



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 4, 2022

6:00 PM

Commission Chambers

~ Minutes ~

COWETA COUNTY BOARD OF COMMISSIONERS

Call to Order

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

The Honorable Board of Commissioners of Coweta County, Georgia met in Public Hearing/Regular Meeting Session on Tuesday, October 4, 2022.

Meeting Called to Order

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

Pledge of Allegiance

Chairman Blackburn led the Pledge of Allegiance.

Invocation

Invocation was given by Commissioner Smith.

Notification of Location of Rules

Chairman Blackburn 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, September 20, 2022**

The Board voted to approve the minutes from the Public Hearing/Regular Meeting Session held on September 20, 2022.

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

CONSENT AGENDA

2. 13365 Confirm Execution of an Intergovernmental Agreement with the City of Palmetto Associated with the WestNet Station Alerting System

The Board voted to confirm execution of an Intergovernmental Agreement (IGA) with the City of Palmetto associated with the WestNet Station Alerting System (dispatch services).

RESULT: **CONFIRMED [UNANIMOUS]**
MOVER: Paul Poole, District 1
SECONDER: Tim Lassetter, District 2
AYES: Blackburn, Reidelbach, Poole, Lassetter, Smith

3. 13380 Confirm Execution of a Contract with Mobile Communications America Associated with Low Voltage Cabling at the Coweta County Annex at Shenandoah

The Board voted to confirm execution of a contract with Mobile Communications America (MCA) associated with the installation of low voltage cabling at the Coweta County Annex at Shenandoah (87 Newnan Station Drive) at a total cost of \$175,537.22.

RESULT: **CONFIRMED [UNANIMOUS]**
MOVER: Paul Poole, District 1
SECONDER: Tim Lassetter, District 2
AYES: Blackburn, Reidelbach, Poole, Lassetter, Smith

SUPPLEMENTAL AND NON-AGENDA ITEMS

Motion To: **Supplemental and/or Non-Agenda Items**

The Board voted to approve the addition of one (1) Non-Agenda item for discussion as presented by staff.

RESULT: **APPROVED [UNANIMOUS]**
MOVER: Tim Lassetter, District 2
SECONDER: Paul Poole, District 1
AYES: Blackburn, Reidelbach, Poole, Lassetter, Smith

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

4. Motion To: **13159 : REZ 22-000025 - Harris MHP Revitalization**

Assistant Community Development Director Angela White presented Petition # REZ 22-000025 filed by Mark Woods and C. Harris Holdings, LLC requesting to rezone 37.16± acres located off Sweeper Smith Road, Clemit Harris Road, and Welcome to Arnco Road, Newnan (Parcel # 047-5096-006, # 047A-102A, and 047A-110) from RC (Rural Conservation) to RC-SUP (Rural Conservation with Special Use Permit). She explained that on December 2, 2021, the Board voted to amend Article 6-

Exceptions and Modifications of the Coweta County Zoning and Development Ordinance to provide for a *Special Use Permit (SUP)* that allows a community to be redeveloped with site-built homes, establishing individual lots while not increasing the overall density or the level of non-conformity. The applicant wishes to redevelop/redesign the Harris Mobile Home Park and is specifically requesting the following:

- Thirty-nine (39) site-built homes
- Minimum lot sizes of 0.50 acres (conceptual site plan shows 0.5 to 1.8 acres)
- 50-foot front yard setbacks, 10-foot side yard setbacks, and 30-foot rear yard setbacks
- Water service provided by the Coweta County Water and Sewerage Authority
- Septic service provided by individual septic systems (all proposed lots have been evaluated)
- Minimum of 1,250 heated square feet
- Twenty-nine (29) driveway cuts and two (2) easement drives (as noted in the conceptual site plan)
- Closure/abandonment and demolition of Harris Circle

Ms. White further explained that the conceptual site plan incorporates redevelopment with Clemit Harris Road, which currently bisects the community, accessing Lots 1-8 and Lots 20-26 with a double easement accessing Lots 29-34. Harris Drive, which runs perpendicular to Clemit Harris Road and turns off Welcome to Arnco Road, will serve Lots 9-19. Sweeper Smith Road will directly serve Lot 35 with a proposed easement drive to Lots 36-39. The redeveloped community will incorporate stormwater management on the site for the first time along with setbacks associated with a stream that enters the development along the southwest border. The driveways will create the atmosphere of a neighborhood with internal access points for most of the community. The submitted renderings contain four (4) different residential designs with garages, a potential bonus room as a second floor, hardi-plank siding, stonework, columns, and shutters as accents for the homes. In closing, she highlighted the factors reviewed by staff during the application process and presented eleven (11) conditions for consideration should the Board choose to approve the rezoning request.

In response from questions from Chairman Blackburn and Commissioner Smith, Ms. White explained that the subject property consists of three (3) parcels, but each new home/individual lot will be served by a new private septic system.

Ms. Melissa Griffis, applicant representative, explained that the subject property consists of 37.16± acres and the applicant is requesting a *Special Use Permit (SUP)* for redevelopment of an existing mobile home park for site-built homes as allowed in *Article 6 of the Zoning and Development Ordinance*. The development will establish individual lots while not increasing the overall density or the level of non-conformity. She further explained that stormwater management will be incorporated for the first time on this site. The applicant has no objections to any of the conditions with the exception of condition # 9 (installation of a right turn lane along Welcome to Arnco Road at Harris Drive) and # 10 (contribution of 50% of the cost to deep patch and overlay Harris Drive and Clemit Harris Road). The applicant believes that these items should be the County's responsibility because the roadways are county-owned, are already in a state of disrepair, and the project will not be increasing traffic to the area. She asked that the Board consider eliminating condition # 9 and explained that the applicant is offering to contribute 25% (\$37,500) toward deep patch and overlay of Harris Drive and Clemit Harris Road. In closing, she explained that the anticipated price point of the homes will

be \$250,000+ and should the Board choose to grant the request, the applicant will begin working with staff regarding the abandonment of Harris Circle (condition # 7).

In response to a question regarding relocation of the existing residents, Ms. Griffis explained that only a few have requested assistance, but the applicant is willing to discuss this if there are others that may need assistance. She further explained that in these discussions, some residents have been concerned with the timing of relocation, but the applicant could not confirm until after the rezoning. Many residents have not paid rental fees for ten (10) months as a means to hopefully save funds that may be needed to relocate. Two (2) residents have asked for assistance to determine if there are openings at Meadowview Mobile Home Park. The applicants have tried to address any concerns that they have been made aware of.

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

Mr. Luke Thompson, applicant, explained that his wife's family has owned the mobile home park since 1967. He and his wife inherited the property in 2015 and are excited about the plan to redevelop the Arnco area by replacing the mobile homes with site-built homes.

Mr. Mark Woods, Gibson Road, Newnan explained that he has been working with Mr. Thompson on the redevelopment plan for the mobile home park. The timing of the County's ordinance seemed to fit well with their plans to accomplish the project. He feels that this will be a nice addition and will compliment businesses that are relocating to the area.

