
AYES:	Reidelbach, Poole, McKenzie, Blackburn, Smith

UNFINISHED BUSINESS

14. 14107 Request Appointments to Various Boards/Authorities

The Board voted to take the following actions regarding appointments to various boards/authorities:

- Reappoint Mr. Mickey Rogers as the 1st District representative to the Board of Tax Assessors for the term beginning January 1, 2024 and expiring on December 31, 2027
- Reappoint Ms. Judi Conger as the 2nd District representative to the Animal Services Board for the term expiring on December 31, 2026
- Reappoint Ms. Charlotte Patterson as the 2nd District representative to the Coweta County Library System Board of Trustees for the term beginning January 1, 2024 and expiring on December 31, 2026

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Bob Blackburn, District 3
SECONDER:	John Reidelbach, District 4 - Chairman
AYES:	Reidelbach, Poole, McKenzie, Blackburn, Smith

NEW BUSINESS

Bids and Contracts

Additional Action Items

15. 14100 Request Approval/Execution of Tax Equity Fiscal Responsibility Act (TEFRA) Resolution Associated with the YMCA

County Attorney Lee explained that the YMCA requested that the Coweta County Development Authority issue revenue bonds for the benefit of YMCA in order to pay off a portion of a loan that was incurred to finance or refinance the Summit Family YMCA located at 1765 Highway 34 East, Newnan. The bonds will be limited obligations of the Development Authority payable solely from the revenues derived by the Authority from the YMCA and other moneys specifically pledged to the payment thereof. The bonds will not constitute any indebtedness or obligation of the County. As required by law, a notice of a Tax Equity Fiscal Responsibility Act (TEFRA) hearing was duly advertised in the local organ (Newnan Times-Herald), and the TEFRA hearing was held by the Authority on October 5, 2023 in the Authority's board room located at 19 Jefferson Street, Newnan. The next step in the process is the adoption of a resolution by the Board of Commissioners acknowledging that the TEFRA hearing was conducted and approving issuance of the bonds to the extent required by the applicable TEFRA law. Following adoption of the Resolution by the Commissioners, a petition will be filed in Superior Court to validate the bonds.

The Board voted to execute a Tax Equity Fiscal Responsibility Act (TEFRA) Resolution associated with issuance of revenue bonds for the benefit of the YMCA.

RESULT:	**EXECUTED [UNANIMOUS]**
MOVER:	John Reidelbach, District 4 - Chairman
SECONDER:	Paul Poole, District 1 - Vice Chairman
AYES:	Reidelbach, Poole, McKenzie, Blackburn, Smith

16. 14148 Request Approval of a Budget Amendment Associated with Purchase of a Mobile Command Truck

Administrator Fouts explained that at the Commission meeting held on July 26, 2022, the Board voted to approve utilizing the County's American Rescue Plan Act (ARPA) funds to purchase a Public Safety Multi-Agency Command Vehicle and the associated instrumentation necessary to leverage satellite and internet access as well as interoperable radios and video capabilities. Staff is requesting a budget amendment increase of $217,817 for the cost of outfitting the mobile command vehicle with dispatch consoles and to continue utilizing ARPA funds for voice and data communications equipment that provides interfaces for the Mobile Command Vehicle. The proposal includes console hardware, accessories, computer racking equipment, and associated software for $132,345.00, professional services support for $26,500.00 and software maintenance for four (4) years for $58,972.00 for a total of $217,817.00. In addition, the vehicle will be utilized as a backup for 911.

Chairman Reidelbach pointed out the vehicle can be utilized by 911 to continue services if needed.

The Board voted to approve a budget amendment in the amount of $217,817.00 (ARPA funds) associated with installation of instrumentation and obtaining software support for the Mobile Command Vehicle.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Bob Blackburn, District 3
SECONDER:	John Reidelbach, District 4 - Chairman
AYES:	Reidelbach, Poole, McKenzie, Blackburn, Smith

17. 14137 Request to Temporarily Close the South End of Fischer Road - District 1

Administrator Fouts explained that the Georgia Department of Transportation (GDOT) currently has a bridge replacement project under construction on SR 54 at Shoal Creek. As a part of that bridge replacement project, the intersection of Fischer Road with SR 54, just north of the bridge, will be realigned to eliminate the current skewed intersection and a left turn lane will be added on SR 54 for traffic turning on Fischer Road. Because of the change in elevation that will occur to the south end of Fischer Road, GDOT has requested to allow the contractor, ER Snell, to temporarily close the road to accomplish the realignment and change in elevation. The requested closure is for a period of 30-days and a detour will be implemented by the contractor during the closure. Access to the residences along the road will still be available from the north end of the road.

