

City Council of Peachtree City

Agenda

January 17, 2018

7:00 p.m.

- I. Call to Order**
- II. Pledge of Allegiance**
- III. Announcements, Awards, Special Recognition**
- IV. 2019 State of the City Address**
- V. Public Comment**
- VI. Agenda Changes**
- VII. Minutes**
December 20, 2018, Regular Meeting Minutes
- VIII. Quarterly Reports – 4th Quarter 2018**
- IX. Consent Agenda**
 - 1. Consider Indemnification of Public Officials**
 - 2. Consider Legal Organ – *Fayette County News/Today in Peachtree City***
 - 3. Consider Call to Election Resolution**
 - 4. Consider New Alcohol License – Shop at Stevens Entry, 200 Stevens Entry (formerly Graham's BP)**
 - 5. Consider Stormwater Management Agreement – South 74, LLC**
 - 6. Consider Budget Amendment – FY 2019, Convention & Visitors Bureau**
 - 7. Consider Elimination/Replacement of Position – Convention & Visitors Bureau**
 - 8. Consider Bid for F-350 Dumping Stake Bed – Speedway Ford**
 - 9. Consider Bid for Bobcat E85 Excavator – Bobcat of Atlanta**
 - 10. Consider Amendment to Alcohol License – Remove Out-of-State Criminal History Requirement**
- X. Old Agenda Items**
- XI. New Agenda Items**
 - 01-19-01 Public Hearing – Consider Variance from Sec. 18-165(e) & (f), Fencing Residential Standards, 109 Bandon Way, *(Robin Cailloux)***
 - 01-19-02 Public Hearing – Consider Variance to the Zoning Ordinance, Sec. 1008.4(g), Front Setback, 312 Dividend Drive *(Robin Cailloux)***
 - 01-19-03 Consider Animal Control Ordinance Amendment – Elimination of “Voice Command” Option at Drake Field *(Betsy Tyler)***
 - 01-19-04 Consider Guaranteed Maximum Price – SR 54 West Gateway Bridge *(Dave Borkowski)***
- XII. Council/Staff Topics**
- XIII. Executive Session**
- XIV. Adjourn**

**City Council of Peachtree City
Meeting Minutes
Thursday, December 20, 2018
6:30 p.m.**

The Mayor and Council of Peachtree City met in regular session on Thursday, December 20, 2018. Mayor Vanessa Fleisch called the meeting to order at 6:30 p.m. Others attending: Terry Ernst, Mike King, Kevin Madden, and Phil Prebor.

Announcements, Awards, Special Recognition

Fleisch saluted Bryan LaBrecque for his service to the City both as a member of the Airport Authority and as interim General Manager of the Airport.

Fairy Wortham of Homefront Families & Children of Our Military Heroes presented information on the monument honoring military families that the group planned to erect in Patriot Park in Fayetteville.

Public Comment

There was no public comment.

Agenda Changes

King moved to remove item 4 from the Consent Agenda for Council discussion. Madden seconded. Motion carried unanimously.

Minutes

Ernst moved to approve the December 6, 2018, regular meeting minutes. Prebor seconded. Motion carried 4-0-1, with King abstaining due to his absence from that meeting.

Consent Agenda

- 1. Consider Renewal of Insurance Brokerage Services**
- 2. Consider Provisional Alcohol Licenses – Publix, Italian Oven, Peachtree East Shopping Center**
- 3. Consider Amended Alcohol License Fees**
- 5. Consider Brand Name Provider for Patrol Vehicle Video Systems – Coban Technologies**
- 6. Consider Pawnbroker Ordinance and Fees**
- 7. Consider Revised Tower Agreement Lease Amount**
- 8. Consider Addition of New Job Title within the Fire Department (Firefighter/EMT-Uncertified, Grade 13)**

Ernst moved to approve Consent Agenda items 1-3 and 5-8. King seconded. Motion carried unanimously.

4. Consider Appointment(s) to Peachtree City Airport Authority – Max Braun, Kevin Lund – Alternate

King stated that he was opposed these appointments, not because he had any objections to either the appointees or to the procedure for making these nominations, saying it was solid and sound, but because there was not currently a tenant or an airplane owner on the Airport Authority. He said with all of the activity anticipated in that area, someone with aviation expertise was needed on the Authority to help the City decide if they needed to change minimums and how that would affect the sale of gas. He noted that there was dissension between some of the tenants and the Authority, and King said that could be resolved with a tenant on the Airport Authority.

Prebor remarked that he was not surprised at King's remarks, but noted that Council tasked the Mayor, City Manager Jon Rorie, and Council Member Madden with conducting the interviews and presenting Council with their suggestions for appointments to the Authority. Prebor stated that

he did not like the idea of changing the procedure because it came out of that committee with a 2-1 vote. He suggested that they might want to look at changing the appointment system for the Airport Authority to something like what they used for the Convention and Visitors Bureau (CVB), where nominees must be from a certain sector. City Attorney Ted Meeker said those changes would have to be done through legislation. The changes to the CVB were done locally, but this would require going through the General Assembly.

Prebor asked if they wanted to look at that in the future. King stated he would like to see it brought up during a workshop as a way to tweak the process. Regardless of that, King said would support Council's decision, but he wanted to bring up the fact that there was no tenant or airplane owner on the Airport Authority.

Madden noted that he was a member of the selection committee. There were 12 applicants, and they narrowed that down to the four candidates they interviewed. He said he highly approved of both of the appointees, but wanted to express his desire that the candidate who was a tenant and a pilot be moved to the position of Airport Authority board member, rather than be appointed alternate, as was stated on the agenda. Madden said Braun, who was selected as the board member, instead should be named as the alternate.

Fleisch noted that both Braun and Lund were present. Madden said he was hoping they would be, and Fleisch said she invited them. Madden said both were highly qualified, but he believed, with King, that a tenant/owner and someone who flew out of KFFC should be one of the five Airport Authority board members.

Ernst asked Meeker what it would take to make the alternate a voting member in the absence of one of the other members. Meeker said the alternate position was designed to enable them to serve in the event one of the members was unable to serve. The legislation for the Airport Authority spoke of appointing a certain number of voting members; an alternate could not be appointed as a voting member. He said the alternate idea predated his time as City Attorney and only allowed for them to move onto the board as a voting member if another member could no longer serve; allowing them to vote in the absence of a member would not technically be allowed.

Ernst remarked that he, too, had wondered why there was not a member on the board who was a tenant, not necessarily a pilot. As a tenant, they would understand what was going on at the airport, and he felt it would be in the best interest of the City, the airport, and the Authority to have a member who was a tenant. He said he concurred with Madden's idea of swapping the two appointees' positions.

Fleisch said she vehemently disagreed with that suggestion. She noted that Madden had been on Council for a year, and he had learned a great deal about how government operated. However, Fleisch continued, she had been attending Airport Authority meetings for many years, including when there were tenants on the board. The tenants, at least the ones chosen then, she stated, had a very myopic view of how the airport should be run. She said she would love to have a tenant who realized the airport was part of Peachtree City and not be focused on the rent that they paid for their hangar. Tenants often voted in their own self-interests, Fleisch remarked, adding that she was present when tenants requested self-serve gas for a cost of \$250,000. This was at a time when the City could barely keep the airport's doors open. The Mayor noted that 34,000 people subsidized the airport and told Madden that was who he should be thinking about. Those were the people they served, she remarked. The City gave the airport \$6,800 a month to cover expenses and allow it to remain open, the Mayor remarked, and if the airport was to be an economic engine, there could not be a lot of side discussions about the will of the tenants. There was a difference between being an advocate and having an interest only in your own point of

view, Fleisch noted, and that was what she saw from tenants who had been on the Airport Authority. There was nothing to preclude having a tenant on the Authority, and the Mayor said she was sure that Lund, as the alternate, would look out for 34,000 people, not just the tenants who were sub-leasing one of those hangars. She said you had to find the right people, and she felt Lund would be able to subordinate his interests, just as Braun would do. The Mayor then called the question to approve Braun as the member and Lund as alternate.

Prebor made the motion. Ernst seconded. Prebor clarified that this motion was to appoint Braun as a member and Lund as the alternate, as stated on the agenda. Fleisch said it was for the appointments as listed on the agenda and as she and Madden chose on the selection committee. The motion failed 2-3, with Ernst, King, and Madden voting against.

Fleisch told Madden she was flabbergasted that he would choose one thing in private and another in public.

Madden told Fleisch that she knew what his feelings were in their previous meetings and that he felt it was important to have a tenant member on the Airport Authority. They disagreed. He said the majority of Council also felt this way. He asked Meeker if he could make a motion to swap the positions, with Lund as the Airport Authority member and Braun as the alternate. Meeker said the item was on the agenda, so he could make whatever motion he wanted to make.

Madden moved that Lund be appointed as a voting member of the Airport Authority and that Braun be the alternate. King seconded.