Mr. Joe Wainscott, Gibson Road, Newnan explained that he is a business owner near the subject property, and he welcomes the growth in the area. He has several employees that he feels would like the opportunity to reside in the area.

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

Mr. Bob Fitzpatrick, Poplar Road, Newnan spoke in opposition to the proposed rezoning. He explained that he has family that has lived in the mobile home park for several years and he feels that they should be compensated for the loss of their trailers. Further, his elderly mother-in-law cannot afford a monthly payment of \$1,800 - \$2,000 in today's market. He also explained that there is a very limited area in the county to relocate a mobile home and he discovered through his own research that mobile homes of a certain age cannot be moved. He does not see a need for more construction on this side of town and the housing market has begun to trend downward. He is concerned because these residents will have no place to live, and he feels they should be compensated the fair market value of their trailers. In closing, he expressed that prior to Ms. Harris' passing, her wish was for the subject property to remain a trailer park.

Ms. Jennifer Allison, Harris Circle, Newnan explained that she has lived in the mobile home park for twenty (20) years. She has not heard from Mr. Thompson since the first of the year regarding the proposed redevelopment. She and her family cannot afford monthly rent of \$1,800. She recently remodeled her trailer, and she does not want to leave her home.

Administrator Fouts explained that no one else signed up to speak and the applicant has seven (7) minutes remaining for rebuttal (in accordance with the rules governing the meeting).

In rebuttal, Ms. Griffis explained that some of the trailers are owned by the Thompsons while some are individually owned. The applicant is not "taking" anyone's trailer. Those individual owners have the right to move their trailer, and

there are some lots available in the Meadowview Mobile Home Park or other locations outside Coweta. She reiterated that most of the tenants have not paid rent in 2022 (10 months) because the applicants thought this would help them save funds to facilitate relocation; therefore, there are no plans to compensate individuals. Regarding the timeline for relocation, the applicants have not been able to provide one yet because they have been waiting on the outcome of the application for the *Special Use Permit (SUP)*; however, the applicants will start working with the tenants on a time frame if the *SUP* is approved. In closing, she requested the Board's consideration of approval, including elimination of condition # 9 (installation of a right turn lane along Welcome to Arnco Road at Harris Drive) and that the applicant contribute 25% (\$37,500) instead of 50% toward the transportation improvements (condition # 10).

In response to questions from Commissioner Reidelbach, Ms. Griffis and Mr. Thompson explained that most tenants have not paid lot rent for ten (10) months and the average rent is \$150-\$200/monthly.

In response to a question from Commissioner Reidelbach, Mr. Thompson explained that a tenant recently relocated his mobile home from the site and the fee to do so was \$3,500. Another tenant has received an estimate of \$8,000 to relocate his mobile home, but it is a double-wide.

In response to further questions from Commissioner Reidelbach, Mr. Thompson explained that the tenants were notified ten (10) months ago about the plans to redevelop the property and the subject property is served by county water.

Chairman Blackburn asked for any additional information or comments from staff.

Administrator Fouts requested that the Board clarify when the payment toward the transportation improvement (condition # 10) is due from the applicant.

In response to a question from Commissioner Lassetter regarding when staff is expecting payment, Public Works Director Handley explained that payment is expected at the time of the road work.

Ms. Griffis explained that the applicant has no objections to the time payment is due.

The Board voted to close the Public Hearing regarding Petition # REZ 22-000025 filed by Mark Woods and C. Harris Holdings, LLC requesting to rezone 37.16± acres located off Sweeper Smith Road, Clemit Harris Road, and Welcome to Arnco Road, Newnan (Parcel # 047-5096-006, # 047A-102A, and 047A-110) from RC (*Rural Conservation*) to RC-SUP (*Rural Conservation with Special Use Permit*).

RESULT:	PUBLIC HEARING CLOSED [UNANIMOUS]
MOVER:	Tim Lassetter, District 2
SECONDER:	Paul Poole, District 1
AYES:	Blackburn, Reidelbach, Poole, Lassetter, Smith

13159 Public Hearing Regarding Petition # REZ 22-25 Filed by Mark Woods Requesting to Rezone Property Located at the Harris Mobile Home Park, Newnan

Commissioner Lassetter explained that he is very familiar with the Arnco/Sargent area and briefly noted several routes to access the mobile home park. Since lots 9-19 are basically the only ones that will be accessed from Welcome to Arnco Road and since the development will not have any more lots than it does at this time (39), he wishes to eliminate condition # 9 and revise condition # 10 to require the applicant to contribute \$30,000 toward the cost of deep patch and overlay of Harris Drive and Clemit Harris Road.

The Board voted to rezone 37.16± acres located off Sweeper Smith Road, Clemit Harris Road, and Welcome to Arnco Road, Newnan (Parcel # 047-5096-006, # 047A-102A, and 047A-110) from *RC (Rural Conservation)* to *RC-SUP (Rural Conservation with Special Use Permit)* as requested in Petition # REZ 22-000025 filed by Mark Woods and C. Harris Holdings, LLC, subject to the following conditions:

1. The applicant shall comply with all requirements of Coweta County's Stormwater Management, Soil Erosion and Sedimentation Control, Wetlands Protection Ordinance, and Groundwater Recharge Protection District.
2. All applicable requirements of the Fire, Environmental Health, and Building Department shall be met.
3. The subject property shall be limited to thirty-nine (39) site-built single-family homes with proffered dimensions/setbacks/drives/easements.
4. All applicable requirements of *Article 6, Section 69.5(b) Special Use Permit* of the *Coweta County Zoning and Development Ordinance* shall be incorporated into the development.
5. Lighting shall be established so adjacent residential properties are not adversely affected, and to preclude glare onto or direct illumination of adjacent properties and streets.
6. The two (2) private easements depicted on the "Harris MHP Concept Plan" must be constructed to the standards of *Article 24, Section 246.2.3(2)(e)(I) Standards for private ingress/egress/utility easements* of the *Coweta County Zoning and Development Ordinance*.
7. Harris Circle must be formally abandoned by the Board of Commissioners before a Land Disturbance Activity (LDA) permit is issued.
8. Runoff reduction practices meeting the current stormwater manual and *Chapter 30, Article IV* of the *Coweta County Code of Ordinances* are required for this development but shall not be allowed in the bottom of the detention/retention pond.
9. The applicant shall contribute \$30,000 to the County toward the cost to deep patch and overlay Harris Drive and Clemit Harris Road at the time of repair.
10. The applicant shall obtain a Land Disturbance Permit (LDP) within a 12-month period beginning the next business day following approval by the Board. If the applicant fails to do so, the Board may initiate rezoning of the property.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Tim Lassetter, District 2
SECONDER:	Paul Poole, District 1
AYES:	Blackburn, Reidelbach, Poole, Lassetter, Smith

