

**City Council of Peachtree City**  
**Agenda**  
**August 15, 2002**  
**7:00 p.m.**

- I. Pledge of Allegiance
- II. Announcements, Awards, Special Recognition
  - Proclamation of Congratulations for Girls Lazer Soccer Team
  - Presentation of Check to Police Department by Regions Bank
  - Recognition of the Police Department for Winning the Fayette County Public Safety Olympic Competition Again
  - Recognize the Employee of the Month
- III. Minutes
  - August 1, 2002 Regular Meeting Minutes
- IV. Monthly Reports
- V. Consent Agenda
- VI. Old Agenda Items
  - 07-02-02 Public Hearing – Variance – 206 Riviera Court
  - 02-02-10 Golf Cart Committee Recommendations
  - 06-02-04 Report from Special Counsel Relative to Intergovernmental Agreements
  - 07-02-06 Public Hearing and Discussion of 2001 Intergovernmental Agreements between the City and the Airport and Development Authorities
- VII. New Agenda Items
  - 08-02-01 Alcoholic Beverage License – Change in License Representative – Ruby Tuesday
  - 08-02-02 Public Hearing – Variance – 113 Crown Park
  - 08-02-03 Public Hearing – Variance – 119 Crown Park
  - 08-02-04 Public Hearing – Variance – 126 Crown Park
  - 08-02-05 Public Hearing – Variance – 645 North Fairfield
  - 08-02-06 Public Hearing – FY 2003 Budget
  - 08-02-07 Consider Naming Tennis Center Pavilion after Thomas E. Farr
  - 08-02-08 Consider Proposed Internal Road Connection from Maple Shade Subdivision (Crabapple Lane) to Adjoining Subdivision in Tyrone
  - 08-02-09 Consider Land Use and Zoning around Peachtree Skate Property
- VIII. Council/Staff Topics
- IX. Executive Session

This agenda is subject to change at any time up to 24-hours prior to the scheduled meeting.

**City of Peachtree City**  
**Minutes of Meeting**  
**August 1, 2002**  
**7:00 p.m.**

The City Council of Peachtree City met Thursday, August 1, 2002, 7:00 p.m., in the City Hall Council Chambers. Council Members attending were: Mayor Steve Brown, Annie McMenamin, Dan Tennant, and Murray Weed. Steve Rapson was out of town.

**Announcements, Awards, Special Recognition**

Mayor Brown noted that a reception had been held earlier for Developmental Services Director Jim Williams, who was leaving the City to become the City Manager/Planner in Fairburn.

City Manager Jim Basinger read a note from Council Member Rapson regarding his absence from the meeting. Rapson explained he was on a Boy Scout backpacking trip with his son in New Mexico. The trip had been planned for two years.

**Approval of Minutes**

Weed moved to approve the minutes of the July 15, 2002, budget workshop with corrections. McMenamin seconded. The motion carried unanimously.

Weed moved to approve the minutes of the July 18, 2002, regular meeting with corrections. Tennant seconded. The motion carried unanimously.

Brown announced another budget workshop was scheduled Monday, August 12, 6 p.m., at the Library. The Georgia Municipal Association training session was scheduled August 23-24 at the Wyndham Peachtree Conference Center. Special called meetings on the millage rate were scheduled on Thursday, September 5, at 7:30 a.m. and 6:30 p.m. The City was planning a commemorative event on September 11. Details would be announced as available.

**Consent Agenda**

There were no items on the Consent Agenda.

**Old Agenda Items**

**07-02-CA2    Consider Annual Contract for Geotechnical and Materials  
Testing Services**

Brown noted that this had been held up due to some concerns from Council Member Rapson. Basinger said Rapson's concerns had been answered and that there was an e-mail from Rapson in the Council meeting books addressing the matter. Weed stated his only concern was something that was not in the current contract. City Engineer Troy Besseche had recommended the City enter a 12-month agreement, which was renewable annually for up to three years. Weed said he had no problem with that, but he would like to see a multi-year provision added to the contract.

Lindsey said that a multi-year clause could be added without a problem. He continued that Council could approve the contract in form and the clause would be added.

Tennant said he would like to hear from Besseche each year before Council voted on whether to renew the contract or not. Lindsey said the agreement would be automatically renewed unless Council decided they did not want to renew the agreement. Council did not have to take action to renew it, but if there was a contract like that then there should be some saving language in the agreement. Tennant said he would like for Besseche to give a status report each year and that Council could choose a date that would give staff enough time to put the contract out for bid should Council decide not to renew the contract. Lindsey said that would be easier than having to go through contract negotiations each year. He suggested the end of May or first of June to provide ample time to do what was necessary if the contract was not renewed.

Weed moved to approve the contract contingent upon additional language being added that reflected OCGA 36-60-1382 and any other relevant revision of that code of state law. Brown seconded.

Tennant asked why Exhibit "A" was crossed out in the contract. Besseche explained that they had started with typical contract used for construction and Exhibit "A" addressed bid bonds. He continued that a bid bond was not appropriate in this type of contract, so it was crossed out. Weed said the standard rule was that if a portion of a contract was crossed out, then it was not intended to be included in the agreement. Lindsey agreed.

The motion carried unanimously.

#### **New Agenda Items**

##### **08-02-01      Alcoholic Beverage License – NEW – Ashland Grille**

Michael Stieber and Robert Stieber applied for a new alcoholic beverage license for Great Food Lovers, Inc., dba Ashland Grille, located in the Peachtree City Tennis Center at 10 Planterra Way. Weed noted that the Stiebers were personal friends and that Robert Stieber had supported his campaign for City Council. He said he would abstain from the vote. The restaurant is scheduled to open September 15.

McMenamin moved to approve Michael R. Stieber as the Licensee and Robert V. Stieber as the License Representative for Great Food Lovers, Inc., dba Ashland Grille. Tennant seconded. The motion carried 3-0-1 (Weed).

##### **08-02-02      Consider Homeland Security Advisory System**

Fire Chief Stony Lohr addressed Council and recommended that Council adopt the national Homeland Security Advisory System established by Homeland Security Presidential Directive-3 to indicate the degree of risk of terrorist attack. Lohr said the intent was to increase public awareness and showed Council examples of the flags that would be used.

Brown asked Lohr how the City would receive notification regarding a change in status. Lohr explained that the City would be notified via national and state websites and computer communications from the Georgia Mutual Aid Group, as well as police communications with NCIC and GCIC. Lohr said there were also other informal channels. Weed told Lohr he found his memo enlightening and informative, but there was no indication of cost. Lohr said the only cost was the cost of the flags, which was around \$50-\$60 a set. The rest of the cost was manpower.

Weed asked what the City's liability was if the wrong flag went up the flagpole. Lohr said it was under Presidential directive. Lindsey said the information would also be on the television and on the City website with the statement that the information available was current to "the best of our ability." Lohr continued that there might be some instances where the information might not be made public.

McMenamin said there was a lot of information, but staff needed to put it in the UPDATE newsletter and alert the residents that this was the government's response to threat conditions.

Brown moved to adopt the Homeland Security Advisory System. Tennant seconded. Tennant remarked that no one dreamed a year ago that the City would have to implement this kind of system. Weed said it was absolutely essential. The motion carried unanimously.

**08-02-03      Consider Teen Issues Study Circle Proposal**

Leisure Services Director Randy Gaddo addressed Council and recalled that Council had directed staff to pursue obtaining a contract with a facilitator to form study circles to address teen issues. The RFP originally went out in May, but only one valid proposal was received by the deadline. Staff felt that was not enough to make a decision. The project was re-bid and two proposals were received. One was from Jon Abercrombie of Common Focus and one from Kitty Seabolt of the University of Georgia's Carl Vinson Institute of Government. Gaddo said staff recommended the proposal from Abercrombie at a maximum cost of \$10,000. The cost could be brought down to \$8,500 if volunteers handled certain items. Gaddo said Seabolt's proposal was very impressive and her cost was about the same; however, staff felt Abercrombie's approach was more in line with the intent expressed by Council during Retreat.

Gaddo continued that the study circles could involve as many as 200 people and would be a cross-section of the community. A central work team, which would include youth, would be formed to train and guide smaller groups of 10-12 people. Each group would include the same demographic make up as the central work team, which would lend itself to more consistent results at the end of the process. Staff recommended that, if approved, the process start in January. Gaddo said that would give Abercrombie and his staff time to compile the data already available and to identify and train facilitators. It would also keep the timing out of the holiday season. Gaddo said it should take about four to five months to complete the process.

Brown stated that Tennant had been very vigilant about trying to seek out teen needs. There had been a reoccurring discussion over the past 10 years about building a teen center. Brown said that was a \$2 million, or \$2.5 million, expenditure that might not work out. He continued that the teen demographic was hard to pin down as to what they would participate in based on the level of adult supervision. Brown said he appreciated Tennant's efforts. Brown continued that he read a report that Abercrombie had done with the City of Decatur and it was an incredible piece of work. He added the people in Decatur were excited about the study and that the study circles had come up with ideas that the elected officials and city staff members had not thought of. The ideas were raised in priority status because the study groups thought they were vital issues. Brown said he was getting more correspondence from teens on a variety of subjects. He felt that was exciting, but did not want to get geared up for a solution that would not work with that demographic. He continued that the study circles were a proactive approach and that the community developed a solution.

McMenamin said she also appreciated Tennant's work on teen issues. She discussed the local churches and said the Methodist church was planning to dedicate a major area for teens when the new building was completed. She recalled that she first met Gaddo at a focus group for teens about 10 years ago. She agreed that the times had changed, but she felt that what the teens wanted had not changed that much. McMenamin said her concern was the money. Last week, she and Gaddo told the seniors that the expansion of The Gathering Place had been cut out of the budget. Their message to her was no increase in taxes, balance the budget, no wasteful spending, and to prioritize projects. McMenamin asked Council to delay the item until after the final budget workshop and to prioritize the items that had been cut from the budget before adding new projects. She continued that it might be time to try to use the school system to touch all levels. She emphasized that her concern was spending money the City did not have. She asked to delay the study circles until the budget year began and Council had set priorities.

Tennant responded that the topic had been near to his heart since his campaign in 1995. After asking questions and communicating with a lot of people, Tennant felt there was a void in the City for that age group. He pointed out that the seniors had a tremendous facility in The Gathering Place and he understood they were disappointed that there would not be an expansion. Tennant said he had discussed the topic with the Mayor, church leaders, teens, and ordinary citizens. He said finding out what the questions were seemed like the right approach. He wanted to find out how to effectively integrate solutions and come up with a "common" solution. Tennant said he was strongly in favor of making the initial commitment of \$10,000. He moved that Council award the contract for facilitation of a community dialog on teen issues to Mr. Jon Abercrombie of Common Focus at a cost not to exceed \$10,000 as described in his proposals. Brown seconded.

Brown said he thought the Methodist church's teen-oriented project was wonderful. He discussed the Unite 17 group's plans for concerts and sports-related activities and said he supported them. He continued that the study would benefit the City and would be a fabulous tool for other groups to use. Brown said the City would be glad to share the

study with any group and that it could help the churches, schools and others design their programs in a way that they could reach out to this hard-to-reach demographic.

Tennant said when Public Works needed a new truck at a cost of \$18,000 that Council spent \$18,000. He pointed out that the truck was a required expense. Tennant said he understood this would be an expenditure of taxpayer funds, but he looked at it as more of an investment and one that was long overdue.

Weed said he agreed with a number of McMenamin's comments. Weed continued that he thought this situation was a balancing act. Weed said he would like for this Council to have the philosophy of spending less on studies and more on facilities. When he saw \$10,000, Weed said he could not help but think about a \$14,000 dog park that was put off and now the private sector was going to have to build the dog park. The money for the study would almost build a park, which would appeal to a greater demographic than the single demographic of teenagers. Weed said he was greatly concerned that Council was putting off a permanent facility to spend money on a study. He continued that he was balancing that against the fact that Peachtree City was a different community and he was convinced spending \$10,000 was less than having to spend money to put new stones in a fountain to repair it because of skateboarders or having to paint over graffiti. Weed felt by engaging teens in the study circles that Council would be putting the money towards the good and actually saving money in the long run. Weed added that he had questions for Abercrombie and asked Abercrombie about his professional education and his experience in facilitating such groups. Abercrombie went over his education and work background, and then added he would be glad to get letters of support from the cities for which he had worked. Weed asked that the letters be forwarded to Basinger's attention.

McMenamin noted her concerns were budgetary and added she would like some input from the public. She said there were concerns in the City regarding the budget and balancing it before introducing new projects. Brown said he had no problem taking the funding from Council Contingency. Tennant said that was where he planned to take the money from and that he would amend his motion. Weed said he would be hesitant to support the \$10,000 amount, but would be in favor of supporting up to \$8,500. He asked Tennant to consider the lower amount. Tennant modified his motion to award the contract with costs not to exceed \$8,500 and that the funds would come out of Council Contingency. Brown accepted the amendment.

Chuck Lehman addressed Council. Lehman served on the Commission on Children and Youth (CCY) and said the CCY asked teens what they would like to do and see. The answer always came down to something that would cost a lot of money, such as a teen center. Lehman agreed that the bigger churches were doing a lot of things for teens, but he pointed out there were teens who would not go to church activities because they did not feel they belonged there. Lehman continued that he agreed with McMenamin's budget concerns. He emphasized that he was not disagreeing that something should be done, but asked Council to put everything on the table, see where they were, and then look at what was most relevant at that point. Lehman said teens needed to be kept busy

and there was a void in the City. The CCY was abolished because no one seemed interested and it crossed too many school lines. He encouraged Council to prioritize the things they wanted to do.

Brown said that the teens who worked with the CCY and the Youth Advisory Board were the cream of the crop and they would be busy whether there was a teen center or not. They would excel because they had a great foundation to build on. He said he wanted to reach to the next tier where the motivation to do well was not there. Lehman said the motivation then became parental. He acknowledged that some parents were too busy and that teens ran the household. Involvement usually centered around school and church. Lehman continued there were a lot of things out there for kids, but there was also a lot more that could be done. He reiterated that he did not disagree with the concept, but that Council should put everything on the table and discuss among themselves to determine the biggest need.

Tennant told Lehman he had made some good points, but added this idea was not something that came up all of a sudden. The purpose of the study was to gain information so something could be done strategically, logically, and sensibly. Lehman said if Council voted to fund the study, he would like to see Council take \$10,000 from somewhere else. Tennant said Council Contingency was funded so there would be money for unexpected items. Lehman said these items were not contingencies and that contingencies were something that happened unexpectedly, such as lightning striking a building and burning it down. Tennant said that would be insurance. Lehman said a contingency would be something along that line and asked Tennant to be conservative in spending. Tennant commented that Weed made one of the best points when he said that he was concerned about making sure this was an investment to save money down the road. Tennant stated that, to him, the cost was an investment - not an expense, and that the City's kids were worth it.

Brown commented that the only reason Council was talking about certain budget situations was for unexpected expenses such as the increase in insurance costs and expenses the City had no control over. The City had never been hit like it had been hit after September 11 and more increases were expected.

Ben Bauman told Council he was the father of two teenagers and he had known about the teen problem since he moved to the City 10 years ago. He continued that he thought the plan merited consideration, but he felt it should be bounced off other priorities. He suggested Council wait a few months, get a complete plan together, and do it by the book. He recalled that some Council Members were elected to office because they wanted better planning. He did not understand why this study was rushed and said the decision could wait two months. He urged Council to do their job, get their plan together, and then come back. Brown noted that this was something Tennant had worked on for two years. He added the process had been planned. Bauman said it made sense to put the issue in the comprehensive plan, bring it before the public, and balance it out. He added that was what people voted for them to do. Tennant said one of the reasons he ran

for office was to accommodate this group of people and it had been an uphill battle. He continued that he had been patient and that if they waited for a whole lot of tomorrows they would wind up with a lot of empty yesterdays. Bauman said he and other businessmen in the City had tried to put together projects for teens for years and had been shot down a number of times. He said the kids Council was talking about reaching could wait two more months so the plan could be put together properly and correctly.

Weed said he agreed with Bauman and that he had some concerns about this particular study; however, it had not been rushed. He said Council spent two days discussing items during the Retreat and they had been discussed thoroughly. Bauman said if the study was not a rushed activity, then the study could wait until Council finished the budget process. Weed said he disagreed, but appreciated Bauman's point of view.

Debbie Condon noted her eight years of service on the Board of Education and said she did not think there was a problem. She said the County had some of the best students and best teens in the state. Condon continued that the study would not get rid of the problems with graffiti and at local restaurants. Parents were responsible. Condon said the City had churches and more athletic teams than any place around. The City could keep adding money, but Condon pointed out that a teen center was not the sort of thing where you build it and they would come. She continued that it had been tried in Fayetteville and by the CCY. Condon said Council Contingency was for emergencies. She agreed with Brown that costs were going up and felt Council Contingency should be reserved for those costs. She urged Council if they felt there was still a need for the study to make it part of the regular budget; not to do it because students need a wall to put graffiti on or because there was a problem at a restaurant. Condon continued there were many good students and teens and that Council needed to look at the whole picture before putting \$10,000 towards it. She urged Council not to forget about that small percentage of teens, but to talk to the high school principals and vice principals and see what they needed the City to do to help them.

Tennant thanked Condon for her comments and pointed out that Council was not interested in spending \$8,500 to build a wall for graffiti. They were interested in getting information from the study.

Condon said she was not forgetting about the lower tier of teens, but there were counselors at the school and other people to work with those specific students. Tennant said the purpose he had in mind was to garner enough information to find out what the needs were, what was practical and what was not, as well as to make the City a little bit of a better place to decrease the crime and increase the cohesiveness of the family unit.

The motion carried 3-1 (McMenamin). McMenamin told Tennant that she hoped he understood she was not voting against him. She said she would just like Council to delay the vote until after the issue had been prioritized in the budget.

**08-02-04      Adoption of Transmittal Resolution –Annual Comprehensive  
Plan Update**

City Planner David Rast addressed Council and apologized for a mix-up in information. Staff found out that the format had changed for the report and that was the reason for the revision. He thanked Assistant Finance Director Janet Camburn for her work in clarifying the information and making it easier to understand.

Rast explained that the document was the annual update for the Short Term Work Program, the Capital Improvement Element, a report of annexations, and an Impact Fees Report required under the Georgia Planning Act and the Development Impact Fee Compliance Requirements. The update was required because the City charged impact fees. Approval and adoption of the documents was required in order for the City to maintain its status as a Qualified Local Government. The Department of Community Affairs (DCA) required a 60-day review period and the Atlanta Regional Commission (ARC) required 80 days for review. The document had to be ready 140 days prior to adoption, which allowed the ARC to look at the information for discrepancies or clarification before it was officially transmitted to the DCA. Rast added that was why the process began in July rather than November or December. The Annual Short Term Work Program Update listed the projects identified as part of the program and the Comprehensive Plan. The Short Term Work Program identified the items the City planned to do in order to meet the goals and objectives established in the Comprehensive Plan. The entire Comprehensive Plan needed to be redrafted and submitted by 2007. Some of the things included in the work program were designed to get them on the burner so staff would know they needed to be done by the submittal date in 2007. The DCA was coming out with a standardized format for the Comprehensive Plan that would help the communities, as well as the ARC, and the DCA in the review.

Rast continued that the impact fee report was broken down into several public facilities based on information from DCA. The facilities DCA identified were roads and bridges, parks and recreation, library, police, and fire. In those, staff had to break down the impact fees that had been collected from the time the City began collecting impact fees and what was collected this past year, as well as what would be encumbered the next year. Rast said staff had realized that some of the information submitted last year might not have been as accurate as it should have been. Staff had notified DCA and planned to revise the information and send a spreadsheet to DCA for their records.

The projects were identified in the Capital Improvement Element. Rast said the budget for a project stayed with that particular project. Some projects in the PIP (Public Improvement Program) might be delayed. The budget was transferred with the project to the year it would be constructed. Rast said the work done by Camburn and Salvatore would help track those items.

Staff provided the transmittal resolution and it was staff's recommendation that the resolution be adopted and that staff be authorized to transmit the report to the ARC for review.

Brown moved to approve the attached transmittal resolution authorizing the Mayor to forward the Short Term Work Program and other plan amendments to the Atlanta Regional Commission and the Department of Community Affairs for review. McMenamin seconded. Tennant, Brown, and McMenamin commended Rast and Camburn on the report. The motion carried unanimously.

**Council/Staff Topics**

There were no Council/Staff Topics or executive session items.

There being no further business to discuss, Brown moved to adjourn the meeting. Tennant seconded. The motion carried unanimously. The meeting adjourned at 8:20 p.m.

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Jane Miller, City Clerk

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Stephen D. Brown, Mayor

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Pamela Dufresne, Recording Secretary



# Peachtree City

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Georgia

TO: Mayor and Councilmembers  
VIA: City Manager *[Signature]*  
FROM: City Planner *[Signature]*  
DATE: August 8, 2002  
SUBJECT: **Schaum variance – 206 Riviera Court**  
*Meeting with Homeowner's Association*

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At the request of the Mayor and Councilmembers, Mr. Schaum has arranged a meeting with the Cypress Pointe Homeowner's Association in order to discuss his proposed variance. This meeting will take place on Monday, August 13 at 7:30 PM in the Gathering Place. Staff will attend this meeting to answer questions about the proposed variance. This variance proposal is scheduled for a Public Hearing at the August 15 Council meeting.

POSITION PAPER  
Proposed Variance: Lot 21, Cypress Pointe subdivision  
Schaum Residence  
City Planner/ Zoning Administrator *David*  
July 10, 2002

**Situation:**

Mr. Schaum owns the property at 206 Riviera Court. He desires to construct a 200 square foot sunroom on the rear of his home which will extend into the rear building setback. He has applied for a variance to permit this construction (Attachment "A").

**Facts:**

1. Lot 21 is zoned GR-12 Residential. The rear setback in that zoning district is 20 feet, and a portion of the home is located 23.5 feet from the rear property line. The existing concrete patio extends 9 feet 6 inches from the rear of the home, or 18 inches into the building setback area.
2. The proposed sunroom would be 20 feet x 10 feet, or 200 square feet, and would extend a total of 3 feet into the required building setback.
3. A tiered retaining wall and City-owned greenbelt adjoin the rear property line. The remainder of the back yard is enclosed with a 6-foot tall vinyl and lattice fence.
4. The Cypress Pointe Community Association Board of Directors voted to approve the proposed sunroom as long as Mr. Schaum obtained all required permits and other necessary approvals from the City. (Attachment "B")
5. A copy of the portion of the Zoning Ordinance that addresses variance policies and procedures is included as Attachment "C."

**Recommendation:**

The staff recommends approval of a variance of 3 feet. Lot 21 is 0.11 acres in size and abuts a City-owned greenbelt. The sunroom would not be visible from the street or from the adjoining greenbelt. The Homeowner's Association has approved Mr. Schaum's request, and it does not appear the proposed variance would have any adverse effect on the surrounding property.