Prebor said he did not like that they had tasked the City Manager, the Mayor, and members of Council to interview applicants, then Council was saying, "no, we are not going to do what they chose." He said he did not know either of the two nominees, so he could not say, "switch this one because he is more qualified." They needed to go by what the selection committee decided. He said his concern was that they would do this every time from now on. Fleisch agreed, saying it set a very bad precedent.

Prebor commented he liked the idea of eventually having a tenant or a business owner on the Airport Authority. Right now, however, they did not have that requirement, so they had to go by who was the most qualified. The committee, even though it was not Madden's choice, decided on the appointees listed on the agenda, and Prebor stated he did not like going against the selection committee's decision.

King stated he did not know what the Airport Authority was like eight or nine years ago, but he did know there were some people on the Authority at that time who cared a lot about the City and the airport's growth in general. He said there were many good people who owned planes. They were successful for a reason and had an expensive hobby. He asked if they could table this until the next Council meeting and have all five Council members pare down the 12 applicants.

Fleisch said that would require changing the ordinance.

Those 12 applicants were pared down to four interviews, King noted, asking if Council had the authority to go through the process again.

Fleisch said they had already been pared down and sent to committee. If that was how he wanted it to work in the future, they must change the ordinance. She said they could put the ordinance change on the next agenda.

At the November 15 meeting, Council initiated the annexation process, Cailloux stated. No public hearing was required, and the County was not allowed to object. She said notice was sent to the

property owners, but there had been no response, other than notification that it was received. Staff found that this property met the requirements for unincorporated islands and recommended annexation.

King moved to approve the annexation of these two parcels. Ernst seconded. Motion carried unanimously.

12-18-02 Public Hearing- Zoning of Unincorporated Islands on Northwest City Boundary, Parcels 0745 008 and 0745 004

Cailloux said this property was zoned by the County as Agricultural Residential (AR). Now that it was annexed into the City, the City needed to zone it within the City's zoning district. Since this was not an applicant-driven process, staff had examined the options and recommended zoning as Limited Use Residential (LUR), specifically LUR-14, the same category as the property surrounding it to the south, the Cresswind development. Cailloux said all the conditions of the LUR-14 would apply to this property, including a limit of 1.65 dwelling units per acre, the same as Cresswind. Given the size of the property, that could add a maximum of 83 dwelling lots, but, Cailloux pointed out, there was no plan for development and the zoning would allow for something less than that. All the other standards for the zoning district would also apply, including the setbacks and architectural standards. There was a requirement for a 100-foot greenbelt between the property and Shamrock Industrial Park and for a 50-foot buffer along the perimeter. It was not good to have only one way in and out of a property, so a new condition was added requiring a connection up to the Peachtree City boundary that could potentially connect to Rockwood Road in Tyrone for emergency egress. She said this would be useful if there was an emergency in the industrial park or the residential development to the south.

The reason they did not recommend zoning this property in the City's AR district was that size of this property made it viable for a large-scale agricultural operation, which could negatively impact the adjoining community. Cailloux said she had once lived near a large beef cattle operation, and it was not always bucolic and ideal.

The Mayor opened the public hearing. No one wished to speak either in favor or in opposition to the zoning. Fleisch closed the public hearing.

Prebor asked where the connection to Rockwood Road would be. Cailloux said staff had been unable to find any easement for the southern part of the property, but there was an easement on the northern section to the industrially zoned land in Tyrone. She said that property was being used as a lay-down yard for the Martin Marietta Quarry. The connection could be along that access easement. Because that property was in Tyrone, Peachtree City could not mandate a connection, but they did want to make it possible, if Tyrone wanted to follow through.

Rorie remarked that he had met with Tyrone Mayor Eric Dial and Town Manager Brandon Perkins in regards to maintaining the access easement and constructing a road for emergency egress. He said it would provide a secondary exit for Tyrone's industrial park in the event of a train derailment or other incident. It would not be used for the residential component to exit through the Industrial Park.

King moved to approve New Agenda item 12-18-02, the Zoning of Unincorporated Islands on Northwest City Boundary, Parcels 0745 008 and 0745 004. Madden and Prebor seconded. Motion carried unanimously.

12-18-03 Public Hearing– Consider Amended Step 2 Annexation and Zoning Request, SR 54 East, Brent Holdings, LLC/Ravin Homes, Inc.

Fleisch recused herself because of a business relationship with the applicant, and Mayor Pro Tem Ernst conducted the public hearing.

Cailloux explained that City Council had not seen this annexation and zoning request, but the Planning Commission had a public hearing at its August 23, 2018, meeting when the application included a 94-home development on the 50 acres at the rear of the property. Most of the property, she noted, was along SR 54 and was commercially developed, although some, particularly the 50-acre parcel, was undeveloped. After the Planning Commission recommended approval of the annexation and zoning, the Fayette County Commission objected, which triggered the arbitration process stipulated in the annexation statute. Arbitration began September 9, but after all three parties agreed to three extensions, the Department of Community Affairs (DCA) notified them at the end of October that they were unable to provide enough panelists for the arbitration panel.

The applicant then revised the application to reduce the density of the residential development to one-acre lots, which would be the R-43 zoning category in Peachtree City, very similar to the County's R-20 zoning district. There were no other changes made in the application. The City accepted the application for review and began the process again.

Cailloux showed the County's adopted Future Land Use Plan, with commercial areas in red and the lower-density one-unit per acre area in beige, showing that the amended application complied with the County's current zoning for the land. The County had several commercial zoning districts, while Peachtree City had one, General Commercial (GC), and staff recommended GC zoning for all the commercial properties. They proposed a zoning of R-43 for the 50 acres of residential development.

Staff did recommend two conditions, Cailloux said. Existing monument signs would be grandfathered in, but with a sunset clause of 20 years. This meant that they could be rebuilt as currently constructed in the case of an act of God, vehicle collision, or vandalism for 20 years. Two street connections should be preserved to the south and east of the developed property, and this should be confirmed through a development agreement.

Madden wanted to know if the signs would be built at the same size, and Cailloux said they would be permitted to rebuilt them as they were today.

Ernst opened the public hearing. Richard Ferry was represented applicant, Brent Holdings and Ravin Homes. He said they agreed with the staff recommendations and terms.

Morgan Hallman of 262 Smokerise Trace stated he was there in his capacity as vice president of the Smokerise Plantation Homeowners Association to speak in opposition to this annexation and rezoning request. He said their concerns were unchanged from the last time he addressed Council, which was in opposition to the Bradshaw annexation and rezoning. The concerns involved more vehicles moving rapidly through the neighborhood streets, specifically Smokerise Trace and Lloyd Road. At the Bradshaw public hearing, he noted, they had standing room only of residents opposed to the annexation, but were only allowed 11 minutes to voice their opinions. They were pleased to hear Council's safety concerns posed by the building of condominiums at the end of Falcon Field's runways, but disappointed at Council's response to their concerns. Hallman said additional development meant additional traffic, using their streets, primarily Smokerise Trace, as a cut-through between SR 54 and SR 74. They were not opposed to change, he remarked, but did not want change to affect their quiet enjoyment of their neighborhoods.

and endanger lives from more cars moving rapidly through the community. They requested that the City take action to ameliorate these conditions, he stated, but said they expected nothing. Nevertheless, he remarked, they requested that their concerns be included in the record of this public hearing.

There were no more comments, and Ernst closed the public hearing.

Prebor said he liked the idea, and other Council members had no comment.

Rorie asked to make a few remarks. He noted that staff had worked on the City's growth boundaries since 2014, and it was now becoming a reality. The annexation of the unincorporated islands had been in the works for years, as had this annexation on SR 54 East. He said he first laid this out in September of 2014. Rorie noted that they were talking about balancing the tax base by annexing property that was allowed to be developed and zoned on the borders of Peachtree City. Peachtree City did not approve the development and zone it; the County did. When property became urban, he stated, it should become municipal. Developed property did not belong in the unincorporated County; it should be annexed. The urbanization was a decision made many, many years ago. He said the objection was based on the original request for 1.9 units per acre, almost double what the County Land Use Plan called for. Sitting right beside it was Shiloh Mobile Home Park, with 250 units. Objecting to this change in density, when the County had created something far greater nearby, was a stretch and without merit, he remarked. He reiterated this was the right thing to do on behalf of Peachtree City. Moving forward, it allowed them to protect their borders and maintain control over zoning. He referred to the AR zoning next to Cresswind that was mentioned in the earlier annexation presentation. Rorie commented they had to be realistic and pragmatic about this in terms of preparing for the future.

Prebor confirmed that he liked this because it cleaned up the border. Just across SR 54, the City had no control, he pointed out. Rorie added that it was as service delivery issue, and the Police and Fire Chiefs had met with the County to begin drafting a mutual aid agreement for that area.

Madden moved to approve New Agenda item 12-18-03, Amended Step Two Annexation and Zoning Request as outlined in the ordinance in the agenda packet. King seconded. Motion carried 4-0-1, with Fleisch abstaining.