5. Motion To: **13207 : REZ 22-000023 - JBE Realty Holdings, LLC dba Jim Ellis Automotive Group**

Zoning Coordinator Lisa Eschman presented Petition # REZ 22-23 filed by JBE Realty Holdings, LLC (dba Jim Ellis Automotive Group) requesting to rezone property located at 154, 156, and 162 Doc Turner Way, Newnan (Parcels # 087B-016, # 087B-016A, and # 087B-016B) from *RC (Rural Conservation District)* to *C-8 (Heavy Commercial District)*. She explained that subject property consists of three

(3) individual parcels totaling 7.62± acres lying within the Poplar Road *Quality Development Corridor District* (QDCD). She further explained that the three (3) parcels are no longer active residential sites because of construction of the I-85 Interchange (Exit 44). The applicant is proposing construction of a car dealership consisting of 23,661 square feet with a showroom, sales area, and service shop. The site plan indicates a total of 110 parking spaces with the majority being located to the rear of the building. There are other related service features such as an EV/Parts building, a loading/unloading area, and an above ground fueling station situated on the site. A proposed driveway is shown off Poplar Road and will provide access to customers, employees, and tractor trailer deliveries. The delivery truck ingress/egress runs parallel along all property lines and loops the entire property. Because the property is located within the QDCD, higher architectural standards and a 75-foot buffer adjacent to residentially zoned properties are required. In conjunction with the rezoning application, the applicant has filed exterior building materials variances (Petition # VAR 22-32 and # 22-33) along with a buffer variance (Petition # VAR 22-34). In closing, she reviewed the zoning classifications of surrounding properties, highlighted the factors considered by staff during the application process, and presented eleven (11) conditions for consideration by the Board should they choose to approve the rezoning request.

In response to a question from Commissioner Reidelbach, Ms. Eschman explained that the southern elevation is the only side of the building that is shown not to meet the 80% Category A materials as required in the *Quality Development Corridor District* (QDCD).

Ms. Melissa Griffis, applicant representative, explained that the subject property consists of 7.62± acres zoned RC (*Rural Conservation*) and the applicant is requesting C-8 (*Heavy Commercial District*) zoning for a Mercedes Benz used car dealership. In conjunction with the rezoning application, there are three (3) pending variance requests for consideration by the Board. The proposed use is consistent with the County's Comprehensive Plan, letters of support were obtained from the neighboring properties, and there was no opposition expressed at the Board of Zoning Appeals meeting. Based upon the calculations of the applicant's engineer from the traffic study performed by the County's selected traffic engineer, the applicant is proffering to contribute 5% toward the costs associated with improvements to Poplar Road and the Newnan Crossing Bypass. In closing, she explained that there are no objections to conditions # 1, # 2, and # 4 - # 11, with the applicant proffering 5% toward the roadway improvements noted in condition # 3 because of the location of the site and because there are current roadway deficiencies.

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

Mr. Steve Ellis, North Peachtree Road, Chamblee explained that he represents PRO Building Systems serving as the architect and general contractor for this project. They have been doing automotive projects in the Atlanta market for over twenty (20) years and are excited to bring this new Mercedes service facility and pre-owned sales dealership to Coweta County. The subject property is adjacent to property that is currently zoned C-8 (*Heavy Commercial District*) so this is an ideal location because the area seems to be transitioning to commercial developments.

Mr. Jimmy Ellis, applicant, explained that he is a second-generation car dealership owner. Over fifty-one (51) years, the company has grown to 1,700 team members and 17 brands around the Atlanta area. Their main Mercedes dealership is in Union City, but they have pockets of clients that live in areas that are not convenient to that location. Newnan/Coweta County is an ideal location to service those clients because it provides access, convenience, and visibility. In closing, he stated that his company has a history of fifty-one (51) years of supporting the communities it serves.

Chairman Blackburn called for any comments in opposition to the proposed rezoning. There were none.

In response to a question from Commissioner Lassetter, Ms. Griffis explained that the proffered 5% totals \$86,250.

In response to a question from Chairman Blackburn, Administrator Fouts explained that currently the estimated total for improvements to Poplar Road and the Newnan Crossing Bypass is \$1.7 million.

In response to questions from Commissioner Lassetter, Public Works Director Handley explained that the traffic study that has been referenced was actually performed by the County. Staff met with the applicant/applicant's representatives, they reviewed the findings, and proffered their own recommendations for what they felt was a fair contribution. In addition, at the time that the adjacent property was rezoned for a storage facility, the County did not have an ordinance requiring a traffic study. This is the reason that the storage facility was not required to contribute toward the costs for roadway improvements. As the surrounding properties develop those applicants/businesses will also be asked to contribute to roadway improvements.

Mr. Handley explained that it is not staff's goal or intent for one (1) entity to fund the entire improvement project. Staff is cognizant of the fact that there will be future developments underway in the vicinity of the intersections in the area. The Poplar Road Interchange (Exit 44) functions very well and staff does not want it to degrade because of increased traffic associated with those developments. As developments occur, staff wants to see improvements made in order to maintain good levels of service.

Commissioner Lassetter expressed his appreciation to Mr. Handley for clarifying that the applicant is not being asked to contribute the total estimated cost to improve the roadways.

In response to a question from Commissioner Smith as to whether the applicant would consider contributing more than 5%, Ms. Griffis explained that following a meeting with staff the applicant's engineer reviewed the traffic study and provided a mathematical computation of the percentage to contribute based upon this specific development.

In response to a question from Commissioner Smith, Mr. Handley explained that staff's intent was to provide findings of the traffic study to show how the development will affect the existing traffic pattern. With that information, a solution to improve those traffic patterns and traffic flow conditions was determined by staff along with an estimated cost associated with those improvements. Staff is aware that this is not the only development that will take place in this area and does not believe it to be fair for the applicant to bear the total cost for the improvements. The developer's engineer has taken data from the County's traffic study to calculate the percentage of the improvement costs that he/she feels is the applicant's responsibility.

In response to comments from Commissioner Reidelbach regarding developing an algorithm to determine the percentages for each property in the area, Administrator Fouts explained that the traffic study shows current improvements that are needed. As the surrounding properties are developed, there will be additional improvements that are necessary, and those costs are not yet defined.

Commissioner Lassetter commented on the current amount of traffic in this corridor without this proposed development.

The Board voted to close the Public Hearing regarding Petition # REZ 22-23 filed by JBE Realty Holdings, LLC (dba Jim Ellis Automotive Group) requesting to rezone

property located at 154, 156, and 162 Doc Turner Way, Newnan (Parcels # 087B-016, # 087B-016A, and # 087B-016B) from *RC (Rural Conservation District)* to *C-8 (Heavy Commercial District)*.