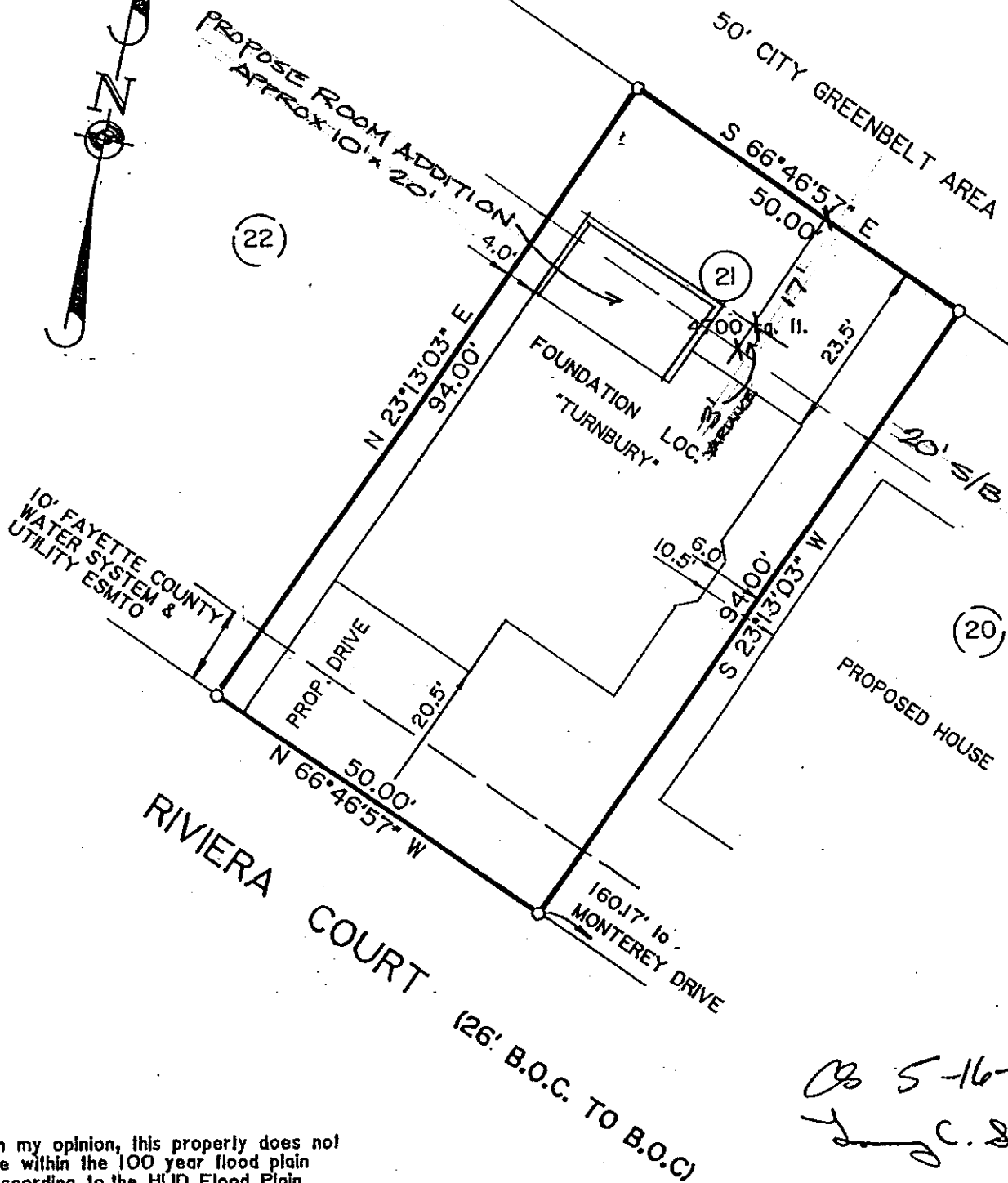
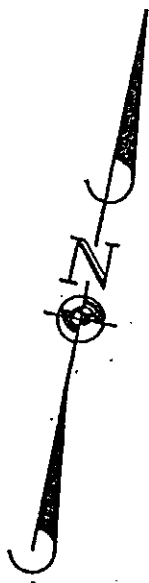
Attachments "A" – "C"

## **REQUEST FOR VARIANCE ZONING ORDINANCE, CITY OF PEACHTREE CITY**

Request that I be permitted to use the 18 inches of existing concrete slab within the 20 foot building line for the construction of an enclosed sunroom and an additional 12 inches for the soffit, fascia and gutter overhang. (See Survey)

**Justification:**

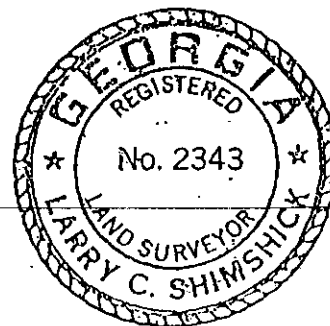
1. The existing concrete slab is 9 foot 6 inches wide. If required to build within existing building line, it would reduce the width of the interior of the sunroom, eliminating the desired placement of a recently purchased spa/hot tub.
2. By building on the existing slab, the contractor can pour an additional 5 inches of concrete bonded to the slab with 1/2 inch rebar.
3. Approximately 11 foot from the outside of the existing slab is a 10 foot high tiered retaining wall (See Pictures 1 and 2), leaving 6 feet of the building line beyond the split rail fence. Twenty five feet beyond the retaining wall is Peachtree Parkway. This effectively eliminates any building to the rear of my home.
4. The twenty foot building line ordinance was waived for the contractor as both existing homes on lot 20 and 22 are twelve feet from my home.(See Pictures 3 and 4)
5. My yard is completely fenced and was constructed with a prior permit from Peachtree City. (See picture 5)
6. I believe the approval of this request is in my best interest and will significantly improve both the livability and value of my home. This structure will not detract from the overall appearance of my subdivision or Peachtree City.
7. Upon approval of this request, plans will be submitted to the permit office.



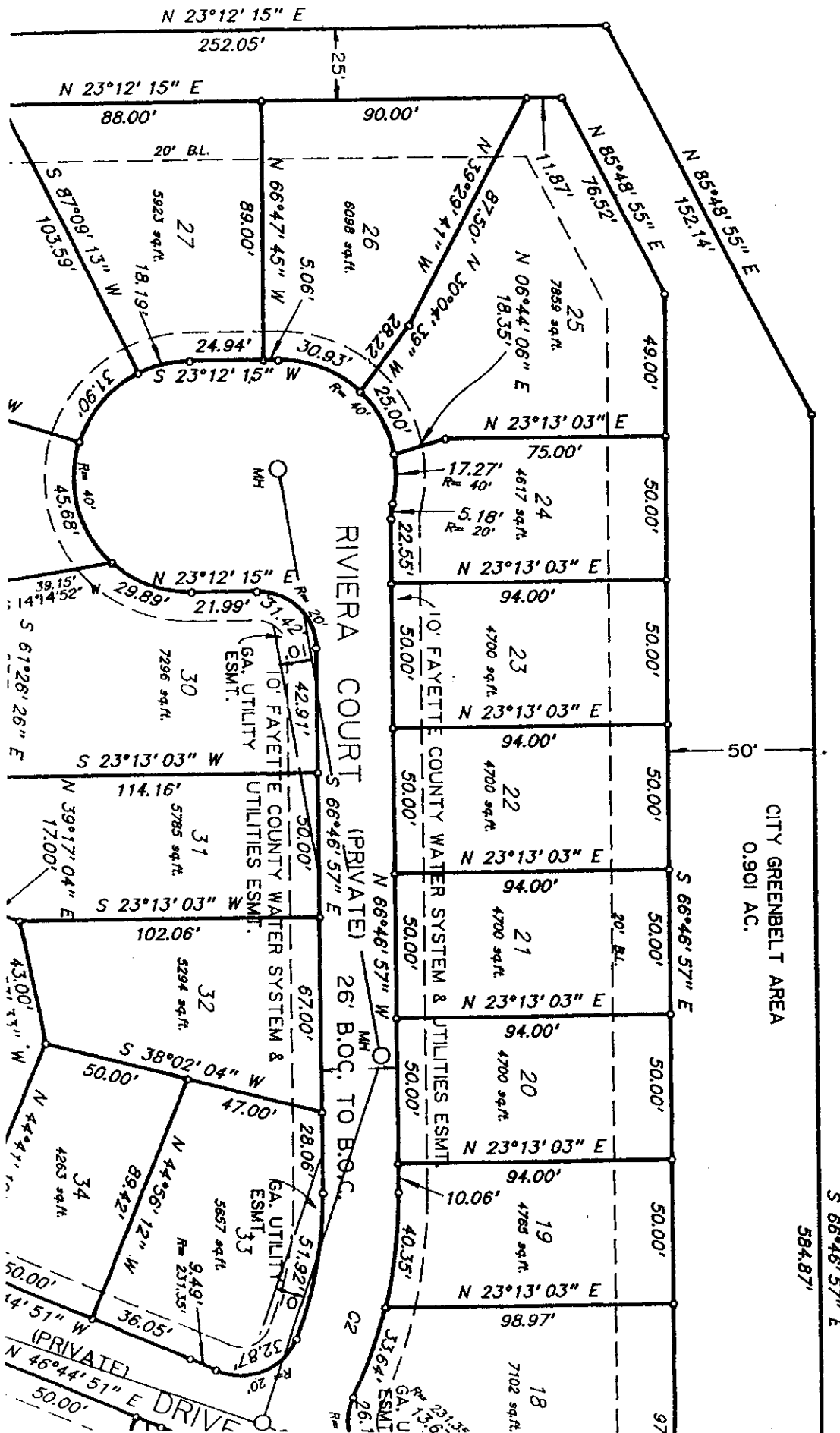
In my opinion, this property does not  
lie within the 100 year flood plain  
according to the HUD Flood Plain  
Map No. 130078 0002C.  
Dated: 12-1-77

SETBACKS:  
FRONT: 15' (Garage no closer than 20') or as shown.  
SIDE: 0' (0' min. between dwellings) (20' separation every 10 dwellings.)  
REAR: 20' (40' where adjoining residential).

*CS 5-16-94*  
*Larry C. Shimshick*



ROAD 60' R/W



PEACHTREE PARKWAY 1

**REQUEST FOR VARIANCE  
ZONING ORDINANCE, CITY OF PEACHTREE CITY**

This is a request for a variance from the requirements of the Peachtree City Zoning Ordinance for the property located at: 206 RIVIERA CT., LOT 21, CYPRESS POINTE SUBDIVISION

The reason this variance is being requested is as follows: SEE ENCLOSURE

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Along with this form, the applicant should submit a detailed report justifying the granting of the requested variance. In preparing the report, please consider the following:

Variances from the provisions of this Ordinance may be approved by the City Council if it is determined that they will not cause substantial detriment to the other parties or impair the purpose or intent of this Ordinance; provided, however, that no variance can be granted for a use that is specifically prohibited by this Ordinance within the zoning district in which the property is located.

In making a determination on a variance request, the City Council shall consider the following factors:

- a. Whether or not the special circumstances contributing to the request are peculiar to the particular property involved;
- b. Whether or not the situation for which the request is being made poses an unnecessary hardship for the applicant; and
- c. Whether or not the request is due to an intentional action of the applicant to violate the requirements of this Ordinance.

I certify that I am the owner or duly authorized agent of the owner of the above-described property:

Name: (Please type or Print) DONALD SCHAUW

Address: 206 RIVIERA COURT

Phone: 770-632-8823

Signature: Donald Schauw

\*\*\*\*\*

This request, along with the required fee and all necessary supplemental documents, has been properly submitted and is hereby accepted for consideration by the City Council at a public hearing in the City Council Chambers at 7:00 PM on the date shown below:

Signature: James B. Williams

Title: DIRECTOR OF DEVELOPMENT

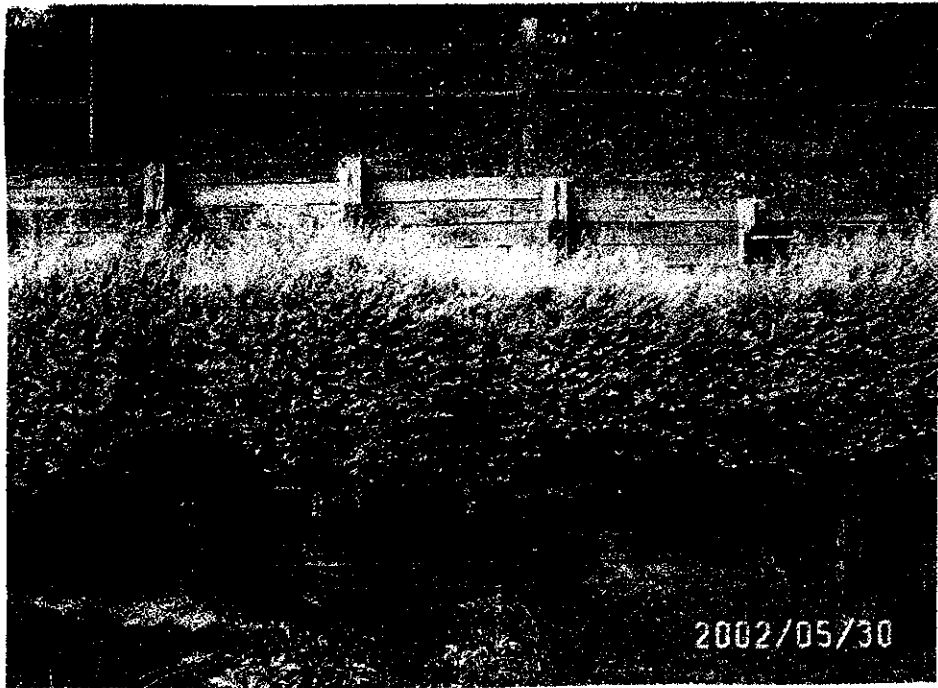
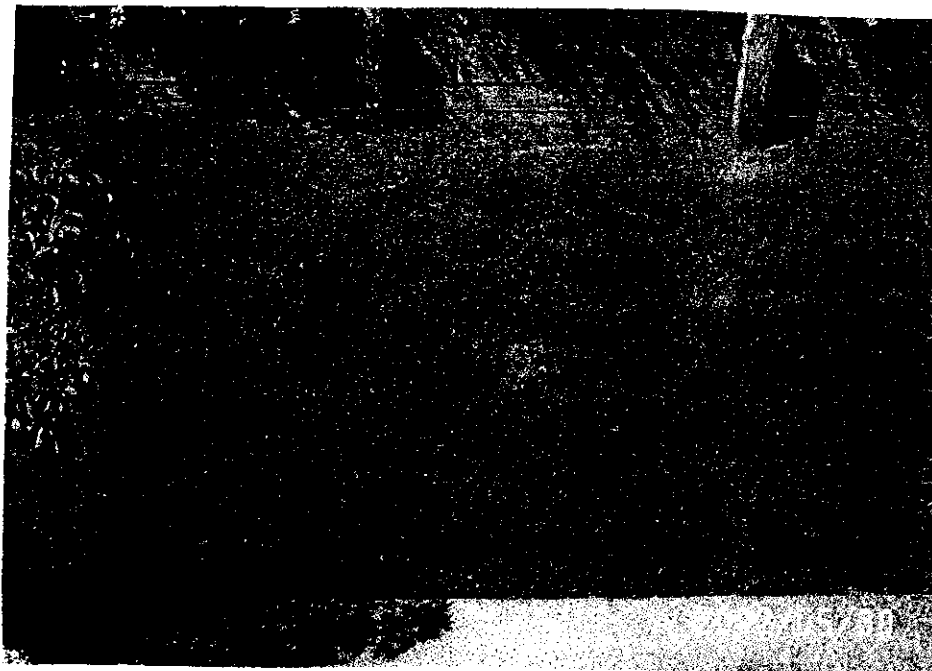
Date of Acceptance: June 5, 2002

Date of Public Hearing: July 18, 2002

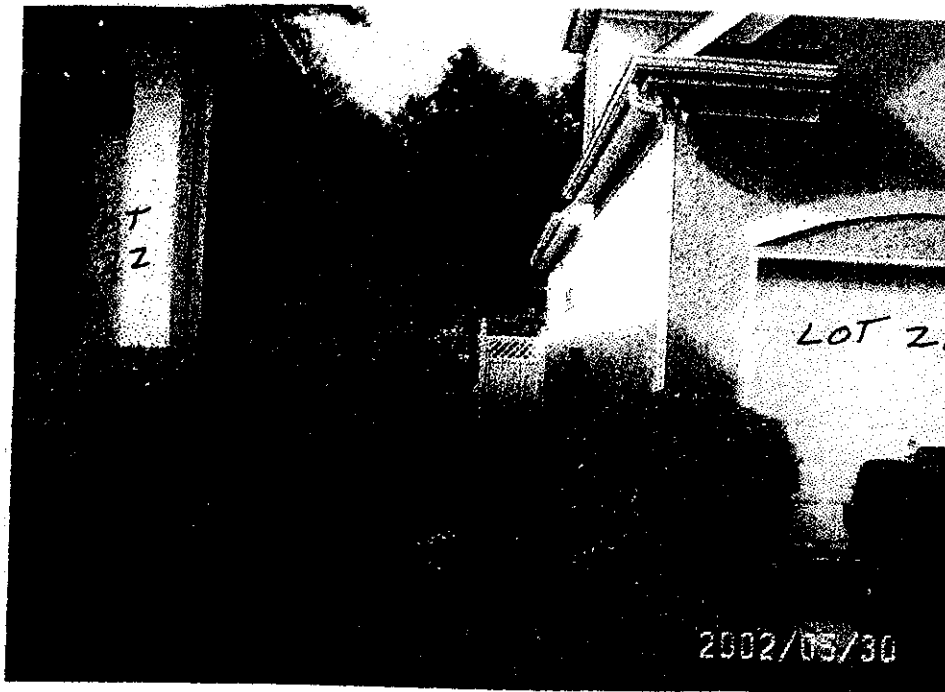
picture 1

" 2

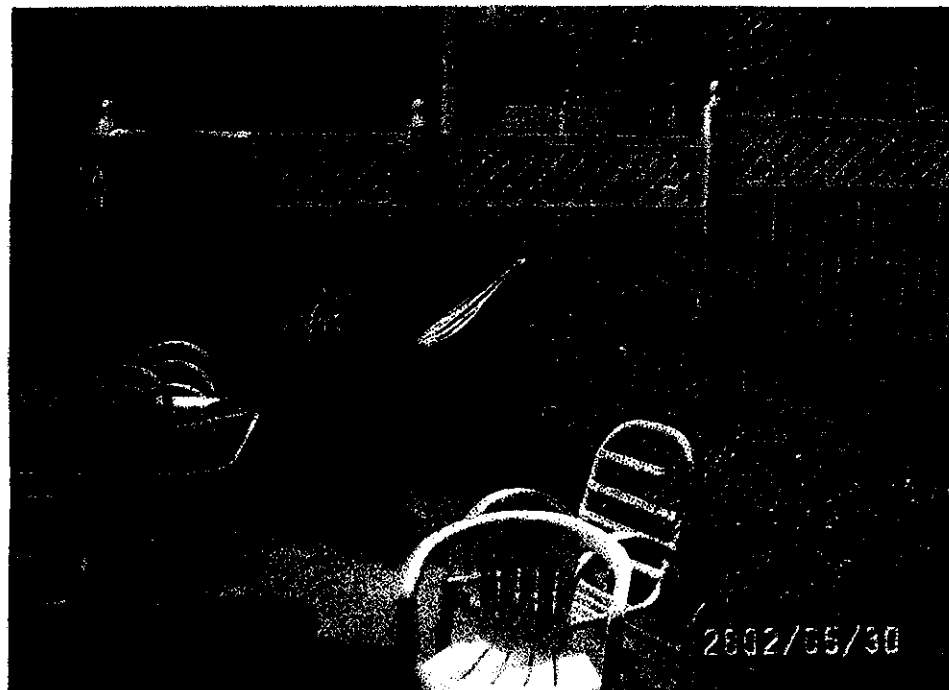
" 3



picture 5



" 6



**THE CYPRESS POINTE COMMUNITY ASSOCIATION, INC.  
P. O. BOX 2182  
PEACHTREE CITY, GA. 30269**

25 June, 2002

Mr. Don Schaum  
206 Riviera Court  
Peachtree City, GA. 30269

Subject: Request for approval of construction of a sunroom on the patio at 206 Riviera Court.

Dear Mr. Schaum:

The Board of Directors voted to approve the subject request per the drawing submitted. This approval is subject to you obtaining the required permits and any other necessary approvals from the City of Peachtree City.

Sincerely yours,

*Mary Gaulding*  
Mary Gaulding  
Secretary

(1202.2) The purpose of this section is to authorize variances from the terms of this ordinance as will not be contrary to the public interest so that the spirit of this ordinance shall be observed, public safety and welfare secured, and substantial justice done.

An application for a variance may be submitted only by the owner of the property for which a variance is desired, or his authorized agent.

- (a) Variance applications shall be filed with the city planner on forms provided by the city planner.
- (b) Any communication relative to a variance request will be regarded as information only until a proper application is made in the form required.
- (c) An application fee of \$50.00 must accompany each variance application.
- (d) Upon receiving an application, the city planner shall schedule a public hearing on the request before the city council within 45 days after receipt.
- (e) A sign displaying the hearing date and the nature of the hearing shall be placed in a conspicuous location on the property not less than 15 days prior to the hearing date.
- (f) A notice of the public hearing date and the nature of the hearing shall be published in the newspaper of general circulation which serves as the legal organ for the city. The newspaper notice shall appear at least 15 days prior to the hearing date.
- (g) At the public hearing before the city council, the applicant may appear in person or be represented by an agent or attorney.
- (h) Variances from the provisions of this ordinance may be approved by the city council if it is determined that they will not cause substantial detriment to other parties or impair the purpose or intent of this ordinance; provided, however, that no variance can be granted for a use that is specifically prohibited by this ordinance within the zoning district in which the property is located.

In making a determination on a variance request, the city council shall consider the following factors:

- (1) Whether or not the special circumstances contributing to the request are peculiar to the particular property involved;
- (2) Whether or not the situation for which the request is being made poses an unnecessary hardship for the applicant; and
- (3) Whether or not the request is due to an intentional action of the applicant to violate the requirements of this ordinance. (Ord. No. 589, 11-19-1992; Ord. No. 618, 7-7-1994)

July 18, 2002

To Whom It May Concern -

As a next door neighbor of Donald and Peggy Schaum, I would like to say that I have no objections to their building a sunroom on the back of their home.

Dorothy Skelton  
208 Riviera Court  
Peachtree City, Ga

27 out of 37 possible against

1 OF 2

REVISED:  
(Presented by M. Mulmer  
on 7/18/02)

To: Peachtree City Planning and Zoning.

From: Cypress Pointe Homeowners

Re: Variance request from Don Schaum at 206 Riviera Ct. July 18, 2002

In keeping with the original planning and zoning approval of Cypress Pointe subdivision article 2 section 1- 1994 declaration of covenants, conditions, and restrictions. Require any improvements made to be subject to the covenants, conditions, restrictions, easements, assessments and liens set forth, which are for the purpose of protecting the value and desirability of the community. A 20-foot rear building line is a must for any additions. A variance to the contrary would be a detriment to the community. We the undersigned do not want this variance request to be approved. Thank you for your understanding.

| NAME              | ADDRESS          | PHONE                   |
|-------------------|------------------|-------------------------|
| Terry Adla        | 124 Monterey Dr  | 770.632-6414            |
| Alon Williams     | 132 Monterey Dr  | 770-486-1349            |
| Carol Siles       | 205 Riviera Ct   | 440-631-1122            |
| Norma Heyman      | 200 Riverside    | 487-8875                |
| Diane Whitman     | 203 Riviera      | 770-631-8845            |
| Phil H            | 107 Monterey Dr  | 678 817-6585            |
| Burt L            | 125 Monterey Dr. | 770 632-7502            |
| Debbie Thornton   | 202 Riviera Ct.  | 770-486-9079            |
| Carol Glass       | 212 RIVIERA CT.  | 770 486-0416            |
| W.D. Heath        | 116 Monterey     | 770/632-9481            |
| Dana Yungel       | 214 Riviera      | 7/631-2985              |
| Colette Walsh     | 128 Monterey Dr  | 7-487-6974              |
| Pat Sapp          | 111 Monterey     | 770-631-3300<br>ext 318 |
| Bruce L. W. Cline | 109 Riviera Ct   | 770-486-9537            |

To: Peachtree City Planning and Zoning.

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| NAME              | ADDRESS          | PHONE        |
|-------------------|------------------|--------------|
| Tony Malmer       | 100 MONTEREY DR. | 770-487-5563 |
| J.S. Mullins      | 106 Monterey Dr. | 770-632-0906 |
| Debbie Southern   | 105 Monterey Dr. | 770-486-6445 |
| Don Mably         | 114 Monterey Dr. | 770-486-7743 |
| Catherine Brunson | 118 Monterey Dr. | 404-314-7077 |
| Ed T. Lamm        | 122 " "          | 678 364 1466 |
| M Joseph          | 130 " "          | 678-471-4660 |
| Sue Gresham       | 204 Riviera Ct   | 770-486-1698 |
| Joe Chesney       | 215 Riviera Ct.  | 770-631-8724 |
| Marella Chapman   | 211 Riviera Ct.  | 770-632-0921 |
| Marequita Bruce   | 109 Monterey Dr  | 770-486-1285 |
| Sharon J. Hark    | 104 Monterey Dr  | 770 631 9330 |
| Art L. Wall       | 102 " "          | 678 364 0766 |

# CITY OF PEACHTREE CITY

## INTEROFFICE MEMORANDUM

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**TO:** Mayor and City Council  
**VIA:** City Manager   
**FROM:** Director of Leisure Services   
**DATE:** August 6, 2002  
**SUBJECT:** Recommendations by the Golf Cart Committee

---

As you know, at the March 7 city council meeting a golf cart committee was formed with the intent of reviewing certain aspects of the golf cart ordinance, and making recommendations back to the Council. This action was based on a letter received by Councilman Rapson. The committee met three times beginning in April and held their last meeting in June. The main issues they reviewed were:

- Whether or not to change the language of PTC Code 78-93 (c) to permit grandparents to ride in a supervisory role with 12-15 year old youth.
- Whether or not to allow 15 year olds to ride alone with no supervision, and whether or not they should be required to have a valid learners permit and/or parental permission.
- Whether or not the annual nonresident registration/user fee of \$60 should be charged again to a nonresident who bought a new cart after the deadline of January 31 if they had already paid the fee.