12-18-04 Consider Second Draw on Government Finance Corp. Master Lease

Meeker said the motion should read: "to approve Lease Schedule #2 and to authorize the Mayor to sign the documents, and the Mayor and City Council members to sign the City's Certificate of Incumbency." Ernst moved the question. King seconded. Motion carried unanimously.

Council/Staff Topics

Employee Referral Incentive Program

Human Resources Director Ellece Brown explained an employee referral incentive program that would soon begin. She said current employees were the most effective recruitment tool because those employees were aware of the benefits of working for the City. This program would provide another recruitment tool in the current tight labor market. Brown explained that current employees could refer people they believed would be good City employees to Human Resources. Human Resources would go through its normal hiring process, which included interviewing, reference checking, driver history, criminal background check, and drug screening. If the candidate were hired, the referring employee would receive \$250. After the candidate completed one year of service, the referring employee would get another \$250, for a total \$500 referral bonus.

Fleisch confirmed that Council Members were not eligible to participate in this referral program.

2018 Street Paving Program Report

The City's 2018 goals for paving were eight miles from Special Purpose Local Option Sales Tax (SPLOST) funding and two to three miles per year from the General Fund, Civil Engineer Jonathan Miller reported. In 2018, 14.5 miles of resurfacing/full-depth reclamation (FDR) was completed, well exceeding the goals. He explained that 89% of those roads were FDR'ed, while 11% were resurfaced. The paving contract was about 94% complete, with \$4.58 million of the approved \$4.9 million spent. Miller noted that they completed all of the roads they added to the resurfacing list and even added two additional roads, Country Club Court and the entrance to Braelinn Road at Robinson Road, to the additions.

Miller explained that while the FDR and resurfacing projects were complete, curb and gutter work, along with striping and signage, were still underway, as were some patchwork and punchlist projects.

Rorie noted that they originally started with a list of roads to be paved, along with a budget figure and some quotes. They asked Council to authorize the quote and an extension of funding to \$4.9 million to accommodate the projects added to the list. He said they chose to delay the Kelly Drive and McIntosh Trail projects until the spillway construction was complete, and the heavy truck traffic generated by the construction was ended. Those streets should have been done two years ago. Flat Creek Road, which was originally on the list, could be connected to Country Club Court, which was not. There was a mobilization and demobilization cost with these projects, so Engineering decided to go ahead and get Country Club Court resurfaced while they were working in that area. Miller noted that the mobilization costs would have been nearly equal to the cost of the project. Rorie said these were not arbitrary decisions; they were based on engineering standards and on common sense.

The entrance to Braelinn Road and Robinson Road was falling apart, Rorie noted, and the intersection had been patched and would be repaved later. Miller said it had been overlaid a couple of times, and now the new level was even with the curb and gutters and was ready for additional work.

Miller reported the paving bid for next year would go out around the end of January, and they were finalizing the road list now. Rorie said they would move in the same direction with a total quote price of around \$5 million. Miller noted also that this was the first year they could use Infrastructure Management Services (IMS) data to create the list. Fleisch said that was good.

Rorie pointed out that 14.5 miles were completed this year, compared to a mile and a half two years ago. Ernst said it showed him that by working smart, they had been able to do more and spend less. A stitch in time saves nine, Rorie remarked.

The Mayor asked about the progress on the synchronization of lights on SR 54. City Engineer Dave Borkowski replied that the Georgia Department of Transportation (GDOT) was still wrapping up the SR 54 paving project, noting that it was a huge project, going from Coweta County through Fayetteville. He stated they did not have the striping complete and were trying to wrap that up and get the signal loops aligned throughout the project. This involved getting the sensors working and getting the synchronization adjusted. GDOT did not have a period for completion, but Borkowski said they would notify him when they did know. Because it was such a huge project, they could not be more specific.

Rorie said he had received an email about a pothole on Peachtree Parkway, heading north from the intersection with Crosstown. He said it was more than a pothole; it was a piece of roadway that was sinking. Peachtree Parkway and Robinson Road were both scheduled to be repaved, Rorie remarked, and asked Borkowski for an update on funding.

Borkowski reported that both those roads were approved to be part of the Transportation Improvement Program (TIP), which distributed federal funds. The money would go to the County, which would then distribute it to the City. They were working with the County to come up with an intergovernmental agreement (IGA) to determine who would be responsible for what parts of the project. Borkowski said the IGA would probably be drafted after the new year. He said they anticipated doing one of the roads in 2019 and the other in 2020, noting that there was a lot that went into satisfying the federal requirements for TIP funding, such as environmental studies. Borkowski commented that he was pessimistic about the chances of doing any actual paving in 2019. He told Council they would be seeing an IGA with all the City's roles and responsibilities detailed.

Rorie noted this was big macro-picture stuff. He said he got an email about a pothole, but that pothole was on a road approved for TIP funding for repaving. That TIP money would be funneled through Fayette County, which would end up being the project lead to pave Peachtree Parkway.

The TIP funds would pay 80% of the cost, and the City must match 20%. Miller said the total cost would be \$2.8 million, and 20% of that would be \$560,000. Borkowski said there was an item in the SPLOST for matching grant funds, and Rorie noted that it could come from the General Fund, too. The SPLOST generated about \$3 million per year for road improvements, while the General Fund included \$1.8 million. If the project proceeded in 2019, they would pull about \$500,000 from the General Fund to match the \$2.3 million in TIP funding. Even though it started with a complaint about a pothole, at the end of that process was a \$2.3 million TIP-funded project. Rorie said the pothole would be patched until they could get to the point of receiving federal funding.

King noted that he saw workers patching the pothole that morning, in the rain, but Rorie said that was another pothole.

Fleisch noted that Miller said 89% of what they did this year was FDR and asked him how much they had anticipated would be FDR before they started. She noted that the older streets around Lake Peachtree had dirt, not roadbeds.

Miller showed a chart with current Pavement Condition Index (PCI) at 61%, and a 9% backlog before this year's paving work started. As of today, he stated, they were at 64%, with a backlog of 10.4%. This year's paving was based on Pavement Condition Evaluation System (PACES) and worst-first. The current status was a prime example of what happened when you did worst-first. The CPI went up, but the roads that were hanging on a cliff were neglected, so the backlog went up. He said over the next five years, the PCI should go up and the backlog go down as they get to those other roads.

Fleisch noted that this year, there was a lot of resurfacing around Lake Peachtree, where the oldest roads were. Miller said most of the roads they did had a PCI rating of 50 or below. Maybe next year they could do 18 miles with the same amount of money, he commented, because there would not be so many roads requiring FDR.

Prebor asked if Peachtree Parkway and Robinson would require an FDR. Miller said he believed they designated them for mill overlay and patching, but priced them out as FDR in case that was not enough. Prebor wanted to know about gutters along Robinson Road, and Rorie said that

would be a non-issue once the paving project was complete. If a road had been overlaid to where it was above the level of the gutter, Miller remarked, they brought it down to be level with the gutter. Prebor noted that Braelinn Road had the pavement that went into the gutter, and Miller said he did not do that. Rorie said it should not have been done. Miller noted that by reducing the gutter height, the water could overtop the gutter and go somewhere it was not desired. He said when they did the first part of Braelinn, they brought it level with the gutter and would carry that out along the rest of the road.

King moved to convene in executive session to discuss the acquisition, sale, or lease of real estate and pending or threatened litigation at 7:50 p.m. Ernst seconded. Motion carried unanimously.

Ernst moved to reconvene in regular session at 8:47 p.m. Prebor seconded. Motion carried unanimously.

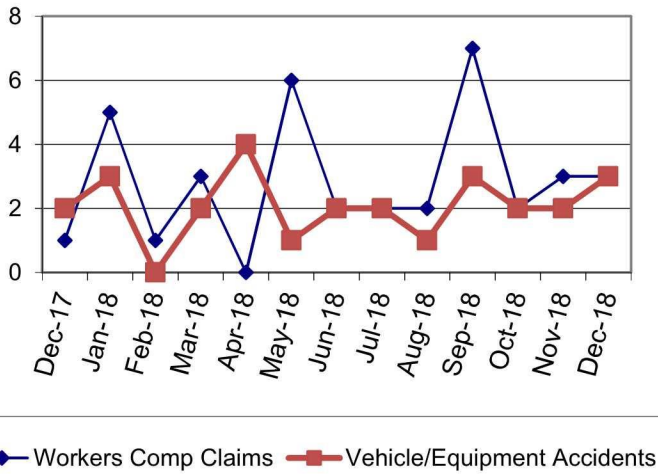
There being no further business to discuss, Ernst moved to adjourn the meeting. King seconded. Motion carried unanimously. The meeting adjourned at 8:48 p.m.