RESULT: PUBLIC HEARING CLOSED [UNANIMOUS]

MOVER: Tim Lassetter, District 2

SECONDER: Paul Poole, District 1

AYES: Blackburn, Reidelbach, Poole, Lassetter, Smith

13207 Public Hearing Regarding Petition # REZ 22-23 Filed by JBE Realty Holdings, LLC (dba Jim Ellis Automotive Group) Requesting to Rezone Property Located at 154, 156, and 162 Doc Turner Way, Newnan

The Board voted to rezone 7.62± acres located at located at 154, 156, and 162 Doc Turner Way, Newnan (Parcels # 087B-016, # 087B-016A, and # 087B-016B) from *RC (Rural Conservation District)* to *C-8 (Heavy Commercial District)* as requested in Petition # REZ 22-23 filed by JBE Realty Holdings, LLC (dba Jim Ellis Automotive Group), subject to the following conditions:

1. The subject property shall be conditionally zoned for a car dealership with related service features.
2. The turning radius at Newnan Crossing Bypass and Poplar Road onto Doc Turner Way shall be improved to accommodate semi-tractor trailer trucks.
3. Based on the findings of the traffic study, the applicant shall contribute \$86,250 toward the costs associated with the recommended intersection improvements to Poplar Road and the Newnan Crossing Bypass prior to issuance of a Certificate of Occupancy.
4. All applicable requirements of Development Review/QDCD, Building, Public Works, Fire, Water and Sewerage Authority shall be met unless a variance is granted through the normal procedures in *Article 28 of the Coweta County Zoning and Development Ordinance*.
5. The applicant shall comply with *Coweta County Stormwater Management, Soil Erosion and Sedimentation Control, and Wetlands Protection Ordinances*. Runoff reduction practices meeting the current stormwater manual and *Chapter 30, Article IV of the Coweta County Code of Ordinances* are required for this development and shall not be allowed in the bottom of the detention/retention pond.
6. A 6-foot opaque, decorative composite fence shall be installed along the western property boundary. The fence is to stay in good working order and be replaced by the property owner when it becomes damaged or at the County's discretion and must be approved by the Community Development Department. If the adjacent property is rezoned for a commercial use, no fence shall be required.
7. The hours of operation shall be 7:00 a.m. - 8:00 p.m. with no automotive service allowed on Sunday.
8. Any business activity shall agree to work with the County in good faith to address any concerns or complaints related to odor, glare, noise, or similar objectionable features.
9. Lighting shall incorporate full cutoff fixtures so adjacent residential properties and roadways are not adversely affected, and to preclude glare onto or direct illumination of adjacent properties and streets.

10. Any signage must be reviewed and approved by the Community Development Department in accordance with the *Coweta County Sign Ordinance*.
11. The applicant shall obtain a land disturbance permit within a 12-month period beginning the next business day following approval by the Board. If the applicant fails to do so, the Board may initiate rezoning the property.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Tim Lassetter, District 2
SECONDER:	Paul Poole, District 1
AYES:	Blackburn, Reidelbach, Poole, Lassetter, Smith

REGULAR SESSION

PUBLIC COMMENT (Items on the Agenda)

Public Comments Regarding Items On the Agenda

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

Ms. Melissa Griffis addressed the Board regarding Petitions # VAR 22-32, # VAR 22-33, and # VAR 22-34 filed by JBE Realty Holdings (dba Jim Ellis Automotive Group) requesting exterior building materials variances and a buffer variance (agenda items # 6, # 7, and # 8). She explained that there was no opposition expressed at the Board of Zoning Appeals meeting, the applicant has no objections to the conditions, and she is present to field any questions from the Board.

Ms. Melissa Griffis addressed the Board regarding Petition # VAR 22-47 filed by Lou Sobh Automotive Group requesting exterior building materials variances (agenda item #9). She explained that the applicant was previously granted approval to utilize Aluminum Composite Material (ACM) panels and approval to reduce Category A materials for a Kia Dealership consisting of a four-sided building. By the time that the approval of the previous variances was granted, Kia had changed its prototype to an eight-sided building. In closing, she explained that the overall change is less than 1% and apologized for having to come before the Board again.

Ms. Jennifer Candler addressed the Board regarding Petition # VAR 22-53 (agenda item # 11). She explained that she is requesting a variance for a required buffer on the northern property line of her property. When she applied for the Special Use Permit (SUP), the application noted that there was not a residence on the adjacent property to the north and that it was a flower farm. According to the Code of Ordinances, the purpose of a buffer is to protect residential lifestyles and neighboring residences from incompatible land uses. Neither of these apply in this case because both parcels are utilized for farming. She also noted that when the flower farm was initially established by a previous owner, they removed the trees from the adjoining property boundary because they were shading the flower beds. If more trees are planted along the property line as a buffer, they would eventually grow to shade the neighboring property which the neighbors do not desire.

Mr. Matthew Herman addressed the Board regarding Petition # VAR 22-51 (agenda item # 10). He explained that he is requesting a rear yard setback reduction to construct a detached garage. Currently, he has a 40-foot setback and 20-feet of that is a drainage easement. Because of the shape of the lot, he cannot place the garage behind the house because it will encroach on the drainage easement.

Chairman Blackburn called for any further comments regarding items on the agenda. There were none.

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

6. 13204 Recommend Approval of Petition # VAR 22-32 Filed by JBE Realty Holdings, LLC (dba Jim Ellis Automotive Group) Requesting an Exterior Building Materials Variance for Property Located at 154, 156, and 162 Doc Turner Way, Newnan

Zoning Coordinator Eschman presented Petition # VAR 22-32 filed by JBE Realty Holdings (dba Jim Ellis Automotive Group) requesting an exterior building materials variance for property located at 154, 156, and 162 Doc Turner Way, Newnan (Parcels # 087B-016, # 087B-016A, and # 087B-016B) along with a recommendation of approval from the Board of Zoning Appeals. She explained that the applicant is requesting to reduce the required Category A exterior building materials along the southern elevations from 80% to 74%. 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 request.

The Board voted to grant a 6% Category A building materials reduction (from 80% to 74%) along the southern elevation of property located at 154, 156, and 162 Doc Turner Way, Newnan (Parcels # 087B-016, # 087B-016A, and # 087B-016B) as requested in Petition # VAR 22-32 filed by JBE Realty Holdings (dba Jim Ellis Automotive Group), subject to the following conditions:

1. The southern elevation shall be constructed with a minimum of 74% Category A materials (brick, stone, glass) and a maximum of 26% Aluminum Composite Materials (ACM) panels.
2. As proffered by the applicant, each exterior building elevation shall be comprised of the following:
 - Eastern elevation shall be constructed with a minimum of 89% Category A materials (brick, stone, glass) with a maximum of 11% Aluminum Composite Materials (ACM) panels.
 - Northern elevation shall be constructed with a minimum of 100% Category A materials (brick, stone, glass).
 - Western elevation shall be constructed with a minimum of 97% Category A materials (brick, stone, glass) with a maximum of 3% Aluminum Composite Materials (ACM) panels.

RESULT:	GRANTED [UNANIMOUS]
MOVER:	Tim Lassetter, District 2
SECONDER:	Paul Poole, District 1
AYES:	Blackburn, Reidelbach, Poole, Lassetter, Smith

7. 13205 Recommend Approval of Petition # VAR 22-33 Filed by JBE Realty Holdings, LLC (dba Jim Ellis Automotive Group) Requesting a Second Exterior Building Materials Variance for Property Located at 154, 156, and 162 Doc Turner Way, Newnan

Zoning Coordinator Eschman presented Petition # VAR 22-33 filed by JBE Realty Holdings (dba Jim Ellis Automotive Group) requesting an exterior building materials variance for property located at 154, 156, and 162 Doc Turner Way, Newnan (Parcels # 087B-016, # 087B-016A, and # 087B-016B) along with a recommendation of approval from the Board of Zoning Appeals. She explained that the applicant is requesting to utilize

Aluminum Composite Materials (ACM) panels along the southern, eastern, and western exterior building elevations. 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 request.