During the course of the three meetings, there were many other proposals, some of which were accepted and some rejected. Attachment 1 to this memo represents the final recommendations from the committee. They will act as the point of departure for discussions. Councilman Rapson will provide more detail on the final recommendations.

After these recommendations were made, we did receive input from other people relative to additional suggested changes. I believe those are also on the table for discussion tonight. I am aware of one suggestion to eliminate gas-powered carts (see attachment 2). The police chief has also suggested that the ordinance include wording to ensure that no passengers other than those authorized in 78-93 ( c ) be allowed in the cart when a 12-15 year old is driving (see attachment 3). He also suggested that no one with a suspended license should be allowed to drive a golf cart. I believe these are items that Councilman Rapson will discuss in more detail as well.

## **Golf Cart Committee Final Recommendation**

### **Peachtree City Code 78-93 (c)**

Those persons who are 12 years of age but not yet 15 years of age may drive a motorized cart on the recreation paths and/or streets and those areas accessible by the public of the city if they are accompanied in front seat by a parent or legal guardian who holds a valid motor vehicle drivers license.

### **Proposal #1**

Those persons who are 12 years of age but not yet 15 years of age may drive a motorized cart on the recreation paths and/or streets and those areas accessible by the public of the city if they are accompanied in front seat by a parent, **grandparent** or legal guardian who holds a valid motor vehicle drivers license.

### **Proposal #2**

Those persons who are 12 years of age but not yet 15 years of age may drive a motorized cart on the recreation paths and/or streets and those areas accessible by the public of the city if they are accompanied in front seat by a parent, **grandparent** or legal guardian. ~~who holds a valid motor vehicle drivers license.~~

### **Peachtree City Code 78-93 (b)**

Those persons who are 15 years of age but not yet 16 years of age may drive a motorized cart on the recreation paths and/or streets and those areas accessible by the public of the city if they are accompanied in front seat by person at least 18 years of age who holds a valid motor vehicle drivers license.

### **Proposal #3**

Additional language suggested to be added into the regulations:

**All operator and passengers must remain seated at all times during the operation of the golf cart. No person may sit on the operator's lap during the operation of the golf cart.**

### **Peachtree City Code 78-92**

... An annual registration/user fee of \$60.00 dollars shall be charged to nonresidents of the city. The nonresident fee is due by January 31 each year until such time as the cart is sold or otherwise disposed of. This non resident registration/user fee shall be prorated for carts purchased after January 31 of the first calendar year of ownership....

### **Proposal #4**

... An annual registration/user fee of \$60.00 dollars shall be charged to nonresidents of the city. The nonresident fee is due by January 31 each year until such time as the cart is sold or otherwise disposed of. This nonresident registration/user fee shall be prorated for carts purchased after January 31 of the first calendar year of ownership, **unless the nonresident had previously paid the registration/user fee the same calendar year, in which case a one-time transfer fee of \$5.00 would be applicable.**

**Randy Gaddo**

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**From:** Jim Basinger  
**Sent:** Monday, July 15, 2002 10:27 AM  
**To:** AA - Directors and Chiefs  
**Cc:** Betsy Tyler; Pam Dufresne; Jane Miller  
**Subject:** FW: Item

Jane, please ensure this email is placed on the dais for the August 15 meeting. Thanks. Jim

-----Original Message-----

**From:** Steve Rapson [mailto:Steve.Rapson@co.fulton.ga.us]  
**Sent:** Monday, July 15, 2002 9:44 AM  
**To:** citymgr@peachtree-city.org  
**Subject:** Item

Jim,

I noticed that you were not copied and this email was sent to the City Council from the City's website. Could you please have Jane make a copy and provide same to Council for discussion during the Golf Cart recommendations agenda item.

Thanks

Steve Rapson

Dear Mayor Brown and council members:

I realize that gasoline golf carts are currently allowed in Peachtree City. In light of reviewing some of the golf cart regulations, I believe that the use of gasoline-powered golf carts should be reconsidered. Gas golf carts give off obnoxious fumes and most certainly pollute the air. As a runner and walker on the paths, I am not pleased when one of these carts meets me or passes me and I breathe in these unhealthy emissions. My breath is literally taken away.

It is my understanding that the original purpose of the cart paths was to reduce vehicle emissions in our community. The use of gas-powered golf carts certainly negates this goal. I would guess that if these gas carts were subjected to an emissions test, they would fail.

When you consider changes to PTC's Golf Cart Ordinance on August 15, please include a revision to the ordinance to eliminate gas-powered golf carts. Of course, the current owners of gas golf carts will probably have to be allowed to keep them, but I would like to see the council take action to prevent further usage of gas-powered carts in our community.

Thank you.

Shar Peters  
331 Loring Lane  
Peachtree City, GA  
Phone 770-632-0607



## POLICE DEPARTMENT

350 South Highway 74 • Peachtree City, Georgia 30269 • 770-487-8866 • Fax: 770-631-2512



Attachment 3

JAMES V. MURRAY  
Chief of Police

TO: JIM BASINGER, CITY MANAGER  
FROM: JAMES V. MURRAY, CHIEF OF POLICE  
DATE: AUGUST 07, 2002  
SUBJECT: GOLF CART ORDINANCE  
RECOMMENDATIONS TO BE CONSIDERED BY CITY COUNCIL

As indicated in the memorandum sent to you from Director of Leisure Services, Randy Gaddo, I have additional language I am requesting City Council consider upon accepting recommendations for ordinance changes:

No passengers other than those included in ordinance 78-93 (c), (e.g. parent, grandparent or legal guardian, based on the ordinance approved by Council), be permitted to ride in a golf cart when a 12-15 year old is driving.

No person who has a suspended or revoked driver's license is permitted to operate a golf cart on the streets or the recreational paths of the city.

JVM/rmd

# Hand delivered 7/18

To: Mayor and City Council Members

From: Viki Brigham

Re: Golf Cart Hearing. Please have the city clerk read this into the minutes

I read in the paper yesterday that the city council desired residents' comments concerning golf cart usage and appropriate restraints and rules governing that usage.

During the summers of 1999, 2000, and 2001 my friends and I walked an average of 25 -- 30 miles a week on the city's cart paths as we trained for the Avon 3-Day Walk. Our Saturday morning walks often began at Huddleston Pond and continued north, roughly parallel to Peachtree Parkway, up to the north Kroger, down through Kedron to city hall, around the west side of Lake Peachtree and on south to the South Kroger. After a quick pit stop, we continued south and then around to the three-pond area, winding up back at Huddleston Pond for a total of 10 -- 12 miles. We still walk as frequently, but not as far.

During these years of extensive walking I have seen exactly one police officer on the paths exactly one time. (Keep in mind I could not drive 10 blocks, much less 10 miles, without spotting a gaggle of PTC's finest tooling up and down the thoroughfares and cul-de-sacs of the city.)

What have I seen or experienced on the bike paths? Golf carts going too fast, drivers who are vulgar and rude when told to slow down or that their vehicle lacked an audible signal. On one occasion when I told a golfer she needed an audible signal she got out of her cart and started toward me in a menacing manner. She said she didn't sound her horn because she noticed that we had moved over and hence heard her coming.

Would it fly in traffic court if I said I didn't obey the law because the other driver "knew" I was there?

Golf cart operators often say they feel it's intrusive to sound horns right behind walkers. Believe me, I'd rather hear a horn than feel a fender!

Suggestions: Put officers on bikes, on foot, on carts on the cart paths regularly. It's nuts to have 80 miles of cart paths virtually unpatrolled.

Second, everyone who comes to city hall for a golf cart license receives a pamphlet outlining the rules, but the audible signal rule is buried as #5 and because it says 'audible signal' instead of horn, it sounds more like a suggestion. Publicize rule # 5 and prosecute offenders.

Third, place a few signs along the paths reminding people of the speed limits and signaling requirements.

And how can you legislate civility? Well, I'm sure the council and mayor are aware that the example they set is emulated all over town.

Thank you for your time and patience in this matter.

## Betsy Tyler

---

**From:** Jim Basinger  
**Sent:** Wednesday, July 17, 2002 2:44 PM  
**To:** Betsy Tyler  
**Cc:** Pam Dufresne  
**Subject:** 8/15 Dais / Book Item

Betsy, please ensure this email is in Council books for this agenda item. Thanks. Jim

-----Original Message-----

**From:** Betsy Tyler  
**Sent:** Wednesday, July 17, 2002 2:37 PM  
**To:** 'RunwShar@aol.com'  
**Cc:** Jim Basinger; Gloria Reid; Annie McMenamin (E-mail); Dan Tennant (E-mail); Murray Weed (E-mail); Steve Brown (E-mail); Steve Rapson (E-mail)  
**Subject:** Gasoline Golf Carts

Dear Ms. Peters:

The City Manager, Mr. Basinger, asked me to let you know that the Mayor and Councilmembers received your email regarding the elimination of gasoline powered golf carts on our paths. Thank you for writing.

As you noted, Peachtree City certainly benefits from our paths as an alternate transportation system, and our studies prove that the use of golf carts significantly reduces the number of automobile trips in town. The fact that the vast majority of the carts (about 6850 out of 7,000) are electric, makes the paths very environmentally friendly.

We do receive complaints from time to time regarding the gasoline golf carts on the paths, either for the potential air pollution that you noted, or for the "noise" pollution caused by their engines. In response to the air pollution concern, the city now requires gasoline carts to have a dealer certification that the exhaust system are in good working order before they can be registered, and those carts must be inspected every two years, and recertification provided to the city.

In the past, the Councils have felt that the gasoline carts were needed in some cases for residents who needed them to travel longer distances in the hillier terrains. As you may know, persons over 16 years of age may drive the carts without a drivers license, and the carts have become the sole mode of personal transportation for several of our senior residents. The gasoline carts become important in these cases when the residents live in neighborhoods at the extreme north or south of town (especially in the much hillier Kedron area) and need to have carts with more range and reliability than the electric models.

Ms. Peters, as you may know, Council is considering making some changes to the Golf Cart Ordinance at their August 15 meeting. I will be sure to include your request in their information packet for that evening. You are also more than welcome to attend the meeting, which will begin at 7:00 p.m. at City Hall.

Thank you again for writing.

Sincerely,  
Betsy Tyler  
Public Information Officer/Deputy City Clerk

-----Original Message-----

**From:** RunwShar@aol.com [mailto:RunwShar@aol.com]  
**Sent:** Sunday, July 14, 2002 6:36 PM  
**To:** DanTennantPTC@aol.com; sbrown@peachtree-city.org;  
annie@peachtree-city.org; srapson@peachtree-city.org;  
mweed@peachtree-city.org

## Betsy Tyler

---

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**Sent:** Monday, July 15, 2002 10:27 AM  
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**Cc:** Betsy Tyler; Pam Dufresne; Jane Miller  
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**Subject:** Item

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Thanks

Steve Rapson

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Thank you.

Shar Peters  
331 Loring Lane  
Peachtree City, GA  
Phone 770-632-0607

Dear Peachtree City Council member:

Enclosed please find some thoughts on the proposal to allow the parents of our community to legally permit responsible 15 year olds to drive golf carts alone, then with increasing freedoms.

Your time and consideration are gratefully appreciated. If you have any questions or comments please call me at 770-631-3529 or I will see *you* Thursday night at the Council meeting.

Kathie Cheney

Dear Editor,

On Thursday August 15, at 7 p.m. the Golf Cart Committee proposals will be presented to the Peachtree City Council. These proposals cover various items. The proposal I am most personally involved with is to allow some, but not all, 15 year olds the privilege of driving a golf cart without an adult.

As the mother of a 15-year-old my concern is not about the teens that want to drive. I am very concerned about the number of parents who chose to ignore the current law. We should respect the law while working to change it so that it better reflects the real needs of our community. There are parents who know their 15 year olds are ready to take on more responsibility for themselves and to experience driving alone in a golf cart before having that responsibility in a car. However, when they allow it today, they are sending a dangerous message to their teens-that it is ok to ignore the law when it better suits your needs.

Don't ignore the law! Change it! Make it better!

Up until a few years ago 15 year olds in Peachtree City were legally allowed to drive golf carts unaccompanied. If I remember correctly, there was a woman injured in an accident with a cart driven in a reckless manner by a 15-year-old with a number of friends as passengers. The result was that the golf cart driving age was raised to 16. The community need to be protected from those who choose to drive with their egos instead of their common sense.

We are not proposing to return to the previous limit. We are asking to change it in a way that will better reflect the needs and values of our community. We want to emphasize to all teenagers and their parents that it is only *after* a teen shows they are already more responsible that new freedoms are given. We want to remind everyone that it is not simply physical age (acquiring yet another year) but their actions and choices that reflect their increasingly better judgement teamed together with their willingness to accept more responsibility for themselves and others that then result in more freedoms.

Today at 16, with the new Georgia driving laws, a teen may drive a car unaccompanied, but with graduated levels of independence. First, only alone or with family members, then after 6 months experience, with others. Various restrictions continue until they are 18.

Today at 16 a teen may solo in an airplane, but must wait until 17 to get a license to fly with a passenger.

A golf cart is a logical first step before driving a car or flying an airplane. One step at a time gives new drivers a chance to gain and build on experience with fewer distractions before they take on full responsibilities. In Peachtree City we are squandering this important and unique opportunity and the reality is - we are teaching too many teens to ignore the law.

The parents of responsible 15-year-olds who show good judgment should be permitted to legally allow those teens to drive golf carts first alone, then with increasing freedoms. Parents should be the ones who specifically identify and reward these teens by clearly taking responsibility for their decision in writing.

We are not talking about the teens who think being grown up is shown by smoking, drinking, doing drugs, or ignoring the rights of others. We are talking about those teens that understand the real meaning of being grown up—that all freedoms come with responsibilities and until you show you are ready to handle those increased responsibilities you are clearly showing that you are not yet ready to be given those freedoms.

This should not be a casual right given by an over scheduled parent to a persistent teen. This should be a well thought out and clearly earned privilege. The reality is--it is the parents who police this activity and should be the ones held responsible to control it.

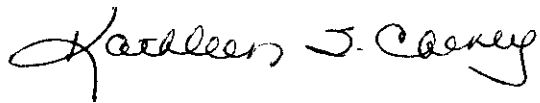
We want our teens to take responsibility for themselves and to be able to reward those who show good judgment in a more time appropriate way then the current law allows. Please help us.

We need the support of our community in recognizing and rewarding those 15 year olds who are your: babysitters, Little League umpires, soccer and basketball referees working to help with their own expenses in our fast food restaurants or by bagging your groceries, those who are helping out at

home by taking on more responsibility for themselves and others, while still maintaining their best efforts in school. You see them at school, church, scouts, sports, all around our city - helping their families and others.

If you have, or know of, a responsible 15-year-old (current, past, or potential) who deserves this privilege and recognition or if you agree this is the way to encourage more responsibility in our teens, please be at City Hall Thursday night. The people who are afraid of the actions of irresponsible teens may be there in force. Let us show them *our* reality! Let us raise their expectations and give responsible teens the chance to show everyone we were right to believe in them and that our trust is justified.

Sincerely,

A handwritten signature in cursive script that reads "Kathleen S. Cheney". The signature is written in dark ink and is positioned above the printed name and address.

Kathleen S Cheney  
24 Parkgate Lane  
Peachtree City, GA 30269  
770-631-3529

## **Permission For 15 Year Old Golf Cart Driving Privilege**

As the parent/legal guardian of \_\_\_\_\_,  
in my opinion, he/she has already shown through his/her actions and choices  
to be responsible enough to drive a golf cart in Peachtree City:

- \_\_\_\_\_ 1) Alone
- \_\_\_\_\_ 2) With family members only
- \_\_\_\_\_ 3) Unrestricted

Signed: \_\_\_\_\_

Date: \_\_\_\_\_

Name (Print): \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

Home Phone: \_\_\_\_\_

Work Phone: \_\_\_\_\_

Cell Phone: \_\_\_\_\_

Golf Cart Registration # \_\_\_\_\_

This privilege can be revoked by a parent or a police officer.

**PTC Golf Cart License**

This license verifies Golf Cart driving privileges  
for the following responsible 15 year old:

Name \_\_\_\_\_

Address \_\_\_\_\_

**Parent/Legal Guardian Contact Information:**

Name \_\_\_\_\_

Home Phone \_\_\_\_\_

Work Phone \_\_\_\_\_

Emergency Contact Number \_\_\_\_\_

Golf Cart Registration Number \_\_\_\_\_

**Driving Privilege Level:**

\_\_\_\_\_ 1) Alone

\_\_\_\_\_ 2) With family members only

\_\_\_\_\_ 3) Unrestricted

This privilege can be revoked by a parent or  
police officer.

*(When cut & folded in half this is the size  
of a license (learner's permit) or school I.D.)*

Parents will be required to apply for this privilege in person (or possibly with a notarized form) either at the Police Station or if allowed at City Hall.

15-year-old golf cart drivers will be required to carry the enclosed license along with a school or other legal photo ID

This will give police (or others) the right to ask for the license of any one not driving like a responsible 15-year-old. If a citizen sees a problem, they can notify the police of the golf cart registration number and the police can notify the cart owner of a possible misuse by an irresponsible driver. The police will know if a 15-year-old has permission to drive that cart.

Permission forms can be filed in alphabetical order with a notation in the upper right hand side corner with the year this form expires for easy disposal.

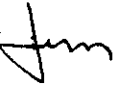
A flag with the authorized teen's name and expiration year can be placed on the golf cart registration form.

Additional letters showing a pattern of responsibility can be required from teachers, religious leaders, employers, coaches, etc. if you would like them.

# **CITY OF PEACHTREE CITY**

## **INTEROFFICE MEMORANDUM**

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**TO:** Mayor and Council  
**FROM:** City Manager   
**DATE:** August 9, 2002  
**SUBJECT:** Special Counsel Report

---

Council, Attorney Winston Denmark will be at the meeting and give a brief presentation on subject report.

# CITY OF PEACHTREE CITY

## INTEROFFICE MEMORANDUM

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**TO:** Mayor and Council

**FROM:** City Manager 

**DATE:** August 9, 2002

**SUBJECT:** Public Hearing and Discussion of 2001 Intergovernmental  
Agreements between the City and the Airport and Development  
Authorities

---

This item was tabled at the July 18 meeting because the investigation into these two agreements was not complete. Staff has provided you with the same information previously submitted.

JB:pd

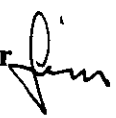
Attachments

# CITY OF PEACHTREE CITY

## INTEROFFICE MEMORANDUM

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**TO:** Mayor and Council Members

**FROM:** City Manager 

**DATE:** July 12, 2002

**SUBJECT:** Public Hearing and Discussion of 2001 Intergovernmental Agreements  
between the City and the Airport and Development Authorities

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Because the report from the special legal counsel regarding his investigation into these agreements will not be available prior to the July 18 meeting, staff feels that it may be premature to hold the public hearing and discussion on those items. Therefore, staff recommends that this agenda item be tabled to the August 1 Council Meeting.

JB/bt

Ms. Jane Miller, City Clerk  
City of Peachtree City  
151 Willowbend Rd.  
Peachtree City, GA 30269

June 12, 2002

Dear Ms. Miller,

Enclosed is a copy of a letter to the editor that I submitted to the Citizen Newspaper for publication today, June 12, 2002. I send this to you for your information and would refer you specifically to the last paragraph.

This is my official request to the City Council of Peachtree City that they put on the agenda for their scheduled meeting on July 18, 2002 an item entitled "Public hearing and discussion of 2001 Intergovernmental Contracts between the City and the Airport and Development Authorities". Please advise me in writing when this is done and confirm that the item will be treated as a public hearing with input allowed from citizens who wish to speak. If the item is not so scheduled, please advise me as to the reasons for not doing so.

Sincerely,



Robert L. Lenox  
407 Bradford Pt  
Peachtree City, GA 30269  
770.487.5415  
blenox@cfcmail.com

I have been following the actions of Mayor Brown and Councilmen Rapson, Tennant and Weed relative to the Airport and Development Authorities with a growing sense of anger. My anger stems not from the fact that this flock of incompetents has been accusing me of doing something illegal, invalid, dishonest and totally unethical. Heck, Brown has been doing that to me for years! If he didn't have me to whine and carp about he pretty much wouldn't have a life.

No, my anger arises for another reason and that reason is why I write this letter. For me to have done what they accuse me of doing would have required the complicity and cooperation of the following people: Jim Basinger, Rick Lindsey, Jane Miller, Betsy Tyler, Carol Fritz, Annie McMenemy, the Chairmen of the two Authorities, the Authority attorneys, and the Authority Managers, Jim Savage and Virgil Christian.

I am absolutely irate because these people are some of the finest, hardest working, most ethical and most competent people among all those who work for and volunteer their efforts to Peachtree City. They do not deserve the aspersions cast on their competence and character by this group of people who seem to possess little if any of either.

I personally assure all of you that the contracts in question are properly approved, properly executed and totally valid. They would be upheld and affirmed by any court in the land. For this reason I hereby send a polite warning to Brown and his three cohorts. If you take any unilateral action to abrogate or modify these contracts without first proving me wrong in court, it is you who will be guilty of acting illegally and it is me who will be suing each of you personally.

Lastly, I have delivered a letter to City Hall on behalf of all of us as citizens asking that a thorough public hearing and public

discussion on this matter be placed on the July 18, 2002 Council agenda. I regret having to wait until then but I do not feel that the true facts can be determined and aired without my input. I will not be here for the June 20 Council meeting and July 18 is the next scheduled meeting. Since Mr. Brown has developed quite a reputation for refusing to let the public speak at Council meetings and since he doesn't do at all well in head to head debate, I am not optimistic that he will have the courage or intelligence to confront this issue directly and openly. If by chance he does, however, I would encourage you to be there if you care about the future of the Amphitheater, the Tennis Center and Falcon Field Airport.

Bob Lenox  
Concerned Citizen and former Mayor

# CITY OF PEACHTREE CITY

## INTEROFFICE MEMORANDUM

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**TO:** Mayor and Council

**VIA:** City Manager 

**FROM:** City Clerk 

**DATE:** August 6, 2002

**SUBJECT:** Change in License Representative – Ruby Tuesday

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A request for a change in the License Representative has been submitted for Ruby Tuesday, Inc., d/b/a Ruby Tuesday #2678. Ms. Mary Ann (M.A.) Milliken has requested to be appointed as the License Representative. The application and affidavit are attached for your review.

Ms. Milliken will attend the September 5<sup>th</sup> Council meeting to answer any questions you may have.

JSM:pd

Attachments



# Peachtree City

Georgia

State of Georgia

City of Peachtree City:

I, James V. Murray, Chief of Police, for the City of Peachtree City, do hereby certify that:

Mary Ann Milliken

Name

508 Lakeside Way Newnan, GA 30265

Address

has been investigated and found not to have been convicted of, nor to have entered a plea of nolo contendere, to any felony or misdemeanor relating to the sale or use of alcoholic beverages or illegal drugs within five (5) years prior to the date of the application for this license.