Martha Barksdale, Recording Secretary

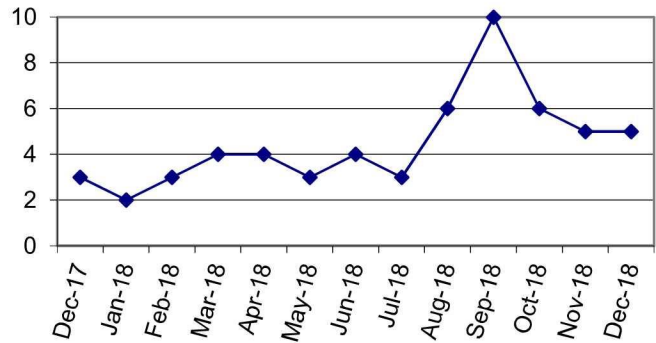
Vanessa Fleisch, Mayor

Human Resources & Risk Management

Workers Comp Claims & Vehicle/Equipment Accidents



Employee Resignations/Terminations



NOTES: FY18 data includes 5 Retirements. FY19 data includes 1 Retirement. Data does not include RIFs or seasonal positions.

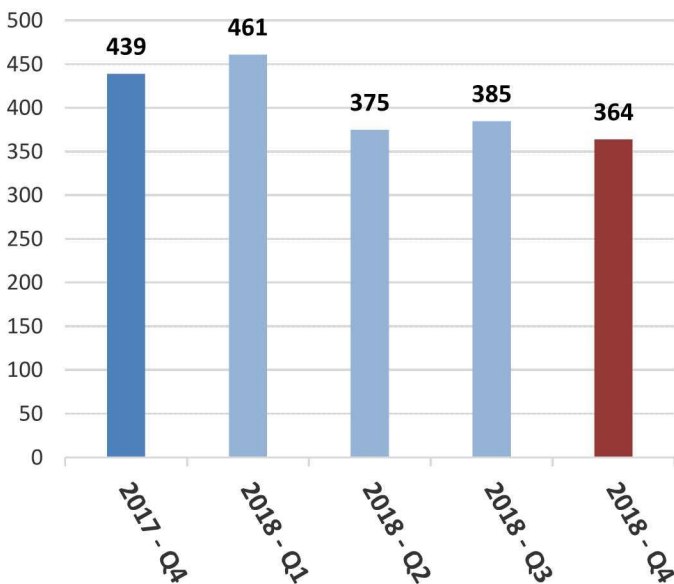
Turnover Rate (Annual)

FY 2019 (ytd)
4.57%

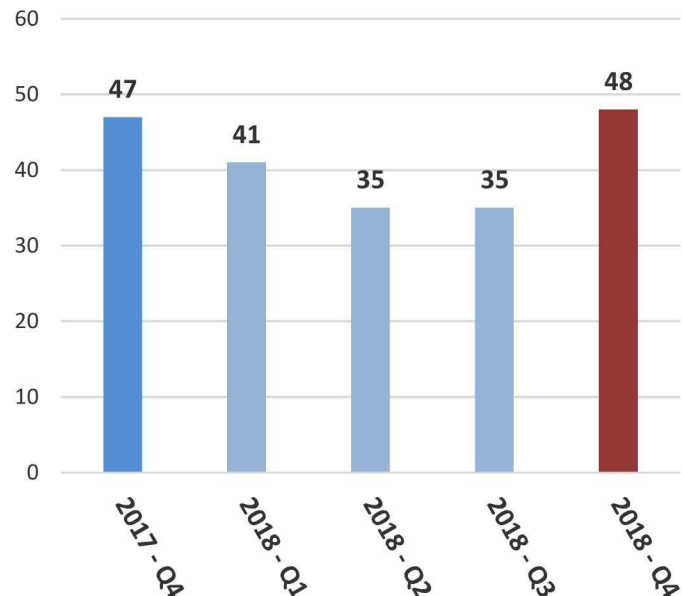
FY 2018 (total)
14.24%

Public Information / City Clerk

General Information Requests



Open Records Requests



Peachtree City Code Enforcement 4th Quarter Report 2018

Case Type

Building and Property Maintenance
Health and Sanitation
Land Development
Miscellaneous
Parking
Parks & Recreation
Signs
Taxes
Zoning
Totals

NOV					SWO					Citation					Unfounded					Totals				
Q1	Q2	Q3	Q4	YTD	Q1	Q2	Q3	Q4	YTD	Q1	Q2	Q3	Q4	YTD	Q1	Q2	Q3	Q4	YTD	Q1	Q2	Q3	Q4	YTD
24	34	42	36	136	3	7	6	5	21	0	0	2	0	2	1	1	3	2	7	28	42	53	43	166
82	394	223	106	805	0	0	0	0	0	0	1	0	3	4	2	11	6	11	30	84	406	229	120	839
11	24	8	25	68	2	1	2	2	7	1	1	2	0	4	0	2	2	3	7	14	28	14	30	86
3	9	9	16	37	0	0	0	1	1	0	3	1	0	4	2	2	0	0	4	5	14	10	17	46
49	107	117	78	351	0	0	0	0	0	0	0	1	0	1	3	2	1	1	7	52	109	119	79	359
0	1	2	0	3	0	0	0	0	0	0	0	0	0	0	0	0	0	1	1	0	1	2	1	4
23	36	38	34	131	1	0	0	0	1	0	0	1	0	1	0	0	0	3	3	24	36	39	37	136
0	74	3	43	120	0	0	0	0	0	0	6	0	0	6	0	1	1	2	4	0	81	4	45	130
6	38	39	26	109	0	0	0	0	0	0	3	0	0	3	1	4	1	0	6	7	45	40	26	118
198	717	481	364	1760	6	8	8	8	30	1	14	7	3	25	9	23	14	23	69	214	762	510	398	1884

Confiscated Signs

111 356 235 331 1033



Proactive Enforcement for 4th Quarter 2018 is 83.5 Percent.

Goal is 80 Percent

Year To Date Proactive Enforcement is 81.21 Percent.

2018 Goal

75 Structural
Rehabilitations

Final Total: 61

100

80

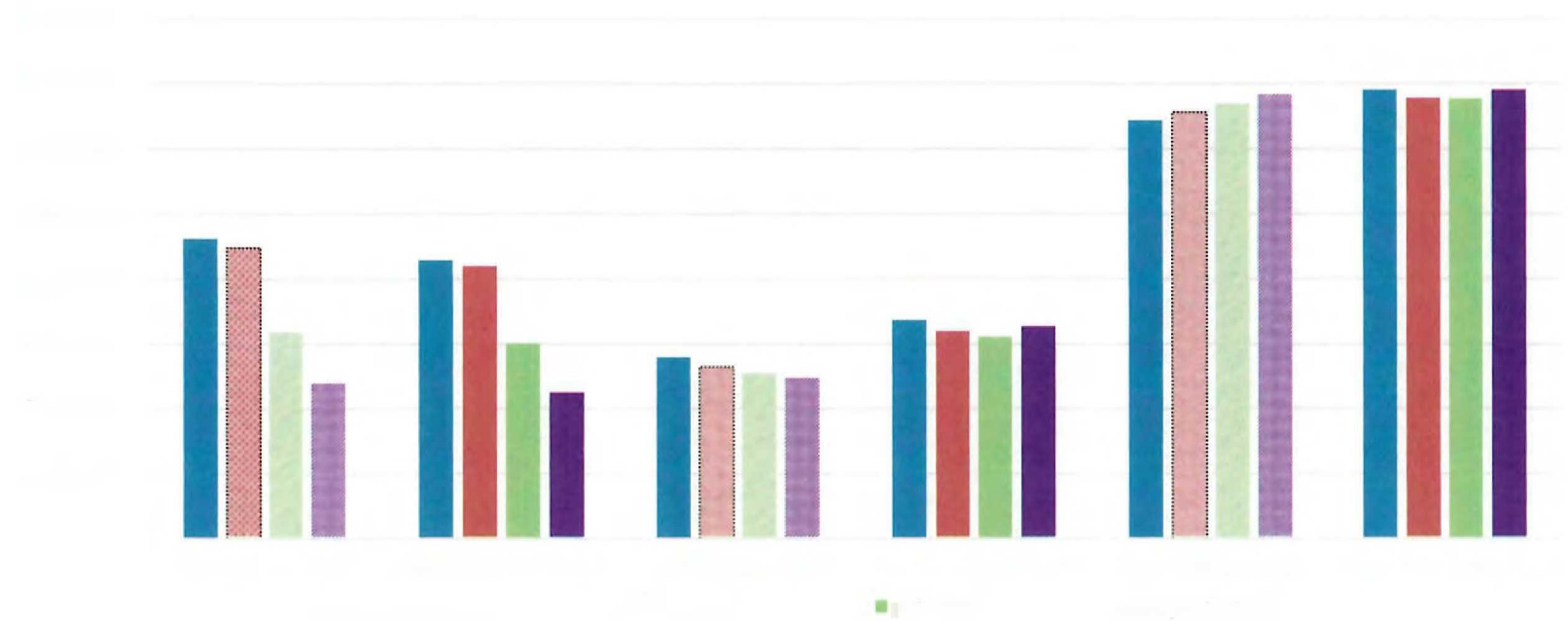
60

40

20

0





PERCENTAGE OF BUDGET YEAR COMPLETED 100.0% (ACTUAL TRANSACTIONS STILL PENDING)