The Board voted to allow the use of Aluminum Composite Materials (ACM) panels along the southern, eastern, and western exterior building elevations of property located at 154, 156, and 162 Doc Turner Way, Newnan (Parcels # 087B-016, # 087B-016A, and # 087B-016B) as requested in Petition # VAR 22-33 filed by JBE Realty Holdings (dba Jim Ellis Automotive Group), subject to the following conditions:

1. The southern elevation shall be constructed with a minimum of 74% Category A materials (brick, stone, glass) and a maximum of 26% Aluminum Composite Materials (ACM) panels.
2. As proffered by the applicant, each exterior building elevation shall be comprised of the following:
 - Eastern elevation shall be constructed with a minimum of 89% Category A materials (brick, stone, glass) with a maximum of 11% Aluminum Composite Materials (ACM) panels.
 - Northern elevation shall be constructed with a minimum of 100% Category A materials (brick, stone, glass).
 - Western elevation shall be constructed with a minimum of 97% Category A materials (brick, stone, glass) with a maximum of 3% Aluminum Composite Materials (ACM) panels.

RESULT:	GRANTED [UNANIMOUS]
MOVER:	Tim Lassetter, District 2
SECONDER:	Paul Poole, District 1
AYES:	Blackburn, Reidelbach, Poole, Lassetter, Smith

8. 13206 Recommend Approval of Petition # VAR 22-34 Filed by JBE Realty Holdings, LLC (dba Jim Ellis Automotive Group) Requesting a Buffer Variance for Property Located at 154, 156, and 162 Doc Turner Way, Newnan

Zoning Coordinator Eschman presented Petition # VAR 22-34 filed by JBE Realty Holdings (dba Jim Ellis Automotive Group) requesting a buffer reduction along the western and northern property lines of property located at 154, 156, and 162 Doc Turner Way, Newnan (Parcels # 087B-016, # 087B-016A, and # 087B-016B) along with a recommendation of approval from the Board of Zoning Appeals. She explained that the C-8 (*Heavy Commercial*) zoning district requires a 75-foot buffer adjacent to residentially zoned properties. The applicant is requesting to reduce the buffer from 75-feet to a 25-feet planted buffer. 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 request.

In response to questions from Commissioner Reidelbach and Chairman Blackburn, Ms. Eschman explained that there are currently residential properties to the north and west of the subject property, staff does anticipate that this corridor will eventually transition to commercial uses, and that no buffer is required adjacent to the eastern parcels that is already zoned C-8 (*Heavy Commercial District*).

The Board voted to grant a 50-foot buffer reduction (from 75-feet to 25-feet) along the northern and western property lines of property located at 154, 156, and 162 Doc Turner Way, Newnan (Parcels # 087B-016, # 087B-016A, and # 087B-016B) as requested in Petition # VAR 22-34 filed by JBE Realty Holdings (dba Jim Ellis Automotive Group), subject to the following conditions:

1. A 25-foot buffer shall be planted along the northern and western property lines and shall incorporate the landscape requirements under *Article 26* of the *Coweta County Zoning and Development Ordinance*. A landscape plan shall be submitted and approved by the Community Development Department to ensure existing and/or planted materials provide appropriate screening and buffer of sound.
2. A 6-foot opaque, decorative fence shall be installed along the northern and western property boundary. The fence is to stay in good working order and be replaced by the property owner when it becomes damaged or at the County's discretion and must be approved by the Community Development Department.

RESULT:	GRANTED [UNANIMOUS]
MOVER:	Tim Lassetter, District 2
SECONDER:	Paul Poole, District 1
AYES:	Blackburn, Reidelbach, Poole, Lassetter, Smith

9. 13342 Recommend Approval of Petition # VAR 22-47 Filed by Lou Sobh Automotive Group Requesting Exterior Building Materials Variances for Property Located on Hwy. 34 East, Newnan

Zoning Coordinator Eschman presented Petition # VAR 22-47 filed by Lou Sobh Automotive Group requesting exterior building materials variances for property located on Hwy. 34 East, Newnan (Parcel # 121-6038-070) along with a recommendation of approval from the Board of Zoning Appeals. She explained that the subject property consists of 4.83± acres, is located within the *Quality Development Corridor District (QDCD)* and is zoned *C-8 (Heavy Commercial)* for a car dealership. She further explained that on October 5, 2021, the Board of Commissioners voted to grant some exterior building modifications (Petition # ZA 036-21) as requested by the applicant; however, during the site plan review, it was determined that the layout encompasses additional building elevations not included with the initial variance request. Also, according to the applicant, the Kia dealership has amended its original prototype design, which now requires minor revisions along the northern, southern, eastern, and western building elevations. In order for the applicant to follow the amended Kia dealership prototype, additional variances are needed. In closing, she highlighted the factors considered by staff during the application process, reviewed the surrounding properties, and presented one (1) condition for consideration by the Board should they choose to grant the variance requests.

Commissioner Reidelbach pointed out that the new elevations do exceed the total required Category A materials for the *Quality Development Corridor District (QDCD)*.

The Board voted to grant exterior building materials variances for property located on Hwy. 34 East, Newnan (Parcel # 121-6038-070) as requested in Petition # VAR 22-47 filed by Lou Sobh Automotive Group, subject to the following condition:

1. Each building elevation shall reflect the exterior building materials submitted with the variances application(s):
 - Front (north) elevation shall be constructed with a minimum of 71% Category A materials (brick, stone, glass) and a maximum of 29% Aluminum Composite Material (ACM) panels.
 - Delivery side (west) elevation shall be constructed with a minimum of 85% Category A materials (brick, stone, glass) and a maximum of 7% Aluminum Composite Material (ACM) panels with the remainder of 8% comprised of Category B materials (stucco, exterior finish insulation system (EFIS), fiber cement board).
 - Rear (south) elevation shall be constructed with a minimum of 75% Category A materials (brick, stone, glass) with the remainder of 25% comprised of Category B materials (stucco, exterior finish insulation system (EFIS), fiber cement board).
 - Service reception side (east) elevation shall be constructed with a minimum of 84% Category A materials (brick, stone, glass) and a maximum of 13% Aluminum Composite Material (ACM) panels with the remainder of 3% comprised of Category B materials (stucco, exterior finish insulation system (EFIS), fiber cement board).
 - Express service (north) elevation shall be constructed with 100% Category A materials (brick, stone, glass).
 - East stair (south) elevation shall be constructed with a minimum of 78% Category A materials (brick, stone, glass) with the remainder of 22% comprised of Category B materials (stucco, exterior finish insulation system (EFIS), fiber cement board).
 - East stair (north) elevation shall be constructed with 100% Category A materials (brick, stone, glass).
 - Rear reception (south) elevation shall be constructed with a minimum of 65% Category A materials (brick, stone, glass) and a maximum of 35% Aluminum Composite Material (ACM) panels.