James V. Murray  
Signature

August 2, 2002  
Date

Major Mike DeLoe  
Witness



**CITY OF PEACHTREE CITY  
151 WILLOWBEND ROAD  
PEACHTREE CITY, GA 30269  
(770) 487-7657**

|                                                                         |                                                                                                                  |                                               |
|-------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------|-----------------------------------------------|
| <b>Business Name:</b> Ruby Tuesday, Inc.<br>d/b/a Ruby Tuesday<br>#2678 | <b>Business Location:</b><br>100 Peachtree Parkway South                                                         | Peachtree City, GA<br>30269                   |
| <b>Nature of Business:</b> Full service<br>restaurant                   | <b>Mailing Address:</b> Ms. Janet Rakestraw<br>Ruby Tuesday, Inc.<br>7420 Hitt Road, Suite A<br>Mobile, AL 36695 | <b>Business Phone Number:</b><br>770-487-0909 |
| <b>Name of Licensee:</b><br>Robert D. McClenagan                        | <b>Home Address:</b><br>1903 S. Court Street<br>Maryville, TN 37803                                              | <b>Home Phone Number:</b><br>251-928-3971     |
| <b>Name of License Representative:</b><br>Mary Ann Milliken             | <b>Home Address:</b><br>508 Lakeside Way<br>Newnan, GA 30265                                                     | <b>Home Phone Number:</b><br>678-423-8858     |

| <b>Section 562 - Malt Beverage and Wine and Distilled Spirits</b> |                          |                              |                          |                         |                          |
|-------------------------------------------------------------------|--------------------------|------------------------------|--------------------------|-------------------------|--------------------------|
| <b>Retail Consumption Dealer</b>                                  |                          | <b>Retail Package Dealer</b> |                          | <b>Wholesale Dealer</b> |                          |
| <b>X</b>                                                          | <b>Malt Beverage</b>     |                              | <b>Malt Beverage</b>     |                         | <b>Malt Beverage</b>     |
| <b>X</b>                                                          | <b>Wine</b>              |                              | <b>Wine</b>              |                         | <b>Wine</b>              |
| <b>X</b>                                                          | <b>Distilled Spirits</b> |                              | <b>Distilled Spirits</b> |                         | <b>Distilled Spirits</b> |

| NAME                                                                                                                                           | ADDRESS                                                   | PHONE NUMBERS                                                          |
|------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------|------------------------------------------------------------------------|
| Individual Owner's Name, Partners' Names, Corporation Name and the name of the name of a Contact Person regarding License Changes, Taxes, etc. | Please provide Home Addresses for the Individuals listed: | Please provide Home and Business Phone Numbers for Individuals listed: |
| See attached                                                                                                                                   |                                                           |                                                                        |
|                                                                                                                                                |                                                           |                                                                        |
|                                                                                                                                                |                                                           |                                                                        |
|                                                                                                                                                |                                                           |                                                                        |
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|                                                                                                                                                |                                                           |                                                                        |
|                                                                                                                                                |                                                           |                                                                        |
|                                                                                                                                                |                                                           |                                                                        |

Is any person who owns an interest in the license an employee of the City of Peachtree City? No

## **EXHIBIT "A"**

License Specialist: Janet Rakestraw 800-532-3236 X 207      7420 Hitt Rd. Ste. A, Mobile, AL 36695  
Ruby Tuesday, Inc. Maryville, TN: 865-379-5700

Robert D. McClenagan, Jr. - President  
1503 S. Court Street  
Maryville, TN 37803

Samuel E. Beall, III - CEO  
733 Kenesaw Avenue  
Knoxville, TN 37919

Daniel T. Cronk - VP/Sec.  
1305 Kensington Drive  
Knoxville, TN 37922

Marguerite Naman-Duffy - Senior Vice President,  
Chief Financial Officer, Treasurer and Assistant Secretary  
1517 Britling Drive  
Knoxville, TN 37922



# AFFIDAVIT AND CRIMINAL HISTORY CONSENT FORM FOR ALCOHOLIC BEVERAGE LICENSE APPLICATION WITH THE CITY OF PEACHTREE CITY

I, Mary Ann Milliken (PRINT FULL NAME), swear that I am at least 21 years of age and am competent to provide this affidavit..

My address is: 508 Lakeside Way Newnan, GA 30265. I have reside at this address for: 1 years and 1 months. My previous addresses for the last 10 year are as follows: 212 Highland Trail Labrange GA 30240, 111A Wynnwood Dr Labrange GA 30240, 1098 Wynnwood Dr. Labrange GA 30240, 113B Wynnwood Drive Labrange GA. 30240, 5055 Doubletree Drive Cumming GA 30201, 215 Huntington Circle Alpharetta GA 30201  
Social Security #: 258-17-4021 Driver's License #/State: 258-17-4021 GA 30201  
Date of Birth is: 8/30/59 Race: W Sex: F

I have have not within 5 years prior to this application, been convicted of, (or entered a plea of nolo contendere to) any felony or misdemeanor relating to the sale/use of alcoholic beverages or illegal drugs.

I have have not ever been ever arrested for a crime. If so, details below and the disposition of the arrest are listed below. I understand that failure to disclose any arrest (including DUI's) may result in denial of the application. None

(Attach a separate sheet if necessary.)

I have have not ever had beneficial interest in any other alcoholic beverage business in this or any other state in which the alcohol license was denied, revoked or other disciplinary action taken. (Beneficial interest here means when a person holds the license in his own name or when he has a legal, equitable or other ownership interest in, or has any legally enforceable interest or financial interest, or derives any economic benefit from, or has control over a business.) If so, please describe in detail. Attach a separate sheet if necessary:  
None

I am am not the applicant for license representative. If so, I swear that I am a manager of the business and a resident of the State of Georgia.

I have read the Peachtree City Ordinance regarding the sale of alcoholic beverages and I understand and will comply with the rules and regulations. I hereby authorize the PEACHTREE CITY POLICE DEPARTMENT to receive any criminal history record information pertaining to me, which may be in the files of any state or local criminal justice agency. I solemnly swear, subject to criminal penalties for false swearing, that the statements and answers made by me to the foregoing questions in this application for city license for sale of alcoholic beverages are true, and no false or fraudulent statement or answer is made herein to procure the granting of such license.

Mary Ann Milliken  
SIGNATURE OF APPLICANT

I do hereby certify that the foregoing applicant is personally known to me, that he/she signed his/her name to the foregoing application after stating to me that he/she knew and understood all statements and answers made therein, and under oath actually administered to me, has sworn that said statements and answers are true.

NOTARY PUBLIC:

[Signature]  
Notary Public, Fulton County, Georgia  
My Commission Expires July 21, 2003

This 26 day of July, 2002.

## **POSITION PAPER**

Proposed Variance: Lot 7, Cardiff Park

City Planner/ Zoning Administrator *David*

August 6, 2002

### **Situation:**

Olde Towne Builders, Inc. owns the property at 113 Crown Court, Lot 7 in the Cardiff Park subdivision. The property is currently for sale and serves as the model home for the community. While the home was under construction, a deck was added that encroached over the established rear setback line for that lot. When the encroachment was discovered, the Owner was notified that a variance would be required to correct the problem (Attachment "A").

### **Facts:**

1. The Cardiff Park subdivision is zoned LUR-7 Limited Use Residential. The required rear setback in that zoning district is 20 feet. Lot 7 is one of many lots in the subdivision that may require variances to accommodate rear decks.
2. The foundation survey submitted to the City prior to issuance of a Building Permit for the subject lot did not identify a deck on the rear of the structure (Attachment "B").
3. During construction of the home, and without obtaining approvals or permits from the City, a wood deck was constructed on the rear of the home. The deck is 12 feet in depth and 30 feet in length and extends 8 feet past the 20-foot rear-building setback (Attachment "A").
4. The subject parcel contains a 6'-high wrought iron fence with brick pillars along the rear property line and backs up to a City-owned greenbelt and a transmission line easement.
5. A Certificate of Occupancy was issued for the structure on June 28, 2001 (Attachment "C").
6. Upon discovering the encroachment several months following the issuance of the Certificate of Occupancy, the Owner was notified by the Building Department that a variance would be necessary to accommodate the encroachment.

### **Recommendation:**

This is a situation where the staff has no choice but to recommend that the variance be denied. The information initially submitted by the Applicant prior to securing a Building permit did not identify a deck on the rear of this home. The deck was installed without authorization from the City and almost the entire structure is within the established setback. This is mitigated by the fact that the City has issued a Certificate of Occupancy for the structure, including the deck, and the deck has been in place for many months. Further, the subject parcel backs up to a City-owned greenbelt and transmission line easement and there have been no complaints from any of the adjoining property owners while the deck was being built or after it was fully in place.

*Attachments "A" – "C"*

**REQUEST FOR VARIANCE  
ZONING ORDINANCE, CITY OF PEACHTREE CITY**

This is a request for a variance from the requirements of the Peachtree City Zoning Ordinance for the property located at: 113 Crown Court, Lot 7 CaroliAA Park

The reason this variance is being requested is as follows: Please refer to enclosure.

Along with this form, the applicant should submit a detailed report justifying the granting of the requested variance. In preparing the report, please consider the following:

Variances from the provisions of this Ordinance may be approved by the City Council if it is determined that they will not cause substantial detriment to the other parties or impair the purpose or intent of this Ordinance; provided, however, that no variance can be granted for a use that is specifically prohibited by this Ordinance within the zoning district in which the property is located.

In making a determination on a variance request, the City Council shall consider the following factors:

- a. Whether or not the special circumstances contributing to the request are peculiar to the particular property involved;
- b. Whether or not the situation for which the request is being made poses an unnecessary hardship for the applicant; and
- c. Whether or not the request is due to an intentional action of the applicant to violate the requirements of this Ordinance.

I certify that I am the owner or duly authorized agent of the owner of the above-described property:

Name: (Please type or Print) Olde Towne Builders, Inc  
Address: 101 Devant Street Suite 203 Fayetteville, GA 30214  
Phone: 770-719-2800 Ext. 205  
Signature: Mark A. Weller

\*\*\*\*\*

This request, along with the required fee and all necessary supplemental documents, has been properly submitted and is hereby accepted for consideration by the City Council at a public hearing in the City Council Chambers at 7:00 PM on the date shown below:

Signature: David E. Rost  
Title: Zoning Administrator  
Date of Acceptance: July 29, 2002  
Date of Public Hearing: September 5, 2002 ~~August 15, 2002~~ <sup>DEP</sup>

VARIANCE REQUEST  
113 CROWN COURT (Lot 7)  
CARDIFF PARK COMMUNITY

Olde Towne Builders, Inc. is the current owner and is occupying this home for use as a model home. For the purpose of this request Mark Willie, will be representing Olde Towne Builders Inc.

Request that the existing deck be allowed to extend over the rear building line. Please refer to survey.

We believe there are special circumstances contributing to this request.

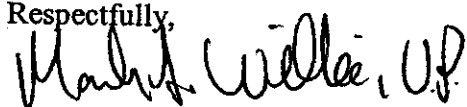
1. Olde Towne Builders constructed this house on a basement with a rear deck.
2. This home is not marketable without a deck.
3. The lot backs up to the City Greenbelt, effectively eliminating any building to the rear of the lot.
4. The entire community is fenced with wrought iron fencing and brick pillars.
5. Currently there have been no homes constructed on lots 6 and 8.
6. At this time there have been only eight homes sold in the community, therefore the HOA is controlled by Olde Towne Builders.
7. After discussing this matter with the Building Dept. and Mr. Jim Williams they have expressed support of granting the variance.
8. Certificate of Occupancy granted on June 28, 2001

Should this request not be granted there would be significant hardship brought upon the applicant. This home would be significantly devalued after removal of the rear deck. Based on the competition this home and all homes in Cardiff Park built on basement will need a rear deck. This home will need to be marketed with the ability to enjoy a deck over looking the Greenbelt and with the opportunity of appreciation.

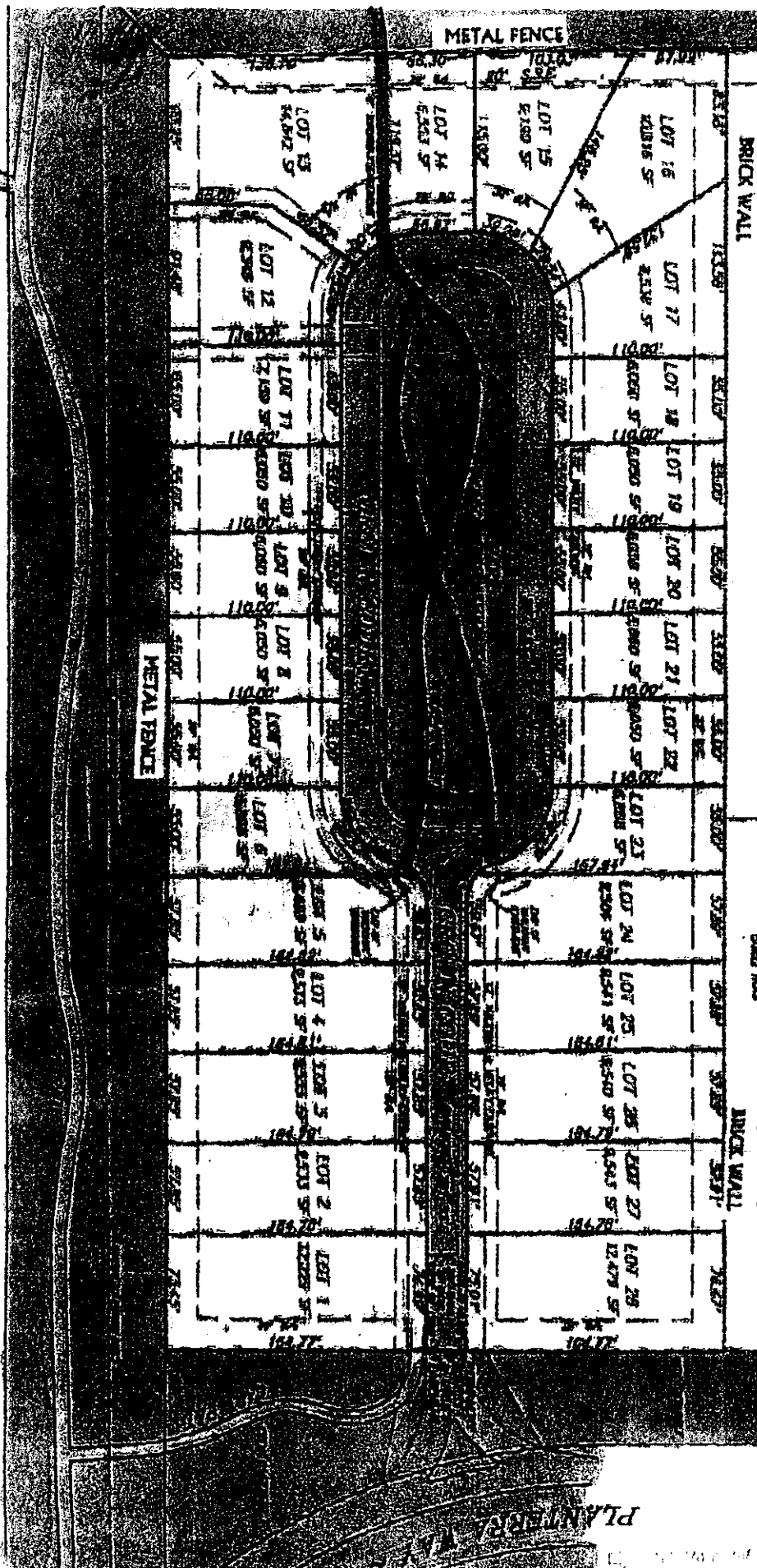
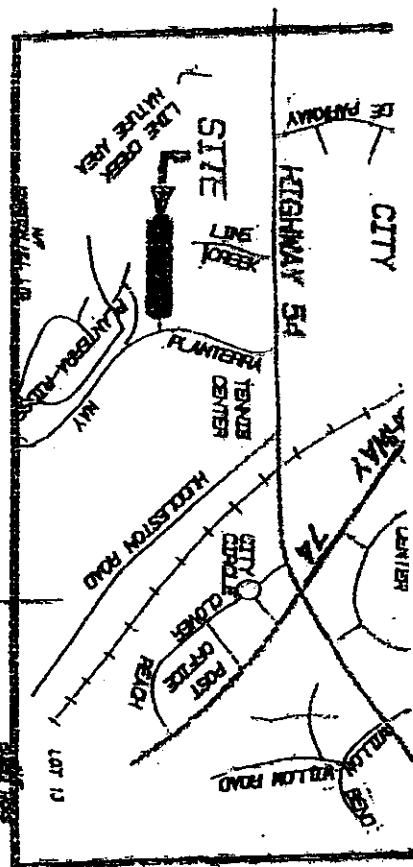
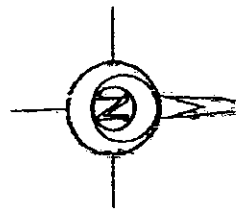
Over a year after a Certificate of Occupancy had been issued Olde Towne Builders was notified of its mistake by the Building Dept; we made it clear to the Building Dept. and Mr. Jim Williams that this was a unintentional act.

It is Olde Towne Builders sincere hope that the information found in this request will be helpful to the Counsel Members in granting this request. Please do not hesitate to call with any questions.

Respectfully,

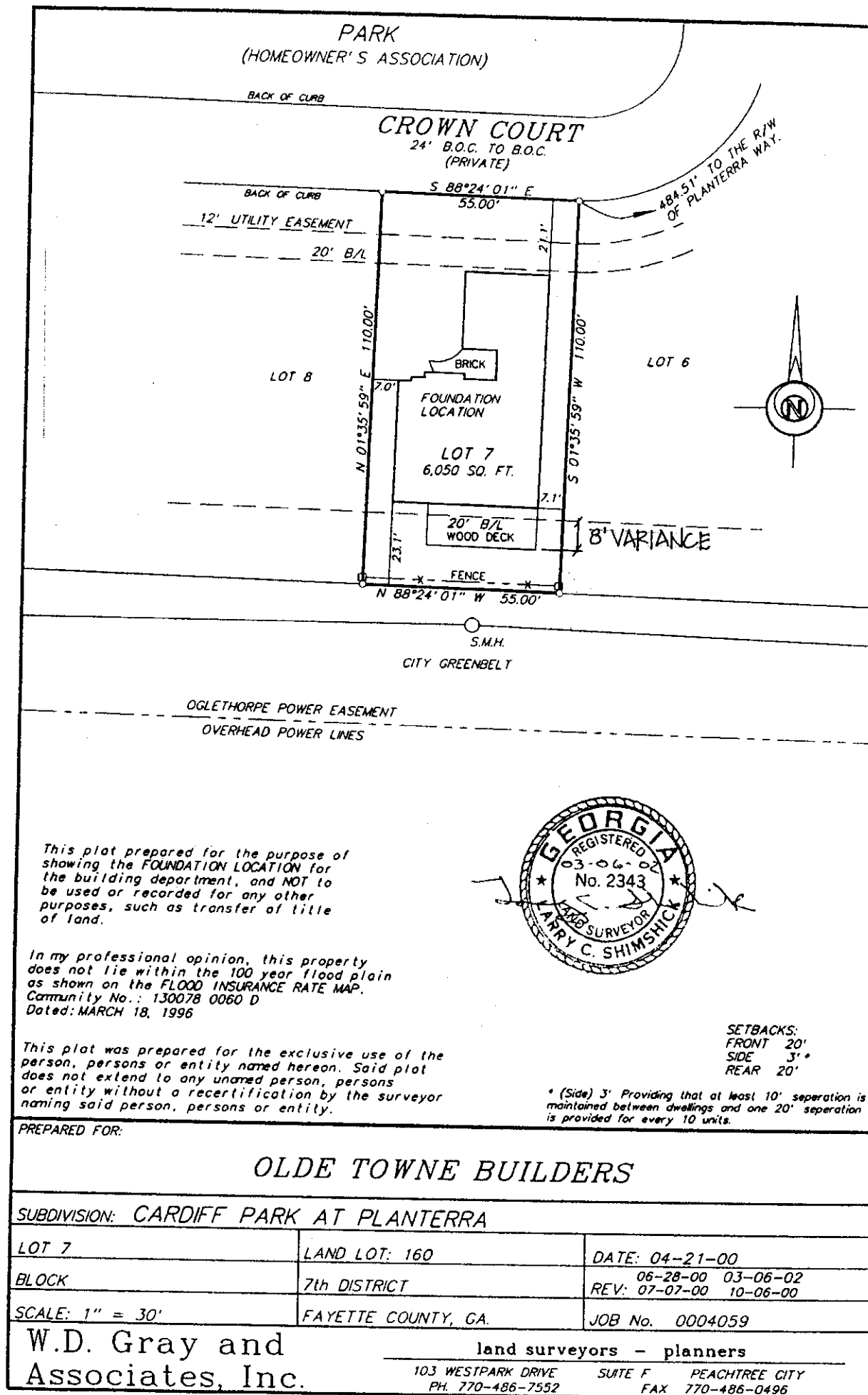


Olde Towne Builders, Inc.  
Mark D. Willie, V.P.



CARDIFF PARK AT PLANTERRA

PLANTERRA SUBDIVISION



# BUILDING PERMIT APPLICATION

CITY OF PEACHTREE CITY

209 McIntosh Trail

Peachtree City, GA 30269

PHONE: (770) 487-8901

DATE: 7/13/00

PERMIT # \_\_\_\_\_

|                                           |                                        |                         |
|-------------------------------------------|----------------------------------------|-------------------------|
| <input checked="" type="checkbox"/> ERECT | <input type="checkbox"/> RESIDENTIAL   | CONSTRUCTION TYPE _____ |
| <input type="checkbox"/> REPAIR           | <input type="checkbox"/> COMMERCIAL    | OCCUPANCY TYPE _____    |
| <input type="checkbox"/> ADDITION         | <input type="checkbox"/> ASSESSORY USE | _____                   |

**FENCES:** ☐ COMMERCIAL ☐ INDUSTRIAL ☐ RESIDENTIAL ☐ POOL  
 FENCE HEIGHT \_\_\_\_\_ FENCE MATERIAL \_\_\_\_\_

|                                                |             |                         |
|------------------------------------------------|-------------|-------------------------|
| SUBDIVISION/PROJECT NAME:<br><u>CROFT PARK</u> | BLOCK _____ | LOT NUMBER<br><u>#7</u> |
|------------------------------------------------|-------------|-------------------------|

SITE ADDRESS:  
# 113 Crown Court

|                                 |                                                           |                                                              |
|---------------------------------|-----------------------------------------------------------|--------------------------------------------------------------|
| OWNER:<br><u>OLDE TOWN BLDS</u> | ADDRESS<br><u>40-A EASTBROOK BLVD<br/>P.T.C. GA. 3026</u> | PHONE NO. <u>(7) 632-0020</u><br>FAX NO. <u>(7) 632-0062</u> |
|---------------------------------|-----------------------------------------------------------|--------------------------------------------------------------|

|                            |               |                                  |
|----------------------------|---------------|----------------------------------|
| CONTRACTOR:<br><u>Same</u> | ADDRESS _____ | PHONE NO. _____<br>FAX NO. _____ |
|----------------------------|---------------|----------------------------------|