GENERAL FUND REVENUES BY MAJOR CATEGORIES

Descrip	2019 get	YTD	Doll	Percentag
			2)	88.08%
			1,485)	75%
			1)	24.45%
			(699,265)	24.36%
				25%
			(793,575)	10%
			0)	5.97%
			0,245)	67%
			(688,008)	82%
			1,202,238)	28%
			(122,166)	39%
			(153,508)	13%
			7,442)	00%
Total General Fund Revenues	\$ 37,056,830	\$ 21,122,139	\$ (15,934,691)	57.00%
rpl Carryover	495,655			
Total General Fund	\$ 37,552,485			

GENERAL FUND EXPENDITURES BY DIVISION AND/OR TYPE

Division and/or Type	2019 get	YTD	Dollar	Percentage
				%
				%
				%
				%
				%
				76%
				%
				%
				%
				%
				%
				%
				%
	581,214			%
	,362	6,481	290,881	%
	457,492	409,254	4,048,238	%
	(744,163)		(744,163)	%
Total General Fund	\$,552,485	\$ 7,991,539	\$ 25,563,296	21.28%

HOTEL/MOTEL FUND REVENUES

Descripti	2019 get	YTD	Dollar	Percentage
Total Hotel/Motel Taxes	\$ 1,563,690	\$ 427,404	\$ (1,136,286)	27 33%
Total Hotel/Motel Taxes TPD	\$ 233,192	\$ 51,318	\$ (181,874)	01%

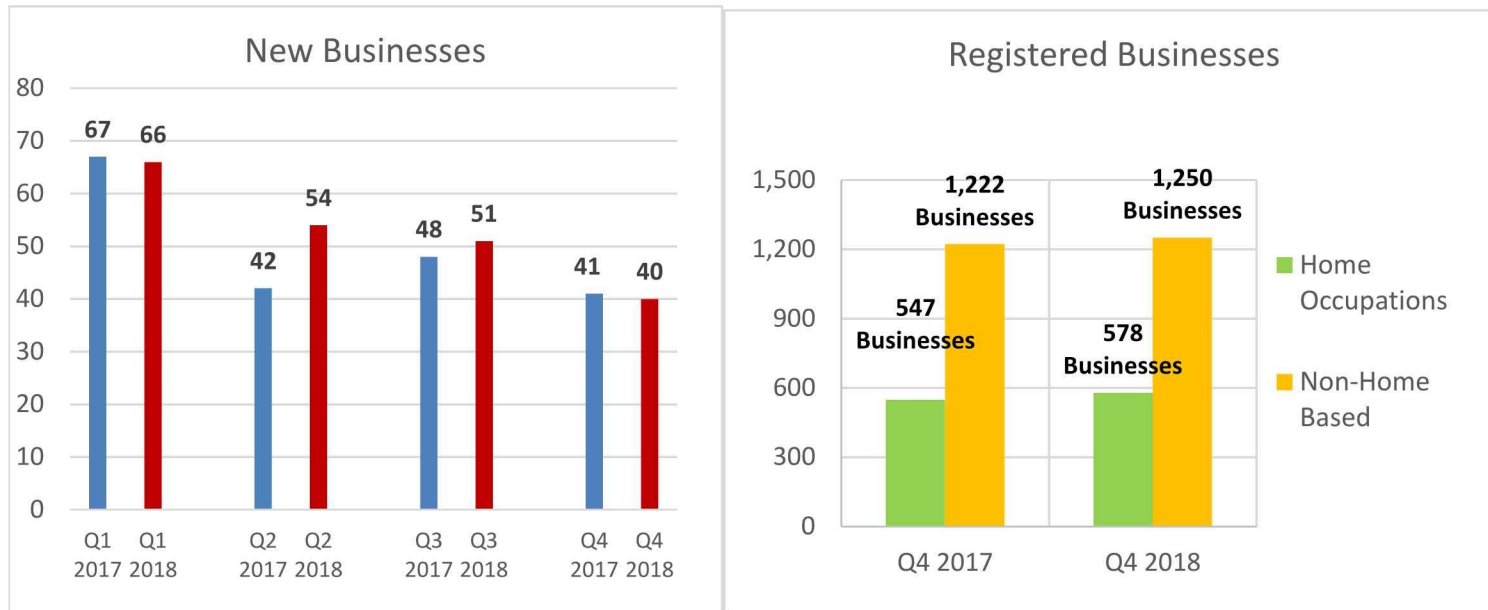
HOTEL/MOTEL TRANSFERS OUT

HOTEL/MOTEL TRANSFERS OUT					
Type		Budget	Actual	Difference	Percentage To-Date
Transfe to Ge	I Fund	\$ 586,384	\$ 178,942	\$ 407,442	30.52%
		684,1			
		60,000			
nsfe to Hotel/Motel		233,192	51,3	181,8	
Total Hotel/Motel Transfers Out		\$ 1,563,690	\$ 409,351	\$ 972,465	26.18%

OCTOBER - DECEMBER 2018

Description	Vendor	Award	Date
	A.Boxx Arcadi Arcadi Engin Jeff	\$ 0.00	10/31/2018 /13/2018 2/2018 12/13/2018 10/26/2018
DEC. 31, DEC.31,			
Activity	Fiscal Year 2019	Fiscal Year 2018	

Project



Top Employers: Cooper Lighting, Panasonic, Randstad, Hoshizaki, Alenco, Wal-Mart, Rinnai, NCR, Southland Nursing Home, Sigvaris, Wencor

PEACHTREE CITY POLICE DEPARTMENT
2018 QUARTERLY REPORT

2018
Calendar Year to Date 2017
Calendar Year to Date

	4th Qtr 2018	4th Qtr 2017		
	October-December	October-December		
<u>TOTAL PART I CRIMES</u>	143	178	503	637
CRIMINAL HOMICIDE	0	0	0	0
FORCIBLE RAPE	1	0	4	3
ROBBERY	3	1	5	7
AGGRAVATED ASSAULT	2	2	8	6
ARSON	0	0	1	1
MOTOR VEHICLE THEFT	9	23	36	77
LARCENY - THEFT (SHOPLIFTING, ENTERING AUTOS, ETC)	115	150	411	518
BURGLARY	12	2	38	25
 <u>DUI ARRESTS</u>	 27	 43	 97	 183
 DRUG ARRESTS: Marijuana, Methamphetamine, Cocaine, Other				
 TOTAL DRUG ARRESTS	 31	 46	 163	 191
 <u>OTHER ARRESTS</u>				
 PROPERTY CRIMES	 44	 27	 117	 149
PERSON CRIMES	10	9	51	49
TRAFFIC OFFENSES	55	64	211	244
OTHER	57	66	247	320
 <u>CALLS FOR SERVICE</u>	 10,926	 13,328	 49,357	 51,574
 <u>TRAFFIC</u>				
 CITATIONS ISSUED	 1,556	 2,138	 6,755	 8,959
CITY ORDINANCES	45	136	297	567
WARNINGS	2,299	2,318	9,303	8,584
ROADWAY CRASHES	252	261	866	947

TOP 10 ACCIDENT LOCATIONS 2018

	MONTH
HWY 54 / HWY 74	6
HWY 54 / PLANTERRA	5
HWY 54 / LINE CREEK DR	4
HWY 74 / TDK / CROSSTOWN	4
HWY 54 / MCDUFF PKWY	3
HWY 74 / HOLLY GROVE RD	3
HWY 74 / KEDRON DR	2
HWY 54 / COMMERCE DR	2
HWY 74 / KELLY DR	2
HWY 74 / PTREE PKWY	2

	YTD
HWY 54 / HWY 74	77
HWY 74 / TDK / CROSSTOWN	38
HWY 54 / PTREE PKWY	38
HWY 54 / HUDDLESTON RD	36
HWY 54 / PLANTERRA WAY	30
HWY 54 / MCDUFF PKWY	26
HWY 74 / KEDRON DR	25
HWY 54 / MARKETPLACE BLVD	22
HWY 54 / LINE CREEK DR	20
HWY 74 / HOLLY GROVE RD	17