In response to a question from Chairman Reidelbach, Administrator Fouts explained that only a portion of the end of Fischer Road will be blocked and a detour map has been provided in the agenda packet.

The Board voted to temporarily close the south end of Fischer Road for a period of 30-days for realignment and reconstruction as a part of the Shoal Creek bridge replacement project being performed by the Georgia Department of Transportation (GDOT).

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Paul Poole, District 1 - Vice Chairman
SECONDER:	Al Smith, District 5
AYES:	Reidelbach, Poole, McKenzie, Blackburn, Smith

18. 14142 Request Appointment of a Selection Committee Associated with Projects on Poplar Road - District 2 and District 5

Administrator Fouts explained that the County has been awarded federal funding through the Atlanta Regional Commission (ARC) to perform engineering and design work for two (2) projects on Poplar Road. The first project will widen Poplar Road from the west side of Newnan Crossing Boulevard to east of Yeager Road. The second project will improve the intersection of Poplar Road with SR 16 and the approaches to that intersection. Since these projects will receive federal funding administered by the Georgia Department of Transportation (GDOT), all federal and state regulations, guidelines, and policies must be followed during the life of the project. In the design phase, those governing regulations include the Brooks Act, which requires that design and engineering contracts be awarded on the basis of qualifications. After appointment of a selection committee, staff will advertise a Request for Qualifications (RFQ) for these projects and each project will have an established deadline for receipt of qualifications packages from interested consulting firms. After the RFQ deadline for each project, the selection committee members will review and score the Statements of Qualifications (SOQ) from each interested firm as Phase I of the selection process. Based on the scores of each firm, the committee will then notify the top three (3) to five (5) firms that they have been selected as finalists to move into Phase II. The finalist firms will then be provided instructions and a second deadline for submittal of a detailed and project specific technical approach for the project. After receipt of the technical submittals, the selection committee members will then review the technical approach from each of the finalists and score the document from each firm. The selection committee will compile the scores from Phase I and Phase II to determine which firm is most qualified to perform the design of the project, after which, contract negotiation will begin with the most qualified firm.

In response to a question from Chairman Reidelbach, Public Works Director Handley explained that the GDOT process now requires the Phase II submission of a detailed and project specific technical approach.

The Board voted to appoint the following members to a Selection Committee to determine which firm is most qualified to perform design services associated with two (2) projects on Poplar Road:

- Chairman John Reidelbach
- Grants Manager Charlyn Shepherd
- Engineering Division Director Bob Palmer
- Road Maintenance Division Director Ryan Phillips
- Public Works Director Tod Handley

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Al Smith, District 5
SECONDER:	Bob Blackburn, District 3
AYES:	Reidelbach, Poole, McKenzie, Blackburn, Smith

19. 13666 Set Meeting Dates and Times for 2024 and 2025

In response to a question from Chairman Reidelbach, Administrator Fouts explained that only one meeting is being proposed in February 2025 (February 11, 2025) based on timing of holidays and other things. He pointed out the Board is considering a two-year schedule and if something arises in the next year, the Board can change the schedule.

The Board voted to adopt the meeting dates and times for calendar years 2024 and 2025 (and the beginning of 2026) as presented by staff (scanned into the minutes).

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Bob Blackburn, District 3
SECONDER:	Paul Poole, District 1 - Vice Chairman
AYES:	Reidelbach, Poole, McKenzie, Blackburn, Smith

20. 14126 Request from the Town of Sharpsburg for Assistance with Installation of Signage on Williams Circle - District 1

The Board voted to assist the Town of Sharpsburg by providing labor and equipment to install "Watch for Children" signage on Williams Circle.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Paul Poole, District 1 - Vice Chairman
SECONDER:	Bill McKenzie, District 2
AYES:	Reidelbach, Poole, McKenzie, Blackburn, Smith

SUPPLEMENTAL/NON-AGENDA ITEMS

PUBLIC COMMENT (Items Not on the Agenda)

Public Comments Regarding Items Not on the Agenda

Chairman Reidelbach called for comments regarding any items not on the agenda.