RESULT:	GRANTED [UNANIMOUS]
MOVER:	Al Smith, District 5
SECONDER:	John Reidelbach, District 4 - Vice Chairman
AYES:	Blackburn, Reidelbach, Poole, Lassetter, Smith

10. 13343 Recommend Approval of Petition # VAR 22-51 Filed by Matthew Herman Requesting a Rear Yard Setback Variance for Property Located at 55 Line Creek Lane, Sharpsburg

Zoning Coordinator Eschman presented Petition # VAR 22-51 filed by Matthew Herman requesting a rear yard setback variance for property located at 55 Line Creek Lane, Sharpsburg (Parcel # 143-6117-010) along with a recommendation of approval from the Board of Zoning Appeals. She explained that the applicant is proposing to construct a 16-feet by 32-feet detached garage to the right (south) side of the subject property at the end of an existing driveway. However, this side of the property has a narrow lot configuration, and a 20-foot drainage easement runs the entire length of the rear yard limiting placement of the detached garage. Therefore, the applicant is requesting a 20-foot rear yard setback reduction (from 40-feet to 20-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 request.

The Board voted to grant a 20-foot rear yard setback reduction (from 40-feet to 20-feet) for property located at 55 Line Creek Lane, Sharpsburg (Parcel # VAR 22-51) as requested in Petition # VAR 22-51 filed by Matthew Herman, subject to the following conditions:

1. The applicant shall meet all applicable requirements of the Building and Environmental Health Departments.
2. The proposed detached garage shall not be located any closer than 20-feet from the rear property line and shall be located outside of the 20-foot easement.

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

**11. 13339 Recommend Approval of Petition # VAR 22-53 Filed by Jennifer Candler (dba Wild Flora Farm)
Requesting a Buffer Variance for Property Located at 7975 Hwy. 54, Sharpsburg**

Assistant Community Development Director White presented Petition # VAR 22-000053 filed by Jennifer Candler (dba Wild Flora Farm) requesting to eliminate the buffer along the northern property line of property located at 7975 Hwy. 54, Sharpsburg (Parcel # 146-6130-013) along with a recommendation of approval from the Board of Zoning Appeals. She explained that on May 3, 2022, the Board of Commissioners voted to grant the applicant a *Special Use Permit (SUP)* for farm and garden tours, agritourism with educational workshops, beekeeping and related activities, distilling, tours, and tastings along with life celebrations. As the development plans are being finalized for review and permitting, the 50-foot buffer along the northern property line has been discussed. Following a discussion with the adjacent property owner to the north, a letter dated August 15, 2022, was submitted by the owners (Samuel Charles Candler and Carolynne Parise Minkowski) requesting that the 50-foot buffer not be planted. Mr. Candler and Ms. Minkowski also advise that they have been shown the master plan and respectfully ask that Wild Flora Farm be able to forego the planting of a buffer between the two (2) properties. While the *SUP* is not bound by a buffer under *Article 25 of the Coweta County Zoning and Development Ordinance*, it has been traditionally set at 50-feet to protect adjoining neighbors. With this request, it appears that the affected neighbors to the north prefer that the open fields remain. 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 request.

The Board voted to grant a 50-foot buffer reduction (from 50-feet to 0-feet) along the northern property line of property located at 7975 Hwy. 54, Sharpsburg (Parcel # 146-6130-013) as requested in Petition # VAR 22-53 filed by Jennifer Candler, subject to the following condition:

1. The 50-foot buffer to the north may be eliminated as requested by the applicant and the northern property owner.

RESULT:	GRANTED [UNANIMOUS]
MOVER:	Paul Poole, District 1
SECONDER:	Al Smith, District 5
AYES:	Blackburn, Reidelbach, Poole, Lassetter, Smith

12. 13340 Recommend Approval of Petition # VAR 22-56 Filed by Craig Smith Requesting Side and Rear Yard Setback Variances for Property Located at 121 Clearwater Road, Sharpsburg

Assistant Community Development Director White presented Petition # VAR 22-000056 filed by Craig Smith requesting side and rear yard setback variances for property located at 121 Clearwater Road, Sharpsburg (Parcel # 124-1065-006) along with a recommendation of approval from the Board of Zoning Appeals. She explained that the applicant wishes to construct a 24-feet by 30-feet accessory building for vehicles and storage. There are limitations with the subject property including its unusual shape, lake, residence, and setbacks associated with state waters. She noted that when the lot was originally developed, setbacks for state waters were not in effect, and the current residence was constructed in 2005-2006. She further explained that typically accessory buildings can be placed 5-feet from the side or rear property lines, however, the proposed location is in front of the house. For this reason, the 25-foot side yard and 50-foot rear yard setbacks are required. In closing, she highlighted the factors considered by staff during the application process, reviewed the surrounding properties, and presented three (3) conditions for consideration by the Board should they choose to grant the variance requests.

The Board voted to grant a 23-foot side yard setback reduction (from 25-feet to 2-feet) and to grant a 46-foot rear yard setback reduction (from 50-feet to 4-feet) for property located at 121 Clearwater Road, Sharpsburg (Parcel # 124-1065-006) as requested in Petition # VAR 22-56 filed by Craig Smith, subject to the following conditions:

1. Setbacks shall be no closer than 2-feet on the side and 4-feet on the rear.
2. The applicant shall meet all applicable requirements of *Article 21 Stream Corridor Protection*, *Article 22 Flood Protection*, and *Chapter 30, Soil Erosion, Sedimentation and Pollution Control of the Coweta County Code of Ordinances*.
3. A building permit shall be obtained prior to any work on the site.

RESULT:	GRANTED [UNANIMOUS]
MOVER:	Tim Lassetter, District 2
SECONDER:	Paul Poole, District 1
AYES:	Blackburn, Reidelbach, Poole, Lassetter, Smith

13. 13359 Recommendation Regarding Petition # AN 009-22 Filed by Pulte Group Home Company, LLC and Green Top Road, LLC Proposing to Annex Property Located on Greentop Road into the City of Newnan

Assistant Community Development Director White presented Petition # AN 009-22 filed by the City of Newnan on behalf of Pulte Group Home Company, LLC and Green Top Road, LLC proposing to annex 163.61± acres located between Greentop Road to the north and the Calumet Development to the south [Parcels # 085-5086-001, # 085-5107-002, #

085-5086-003, and # 085-5107-003 (partial)] into the City of Newnan. She explained that this particular development was previously considered by the Board under rezoning Petition # 024-21 and was denied at the Commission meeting held on December 2, 2021. She further explained that the Board also reviewed this request under annexation Petition # AN 005-21 and voted to file an intent to object at the Commission meeting held on June 7, 2022. On August 8, 2022 the County filed a petition for declaratory judgment and injunctive relief regarding the proposed annexation. On August 25, 2022 County staff was notified by the City that the applicant had withdrawn the initial annexation application. On August 29, 2022, the application was resubmitted to the City. The City reviewed the application on September 13, 2022, and notified staff to proceed with the annexation process. On September 14, 2022, County staff received the application via hand-delivery.