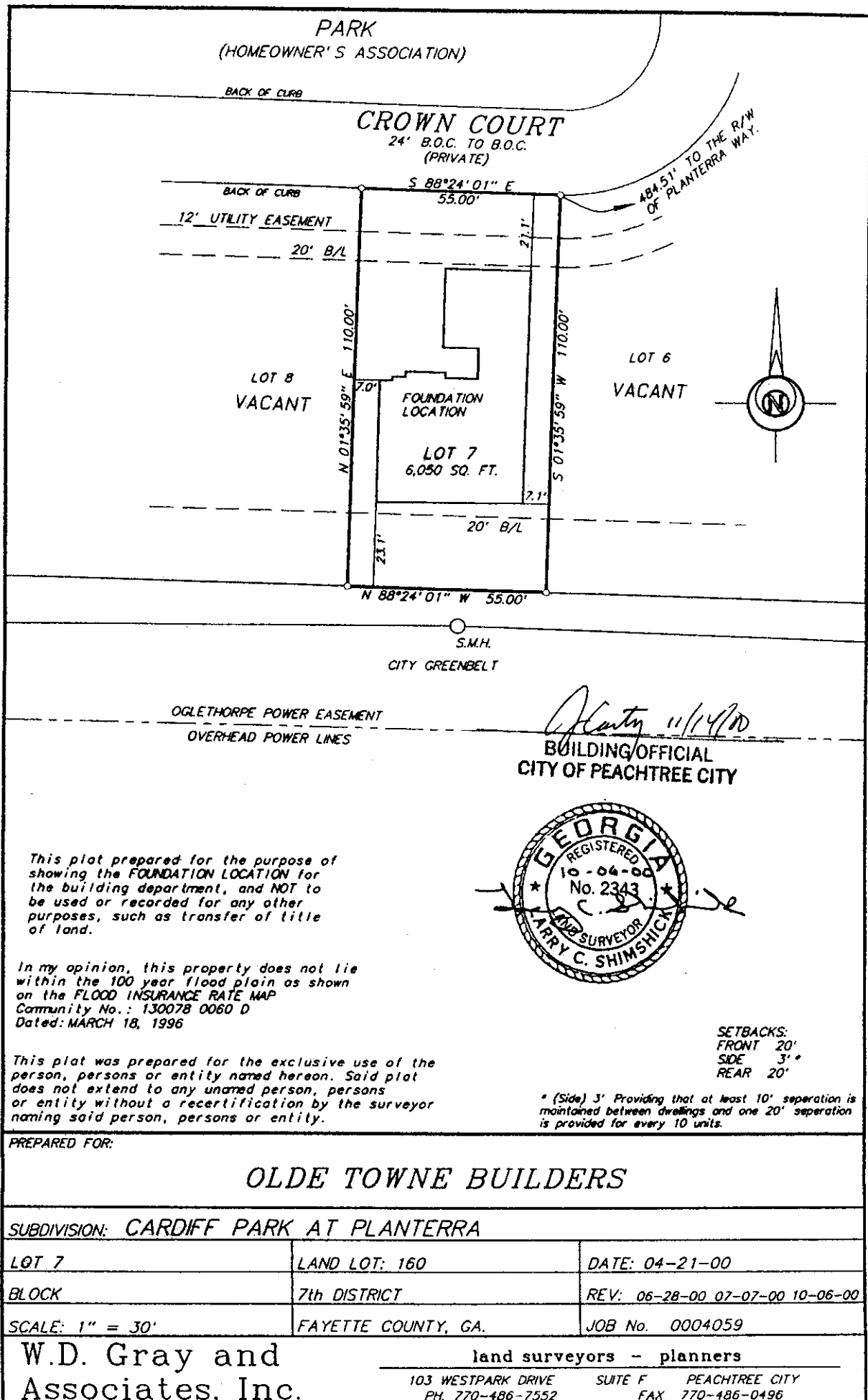
APPLICANT'S NAME: MATT ELLIOTT

|                                             |                                                       |                                                |
|---------------------------------------------|-------------------------------------------------------|------------------------------------------------|
| ARCHITECT/DESIGNER:<br><u>V.A. Lawrence</u> | ADDRESS<br><u>13687 Pinks Rd.<br/>Batal Rouge La.</u> | PHONE NO. <u>524-751-4135</u><br>FAX NO. _____ |
|---------------------------------------------|-------------------------------------------------------|------------------------------------------------|

☒ SEWER TAP APPROVAL ☐ SEPTIC SYSTEM APPROVAL ☒ WATER TAP APPROVAL

|                            |                                                            |                        |                               |                                 |                            |                                                                                     |
|----------------------------|------------------------------------------------------------|------------------------|-------------------------------|---------------------------------|----------------------------|-------------------------------------------------------------------------------------|
| ZONED<br><u>LUR-7</u>      | SETBACKS:<br>FRONT <u>20</u> SIDE <u>8'</u> REAR <u>20</u> |                        |                               | PLAN NAME<br><u>New Orleans</u> |                            | PLAN ON FILE<br>YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> |
| NO. OF STORIES<br><u>2</u> | NO. OF BATHS<br><u>3.5</u>                                 | BASEMENT<br><u>Yes</u> | NO. OF FIREPLACES<br><u>1</u> | HEATED SQ FT<br><u>2365</u>     | TOTAL SQ FT<br><u>2987</u> | EST. CONSTRUCTION COST<br><u>\$ 220,000</u>                                         |

DESCRIBE WORK: New Home / Future Bath In Basement  
Finished 14 3.5 Total Baths



CERTIFICATE OF OCCUPANCY

CITY OF PEACHTREE CITY  
151 Willowblend Road  
Peachtree City GA. 30269  
Phone 770 487-8901

DEPARTMENT OF BUILDING INSPECTION

This Certificate issued pursuant to the requirements of the Standard Building Code certifying that at the time of issuance this structure was in compliance with the various ordinances of the Jurisdiction regulating building construction or use.

Building Permit No. 00-01357

Occupancy Type: SF      Construction Type: VIU      Fire Zone:

Proposed Use:

Property Owner: OLDE TOWN BUILDERS

Owner's Address: 40-A EASTBROOK BEND

City: PEACHTREE CITY      State: GA      Zip Code: 30269

Building Address: CROWN COURT 0113

Subdivision: CARDIF PARK      Lot No: 7

  
\_\_\_\_\_  
Building Official

6-28-01  
Date

\*\*\*\*\* POST IN A CONSPICUOUS PLACE \*\*\*\*\*

Attachment "C"

(1202.2) The purpose of this section is to authorize variances from the terms of this ordinance as will not be contrary to the public interest so that the spirit of this ordinance shall be observed, public safety and welfare secured, and substantial justice done.

An application for a variance may be submitted only by the owner of the property for which a variance is desired, or his authorized agent.

- (a) Variance applications shall be filed with the city planner on forms provided by the city planner.
- (b) Any communication relative to a variance request will be regarded as information only until a proper application is made in the form required.
- (c) An application fee of \$50.00 must accompany each variance application.
- (d) Upon receiving an application, the city planner shall schedule a public hearing on the request before the city council within 45 days after receipt.
- (e) A sign displaying the hearing date and the nature of the hearing shall be placed in a conspicuous location on the property not less than 15 days prior to the hearing date.
- (f) A notice of the public hearing date and the nature of the hearing shall be published in the newspaper of general circulation which serves as the legal organ for the city. The newspaper notice shall appear at least 15 days prior to the hearing date.
- (g) At the public hearing before the city council, the applicant may appear in person or be represented by an agent or attorney.
- (h) Variances from the provisions of this ordinance may be approved by the city council if it is determined that they will not cause substantial detriment to other parties or impair the purpose or intent of this ordinance; provided, however, that no variance can be granted for a use that is specifically prohibited by this ordinance within the zoning district in which the property is located.

In making a determination on a variance request, the city council shall consider the following factors:

- (1) Whether or not the special circumstances contributing to the request are peculiar to the particular property involved;
- (2) Whether or not the situation for which the request is being made poses an unnecessary hardship for the applicant; and
- (3) Whether or not the request is due to an intentional action of the applicant to violate the requirements of this ordinance. (Ord. No. 589, 11-19-1992; Ord. No. 618, 7-7-1994)

## **POSITION PAPER**

Proposed Variance: Lot 10, Cardiff Park  
City Planner/ Zoning Administrator David  
August 8, 2002

### **Situation:**

Olde Towne Builders, Inc. constructed the home at 119 Crown Court, Lot 10 in the Cardiff Park subdivision. Tracey L. Fuller purchased the home on January 10, 2002. While the home was under construction, a deck was added that encroached over the established rear setback line for that lot. When the encroachment was discovered, the builder was notified that a variance would be required to correct the problem (Attachment "A").

### **Facts:**

1. The Cardiff Park subdivision is zoned LUR-7 Limited Use Residential. The required rear setback in that zoning district is 20 feet. Lot 10 is one of many lots in the subdivision that may require variances to accommodate rear decks.
2. The foundation survey submitted to the City prior to issuance of a Building Permit for the subject lot did not identify a deck on the rear of the structure (Attachment "B").
3. During construction of the home, and without obtaining approvals or permits from the City, the builder constructed a wood deck on the rear of the home. The deck is 12 feet in depth and 34 feet in length and extends 9.3 feet past the 20-foot rear-building setback (Attachment "A").
4. The subject parcel contains a 6'-high wrought iron fence with brick pillars along the rear property line and backs up to a City-owned greenbelt.
5. A Certificate of Occupancy was issued for the structure on January 10, 2002 (Attachment "C").
6. Upon discovering the encroachment several months following the issuance of the Certificate of Occupancy, the builder was notified by the Building Department that a variance would be necessary to accommodate the encroachment.

### **Recommendation:**

This is a situation where Staff would typically recommend that the variance be denied. This is due to the fact that the information initially submitted by the Applicant prior to securing a Building Permit did not identify a deck on the rear of this home. Additionally, the deck was installed without authorization from the City and almost the entire structure is within the established setback.

**Proposed Variance: Lot 10, Cardiff Park**

*August 8, 2002*

*Page Two*

However, the City issued a Certificate of Occupancy for the structure, including the deck, and the home has been sold to a private individual. Staff does not feel the property owner should be penalized for an oversight during the construction of this home. Furthermore, the subject parcel backs up to a City-owned greenbelt and there have been no complaints from any of the surrounding property owners while the deck was being built or after it was fully in place. Staff recommends approval of a variance of 9.3 feet.

Staff also recommends that the builder be required to plant a minimum of five canopy trees (minimum 2 ½" caliper) and five understory trees (minimum 1" caliper) on this property or immediately adjacent to the rear fence within the City-owned greenbelt. The selection and placement of this vegetation must be approved by the City Landscape Architect and the builder shall guarantee all plant material for a period of no less than 2 years from date of planting.

*Attachments "A" – "C"*

**REQUEST FOR VARIANCE  
ZONING ORDINANCE, CITY OF PEACHTREE CITY**

This is a request for a variance from the requirements of the Peachtree City Zoning Ordinance for the property located at: 119 Crown Court, Lot 10 Cardiff Park

The reason this variance is being requested is as follows: Please refer to enclosure.

Along with this form, the applicant should submit a detailed report justifying the granting of the requested variance. In preparing the report, please consider the following:

Variances from the provisions of this Ordinance may be approved by the City Council if it is determined that they will not cause substantial detriment to the other parties or impair the purpose or intent of this Ordinance; provided, however, that no variance can be granted for a use that is specifically prohibited by this Ordinance within the zoning district in which the property is located.

In making a determination on a variance request, the City Council shall consider the following factors:

- a. Whether or not the special circumstances contributing to the request are peculiar to the particular property involved;
- b. Whether or not the situation for which the request is being made poses an unnecessary hardship for the applicant; and
- c. Whether or not the request is due to an intentional action of the applicant to violate the requirements of this Ordinance.

I certify that I am the owner or duly authorized agent of the owner of the above-described property:

Name: (Please type or Print) Olde Towne Builders, Inc  
Address: 101 Devant Street Suite 203 Fayetteville, GA 30214  
Phone: 770-719-2800 Ext. 205  
Signature: Mark J. Weller, V.P.

\*\*\*\*\*

This request, along with the required fee and all necessary supplemental documents, has been properly submitted and is hereby accepted for consideration by the City Council at a public hearing in the City Council Chambers at 7:00 PM on the date shown below:

Signature: David E. Rost  
Title: Zoning Administrator  
Date of Acceptance: July 29, 2002  
Date of Public Hearing: September 5, 2002 ~~August 15, 2002~~ <sup>DEP</sup>

VARIANCE REQUEST  
119 CROWN COURT (Lot 10)  
CARDIFF PARK COMMUNITY

Tracey L. Fuller purchased the property from Olde Towne Builders, Inc. on January 10, 2002. For the purpose of this request Mark Willie, V.P. of Olde Towne Builders will be representing Tracey Fuller.

Request that the existing deck be allowed to extend over the rear building line. Please refer to survey.

We believe there are special circumstances contributing to this request.

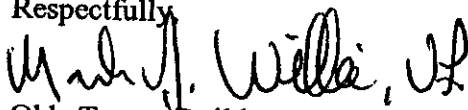
1. Olde Towne Builders constructed this house on a basement with a rear deck.
2. Mrs. Fuller purchased the home expecting a deck and has occupied the home for several months.
3. The lot backs up to the City Greenbelt, effectively eliminating any building to the rear of the lot.
4. The entire community is fenced with wrought iron fencing and brick pillars.
5. Currently there have been no homes constructed on lots 11 and 9.
6. At this time there have been only eight homes sold in the community, therefore the HOA is controlled by Olde Towne Builders.
7. After discussing this matter with the Building Dept. and Mr. Jim Williams they have expressed support of granting the variance.

Should this request not be granted there would be significant hardship brought upon the applicant. This home would be significantly devalued after removal of the rear deck. Mrs. Fuller purchased this home for the ability to enjoy their deck over looking the Greenbelt and with the opportunity of appreciation.

Many months after a Certificate of Occupancy had been issued Olde Towne Builders was notified of its mistake by the Building Dept; we made it clear to the Building Dept. and Mr. Jim Williams that this was a unintentional act and we wanted what was best for Mrs. Fuller.

It is Olde Towne Builders sincere hope that the information found in this request will be helpful to the Counsel Members in granting this request. Please do not hesitate to call with any questions.

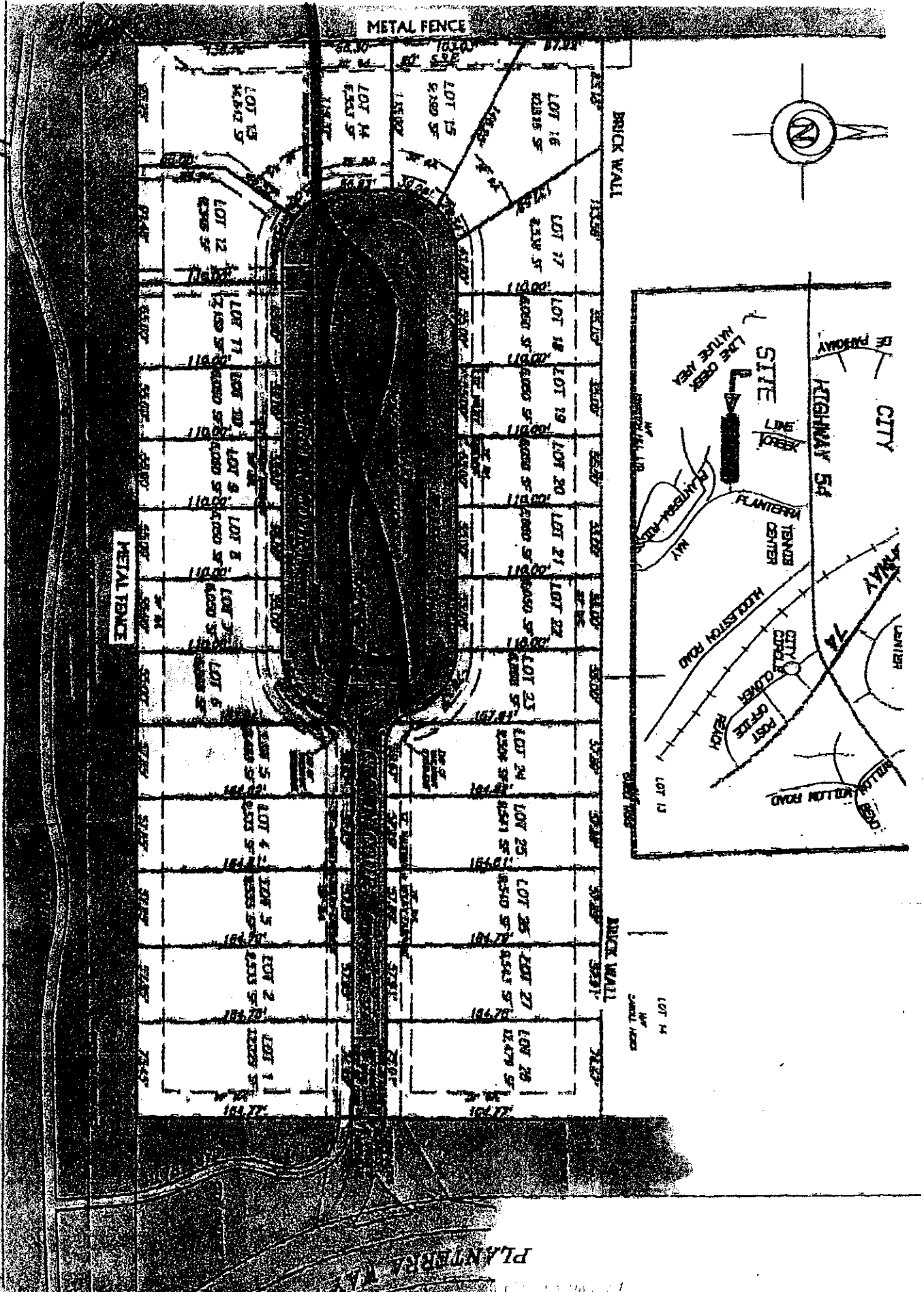
Respectfully,

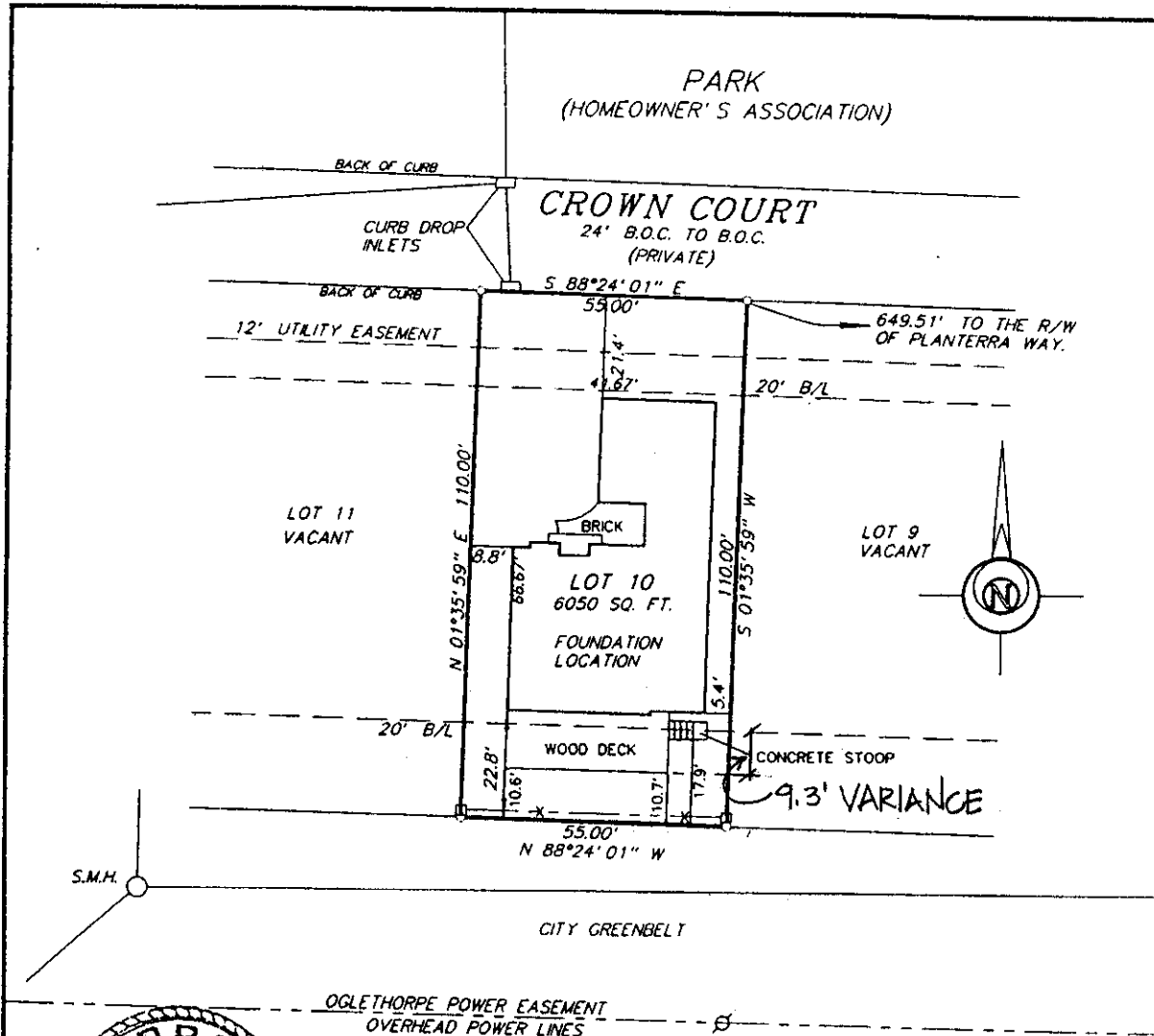


Olde Towne Builders, Inc.  
Mark D. Willie, V.P.

# CARDIFF PARK AT PLANTERRA

PLANTERRA SECTION





In my professional opinion, this property does not lie within the 100 year flood plain as shown on the FLOOD INSURANCE RATE MAP. Community No.: 130078 0060 D Dated: MARCH 18, 1996

This plat was prepared for the exclusive use of the person, persons or entity named hereon. Said plat does not extend to any unnamed person, persons or entity without a recertification by the surveyor naming said person, persons or entity.

This plat prepared for the purpose of showing the FOUNDATION LOCATION for the building department, and NOT to be used or recorded for any other purposes, such as transfer of title of land.

SETBACKS:  
FRONT 20'  
SIDE 3'  
REAR 20'

\* (Side) 3' Providing that at least 10' separation is maintained between dwellings and one 20' separation is provided for every 10 units.

PREPARED FOR:

OLDE TOWNE BUILDERS

SUBDIVISION: CARDIFF PARK AT PLANTERRA

|                 |                     |                            |
|-----------------|---------------------|----------------------------|
| LOT 10          | LAND LOT: 160       | DATE: 04-21-00             |
| BLOCK           | 7th DISTRICT        | 07-12-01 08-02-01 03-14-02 |
| SCALE: 1" = 30' | FAYETTE COUNTY, GA. | REV: 10-01-01 03-06-02     |
|                 |                     | JOB No. 0004062            |

W.D. Gray and  
Associates, Inc.

land surveyors - planners

103 WESTPARK DRIVE  
PH. 770-486-7552

SUITE F PEACHTREE CITY  
FAX 770-486-0496

BUILDING PERMIT APPLICATION  
CITY OF PEACHTREE CITY  
209 McIntosh Trail  
Peachtree City, GA 30269  
PHONE: (770) 487-8901

DATE: 8/15/01

PERMIT # \_\_\_\_\_

☒ ERECT ☒ RESIDENTIAL  
☐ REPAIR ☐ COMMERCIAL  
☐ ADDITION ☐ ASSESSORY USE

CONSTRUCTION TYPE New Home

OCCUPANCY TYPE \_\_\_\_\_

FENCES: ☐ COMMERCIAL ☐ INDUSTRIAL ☐ RESIDENTIAL ☐ POOL  
FENCE HEIGHT \_\_\_\_\_ FENCE MATERIAL \_\_\_\_\_

SUBDIVISION/PROJECT NAME:

CARDIFF PARK

BLOCK

LOT NUMBER

10

SITE ADDRESS:

119 Crown Court

OWNER:

ONE TOWN BLUES

ADDRESS

101 DENNIS ST.

FAIRVIEW GA

Suite 203 30244

PHONE NO. (770) 719-2800

FAX NO. (770) 719-2811

CONTRACTOR:

ADDRESS

Samiz

PHONE NO. \_\_\_\_\_

FAX NO. \_\_\_\_\_

APPLICANT'S NAME: MATT ELLIOTT Const Mgr OTB

ARCHITECT/DESIGNER:

W.A. LAROCK

ADDRESS

13687 PERKINS RD. BROS LOCC HT. 70810

PHONE NO. 828 751-4135

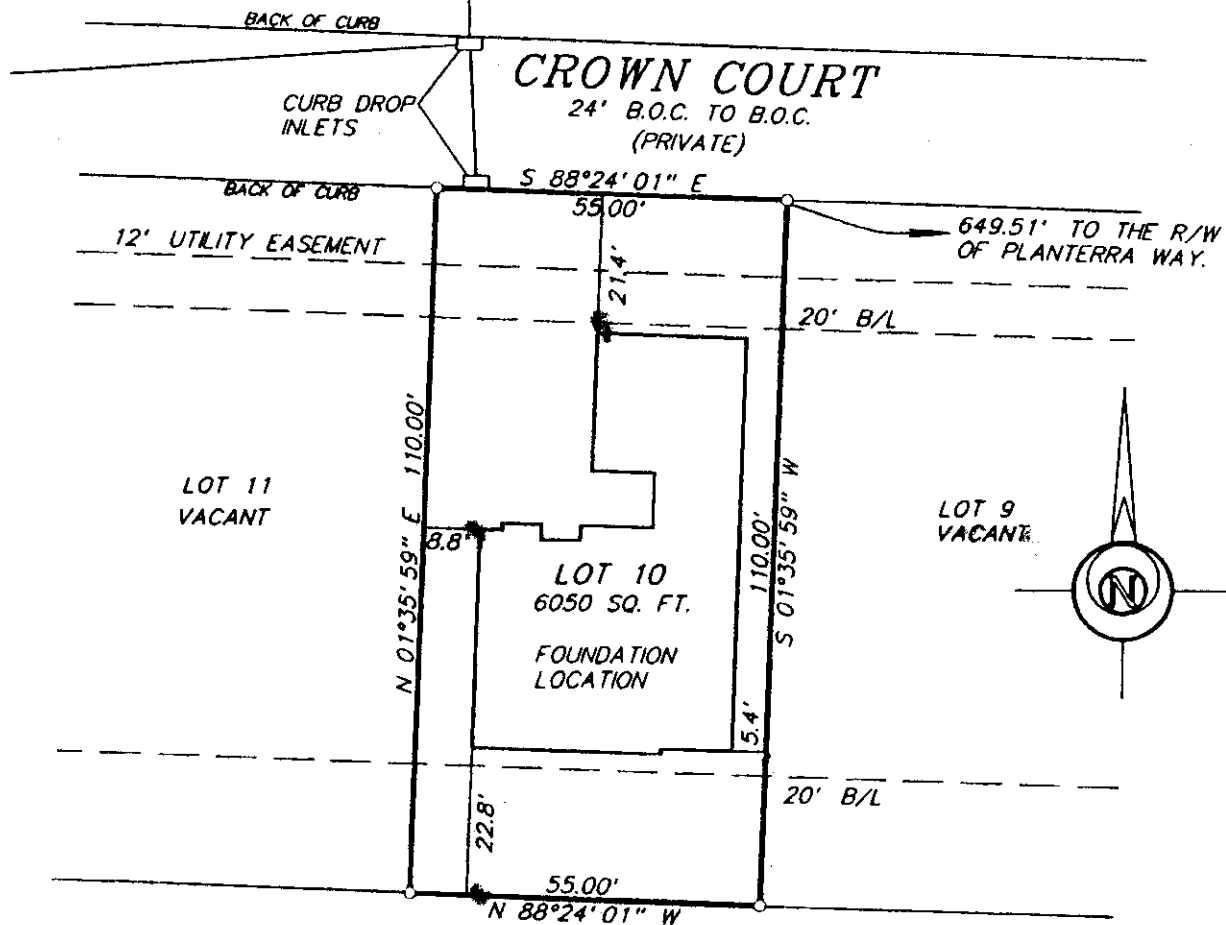
FAX NO. \_\_\_\_\_

☒ SEWER TAP APPROVAL ☐ SEPTIC SYSTEM APPROVAL ☒ WATER TAP APPROVAL

| ZONED          |              | SETBACKS: |                      | PLAN NAME       |             | PLAN ON FILE           |                                                                     |
|----------------|--------------|-----------|----------------------|-----------------|-------------|------------------------|---------------------------------------------------------------------|
|                |              | FRONT     | SIDE                 | REAR            |             |                        | YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> |
|                |              | <u>20</u> |                      | <u>3</u>        | <u>20</u>   |                        |                                                                     |
|                |              |           |                      | <u>As shown</u> |             |                        |                                                                     |
| NO. OF STORIES | NO. OF BATHS | BASEMENT  | NO. OF FIREPLACES    | HEATED SQ FT    | TOTAL SQ FT | EST. CONSTRUCTION COST |                                                                     |
| <u>2</u>       | <u>2.5</u>   | <u>NO</u> | <u>1 DIRECT VENT</u> | <u>2365</u>     | <u>2987</u> | <u>\$ 200,000</u>      |                                                                     |

DESCRIBE WORK: \_\_\_\_\_

PARK  
(HOMEOWNER'S ASSOCIATION)



S.M.H.