- Mr. Hank Arnold, LaGrange Street, Newnan, addressed the Board regarding $338 million awarded to the State of Georgia in opioid settlement funds. He explained that Coweta County is one (1) of eleven (11) advisory councils and each region will receive a percentage of the funds. It is important for Coweta County to participate in the regional council, as a committee is formed that a peer (addiction survivor and a family member who have lost a family member to addiction), have a formal vote on the committee. He requested that the Board and/or support staff meet with him to discuss, plan and receive educational points on how to proceed.
- Mr. Sean Miller, Freeman Forest Drive, Newnan, spoke in opposition to a proposed future development for a cross dock facility at 1519 Poplar Road. **Commissioner Blackburn exited Regular Session at 7:54 p.m. prior to any further comment from Mr. Miller.** Mr. Miller expressed concerns with the effects of tractor trailers driving on Poplar Road, through roundabouts, through residential neighborhoods, with school buses, and at the nearby hospital. He also expressed concerns regarding decreased safety, negative impacts to property values, mixing residential into commercial traffic, increased taxes, and slowing of traffic.

- Mr. Maxwell Britton, Marion Beavers Road, Sharpsburg, addressed the Board regarding his belief that the current voting machines (ballot marking devices/BMDs) are vulnerable/hackable, unfair/unsecure, manufactured in China, do not provide verifiable results, propagate a lack of voter confidence/trust, election anomalies, fraudulent voter registrations, inaccurate tabulations, accountability, security, integrity, and the need for verifiable hand-counted paper ballots.
- Life Scout Isak Bergum, Beaumont Farms Drive, Sharpsburg, addressed the Board regarding completion of his Eagle Scout Project (installation of birdhouses at the Hunter Complex) on August 27, 2023 and requested that the Chairman sign-off on his Eagle Scout Service Project Plan.

The Board congratulated Life Scout Bergum on his achievement.

Administrator Fouts expressed appreciation to Parks and Recreation Director Jim Gay for assisting Life Scout Bergman with his Eagle Scout project.

EXECUTIVE SESSION - In accordance with O.C.G.A. 50-14-4

Motion To: **Enter Into Executive Session**

The Board voted to enter into Executive Session for the purposes of discussing real estate, personnel, and litigation issues.

Members in attendance included Chairman Reidelbach, Commissioner Poole, Commissioner Smith, Commissioner McKenzie, Commissioner Blackburn (rejoined the meeting during Executive Session). Staff members in attendance included Administrator Fouts, Associate Administrator Whitlock, Assistant Administrator Mickle, Assistant Attorney Lee, and Deputy County Clerk Collins. Community and Human Resources Director Patricia Palmer and Public Works Director Tod Handley were also in attendance.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	John Reidelbach, District 4 - Chairman
SECONDER:	Paul Poole, District 1 - Vice Chairman
AYES:	John Reidelbach, Paul Poole, Bill McKenzie, Al Smith
ABSENT:	Bob Blackburn

REGULAR SESSION

Motion To: **Return to Regular Session**

The Board discussed real estate, personnel, and litigation issues during Executive Session and voted to return to Regular Session.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	John Reidelbach, Al Smith
SECONDER:	Bob Blackburn, District 3
AYES:	Reidelbach, Poole, McKenzie, Blackburn, Smith

AFFIDAVIT

Motion To: **Execute Affidavit and Resolution for Executive**

The Board voted to execute an Affidavit and Resolution for Executive Session.

RESULT:	**EXECUTED [UNANIMOUS]**
MOVER:	Bob Blackburn, District 3
SECONDER:	Bill McKenzie, District 2
AYES:	Reidelbach, Poole, McKenzie, Blackburn, Smith

Motion To: **Approve Personnel Actions**

The Board voted to approve personnel actions as discussed in Executive Session.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Bob Blackburn, District 3
SECONDER:	Al Smith, District 5
AYES:	Reidelbach, Poole, McKenzie, Blackburn, Smith

ADJOURNMENT

Motion To: **Adjourn**

The Board voted to adjourn the meeting.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	John Reidelbach, District 4 - Chairman
SECONDER:	Bob Blackburn, District 3
AYES:	Reidelbach, Poole, McKenzie, Blackburn, Smith