Ms. White explained that the property is currently zoned *RC (Rural Conservation)* which would allow for a maximum yield of 101 lots. The applicant is seeking the City's *PDR (Planned Development Residential District)* with a proposed 366 single-family homes. She further explained that the County may vote to object to the annexation because of a material increase in burden upon the County related to any one or more of the following:

1. Substantial change in zoning or land use
2. Substantial increase in density
3. Substantial infrastructure demands related to the proposed change in zoning or land use

Based upon the constraints of O.C.G.A. § 36-36-11 for an objection to be valid, the proposed change in zoning or land use must result in:

1. A substantial change in the intensity of the allowable use of the property or a change to a significantly different allowable use; or
2. A use which significantly increases the net cost of infrastructure or significantly diminishes the value or useful life of a capital outlay project; and
3. Differ substantially from the existing uses suggested for the property pursuant to the County's *Zoning Ordinance* or *Land Use Ordinances*.

Upon review, staff has determined that the proposed annexation will result in:

1. A substantial change in the intensity of the allowable use of the property or a change to a significantly different allowable use;
2. A use which significantly increases the net cost of infrastructure or significantly diminishes the value or useful life of a capital outlay project, as such term is defined in Code Section § 48-4-110, which is furnished by the County to the area to be annexed; and
3. Differs substantially from the existing uses suggested for the property or permitted for the property pursuant to the *County's Zoning Ordinance* or *Land Use Ordinances* because of the increased density.

Therefore, based upon the above staff comments and O.C.G.A. § 36-36-113 *Objection to annexation; grounds and procedures*, the Coweta County Community Development Department submits these findings for the Board's consideration.

The Board voted to file an intent to object to a proposed annexation of 163.61± acres located between Greentop Road to the north and the Calumet Development to the south [Parcels # 085-5086-001, # 085-5107-002, # 085-5086-003, and # 085-5107-003 (partial)] into the City of Newnan as filed by the City of Newnan on behalf of Pulte Group Home Company, LLC and Green Top Road, LLC in Petition # AN 009-22 based upon the following:

1. A substantial change in the intensity of the allowable use of the property or a change to a significantly different allowable use;
2. A use which significantly increases the net cost of infrastructure or significantly diminishes the value or useful life of a capital outlay project, as such term is defined in Code Section § 48-4-110, which is furnished by the County to the area to be annexed; and
3. Differs substantially from the existing uses suggested for the property or permitted for the property pursuant to the *County's Zoning Ordinance* or *Land Use Ordinances* because of the increased density.

RESULT:	INTENT TO OBJECT [4 TO 1]
MOVER:	Bob Blackburn, District 3 - Chairman
SECONDER:	Paul Poole, District 1
AYES:	Bob Blackburn, Paul Poole, Tim Lassetter, Al Smith
NAYS:	John Reidelbach

14. 13355 Request Acceptance of Roadways and Deed of Open Space Restriction Associated with Property Located in Cottages at Redwine Plantation Subdivision - District 3

The Board voted to execute a Deed of Open Space Restriction associated with 8.34± acres located in the Cottages at Redwine Plantation Subdivision, to accept Benton Lane, Quiet Cove, Cutter Pass, Renkin Way, and the associated drainage structures and right-of-way into the Coweta County Public Roads System, and to place the constructed improvements into a three (3) year maintenance period.

RESULT:	ACCEPTED [UNANIMOUS]
MOVER:	Tim Lassetter, District 2
SECONDER:	Paul Poole, District 1
AYES:	Blackburn, Reidelbach, Poole, Lassetter, Smith

15. 13336 Request to Set a Public Hearing on October 18, 2022 Regarding a New Package Malt Beverage and Wine License Filed by Gregory Switzer in Operation of Publix Super Markets, Inc. # 1816 Located at 4000 North Highway 29, Newnan - District 3

The Board voted to set a Public Hearing on October 18, 2022 at 6:00 p.m. regarding a New Package Malt Beverage and Wine License filed by Gregory Switzer in operation of Publix Super Markets, Inc. # 1816 located at 4000 North Highway 29, Newnan.

RESULT:	PUBLIC HEARING SET [UNANIMOUS] Next: 10/18/2022 6:00 PM
MOVER:	Al Smith, District 5
SECONDER:	Tim Lassetter, District 2
AYES:	Blackburn, Reidelbach, Poole, Lassetter, Smith

16. 13367 Request to Set a Public Hearing on November 1, 2022 Regarding the Coweta County Mixed-Use Plan Development Project Ordinance

The Board voted to set a Public Hearing on November 1, 2022, at 6:00 p.m. regarding the Mixed-Use Planned Development Project Ordinance.

RESULT: PUBLIC HEARING SET [UNANIMOUS] Next: 11/1/2022 6:00 PM
MOVER: Al Smith, District 5
SECONDER: Tim Lassetter, District 2
AYES: Blackburn, Reidelbach, Poole, Lassetter, Smith

17. 13156 Request to Set a Public Hearing on November 1, 2022 Regarding Petition # REZ 22-26 Filed by RC & CL Investments, LLC Requesting to Rezone Property Located at SR 34 East, Sharpsburg

The Board voted to set a Public Hearing on November 1, 2022 at 6:00 p.m. regarding Petition # REZ 22-26 filed by RC & CL Investments, LLC requesting to rezone property located at SR 34 East, Sharpsburg (Parcels # 133-6092-078 and # 133-6092-079) from RC (*Rural Conservation*) to O-I (*Office-Institutional*).

RESULT: PUBLIC HEARING SET [UNANIMOUS] Next: 11/1/2022 6:00 PM
MOVER: Al Smith, District 5
SECONDER: Tim Lassetter, District 2
AYES: Blackburn, Reidelbach, Poole, Lassetter, Smith

18. 13383 Request to Set a Public Hearing on November 1, 2022 Regarding Petition # REZ 22-28 Filed by GX Development, LLC Requesting to Rezone Property Located at 373 Poplar Road, Newnan

The Board voted to set a Public Hearing on November 1, 2022 at 6:00 p.m. regarding Petition # REZ 22-28 Filed by GX Development, LLC requesting to rezone property located at 373 Poplar Road, Newnan (Parcel # 087B-020) from RC (*Rural Conservation*) to C-6 (*Commercial Minor Shopping District*).

RESULT: PUBLIC HEARING SET [UNANIMOUS] Next: 11/1/2022 6:00 PM
MOVER: Al Smith, District 5
SECONDER: Tim Lassetter, District 2
AYES: Blackburn, Reidelbach, Poole, Lassetter, Smith

UNFINISHED BUSINESS

19. 13358 Request Appointments to Various Boards/Authorities

No action was taken by the Board regarding appointments to various boards/authorities.