CITY GREENBELT

OGLETHORPE POWER EASEMENT  
OVERHEAD POWER LINES



*[Signature]* 10/11/01  
**BUILDING OFFICIAL  
CITY OF PEACHTREE CITY**

This plat prepared for the purpose of showing the FOUNDATION LOCATION for the building department, and NOT to be used or recorded for any other purposes, such as transfer of title of land.

In my professional opinion, this property does not lie within the 100 year flood plain as shown on the FLOOD INSURANCE RATE MAP. Community No.: 130078 0060 D  
Dated: MARCH 18, 1996

This plat was prepared for the exclusive use of the person, persons or entity named hereon. Said plat does not extend to any unnamed person, persons or entity without a recertification by the surveyor

SETBACKS:  
FRONT 20'  
SIDE 3'  
REAR 20'

\* (Side) 3' Providing that at least 10' separation is maintained between dwellings and one 20' separation

CERTIFICATE OF OCCUPANCY

CITY OF PEACHTREE CITY  
151 Willowblend Road  
Peachtree City GA. 30269  
Phone 770 487-8901

DEPARTMENT OF BUILDING INSPECTION

This Certificate issued pursuant to the requirements of the Standard Building Code certifying that at the time of issuance this structure was in compliance with the various ordinances of the Jurisdiction regulating building construction or use.

Building Permit No. 01-02143

Occupancy Type: SF      Construction Type: VIU      Fire Zone:

Proposed Use: SINGLE FAMILY RESIDENTIAL

Property Owner: OLDE TOWNE BUILDERS

Owner's Address: 101 DEVANT STREET

City: FAYETTEVILLE      State: GA      Zip Code: 30214

Building Address: CROWN COURT 0119

Subdivision: CARDIFF PARK      Lot No: 10

  
\_\_\_\_\_  
Building Official

1-10-02  
Date

\*\*\*\*\* POST IN A CONSPICUOUS PLACE \*\*\*\*\*

Attachment "C"

(1202.2) The purpose of this section is to authorize variances from the terms of this ordinance as will not be contrary to the public interest so that the spirit of this ordinance shall be observed, public safety and welfare secured, and substantial justice done.

An application for a variance may be submitted only by the owner of the property for which a variance is desired, or his authorized agent.

- (a) Variance applications shall be filed with the city planner on forms provided by the city planner.
- (b) Any communication relative to a variance request will be regarded as information only until a proper application is made in the form required.
- (c) An application fee of \$50.00 must accompany each variance application.
- (d) Upon receiving an application, the city planner shall schedule a public hearing on the request before the city council within 45 days after receipt.
- (e) A sign displaying the hearing date and the nature of the hearing shall be placed in a conspicuous location on the property not less than 15 days prior to the hearing date.
- (f) A notice of the public hearing date and the nature of the hearing shall be published in the newspaper of general circulation which serves as the legal organ for the city. The newspaper notice shall appear at least 15 days prior to the hearing date.
- (g) At the public hearing before the city council, the applicant may appear in person or be represented by an agent or attorney.
- (h) Variances from the provisions of this ordinance may be approved by the city council if it is determined that they will not cause substantial detriment to other parties or impair the purpose or intent of this ordinance; provided, however, that no variance can be granted for a use that is specifically prohibited by this ordinance within the zoning district in which the property is located.

In making a determination on a variance request, the city council shall consider the following factors:

- (1) Whether or not the special circumstances contributing to the request are peculiar to the particular property involved;
- (2) Whether or not the situation for which the request is being made poses an unnecessary hardship for the applicant; and
- (3) Whether or not the request is due to an intentional action of the applicant to violate the requirements of this ordinance. (Ord. No. 589, 11-19-1992; Ord. No. 618, 7-7-1994)

## **POSITION PAPER**

Proposed Variance: Lot 15, Cardiff Park  
City Planner/ Zoning Administrator *David*

August 8, 2002

### **Situation:**

Olde Towne Builders, Inc. constructed the home at 126 Crown Court, Lot 15 in the Cardiff Park subdivision. Mr. And Mrs. Donald Summers purchased the home on August 17, 2001. While the home was under construction, a deck was added that encroached over the established rear setback line for that lot. When the encroachment was discovered, the builder was notified that a variance would be required to correct the problem (Attachment "A").

### **Facts:**

1. The Cardiff Park subdivision is zoned LUR-7 Limited Use Residential. The required rear setback in that zoning district is 20 feet. Lot 15 is one of many lots in the subdivision that may require variances to accommodate rear decks.
2. The foundation survey submitted to the City prior to issuance of a Building Permit for the subject lot did not identify a deck on the rear of the structure (Attachment "B").
3. During construction of the home, and without obtaining approvals or permits from the City, the builder constructed a wood deck on the rear of the home. The deck is 12 feet in depth and 32 feet in length and extends 9 feet past the 20-foot rear-building setback. Additionally, the deck is located within a recorded sanitary sewer easement. (Attachment "A").
4. The subject parcel contains a 6'-high wrought iron fence with brick pillars along the rear property line and backs up to the Line Creek Nature Area.
5. A Certificate of Occupancy was issued for the structure on August 17, 2001 (Attachment "C").
6. Upon discovering the encroachment several months following the issuance of the Certificate of Occupancy, the builder was notified by the Building Department that a variance would be necessary to accommodate the encroachment.

**Proposed Variance: Lot 15, Cardiff Park**

*August 8, 2002*

*Page Two*

**Recommendation:**

This is a situation where Staff would typically recommend that the variance be denied. This is due to the fact that the information initially submitted by the Applicant prior to securing a Building Permit did not identify a deck on the rear of this home. Additionally, the deck was installed without authorization from the City and almost the entire structure is within the established setback. The deck also encroaches into a recorded sanitary sewer easement.

However, the City issued a Certificate of Occupancy for the structure, including the deck, and the home has been sold to a private individual. Staff does not feel the property owner should be penalized for an oversight during the construction of this home. Furthermore, the subject parcel backs up to the Line Creek Nature Area and there have been no complaints from any of the surrounding property owners while the deck was being built or after it was fully in place.

Staff recommends approval of a variance of no more than 7 feet, and that the builder be required to remove that portion of the deck, including support posts, that are within the recorded sanitary sewer easement. Further, Staff recommends that this work be completed within 45 days of granting the variance and that all work be completed at no cost to the property owner.

Staff also recommends that the builder be required to plant a minimum of five canopy trees (minimum 2 ½" caliper) and five understory trees (minimum 1" caliper) on this property or immediately adjacent to the rear fence within the Line Creek Nature Area. The selection and placement of this vegetation must be approved by the City Landscape Architect and the builder shall guarantee all plant material for a period of no less than 2 years from date of planting.

*Attachments "A" – "C"*

**REQUEST FOR VARIANCE  
ZONING ORDINANCE, CITY OF PEACHTREE CITY**

This is a request for a variance from the requirements of the Peachtree City Zoning Ordinance for the property located at: 126 Crown Court, Lot 15 Cardiff Park

The reason this variance is being requested is as follows: Please refer to enclosure

Along with this form, the applicant should submit a detailed report justifying the granting of the requested variance. In preparing the report, please consider the following:

Variances from the provisions of this Ordinance may be approved by the City Council if it is determined that they will not cause substantial detriment to the other parties or impair the purpose or intent of this Ordinance; provided, however, that no variance can be granted for a use that is specifically prohibited by this Ordinance within the zoning district in which the property is located.

In making a determination on a variance request, the City Council shall consider the following factors:

- a. Whether or not the special circumstances contributing to the request are peculiar to the particular property involved;
- b. Whether or not the situation for which the request is being made poses an unnecessary hardship for the applicant; and
- c. Whether or not the request is due to an intentional action of the applicant to violate the requirements of this Ordinance.

I certify that I am the owner or duly authorized agent of the owner of the above-described property:

Name: (Please type or Print) Olde Towne Builders, Inc  
Address: 101 Devant Street Suite 203 Fayetteville, GA 30214  
Phone: 770-719-2800 Ext. 205  
Signature: Mark A. Willa, V.P.

\*\*\*\*\*

This request, along with the required fee and all necessary supplemental documents, has been properly submitted and is hereby accepted for consideration by the City Council at a public hearing in the City Council Chambers at 7:00 PM on the date shown below:

Signature: David E. Rost  
Title: Zoning Administrator  
Date of Acceptance: July 29, 2002  
Date of Public Hearing: September 5, 2002 David E. Rost  
August 15, 2002

VARIANCE REQUEST  
126 CROWN COURT (Lot 15)  
CARDIFF PARK COMMUNITY

Donald and Jennifer Summers purchased the property from Olde Towne Builders, Inc. on August 17, 2001. For the purpose of this request Mark Willie, V.P. of Olde Towne Builders will be representing Mr. and Mrs. Summers.

Request that the existing deck be allowed to extend over the rear building line. Please refer to survey.

We believe there are special circumstances contributing to this request.

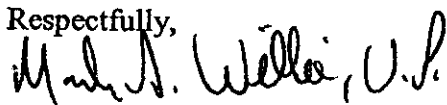
1. Olde Towne Builders constructed this house on a basement with a rear deck.
2. The Summers purchased the home expecting a deck and have occupied the home for one year.
3. The lot backs up to Line Creek Nature Area, effectively eliminating any building to the rear of the lot.
4. The entire community is fenced with wrought iron fencing and brick pillars.
5. Currently there have been no homes constructed on lots 14 and 16.
6. At this time there have been only eight homes sold in the community, therefore the HOA is controlled by Olde Towne Builders.
7. After discussing this matter with the Building Dept. and Mr. Jim Williams they have expressed support of granting the variance.

Should this request not be granted there would be significant hardship brought upon the applicant. This home would be significantly devalued after removal of the rear deck. The Summers purchased this home for the ability to enjoy their deck over looking the Nature Area and with the opportunity of appreciation.

Many months after a Certificate of Occupancy had been issued Olde Towne Builders was notified of its mistake by the Building Dept; we made it clear to the Building Dept. and Mr. Jim Williams that this was a unintentional act and we wanted what was best for Mr. and Mrs. Summers.

It is Olde Towne Builders sincere hope that the information found in this request will be helpful to the Counsel Members in granting this request. Please do not hesitate to call with any questions.

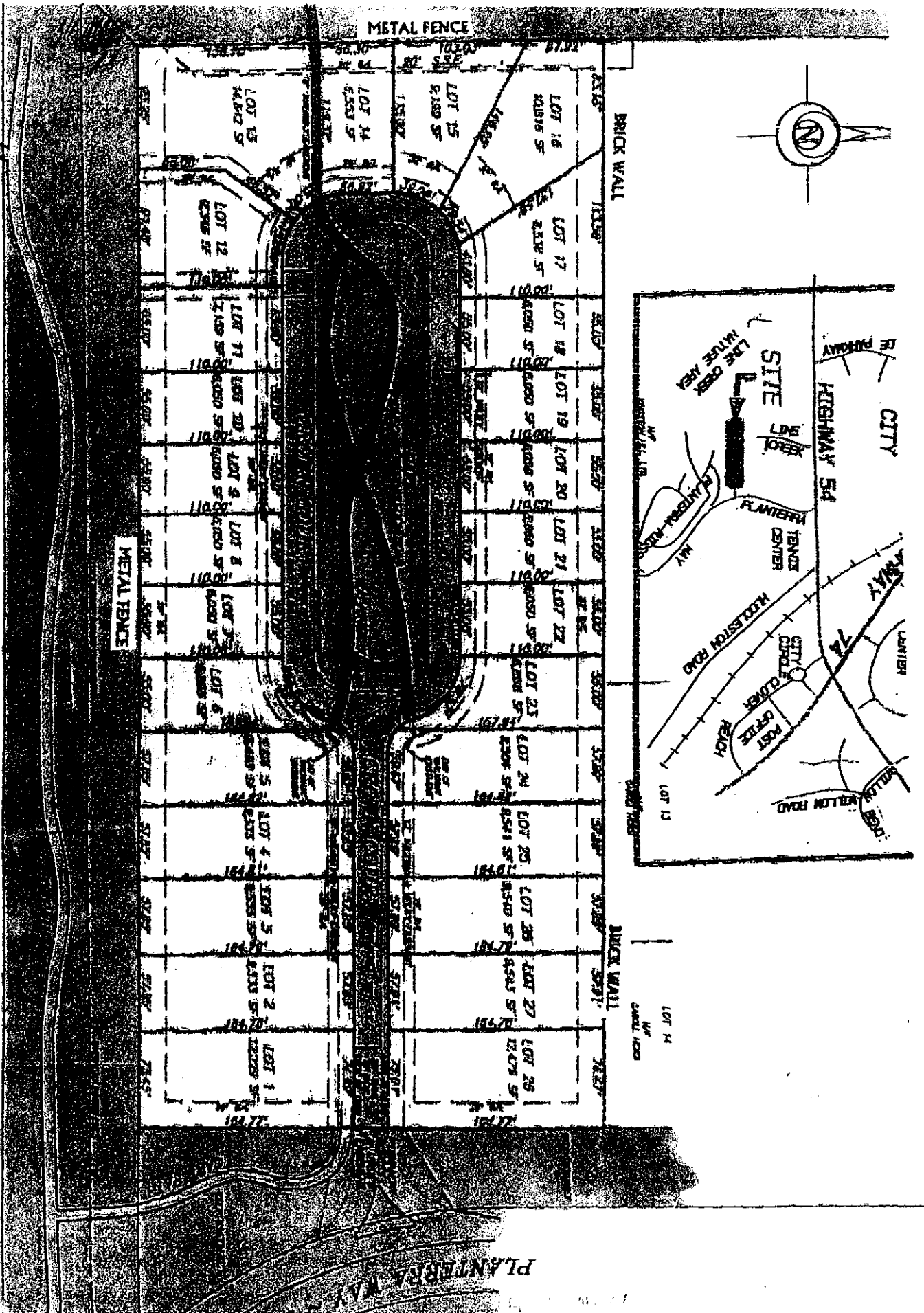
Respectfully,

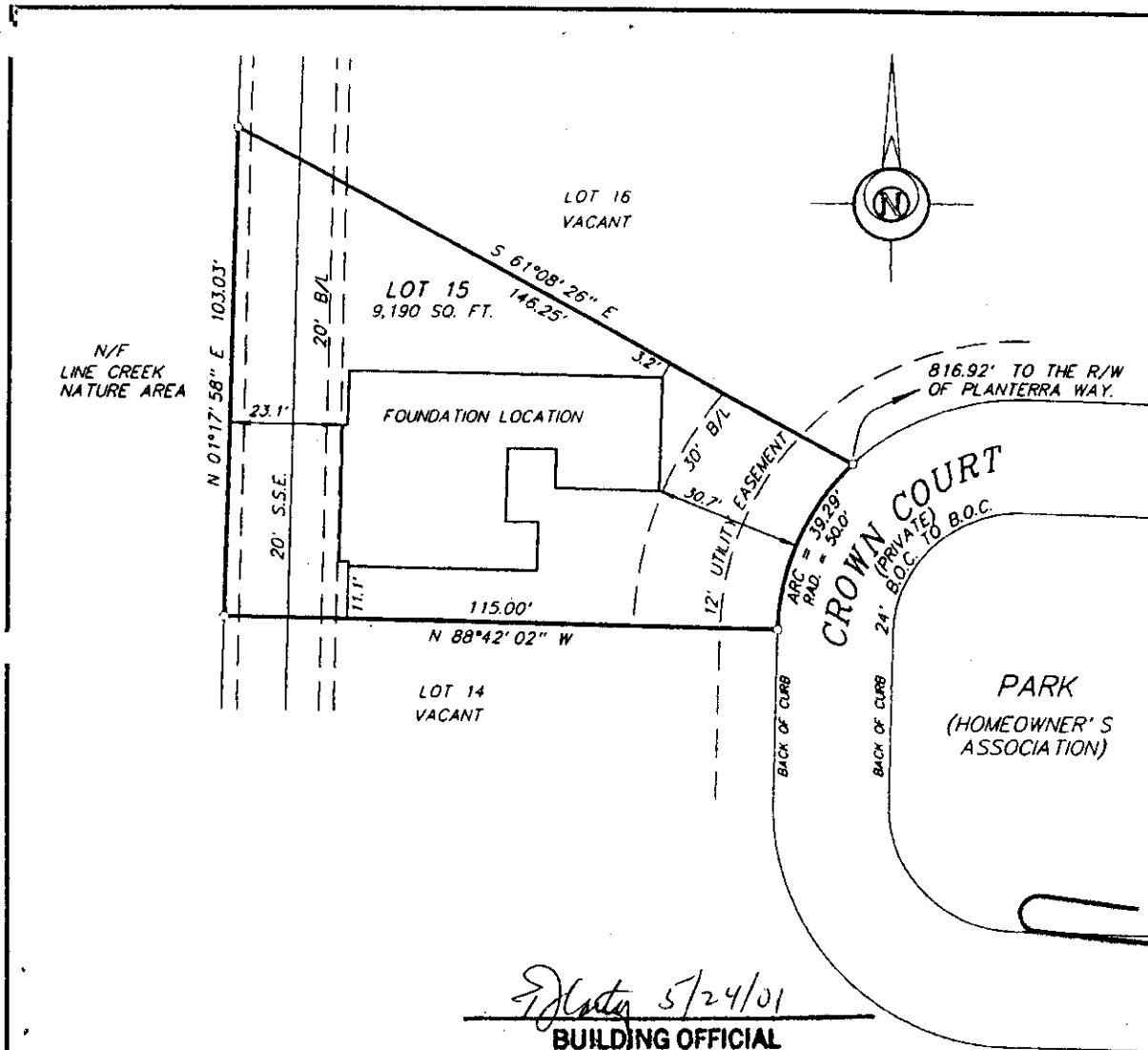


Olde Towne Builders, Inc.  
Mark D. Willie, V.P.

# CARDIFF PARK AT PLANTERRA

PLANTERRA EASTERN





*5/24/01*

**BUILDING OFFICIAL  
CITY OF PEACHTREE CITY**

This plat prepared for the purpose of showing the FOUNDATION LOCATION for the building department, and NOT to be used or recorded for any other purposes, such as transfer of title of land.

In my professional opinion, this property does not lie within the 100 year flood plain as shown on the FLOOD INSURANCE RATE MAP. Community No.: 130078 0060 D  
Dated: MARCH 18, 1996

This plat was prepared for the exclusive use of the person, persons or entity named hereon. Said plat does not extend to any unnamed person, persons or entity without a recertification by the surveyor naming said person, persons or entity.



SETBACKS:  
FRONT 20'  
SIDE 3'  
REAR 20'

\* (Side) 3' Providing that at least 10' separation is maintained between dwellings and one 20' separation is provided for every 10 units.