CITY OF PEACHTREE CITY

RECREATION & SPECIAL EVENTS REVENUE

AS OF December 2018

WITH COMPARISONS TO December FY2016 FY2017 & FY2018

Percent of budget year completed to date: 25.00%

	ACTUAL THRU SEPT.			ORIGINAL BUDGET FY 2019	BUD ADJ.	CURRENT BUDGET FY 2019	ACTUAL THRU 18-Dec FY 2018	% Collected To Date
RECREATION REVENUE	FY 2016	FY 2017	FY 2018					
County Operating Grant	114,000	114,000	123,000	150,000		150,000	37,500	25.00%
Events	6,271	5,547	3,515	5,540		5,540	1,464	26.43%
Program Fees - Recreation	159,255	147,361	142,605	150,150	-	150,150	5,468	3.64%
Program Fees - Kedron	256,068	238,027	238,745	233,735		233,735	27,367	11.71%
Program Fees - Kedron Open Gym	21,958	23,849	24,674	25,261	-	25,261	7,153	28.32%
Program Fees- Athletic Tournaments	14,260	25,420	17,735	24,100		24,100	-	0.00%
Facility Maintenance Rec.- Athletic Assoc.	101,435	90,731	157,464	59,684	-	59,684	13,813	23.14%
Facility Maintenance Ked- Athletic Assoc.	27,981	40,165	27,162	43,125	-	43,125	4,635	10.75%
Facility Rental- Tennis Center	24,000	24,000	33,905	35,905		35,905	6,000	16.71%
Facility Rental - Recreation	18,228	8,465	9,141	11,548	-	11,548	1,204	10.43%
Facility Rental - Kedron	34,767	20,945	15,181	19,274	-	19,274	5,748	29.82%
Program Fees - Pool Fees/Passes	104,337	91,739	93,069	92,553	-	92,553	13,705	14.81%
Program Fees - Kedron Swim Teams	44,519	66,128	71,814	68,190	-	68,190	12,168	17.84%
Program Fees - Kedron Swim Lessons	7,592	14,992	13,159	18,434	-	18,434	4,704	25.52%
Program Fees - Rec Pool Revenue	15,341	5,946	6,780	6,226		6,226	-	0.00%
	\$ 950,012	\$ 917,315	\$ 977,949	\$ 943,725	\$ -	\$ 943,725	\$ 140,929	14.93%

Special Events- Oct: Alzheimers Walk (1000) Magnolia Fine Arts (1000) PTC Classic (2000) **Nov:** Braelinn Elementary Fun Run (400) Turkey Trot (200) **Dec:** Hometown Holiday (Rained out 100 Santa Visits) PTC Elementary Jingle Bell Trail (1075) Menorah Lighting (100)

Recreation: 56 programs (3 months) 505 participants

Athletics: Summer-Fall Softball (adults 1036)

Tournaments Notes: Southside Holiday Classic - Lacrosse (800)

Amphitheater: October 24 Lindsey Buckingham with S. Odara, Nove 2 Bogey and the Viceroy

PLANNING COMMISSION ATTENDANCE RECORD

3-Year Term

Term of Appointment

DECEMBER 2018

Report Date: Month Year

Name & Term Length (start/end)	Meetings Held Past 12 Months	# of Meetings Member Eligible to Attend	# Meetings Attended	# Meetings Absent	Meeting Dates Absent	Percentage Attendance
Jack Bernard <i>10/01/15 - 09/30/18</i>	16	12	11	1	3/12/2018	92%
Lisa Curtis <i>10/06/16 - 09/30/19</i>	16	16	13	3	07/23/18 08/13/18 11/12/18	81%
Frank Destadio Chairman <i>04/21/11 - 09/30/21</i>	16	16	13	3	03/12/18 06/11/18 08/13/18	81%
Paul Gresham <i>10/6/17 - 9/30/20</i>	16	16	16	0		100%
Michael Link <i>10/01/18 - 09/30/21</i>	16	4	3	1	10/22/2018	75%
JT Rabun Vice Chairman <i>10/06/16 - 09/30/19</i>	16	16	15	1	1/8/2018	94%

PEACHTREE CITY CONVENTION & VISITORS BUREAU ATTENDANCE RECORD

2 Year Term (unless specified below)

December-18

Term of Appointment

Report Date: Month Year

Name & Term Length (start/end)	Meetings Held Past 12 Months	# of Meetings Member Eligible to Attend	# Meetings Attended	# Meetings Absent	Meeting Dates Absent	Percentage Attendance
J.H. Hooper (1) Business Owner 3/2/17 03/02/17 -03/02/19	10	10	9	1	8/23/18	90%
VACANT						
Paul Salvatore, City Liaison 12/20/17 12/20/17-9/30/19	10	10	9	1	3/21/2018	90%
VACANT						
VACANT						
Patti Kadkhodaian Business Owner 3/2/17 03/02/17 -09/30/19	10	10	9	1	3/21/2018	90%
Rick Adlington Hotel/Motel 2/17/16 01/01/16 - 09/30/17	10	10	10	0		100%

2018 PEACHTREE CITY AIRPORT AUTHORITY ATTENDANCE RECORD

November 9, 2017

Report Date: Month Year

Name & Date of Appointment	# of Meetings Member Eligible to Attend	# Meetings Attended	# Meetings Absent	Meeting Dates Absent	Percentage Attendance
Tom Fulton, Chairman <i>1/1/2015 - 12/31/2019</i>	9	9	0		100%
Bryan LaBrecque <i>1/1/2014 - 12/31/2018</i>	9	6	3	March 8, 2018 July 12, 2018 September 13, 2018	67%
Judge S. Charles Murray - Replacing Mike Mitchell <i>1/1/2016 - 12/31/2020</i>	8	8	0		100%
Tom Lacy <i>1/1/2017 - 12/31/2021</i>	9	8	1	August 9, 2018	89%
Allen Morrison <i>1/1/2018 - 12/31/2022</i>	9	9	0		100%
<i>1/1/2018 - 12/31/2018</i>					#DIV/0!

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor and Council

VIA: Jonathan N. Rorie, City Manager 

FROM: Betsy Tyler, Public Information Officer/City Clerk 

DATE: January 8, 2019

SUBJECT: Consider Annual Indemnification Resolution
January 17, 2019, City Council Agenda

Recommendation:

That Council adopt the attached resolution indemnifying City elected and appointed officials (except officials of authorities) and employees.

Discussion:

Each year, Council adopts a resolution indemnifying officials and employees and agreeing to defend and pay judgments rendered against them for acts or omissions performed or neglected to be performed by them in the course of their employment or association with the City. This indemnification does not apply to individuals who act outside of the scope of their duties or authority, or act oppressively, maliciously, corruptly, or without authority, nor does it apply to City authorities that function autonomously and have their own liability coverage.

Budget Impact:

Other than as outlined, legal representation for this type of claim is included under the umbrella of the City's Liability Insurance Policy.

Attachment

COUNTY OF FAYETTE
CITY OF PEACHTREE CITY

RESOLUTION # _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PEACHTREE CITY REGARDING POTENTIAL LIABILITY
OF CITY ELECTED OFFICIALS, APPOINTED OFFICIALS, AND EMPLOYEES**

WHEREAS, the City of Peachtree City is a municipal corporation duly chartered and incorporated by the State of Georgia; and

WHEREAS, as a result of certain decisions by State and Federal Courts, elected and appointed officials and employees of the City may be subject to suits seeking to hold those persons personally liable for damages; and

WHEREAS, elected and appointed officials, employees, and other individuals may be subject to formal complaints under the City Code of Ethics; and

WHEREAS, the City Council deems it to be in the best interest of the City to indemnify, defend, and protect City elected and appointed officials and employees from certain liability,

IT IS THEREFORE, RESOLVED THAT:

The City of Peachtree City shall indemnify, defend and pay any and all judgments rendered against any City elected official or appointed official (with exception of officials of authorities) or employee for any and all suits brought against them for any acts or omissions performed or neglected to be performed by them in the course of their employment, or association with the City.

The City of Peachtree City shall provide legal counsel to any elected official, appointed official, employee, or other individual who is investigated under the City's Code of Ethics (with the exception of officials of authorities) for representation before the Hearing Officer, the investigation conducted by the Hearing Officer, and any action taken by Council. Such legal counsel shall be selected by the individual requesting representation and be reimbursed by the City at a rate not to exceed the approved hourly rate of the City Attorney plus 20%.

The indemnification shall not apply to those individuals who acted oppressively, maliciously, corruptly, or without authority of law as defined under O.C.G.A. §36-33-4.

This resolution shall remain in full force and effect until such time as it may be amended or repealed by a subsequent resolution of the City Council.

SO RESOLVED, in open session assembled pursuant to law, this 17th day of January 2019.

Mayor

ATTEST: _____
Betsy Tyler, City Clerk

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor and Council Members

VIA: Jonathan N. Rorie, City Manager 

FROM: Betsy Tyler, Public Information Officer/City Clerk 

DATE: January 8, 2019

SUBJECT: Designation of City's Legal Organ
January 17, 2019, City Council Meeting

Recommendation:

That Council again designate the *Fayette County News/Today in Peachtree City* as the legal organ for the City of Peachtree City.

Discussion:

Each year, the City of Peachtree City must designate the official legal organ in which notices of public hearings, millage rate, and other notices required by state law and City Ordinance will run.