RESULT: NO ACTION TAKEN

NEW BUSINESS

Bids and Contracts

20. 13377 Request Approval/Execution of Supplemental Agreement # 2 Associated with the 2022 Full Depth Reclamation Road List (RB22.1) - 2nd District

The Board voted to execute Supplemental Agreement # 2 with Blount Construction in the amount of \$4,494 to extend the Full Depth Reclamation (FDR) project on Roscoe Road to Phillips Street within the City of Newnan including traffic control, grading,

and grassing, not included in the original contract amount, and the City of Newnan shall reimburse the County for this work (RB22.1).

RESULT: EXECUTED [UNANIMOUS]
MOVER: Tim Lassetter, District 2
SECONDER: Paul Poole, District 1
AYES: Blackburn, Reidelbach, Poole, Lassetter, Smith

21. 13375 Request Approval/Execution of Supplemental Agreement # 2 Associated with Replacement of Bridges Located at Minnie Sewell Road and Holbrook Road (RB19.18 and RB19.19) - 2nd District

The Board voted to execute Supplemental Agreement # 2 with Scott Bridge Company to extend the contract time by eighty-five (85) calendar days to allow for weather, subsurface conditions, and crew/labor shortages associated with replacement of bridges located at Minnie Sewell Road and Holbrook Road (RB19.18 and RB19.19).

RESULT: EXECUTED [UNANIMOUS]
MOVER: Tim Lassetter, District 2
SECONDER: Paul Poole, District 1
AYES: Blackburn, Reidelbach, Poole, Lassetter, Smith

22. 13364 Request Approval/Execution of a Contract Associated with the Jail Expansion Guaranteed Maximum Price (GMP2)

Mr. Kip Oldham, KA Oldham Designs (architect of record), presented the second part of the budget for the Jail Expansion project. He explained that the contract indicates that the budget for the project has been met within less than \$100,000 difference. In closing, he explained that Mr. Andrew Connell from New South Construction (general contractor) is also present to field any questions from the Board.

The Board voted to execute a contract with New South Construction associated with Guaranteed Maximum Price (GMP2) in the amount of \$36,238,159 for the Jail Expansion project.

RESULT: EXECUTED [UNANIMOUS]
MOVER: Tim Lassetter, District 2
SECONDER: Paul Poole, District 1
AYES: Blackburn, Reidelbach, Poole, Lassetter, Smith

23. 13382 Request Approval/Execution of Change Order # 1 Associated with the Justice Center Roof Project

The Board voted to execute Change Order # 1 with Gardner, Spencer, Smith, Tench & Jarbeau in the credit amount of \$193,145.67 associated with the Justice Center re-roofing project (following damage from the March 2021 tornado).

RESULT: EXECUTED [UNANIMOUS]
MOVER: Tim Lassetter, District 2
SECONDER: Paul Poole, District 1
AYES: Blackburn, Reidelbach, Poole, Lassetter, Smith

Additional Action Items

24. 13378 Request Approval/Execution of a Right-of-Entry Associated with Storm Drain Repairs for Property Located at 340 Mapledale Trail, Sharpsburg - 4th District

The Board voted to execute a Right-of-Entry with Mr. and Mrs. Hal Posner associated with storm drain repairs at 340 Mapledale Trail, Sharpsburg (Parcel # 145A-104).

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

25. 13374 Request Approval to Temporarily Close Fischer Road at Lower Fayetteville Road for an Intersection Improvement Project - 1st District

The Board voted to temporarily close Fischer Road at the intersection of Lower Fayetteville Road beginning October 5, 2022 for approximately forty-five (45) days (weather permitting) to accomplish intersection improvements.

RESULT: APPROVED [UNANIMOUS]
MOVER: Paul Poole, District 1
SECONDER: Al Smith, District 5
AYES: Blackburn, Reidelbach, Poole, Lassetter, Smith

26. 13379 Request to Set a Public Hearing on October 18, 2022 Regarding Proposed Abandonment of a Portion of East Gordon Road - 2nd District

The Board voted to set a Public Hearing on October 18, 2022 at 6:00 p.m. regarding a proposed abandonment of a portion of East Gordon Road south of its intersection with East Newnan Road.

RESULT: PUBLIC HEARING SET [UNANIMOUS] Next: 10/18/2022 6:00 PM
MOVER: Tim Lassetter, District 2
SECONDER: Al Smith, District 5
AYES: Blackburn, Reidelbach, Poole, Lassetter, Smith

27. 13369 Request Acceptance of the Edward Byrne Memorial Justice Assistance Grant Award

The Board voted to accept the Edward Byrne Memorial Justice Assistance Grant Award in the amount of \$50,373 to be utilized for courtroom technology enhancements and to authorize the County Administrator to execute any related grant documents.

RESULT: ACCEPTED [UNANIMOUS]
MOVER: Tim Lassetter, District 2
SECONDER: Paul Poole, District 1
AYES: Blackburn, Reidelbach, Poole, Lassetter, Smith

SUPPLEMENTAL/NON-AGENDA ITEMS

28. 13387 Confirm Submission of a Solid Waste Trust Fund Grant Application

The Board voted to confirm submission of an application for the Solid Waste Trust Fund Grant Program to purchase recycling equipment, and if awarded, to approve a local contribution of \$16,900 (in-kind services) for installation costs.

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

PUBLIC COMMENT (Items Not on the Agenda)

Public Comments Regarding Items Not on the Agenda

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

Ms. Lucy Ortiz, Westside School Road, Newnan expressed concerns regarding the lack of street lights along the roadway, the inadequate size of rooms at the Clay-Wood Recreation Center, condition of the gym equipment, the need for activities other than basketball, and user fees.

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 personnel, litigation, and real estate issues.

Members in attendance included Chairman Blackburn, Commissioner Poole, Commissioner Lassetter, Commissioner Reidelbach, and Commissioner Smith. Staff members in attendance included Administrator Fouts, Associate Administrator Whitlock, Assistant Administrator Mickle, Assistant Attorney Lee, County Clerk Zerangue, Public Works Director Tod Handley, and Community and Human Resources Director Patricia Palmer. Commissioner-Elect Bill McKenzie was also in attendance.

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

REGULAR SESSION

Motion To: **Return to Regular Session**

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

RESULT: **APPROVED [UNANIMOUS]**
MOVER: John Reidelbach, District 4 - Vice Chairman
SECONDER: Al Smith, District 5
AYES: Bob Blackburn, John Reidelbach, Tim Lassetter, Al Smith
ABSENT: Paul Poole

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:	Al Smith, District 5
SECONDER:	Tim Lassetter, District 2
AYES:	Bob Blackburn, John Reidelbach, Tim Lassetter, Al Smith
ABSENT:	Paul Poole

ADJOURNMENT

Motion To: **Adjourn**

The Board voted to adjourn the meeting.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	John Reidelbach, District 4 - Vice Chairman
SECONDER:	Al Smith, District 5
AYES:	Bob Blackburn, John Reidelbach, Tim Lassetter, Al Smith
ABSENT:	Paul Poole