PREPARED FOR:

**OLDE TOWNE BUILDERS**

SUBDIVISION: CARDIFF PARK AT PLANTERA

|                 |                     |                        |
|-----------------|---------------------|------------------------|
| LOT 15          | LAND LOT: 160       | DATE: 04-24-00         |
| BLOCK           | 7th DISTRICT        | 01-25-01               |
| SCALE: 1" = 30' | FAYETTE COUNTY, GA. | REV: 03-06-01 04-24-01 |
|                 |                     | JOB No. 0004066        |

**W.D. Gray and  
Associates, Inc.**

land surveyors - planners

103 WESTPARK DRIVE  
PH. 770-486-7552

SUITE F PEACHTREE CITY  
FAX 770-486-0496

# BUILDING PERMIT APPLICATION

CITY OF PEACHTREE CITY

209 McIntosh Trail

Peachtree City, GA 30269

PHONE: (770) 487-8901

DATE: 2/22/01

PERMIT # \_\_\_\_\_

|                                                                                                                   |                                                                                                                                  |                                                                          |
|-------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------|
| <input checked="" type="checkbox"/> ERECT<br><input type="checkbox"/> REPAIR<br><input type="checkbox"/> ADDITION | <input checked="" type="checkbox"/> RESIDENTIAL<br><input type="checkbox"/> COMMERCIAL<br><input type="checkbox"/> ASSESSORY USE | CONSTRUCTION TYPE <u>New home</u><br>OCCUPANCY TYPE <u>Single Family</u> |
|-------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------|

**FENCES:** ☐ COMMERCIAL ☐ INDUSTRIAL ☐ RESIDENTIAL ☐ POOL  
 FENCE HEIGHT \_\_\_\_\_ FENCE MATERIAL \_\_\_\_\_

|                                                  |       |                         |
|--------------------------------------------------|-------|-------------------------|
| SUBDIVISION/PROJECT NAME:<br><u>CAROLLE PARK</u> | BLOCK | LOT NUMBER<br><u>15</u> |
|--------------------------------------------------|-------|-------------------------|

SITE ADDRESS:  
126 CROWN COURT

|                                                       |                                |                                                                  |
|-------------------------------------------------------|--------------------------------|------------------------------------------------------------------|
| OWNER:<br><u>OLDE TOWNE BLVDS 40-A EASTBROOK BLVD</u> | ADDRESS<br><u>P.T.C. 30269</u> | PHONE NO. <u>(770) 632-0020</u><br>FAX NO. <u>(770) 632-0062</u> |
|-------------------------------------------------------|--------------------------------|------------------------------------------------------------------|

|                            |         |                                  |
|----------------------------|---------|----------------------------------|
| CONTRACTOR:<br><u>SAME</u> | ADDRESS | PHONE NO. _____<br>FAX NO. _____ |
|----------------------------|---------|----------------------------------|

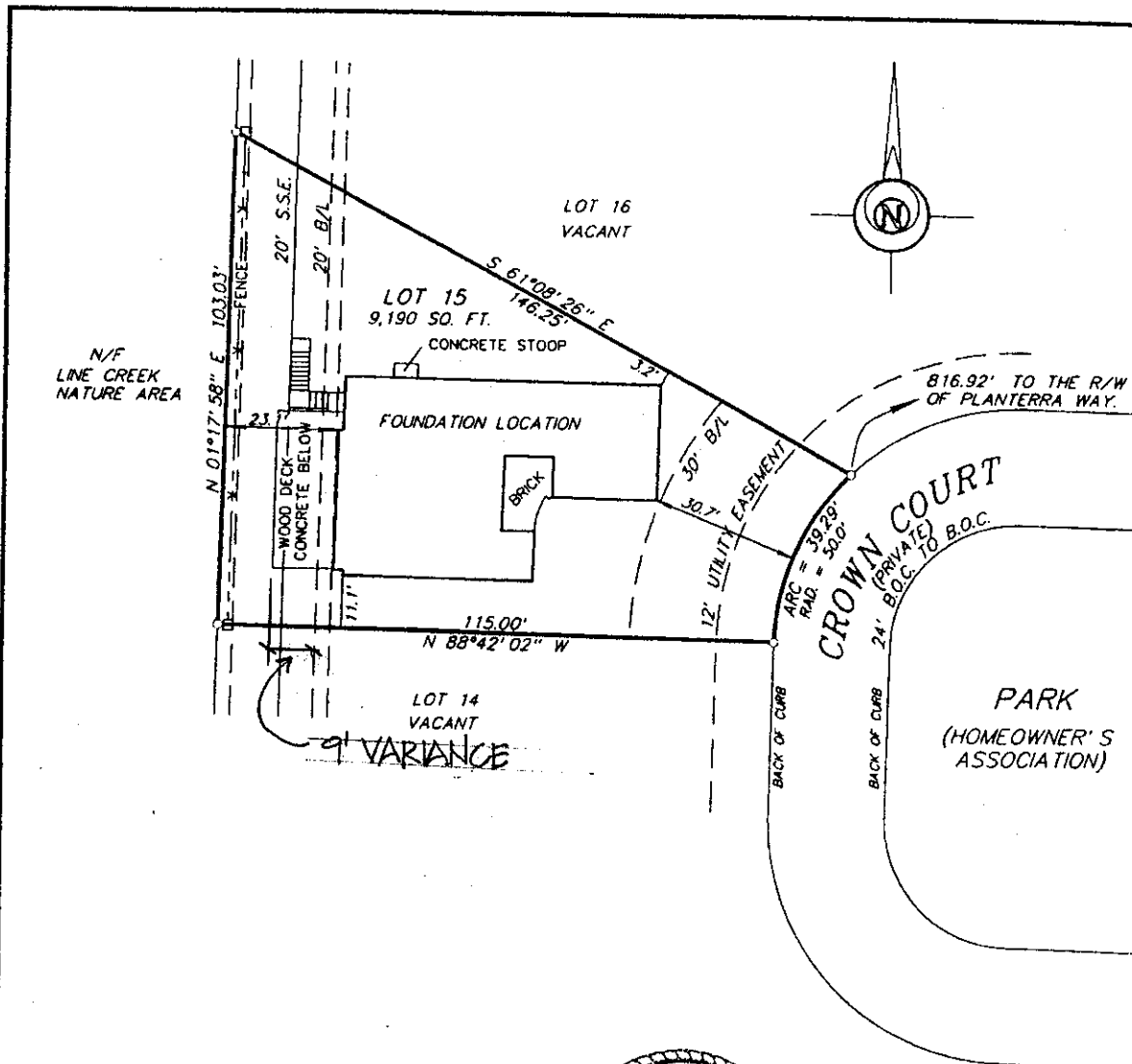
APPLICANT'S NAME: MATT ELLIOTT Const Mgr O.T.B.

|                                           |                                                                        |                                                |
|-------------------------------------------|------------------------------------------------------------------------|------------------------------------------------|
| ARCHITECT/DESIGNER:<br><u>V.A. LAWRIE</u> | ADDRESS<br><u>13687 PERIMETER RD.<br/>BAYVIEW LANE, L.A.<br/>70810</u> | PHONE NO. <u>770-751-4135</u><br>FAX NO. _____ |
|-------------------------------------------|------------------------------------------------------------------------|------------------------------------------------|

☐ SEWER TAP APPROVAL ☐ SEPTIC SYSTEM APPROVAL ☐ WATER TAP APPROVAL

|                             |                                                                                               |                                   |                                                                                     |
|-----------------------------|-----------------------------------------------------------------------------------------------|-----------------------------------|-------------------------------------------------------------------------------------|
| ZONED<br><u>LVR-7</u>       | SETBACKS:<br>FRONT <u>30</u> SIDE <u>3</u> REAR <u>20</u><br><small>10' for dwellings</small> | PLAN NAME<br><u>ROYAL ORLEANS</u> | PLAN ON FILE<br>YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> |
| NO. OF STORIES<br><u>2</u>  | NO. OF BATHS<br><u>2.5</u> <small>BSMT STUB</small>                                           | BASEMENT<br><u>Yes</u>            | NO. OF FIREPLACES<br><u>1</u>                                                       |
| HEATED SQ FT<br><u>2392</u> |                                                                                               | TOTAL SQ FT<br><u>1995</u>        | EST. CONSTRUCTION COST<br>\$ <u>235,000</u>                                         |

DESCRIBE WORK: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_



This plat prepared for the purpose of showing the FOUNDATION LOCATION for the building department, and NOT to be used or recorded for any other purposes, such as transfer of title of land.

In my professional opinion, this property does not lie within the 100 year flood plain as shown on the FLOOD INSURANCE RATE MAP. Community No.: 130078 0060 D  
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FRONT 20'  
SIDE 3'  
REAR 20'

\* (Side) 3' Providing that at least 10' separation is maintained between dwellings and one 20' separation is provided for every 10 units.

PREPARED FOR:

**OLDE TOWNE BUILDERS**

SUBDIVISION: CARDIFF PARK AT PLANTERA

|                 |                     |                                             |
|-----------------|---------------------|---------------------------------------------|
| LOT 15          | LAND LOT: 160       | DATE: 04-24-00                              |
| BLOCK           | 7th DISTRICT        | 01-25-01 03-06-02<br>REV: 03-06-01 04-24-01 |
| SCALE: 1" = 30' | FAYETTE COUNTY, GA. | JOB No. 0004066                             |

**W.D. Gray and  
Associates, Inc.**

land surveyors - planners

103 WESTPARK DRIVE  
PH. 770-486-7552

SUITE F PEACHTREE CITY  
FAX 770-486-0496

CERTIFICATE OF OCCUPANCY

CITY OF PEACHTREE CITY  
151 Willowblend Road  
Peachtree City GA. 30269  
Phone 770 487-8901

DEPARTMENT OF BUILDING INSPECTION

This Certificate issued pursuant to the requirements of the Standard Building Code certifying that at the time of issuance this structure was in compliance with the various ordinances of the Jurisdiction regulating building construction or use.

Building Permit No. 01-00428

Occupancy Type: SF Construction Type: VIU Fire Zone:

Proposed Use: SFR

Property Owner: OLDE TOWNE BUILDERS

Owner's Address: 40-1 EASTBROOK BEND

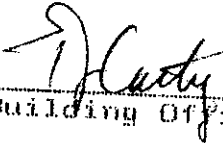
City: PEACHTREE CITY

State: GA Zip Code: 30269

Building Address: CROWN COURT 0126

Subdivision: CARDIFF PARK

Lot No: 15

  
Building Official

8/17/01  
Date

\*\*\*\*\* POST IN A CONSPICUOUS PLACE \*\*\*\*\*

Attachment "C"

(1202.2) The purpose of this section is to authorize variances from the terms of this ordinance as will not be contrary to the public interest so that the spirit of this ordinance shall be observed, public safety and welfare secured, and substantial justice done.

An application for a variance may be submitted only by the owner of the property for which a variance is desired, or his authorized agent.

- (a) Variance applications shall be filed with the city planner on forms provided by the city planner.
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- (3) Whether or not the request is due to an intentional action of the applicant to violate the requirements of this ordinance. (Ord. No. 589, 11-19-1992; Ord. No. 618, 7-7-1994)

## **POSITION PAPER**

Proposed Variance: 645 North Fairfield Drive

Weyandt Residence

City Planner/ Zoning Administrator *David*

August 6, 2002

### **Situation:**

Mr. Stephen Weyandt would like to construct a wooden deck on the rear of his home in the Fairfield Subdivision at 645 North Fairfield Drive. The proposed deck would extend into the rear setback area 10.1 feet. Mr. Weyandt has applied for a variance to permit the 10.1-foot encroachment (Attachment "A").

### **Facts:**

1. The property at 645 North Fairfield Drive has a required rear setback of 20 feet. The house on that lot is built on the rear building setback line (Attachment "B").
2. The owner proposes to construct a deck on the rear of the house that will be 20 feet wide and 10 feet deep (Attachment "C"). The deck, if approved, would extend into the rear setback 10.1 feet.
3. The area behind the house where the deck is proposed is a City-owned greenbelt (Attachment "B").
4. On August 16, 2001, a variance was granted for the adjoining property at 647 North Fairfield Drive, allowing the property owner to construct a 16-foot wide by 12-foot deep deck on the rear of the house, which extends 11.1 feet into the rear building setback (Attachment "D").

### **Recommendation:**

The staff recommends approval of the 10.1-foot variance as requested. Because the property to the rear is a greenbelt, it does not appear the proposed encroachment would adversely affect the area.

*Attachments "A" – "D"*

REQUEST FOR VARIANCE  
ZONING ORDINANCE, CITY OF PEACHTREE CITY

This is a request for a variance from the requirements of the Peachtree City Zoning Ordinance for the property located at: 645 NORTH FAIRFIELD DRIVE

The reason this variance is being requested is as follows: I AM LOOKING TO INCREASE THE SIZE OF USEABLE ON MY MAIN FLOOR; BY ADDING THE DECK WITH AN ENTRANCE FROM THE MAIN FLOOR, THIS WILL HELP CURRENTLY THE PERMIT FOR DECK IS DENIED RE TO ENCLAVEMENT OF 20' REAR SETBACK.

Along with this form, the applicant should submit a detailed report justifying the granting of the requested variance. In preparing the report, please consider the following:

Variances from the provisions of this Ordinance may be approved by the City Council if it is determined that they will not cause substantial detriment to the other parties or impair the purpose or intent of this Ordinance; provided, however, that no variance can be granted for a use that is specifically prohibited by this Ordinance within the zoning district in which the property is located.

In making a determination on a variance request, the City Council shall consider the following factors:

- Whether or not the special circumstances contributing to the request are peculiar to the particular property involved;
- Whether or not the situation for which the request is being made poses an unnecessary hardship for the applicant; and
- Whether or not the request is due to an intentional action of the applicant to violate the requirements of this Ordinance.

I certify that I am the owner or duly authorized agent of the owner of the above-described property:

Name: (Please type or Print) STEPHEN R. WEYANDT  
Address: 645 NORTH FAIRFIELD DRIVE PEACHTREE CITY, GA 30269  
Phone: 770-631-9560 (770-227-4044 (WORK))  
Signature: [Signature]

\*\*\*\*\*

This request, along with the required fee and all necessary supplemental documents, has been properly submitted and is hereby accepted for consideration by the City Council at a public hearing in the City Council Chambers at 7:00 PM on the date shown below:

Signature: David E. Rant  
Title: Zoning Administrator  
Date of Acceptance: JULY 29, 2002  
Date of Public Hearing: AUGUST 15, 2002

8/1/00

July 28, 2002

TO: City Council of Peachtree City  
FROM: Stephen R. Weyandt, Owner  
RE: Request for Zoning Variance

I am writing this letter in order to request a zoning variance (Zone GR-6) for my property at 645 North Fairfield Drive in the Fairfield Subdivision. I would like to add a deck to the rear of my house, extending out from the main floor. I am planning on doing the project myself under the direction of 2 of my friends that had been in the construction business for several years, one of whom is currently finishing up a deck of his own in Sharpsburg, GA.

The plan for the deck has been included (see attached). There are no plans for stairs for 2 primary reasons: 1) no foreseen need to have access to the backyard via the deck, 2) added protection for nearby children who may be endangered if found at the top of the proposed elevated deck unattended.

Behind the deck is a city green belt, which extends more than 80 feet or more before coming to the next private property. With this in mind there would be no concern for infringing upon anyone's privacy or personal property by building the deck. In reference to the water table due the slope of the property, the deck should in no foreseen way affect the natural absorption of drainage from rainfall. Also, my neighbor next door, Ms. Michelle Dean, at 647 North Fairfield Drive, has already had a variance approved and had a deck built very much like the one I plan to build (Reference City Council Meeting on August 16, 2001). In addition, another neighbor on my street, Brian Grassius at 619 North Fairfield Drive had a variance approved and built a deck on to the rear of his house in June 1999. Mr. Grassius built the deck himself much like I am planning on doing.

I have taken great pride in the overall upkeep and appearance of my house. The deck will be a very attractive addition to my house, which at the same time will not be seen from the front of the house or by my neighbors behind the house. I have approached all of the neighbors within close proximity of my house and all are very supportive of the project. I do enjoy living in Peachtree City, and want to comply with all of the

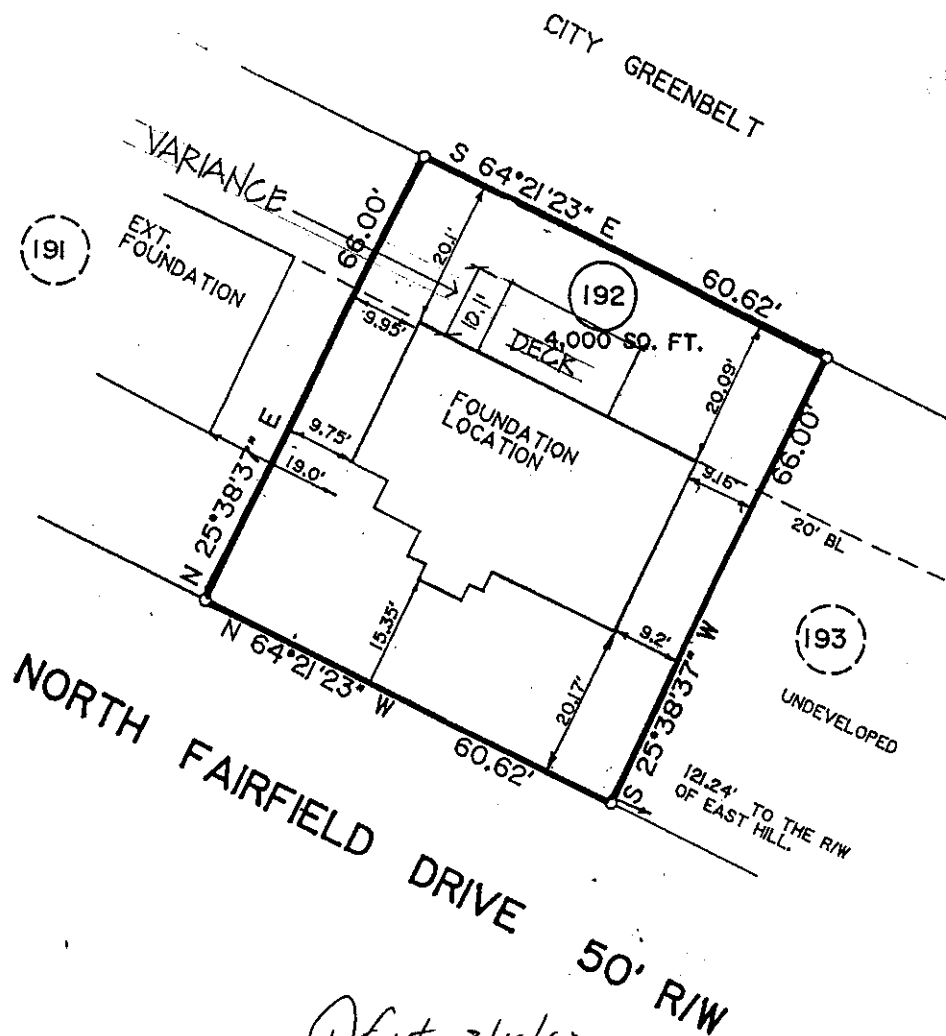
ordinances established by the city therein. By adding the deck to my property, it will allow me to feel even more comfortable to live in the place I call home.

Thank you for your time and consideration in this matter.

Sincerely,

Stephen R. Weyandt

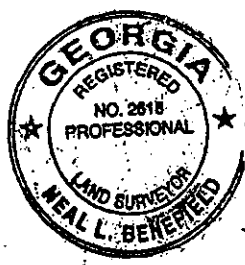
Owner



*Hasty 3/19/97*  
BUILDING OFFICIAL  
CITY OF PEACHTREE CITY

This plat was prepared for the exclusive use of the person, persons or entity named herein. Said plat does not extend to any unnamed person, persons or entity without a recertification by the surveyor naming said person, persons or entity.

In my opinion, this property does not lie within the 100 year flood plain according to the HUD Flood Plain Map No. 130078 0060 D  
Dated: MARCH 18, 1996



*Neal L. Benefield*

SETBACKS:  
FRONT: 15' (Garage no closer than 20') or as shown.  
SIDE: 0'10' min. between dwellings (20' separation every 10 dwellings).  
REAR: 20' (40' where adjoining residential).

PREPARED FOR:

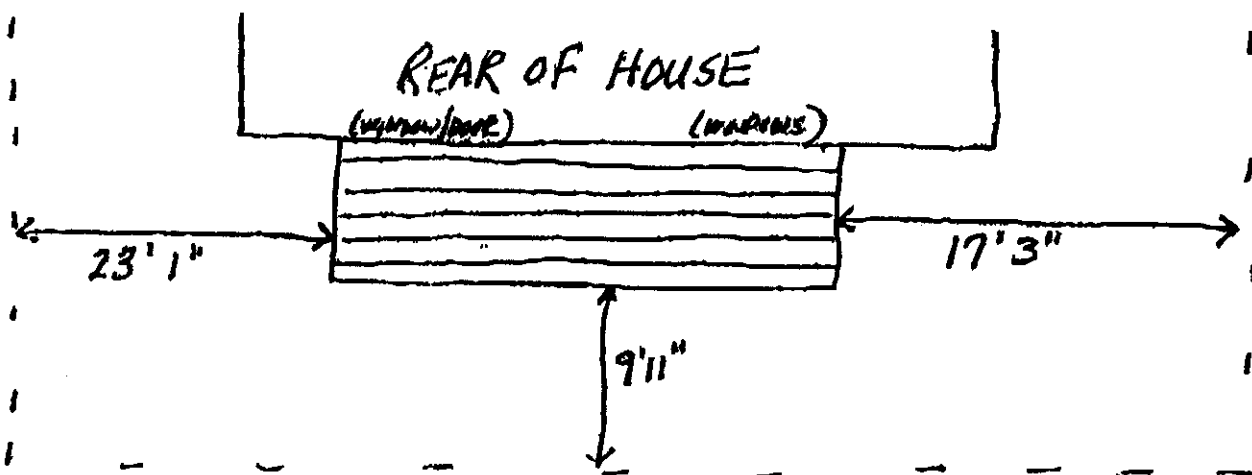
HYLAND DEVELOPERS

|                                            |                      |                |
|--------------------------------------------|----------------------|----------------|
| SUBDIVISION: FAIRFIELD SUBDIVISION PHASE 5 |                      |                |
| LOT: 192                                   | LAND LOT: 158        | DATE: 12-16-96 |
| BLOCK:                                     | DISTRICT: 7TH        | REV: 3-13-97   |
| SCALE: 1" = 20'                            | COUNTY: FAYETTE, GA. | JOB NO: 961221 |

**jefferson  
consultants**

consulting engineers • surveyors • planners  
P.O. BOX 2627 PEACHTREE CITY  
487-9805 GEORGIA 30269 487-9220  
Attachment "R"

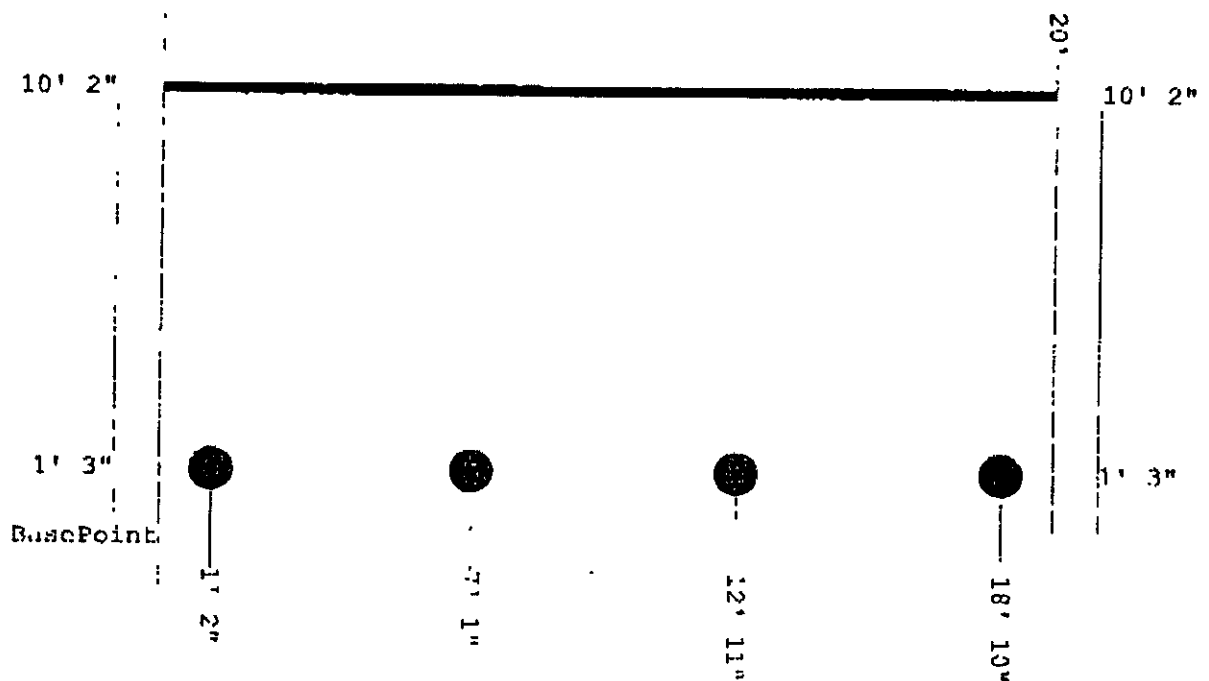
645 NORTH FAIRFIELD DRIVE  
(LOT #192)



The Home Depot # 0127, 103 PAVILLION PARKWAY, FAYETTEVILLE, GA  
Sat Jul 13 12:58:57 2002

File saved as: f:\dn\decks\7130B66D.DEK

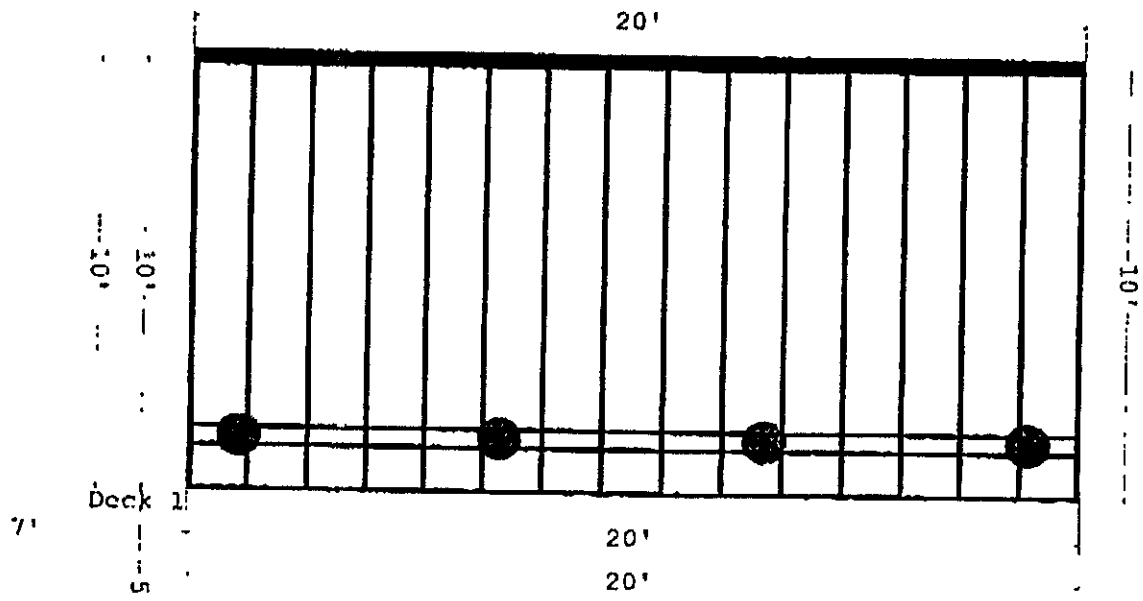
Post Layout for Deck 1



The Home Depot # 0127, 103 PAVILLION PARKWAY, FAYETTEVILLE, GA  
Sat Jul 13 12:58:57 2002

File saved as: f:\dn\decks\7130B66D.DEK

Deck Dimensions for Deck 1



Joist Spacing = 16 in. o.c.