County legal organs are designated by the Probate Court Judge, Sheriff, and Superior Court Clerk, and the newspaper must have a paid circulation component. The designated Fayette County legal organ for 2019 will remain the *Fayette County News/Today in PTC*.

Although municipalities have more latitude in designating their legal organ, state law stipulates that certain municipal legal ads continue to run in the County legal organ. This includes bond notices, police seizures, municipal court ads, condemnation proceedings, distilled spirits sales and licensing, and nuisance abatement ads. Further, local businesses advertising for articles of incorporation, dissolution, and registration of trade names must advertise in the legal organ of the County. Notices for Peachtree City properties in foreclosure, estate transfers, adoptions, and public sales would also continue to run in the County legal organ.

As the long-time legal organ of both the County and Peachtree City, the Wednesday *Fayette County News/Today in Peachtree City* is the publication that residents associate with all legal ads, and in which many local ads would continue to run.

Staff is recommending that the City again designate the *Fayette Daily News/Today in PTC* as the legal organ for 2019 to ensure correct placement of legal ads, to maintain the lowest possible expenses for the City, and to provide a single source for the community to access legal ads.

Budget Impact:

Because it is a continuation of an existing rate for budgeted expenditures, appointing the *Fayette Newspapers/Today in PTC* would have no budgetary impact.

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor & Council Members

VIA: Jonathan N. Rorie, City Manager 

FROM: Betsy Tyler, Public Information Officer/City Clerk 

DATE: January 10, 2019

SUBJECT: Consider 2019 Election Resolution
January 17, 2019, City Council Meeting

Recommendation:

Adopt the attached resolution calling for a municipal election on November 5, 2019, to elect Council Members for Post 1 and Post 2.

Discussion:

Peachtree City's Charter establishes the date of the municipal general elections as the Tuesday following the first Monday in November of odd numbered years, in accordance with State law, and establishes four-year terms for the Mayor and City Council Members. Terms for these seats end December 31, 2019.

The Resolution also establishes the qualifying dates of August 19 - 23 and the run-off election date of December 3, also prescribed by the state.

Finally, the resolution designates the Fayette County Board of Elections as the Superintendent of the Election. A separate agreement with the County will be presented to Council later in the year for approval.

The State Election Code governing municipal elections requires that Council set and publish qualifying fees no later than February 1 of any year in which an election is to be held. The law also requires a fee of three percent of the total gross salary paid for the elected position in the year preceding the election.

Budget Impact:

Staff will include funding to cover the anticipated costs of the election and any necessary runoff in the FY 2020 budget.

**RESOLUTION ESTABLISHING DATE FOR CITY ELECTION FOR THE PURPOSE OF
ELECTING A MAYOR AND COUNCIL MEMBERS FOR POST 3 AND POST 4;
ESTABLISHING FEES AND DATE FOR QUALIFYING OF CANDIDATES;
ESTABLISHING DATES FOR VOTER REGISTRATION
AND FOR OTHER PURPOSES**

- WHEREAS:** A municipal general election shall be conducted on November 5, 2019, for the purpose of electing Council Members for Post 1 and Post 2; and,
- WHEREAS:** Candidates who are elected in said election shall serve for a term of four years; and,
- WHEREAS:** Persons eligible to become candidates for said election shall be at least 21 years of age and be a qualified elector of the City who shall have continuously resided and maintained his or her domicile in Peachtree City for at least six months immediately preceding the election; and,
- WHEREAS:** Candidates for said election shall qualify with the City Clerk in City Hall. Qualifying shall open at 8:30 a.m. on the 19th day of August, 2019, and shall close at 4:30 p.m. on the 23rd day of August, 2019; and,
- WHEREAS:** Voter Registration for said election shall close at 5 p.m. on the 7th day of October 2019; and,
- WHEREAS:** The date for a run-off election, if required, shall be the 3rd day of December 2019; and
- WHEREAS:** The City Council does hereby declare that the qualifying fee for Council Post 1 and Council Post 2 shall be \$360.00.

NOW, THEREFORE BE IT RESOLVED by the Mayor and City Council of Peachtree City that the general election is hereby authorized pursuant to the rules and regulations set out in this Resolution and pursuant to the Georgia Municipal Election Code as amended.

FURTHER, the Superintendent of Elections and Absentee Ballot Clerk shall be the Fayette County Board of Elections, who is hereby authorized to provide an appropriate number of poll workers to conduct said election. Polling places within Peachtree City shall be open from 7:00 a.m. to 7:00 p.m. on the day of the general election and on the day of the run-off election, if required, and advance voting shall be scheduled in accordance with the Georgia Municipal Election Code.

Adopted this 17th day of January 2019.

Vanessa Fleisch, Mayor

Phil Prebor, Councilmember

Mike King, Councilmember

Terry Ernst, Councilmember

Kevin Madden, Councilmember

Attest
Betsy Tyler, City Clerk

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor and Council

VIA: Jonathan N. Rorie, City Manager 

FROM: Pam Dufresne, Deputy City Clerk 

DATE: January 3, 2019

SUBJECT: Alcohol License – NEW – Shop at Stevens Entry
January 17, 2019, Consent Agenda

Recommendation:

Staff recommends Council approve the attached application for a new alcohol license for Shop at Stevens Entry.

Discussion:

Graham's BP, 200 Stevens Entry, has been sold to Peachtree Corner Inc. dba Shop at Stevens Entry. The new owner is scheduled to take over the business in February, and a request for a new alcohol license has been submitted. Mr. Imran Dayani has requested he be appointed as the Licensee and License Representative.

The business location and Mr. Dayani meet the requirements of the Alcohol Ordinance to be granted a license.

Budgetary Impact:

The budgetary impact of the alcoholic beverage license will be positive. The applicant will be required to pay the annual fee for package sales of beer and wine, which is \$1,350.

Attachment

Application For Alcoholic Beverage License

Business Name: PEACHTREE CITY CORNER INC	Business Location: 200 STEVENS ENTRY Peachtree City, GA 30269	
Nature of Business: Conv store with Gas station	Mailing Address:	Business Phone Number: 770-457-1116
Name of Licensee: IMRAN DAYANI	Home Address: 407 FREEDOM LANE, PTC, GA 30269	Home Phone Number: 404-723-9773
Name of License Representative: IMRAN DAYANI	Home Address:	Home Phone Number:

Please indicate type of licenses applying for:

Retail Consumption Dealer		Retail Package Dealer		Wholesale Dealer	
☐ Malt Beverage	☒	☐ Malt Beverage	☒	☐ Malt Beverage	☐
☐ Wine	☒	☐ Wine	☒	☐ Wine	☐
☐ Distilled Spirits	☐	☐ Distilled Spirits	☐	☐ Distilled Spirits	☐

Please complete information below (use separate sheet if necessary):

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 <u>and</u> Business Phone Numbers for individuals listed:
IMRAN DAYANI		
PEACHTREE CORNER INC	407 FREEDOM LANE	
DBA SHOP AT STEVENS ENTRY	PEACHTREE CITY, GA 30269	404-723-9773

Is any person who owns an interest in the license an employee of the City of Peachtree City? YES / NO

If YES, Please Provide Name of Employee: _____

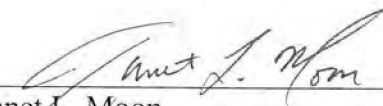
State of Georgia

City of Peachtree City

I, Janet Moon, Chief of Police for the City of Peachtree City, do hereby certify that:

Imran Dayani
407 Freedom Ln
Peachtree City, GA 30269

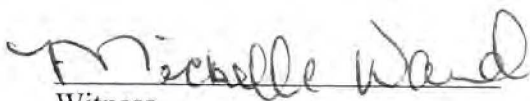
has been investigated and found not to have been convicted of, nor to have entered a plea of nolo contendere, to any felony or misdemeanor relating to the sale or use of alcoholic beverages or illegal narcotics or drugs within five (5) years prior to the date of the application for this license.



Janet L. Moon
Chief of Police

12/10/18

Date



Witness

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor & Council Members

VIA: David Borkowski, P.E., City Engineer
Jonathan N. Rorie, City Manager

FROM: David Borkowski, P.E., City Engineer 

DATE: December 13, 2018

SUBJECT: South 74 LLC Stormwater Maintenance Agreement
January 17, 2019, City Council Meeting

Recommendation:

Staff recommends that City Council Authorize the Mayor to sign the attached stormwater maintenance agreement with South 74 LLC.

Discussion:

The City's stormwater management ordinance requires that all new developments submit an agreement to the City stating that they will maintain the stormwater best management practices that they install. The agreement does not obligate the City financially or require the City to perform maintenance.

South 74 LLC has submitted their agreement to the City and staff recommends signing the agreement in accordance with our ordinance.

Budget Impact:

There is no budget impact with this item.