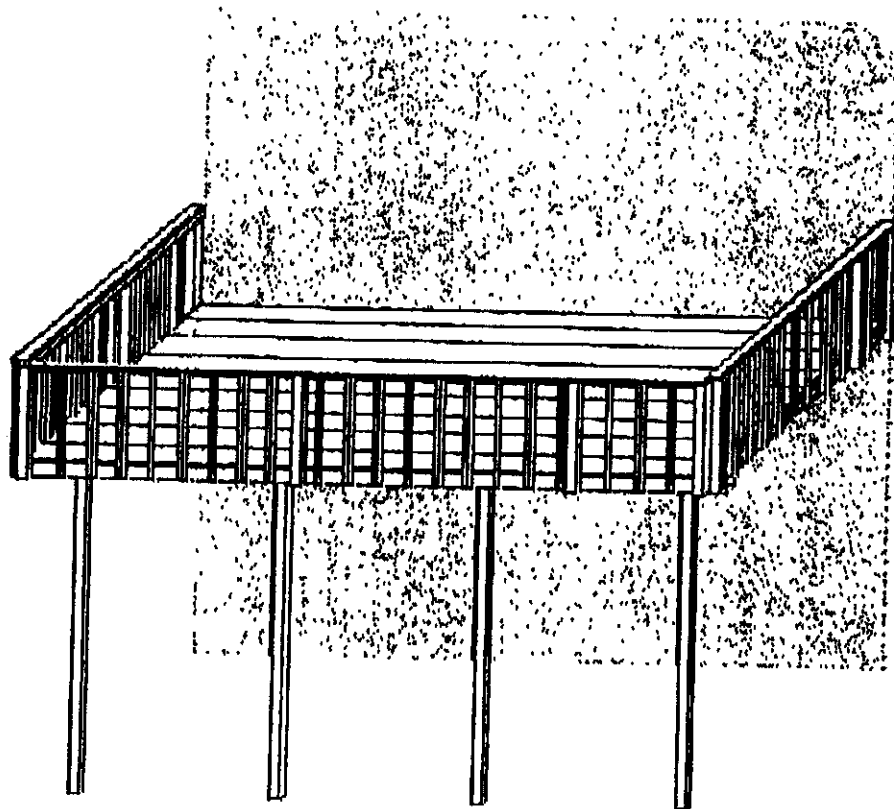
Railpost Spacing = 96 in. o.c., Baluster Spacing = 3 in., Toe Spacing = 3 in., Railing Height =

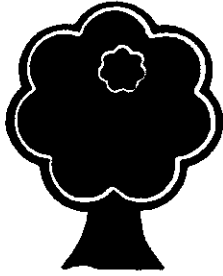
The Home Depot # 0127, 103 PAVILLION PARKWAY, FAYETTEVILLE, GA  
Sat Jul 13 12:58:57 2002

The materials in this deck will cost \$766.19

File saved as: f:\dn\decks\7130B66D.DEK

3D View





# Peachtree City

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## Georgia

August 17, 2001

Ms. Michelle Dean  
647 North Fairfield Drive  
Peachtree City, GA 30269

RE: Variance Request -- 647 North Fairfield Drive

Dear Ms. Dean:

During a public hearing on August 16, 2001, the Mayor and Council of Peachtree City granted your request for a variance to the setback ordinance. The variance was granted to allow the construction of a 16-foot wide, 12-foot deep deck on the rear of the house that should extend no more than 11.1-feet into the rear setback at 647 North Fairfield Drive.

Please retain this official notification for your records and advise any future homeowner of the situation. If you have any questions, you may call me at (770) 487-7657.

Sincerely,

Jane S. Miller  
City Clerk

cc: Zoning Administrator  
Building Official

(1202.2) The purpose of this section is to authorize variances from the terms of this ordinance as will not be contrary to the public interest so that the spirit of this ordinance shall be observed, public safety and welfare secured, and substantial justice done.

An application for a variance may be submitted only by the owner of the property for which a variance is desired, or his authorized agent.

- (a) Variance applications shall be filed with the city planner on forms provided by the city planner.
- (b) Any communication relative to a variance request will be regarded as information only until a proper application is made in the form required.
- (c) An application fee of \$50.00 must accompany each variance application.
- (d) Upon receiving an application, the city planner shall schedule a public hearing on the request before the city council within 45 days after receipt.
- (e) A sign displaying the hearing date and the nature of the hearing shall be placed in a conspicuous location on the property not less than 15 days prior to the hearing date.
- (f) A notice of the public hearing date and the nature of the hearing shall be published in the newspaper of general circulation which serves as the legal organ for the city. The newspaper notice shall appear at least 15 days prior to the hearing date.
- (g) At the public hearing before the city council, the applicant may appear in person or be represented by an agent or attorney.
- (h) Variances from the provisions of this ordinance may be approved by the city council if it is determined that they will not cause substantial detriment to other parties or impair the purpose or intent of this ordinance; provided, however, that no variance can be granted for a use that is specifically prohibited by this ordinance within the zoning district in which the property is located.

In making a determination on a variance request, the city council shall consider the following factors:

- (1) Whether or not the special circumstances contributing to the request are peculiar to the particular property involved;
- (2) Whether or not the situation for which the request is being made poses an unnecessary hardship for the applicant; and
- (3) Whether or not the request is due to an intentional action of the applicant to violate the requirements of this ordinance. (Ord. No. 589, 11-19-1992; Ord. No. 618, 7-7-1994)

# CITY OF PEACHTREE CITY

## INTEROFFICE MEMORANDUM

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**TO:** Mayor and City Council

**VIA:** Jim Basinger, City Manager 

**FROM:** Paul Salvatore, Director of Financial Services *P.S.*

**DATE:** August 5, 2002

**SUBJECT:** Public Hearing – FY 2003 Budget

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In accordance with O.C.G.A. section 36-81-5, a Public Hearing will be held to consider the proposed Operating Budget and Public Improvement Program Budget for FY 2003. Staff will conduct a brief Power Point presentation of the proposed budget, and will be prepared to discuss details, and answer any questions.

**Council will not need to take any action at the close of this Public Hearing.** Staff will ask Council to take action to adopt the FY 2003 budget resolution at the next regular City Council Meeting on Thursday September 5.

# **CITY OF PEACHTREE CITY**

## **INTEROFFICE MEMORANDUM**

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**TO:** Mayor & Council Members

**FROM:** City Manager 

**DATE:** August 9, 2002

**SUBJECT:** Naming Tennis Center Pavilion after Thomas E. Farr

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Attached is a recommendation from the Development Authority of Peachtree City that the city designate the new Tennis Center pavilion as the "Thomas E. Farr Pavilion." The authority voted unanimously in support of this recommendation.

Also attached is the original letter from Mr. Jim Price, requesting that the center be named after Mr. Farr in recognition of his service to the community.

JB/bt

**Development Authority of Peachtree City**

Ten Planterra Way  
Peachtree City, Georgia 30269  
770.486.9474X300 fax 770.632.9303

August 2, 2002

City Council  
151 Willowbend  
Peachtree City, GA 30269

Dear Council:

At the Development Authority's July 29, 2002 meeting we unanimously voted to name the new building the "Thomas E. Farr Pavilion" upon City Council approval. We believe that this is a fitting tribute to a man that gave so much of his time and energy to the City and its citizens.

Sincerely,

A handwritten signature in black ink, appearing to read "T. Godfrey", with a stylized flourish at the end.

Tate Godfrey  
Chairman

A handwritten signature in black ink, appearing to read "Virgil Christian", with a stylized flourish at the end.

Virgil Christian  
Executive Director

**Peachtree City Economic Development  
Frederick Brown Jr. Amphitheater  
Peachtree City Tennis Center**

July 17, 2002

Mayor and City Council of Peachtree City  
151 Willowbend Drive  
Peachtree City, GA 30269

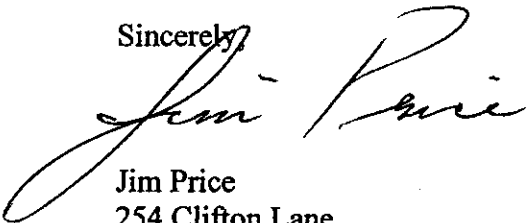
Dear Mayor and Council Persons:

In my 19 years of living in Peachtree City I can think of only a handful of people whom I would say were instrumental in giving us the exceptionally high quality of life we enjoy every day. Tom Farr was one of those people. He never, never asked anything for himself. His forte was to give. And give he did. It was his honor to serve his community. Whether on the Development Authority or on community events, he gave his all and the results were always exemplary. His vocabulary did not contain the word "No" when it came to helping his community.

To a great extent, because of him, we enjoy one of the finest tennis venues in the region. His courage, his foresight, his leadership contributed immensely to making this nationally recognized facility a reality.

I think such extraordinary service should be recognized. I call on the elected leadership of Peachtree City to step forward and do whatever it takes to change the name of the Peachtree City Tennis Center to the Tomas Farr Tennis Center of Peachtree City. I ask every business, church and community leader; every resident; please, let's set aside any differences we might have. Let's unite and give this man the recognition he deserves. I implore you to come together to write or email ([sbrown@peachtree-city.org](mailto:sbrown@peachtree-city.org)) our elected leadership to convince them that this is appropriate recognition for the untiring efforts and excellence of a great citizen.

Sincerely,



Jim Price  
254 Clifton Lane  
Peachtree City, GA 30269

Cc: Each Member of the Fayette County Commission  
President, Fayette County Chamber of Commerce  
Reverend Don Smith (For distribution to our community church leaders)  
Chairman Tate Godfrey, Development Authority of Peachtree City  
President, Peachtree City Tennis Association  
Chairman, NAACP  
Chairman Sandra Jungers, Cultural Arts Committee  
Presidents, Peachtree City Civic Clubs and Associations  
Joel Cowan  
Citizen Newspapers (as a letter to the editor)  
Today In Peachtree City (as a letter to the editor)

# **CITY OF PEACHTREE CITY**

## **INTEROFFICE MEMORANDUM**

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**TO:** Mayor & City Council

**VIA:** City Manager

**FROM:** City Engineer 

**DATE:** August 8, 2002

**SUBJECT:** Internal Road Connection - Maple Shade Estates

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At their July 8 meeting, the Planning Commission heard a request from Mr. Jimmy Halligan to modify the approved plans for the Maple Shade Estates Subdivision. This modification would include a road connection to another phase of the project planned for the area just on the other side of the city limits in Tyrone. At the meeting the discussion was generally in favor of the concept of providing a connection between the phases and jurisdictions (see Attachment "A"). The comments addressed cut-through traffic potential, connectivity, emergency access and response, the weakness of annexation proposals, and cart path connections. The consensus was to endorse the proposal in order to provide a higher level of service for public safety.

After the July 8 Planning Commission meeting, Fire Chief Lohr provided a memo detailing the current status of emergency service agreements with other jurisdictions (Attachment "B"). Chief Lohr notes that no formal agreements are in place to provide mutual or automatic aid to areas outside of the City. Therefore, it is not at all clear that there will be a benefit to residents of the Tyrone portion of the development with regard to emergency services since calls will go to the nearest station within that jurisdiction.

Further discussion between Tyrone and Peachtree City staff exposed the potential conflicts in other levels of service. Tyrone provides waste collection while Peachtree City does not regulate collection. Cable television, storm drain maintenance and repair, sewer service and repair, and even development regulations will all reveal an immediate and ongoing disparity in the services to residents of the subdivision. Without a discrete break in the phases, problems will inevitably arise out of the area with the proposed road connection.

In order to meet the objectives of the Planning Commission for connectivity, answer the objections regarding level of service, and provide a middle-ground solution, the city staff recommendation is to provide a cart path connection between the two phases. This will provide

the connectivity for amenity purposes but will limit the potential level-of-service disparity to the path system. Tyrone is developing a paved path system of their own and is currently registering golf carts for use on it. Plans for a joint-use permit proposal are in the works now, which would enable path users to benefit from both systems. As Mr. Halligan has indicated, the second phase would not be constructed for some time and would allow for resolution of the cart path use concerns.

Therefore, city staff is recommending that the request for a road connection be denied but that authorization be granted to pursue the cart path connection with the future phase.

*Attachments*

- "A" – Unapproved Excerpt from Minutes – Planning Commission, July 8, 2002*
- "B" - Memo – Fire Chief Stony Lohr, Automatic & Mutual Aid, July 16, 2002*

**UNAPPROVED EXCERPT FROM MINUTES  
OF PLANNING COMMISSION MEETING**

**JULY 8, 2002**

**WORKSHOP DISCUSSION**

**Consideration of Proposed Internal Road Connection from Maple Shade Subdivision (Crabapple Lane) to Adjoining Subdivision in Tyrone.**

Mr. Saunders stated that this would not be an action item for the Planning Commission. A draft of the minutes for this agenda item would include any comments and/or concerns expressed during this workshop and would be forwarded to City Council. They would make the final decision relative to the proposed internal road connection.

Mr. Jimmy Halligan of Hyland Developers was in attendance to present their proposal to connect the Maple Shade Subdivision on Crabapple Lane to an adjoining subdivision in Tyrone. Mr. Halligan stated that he did not realize this would have to go to Council since he considered this to be a "slight engineering change" to combine Phases 1 and 2 of this development. He noted that when he developed Fairfield and Kedron Estates Subdivisions, he was required to make a connection so he thought this would be an acceptable proposal.

Mr. Halligan explained that Phase 1 of the Maple Shade Subdivision was located within the city limits of Peachtree City. During the process of finalizing the engineering for Phase 1, he had purchased an additional 88 acres. He noted that the newer property had been rezoned to one-acre lots, the same lot size required for the property in Peachtree City. He stated that Phase 1 included 45 lots, and Phase 2 would have 52-54 lots.

Mr. Halligan thought that connecting these two developments would be advantageous to the future residents of the subdivision and would provide access to the amenity area which would include a swimming pool and a lake. In response to a question from Mr. Buckley, Mr. Halligan stated that since the lake was in Tyrone, the amenity area would also be located in Tyrone. He also said that he would not be able to provide the same type of amenities if there were two separate subdivisions, and the homeowners would lose.

Mr. Saunders noted that if this entire subdivision were within the city limits of Peachtree City, it would be a connected development. Mr. Halligan stated that the option had been presented to annex Phase 2 or to de-annex Phase 1 into Tyrone. Tyrone was in favor of

doing either, but it was felt the proposal would meet resistance in Peachtree City so the option of connecting the phases was presented.

Mr. Ames asked whether these homes would be on a sewer system. Mr. Halligan stated that none of them would be on sewer. He was certain that the lots within Peachtree City were not within 500 feet of a sewer line, and Tyrone did not have sewer service.

In response to a question from Mr. Payton, it was noted that the entrance to Crabapple School would be directly across the street from this development. Mr. Halligan also pointed out that connecting the subdivisions could possibly reduce the congestion at Crabapple Lane and GA 74.

Dr. Schumacher felt there would be a lot of cut-through traffic to get to the school. However, Mr. Halligan felt the speed limit and the design of the roads would tend to discourage cut-through traffic.

Mr. Halligan noted that Tyrone had a cart path system that he hoped to connect to. Mr. Saunders pointed out that this would be the first connection between Peachtree City and Tyrone's cart paths. Mr. Rast explained that at the time Jefferson Woods Subdivision was developed in Fayette County, John Wieland requested that it be connected to The Preserve Subdivision; however, City Council denied that request. Mr. Rast did not think there were any subdivisions in the City that connected to subdivisions outside the City.

In response to a question from Mr. Buckley regarding the fears that had been expressed relative to cut-through traffic, Mr. Rast pointed to the traffic problems that had been created when roads such as Golfview Drive and Planterra Way connected two developments. He also noted that Mr. Satterfield from the Fayette County Board of Education indicated the boundaries for the Crabapple Lane School included a significant portion of the southern area of Tyrone. A map that had been prepared by Mr. Besseche showed that this would be a direct shot from Old Senoia Road through these two subdivisions into Crabapple Lane and the school. Mr. Rast felt the cut-through traffic was the major downfall of connecting these two subdivisions. He felt that a path system would be effective in tying the residents in this subdivision to the amenity package in the Tyrone subdivision. This was the means by which the residents of another subdivision in Peachtree City, The Oaks in Timberlake, accessed their amenities which were located in Timber Walk and Timber Ridge Subdivisions in Fayette County.

Mr. Payton pointed out that St. Marlowe on the north side of Atlanta was testing speed humps in their gated community. He noted that it definitely was a detriment to speed through there. He also felt the traffic would increase if the subdivisions were connected.

Mr. Doug Dillard from Dillard and Galloway, Mr. Halligan's attorney, was also in attendance. He pointed out that most planners thought a grid system was preferable to cul-de-sacs and that inter-parcel access should be required. He agreed that there would be cut-through traffic but felt that because this would be a neighborhood school, the traffic would be from the immediate area. Mr. Dillard further stated that the public safety issues should be controlling. He and Mr. Halligan felt this would be good planning and that the future residents of these subdivisions would want the connectivity.

Mr. Saunders asked Mr. Rast what negatives Staff had seen relative to connecting these two subdivisions. Mr. Rast stated that the main drawback was the cut-through traffic, but he also felt the roads could be designed in such a way to minimize the amount of that traffic. Since a portion of the subdivision was still under construction, it would be possible to incorporate traffic-calming devices in the design of the roads.

Mr. Saunders said there should be a clear delineation between Tyrone and Peachtree City and that signs would be required. Mr. Halligan stated that none of the lots would straddle the city limits and that there would be agreements between the different jurisdictions in order to provide service to this area. He also stated that he would make sure the street names and numbering were significantly different to eliminate confusion.

Mr. Halligan noted that Tyrone had approved the plan with the connectivity. He said he would discuss possible traffic-calming features with Mr. Rast prior to presenting this item to City Council.

Mr. Buckley felt the EMS argument was compelling; but beyond that, every benefit was for Tyrone and Hyland Developers rather than the residents of Peachtree City. In response to this observation, Mr. Halligan said if the City wanted to de-annex this area, Tyrone would be happy to take it.

Mr. Ames saw this as an opportunity to work with Tyrone. Dr. Schumacher thought the lack of EMS agreements was something that should be addressed as a municipality.

Mr. Rast asked whether the homes in Phase 2 would be the same type as those that had been built in Phase 1. Mr. Halligan stated that this would be one subdivision; the same

builders would carry their products into the second phase, there would be one homeowners association, and the minimum square footage would be the same. He said that when completed, it would feel like one subdivision.

The Commissioners agreed that the overwhelming advantage to combining the subdivisions would be the improved emergency medical service that could be provided to residents in the area.

After discussion, the consensus of the Commission was in favor of the proposed internal road to connect the two subdivisions.

## CITY OF PEACHTREE CITY INTER-OFFICE MEMORANDUM

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TO: Peachtree City Planning Commission

VIA: Director of Developmental Services, ATTN: Mr. Jim Williams

FROM: Stony Lohr  
Fire Chief

DATE: July 16<sup>th</sup>, 2002

SUBJECT: Fire Department Services, Automatic and Mutual Aid

---

We are providing the following emergency services information that hopefully may help during discussions regarding the Maple Shade subdivision on Crabapple Road.

Mutual Aid. We have and continue to willingly provide mutual aid to other jurisdictions, particularly with Fayette County and Coweta County per our written agreements. Mutual Aid is aid provided to another jurisdiction when it encounters a situation for which its internal resources are inadequate. This typically occurs because of the large size of an incident, multiple incidents occurring simultaneously, or when there is need of specialized resources. Such aid is provided upon request, and within our available resources at the time of the request. Mutual aid is provided at no charge to the receiving jurisdiction. Persons who use EMS services receive a bill according to our standard rates. Responsible parties/companies for hazardous materials incidents are billed for services rendered and materials used.

Automatic Aid. We have not entered into any agreements that would be detrimental to the level of service of Peachtree City. Automatic aid is response and aid provided just as if the area was within Peachtree City. Regardless of our resources at the time, we commit to respond to it as if it was Peachtree City. Areas of automatic aid are counted against the City and its grading, evaluation and services just as if we owned the area, but without receiving any benefits. Automatic aid is typically used by jurisdictions that have irregular borders where there are areas to which each jurisdiction can respond more quickly than the jurisdiction to which it belongs. In such situations, automatic aid provides optimum response and each jurisdiction is essentially paid in kind. It provides emergency service to some external areas; it receives emergency service to some of its own areas that are not well covered. Any other automatic aid agreement would require an agreement to pay for staffing, equipment, supplies and resources needed to support this increased level of service.

Other Aid. In the event that citizens report or we otherwise become aware of serious incidents in proximity to our stations, we will respond to initiate actions to save life and protect property pending the arrival of emergency services from the appropriate jurisdiction.

---

**Hyland Developers, Inc.**  
P. O. Box 3510  
Peachtree City, Georgia 30269  
770-487-1673 Fax 770-486-0718

**SENT VIA FACSIMILE 770-631-2505**

**August 6, 2002**

**City of Peachtree City  
151 Willowbend Drive  
Peachtree City, GA 30269**

**Attn: Ms. Pam Dufresne**

**Re: Agenda - City Council - August 15, 2002**

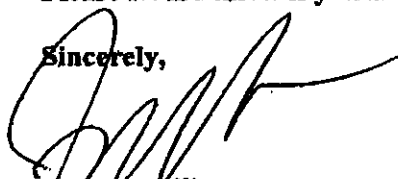
**Dear Ms. Dufresne:**

**We are hereby requesting the following issue be added to the agenda for the City Council Meeting on Thursday, August 15, 2002.**

**The connection of the Maple Shade Subdivison located in Peachtree City to the proposed adjacent new subdivision (Adam's Property) located in Tyrone.**

**Please let me know if you need additional information.**

**Sincerely,**



**Jimmy Halligan,  
President**



# Peachtree City

Georgia

TO: Mayor and Councilmembers

VIA: City Manager *Jim*

FROM: City Planner *David*

DATE: August 6, 2002

**SUBJECT: Potential amendment to Land Use Plan Update**

---

Several weeks ago, City Council adopted the proposed changes to the Land Use Plan that had been proposed and endorsed by Staff and the Planning Commission. Staff is now moving forward with the rezoning process in hopes of achieving a consistent land use and zoning map for the City.

As you are aware, ABRA Auto Body and Glass recently purchased the Peachtree Skate facility on Clover Reach and will be redeveloping this property into an automotive repair operation. This use is consistent with the former land use designation (IND industrial) and the current zoning (LI Limited Industrial).

The recently adopted changes to the Land Use Plan envisioned the property on either side of Clover Reach being developed and/ or redeveloped in a manner similar to The Avenue. The new ABRA development will not be consistent with this scenario, and it may be beneficial for Staff and the Planning Commission to re-visit their recommendations to the Land Use Plan for this area. This will require additional Public Hearings and a potential amendment to the recently adopted Land Use Plan update.