Record and return to:

Cinnamon Mack
City of Peachtree City
153 Willowbend Road
Peachtree City, Georgia 30269

STORMWATER MANAGEMENT FACILITY MAINTENANCE AGREEMENT

THIS AGREEMENT, made and entered into this 7th day of December, 2018, by and between South 74 LLC, a Georgia resident (hereinafter called the "Landowner") and **PEACHTREE CITY, GEORGIA** (hereinafter called the "City").

WITNESSETH, that WHEREAS, the Landowner is the owner of certain real property described as 625 Highway 74 South, as recorded by deed in the land records of Fayette County, Georgia, Deed Book 4760, Page 662 (hereinafter called the "Property");

WHEREAS, the Landowner is proceeding to build on and develop a portion of the property as shown on Exhibit "A";

WHEREAS, the Site Plan/Subdivision Plan known as "South 74", dated 1-19-18, and approved by the City on 5-24-18 (hereinafter called the "Plan"), which is expressly made a part hereof, as approved or to be approved by the City, provides for management of stormwater, as indicated, within the confines of the Property;

WHEREAS the City and the Landowner, its successors and assigns, including any office park or industrial park association, agree that the health, safety, and welfare of the residents of Peachtree City, Georgia, require that on-site stormwater management facilities be constructed and maintained on the Property; and

WHEREAS, the City requires that on-site stormwater management facilities as shown on the Plan be constructed and adequately maintained by the Landowner, its successors and assigns, including any office park or industrial park association.

NOW, THEREFORE, in consideration of the foregoing premises, the mutual covenants contained herein, and the following terms and conditions, the parties hereto agree as follows:

1. The on-site stormwater management facilities shall be constructed by the Landowner, its successors and assigns, in accordance with the plans and specifications identified in the Plan.
2. The Landowner, its successors and assigns, including any office park or industrial park association, shall adequately maintain the stormwater management facilities. This includes all pipes, channels or other conveyances built to convey stormwater to the facility, as well as all structures, improvements, and vegetation provided to control the quantity and quality of the stormwater. Adequate maintenance is herein defined as good working condition so that these facilities are performing their design functions. The Stormwater Structural Control Maintenance Checklists found in the latest edition of the *Georgia Stormwater Management Manual* are to be used to establish what constitutes "good working condition," under this Agreement.

City of Peachtree City – Engineering Final Inspection Checklist

Date: _____

Location: _____

A. Site Inspection:

1. _____ Site in compliance with approved plan.
 - a) ☒ Trees protected
 - b) ☒ Energy dissipaters installed (if required) and outlets protected with matting under rip-rap.
 - c) ☒ Site stabilized with permanent vegetation and good erosion control (matting used where needed)
 - d) N/A Street cross sections built to City specifications and all utilities in place (If applicable)
 - e) N/A Creek buffers still in place
 - f) N/A Floodplain/Wetland encroachments
 - g) ☒ Overall site graded as proposed
 - h) ☒ Adequate access provided to detention ponds, fence needed, trash rack installed per GSMM?
 - i) ☒ Pond or stormwater BMP built as designed (i.e. outlet structure match plans)?
 - j) N/A Aquatic vegetation landscaping installed per Appendix F of GSMM?
 - k) N/A Compaction Test/Core Sample Data received (Subdivision only)
 - l) ☒ Street lights, cart paths in, utilities installed, etc.
 - m) ☒ Stormdrains installed per plans with correct materials, sizes, etc.
 - n) Bond Traffic signs and street identification signs installed per plans

B. Administrative

1. ☒ Received all as-built drawings. (See City As-built Drawing Policy)
2. N/A Received certification from registered professional engineer on detention pond(s).
3. N/A Received Maintenance/Performance bonds
4. ☒ Have recorded maintenance agreement for stormwater BMPs (if applicable)
5. ☒ Have Stormwater Utility Bill information
6. N/A Received video inspection results of stormdrains (residential subdivisions only)
7. N/A Received confirmation from DOT of final inspection of curb cuts (State Routes only)

C. Comments/Conditions:

Approved: _____

Denied: _____

D. Post-Approval:

- Bond/Maintenance expiration dates put on calendar _____
- Scan in hydro reports, plans, and plats _____
- Forward as-builts (maintenance agreements, BMPs, stormdrains, impervious areas) to I.T. for inclusion into GIS _____
- Archive plans on Server _____



Engineering Department

153 Willowbend Road
Peachtree City, GA 30269
Phone: 770-631-2538
Fax: 770-631-2552
www.peachtree-city.org

- Record Warranty Deed _____

**Peachtree City Engineering Department
As-built Drawings Policy**

Prior to the issuance of the Certificate of Occupancy for Commercial projects, we will require the following:

1. As-built plans (paper copy/pdf preferred) certified by a professional engineer or land surveyor delineating all as-built site conditions including but not limited to the lot lines, right of way, easements, paved areas, curb and gutter, landscape islands, stormwater structures (size, material, inverts, length, etc.), stormwater management ponds, water and sewer lines and manholes. As-built contours are only required in the areas surrounding the stormwater management ponds.
2. A revised hydrology study using as-built topography and outlet structures to verify the required storage (detention, water quality, channel protection volume, etc.) and outflow rates are being provided. A registered professional engineer must certify this study. This should include a table comparing the designed volumes and flow rates to what is actually being provided as built on site. In addition, pond stage-storage calculations are to be provided.
 - Hydrology study must have following certification statement in it with engineer's original seal and signature.
 - "I _____, have personally visited the site and hereby certify that the site and the stormwater management pond and/or water-quality best management practices are built in substantial conformance with the approved plans dated _____."
3. A digital copy of the above plans in a format compatible with the City's Geographic Information System. This will generally be a CAD drawing in .dxf/.dwg format. The as-built copy submitted must be in State Plane coordinates (Georgia State Plane West, NAD 83, feet). If vertical elevations are provided the elevations must be in NAVD 88 datum. Please call to discuss before sending a digital copy.
4. Certification letter from professional engineer certifying that the detention ponds/water quality devices have been constructed in accordance with the approved plans.

Prior to Final Plat approval for Residential Subdivision projects, we will require the following:

1. All the above items including as-built drawings (paper copy/pdf preferred) of the horizontal and vertical alignments of the new roads as well as street light locations. A registered professional engineer or land surveyor shall certify the drawings. The drawings shall show as-builts of the same curve data that was shown in the construction drawings.

2. Video inspection of the entire storm-drain system provided on CD, DVD, or flash drive.

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

MEMO TO: Mayor and City Council

VIA: Jonathan Rorie, City Manager 

FROM: Kymberly Hughes, CVB Executive Director 
Paul J. Salvatore, Financial Services Director 

DATE: January 10, 2019

SUBJECT: Budget Amendments - Peachtree City Convention & Visitors Bureau, Inc.
January 17, 2018 City Council Consent Agenda

Recommendation:

It is Staff's recommendation that City Council approve the attached budget amendment to the FY2018 Peachtree City Convention & Visitors Bureau Annual Budget.

Discussion:

Per the Peachtree City Convention & Visitors Bureau ("CVB") By-Laws, the CVB cannot expend cash in excess of \$20,000 that was not included in the CVB's Annual Budget without the approval of Council. The attached budget amendment is requesting an increase to CVB technical services due to need to have a new website designed and implemented for the CVB marketing efforts. The increased demand is in response to making the website easier to use and the need to implement the API system that allows our CRM (sales software) and the CSM (information integrated into a consumer website). The attached Budget Amendment will increase the CVB Technical Services Expense Budget for website design and implementation by \$35,000 with the funding from the CVB Fund Reserve. This should provide funding for the remainder of the fiscal year.

Budget Impact:

The proposed budget amendment will increase both the revenues and the expenditures of the FY 2018 CVB Annual Budget by \$35,000 with the revenue coming from reserves.

Attachments
Budget Amendment

Peachtree City Convention and Visitors Bureau
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BUDGET AMENDMENT	
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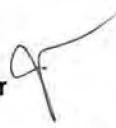
[illegible]

Explanation: Increase CVB Budget for new Website

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor & Council Members

VIA: Jonathan N. Rorie, City Manager 

FROM: Ellece Brown, Director, HR & Risk Management 

DATE: January 9, 2019

SUBJECT: Consider Elimination/Replacement of Position in the Convention & Visitors Bureau (CVB)
1/17/2019, City Council Meeting

Recommendation:

That Council approve eliminating the Marketing Manager position (Salary Grade 18) in the Convention & Visitors Bureau (CVB) and replacing it with a Marketing & Events Specialist position (Salary Grade 16).

Discussion:

As part of the new CVB Executive Director's review of positions in her department and the recent resignation of the CVB Marketing Manager, the daily responsibilities of the department staff members have been evaluated with a focus on efficiency. Historically, the CVB Marketing Manager oversaw the marketing function of the CVB, but outsourced the administrative and creative roles. The CVB will be expanding its marketing reach, and the goal going forward will be to do very specific marketing and advertising which will require more detailed recordkeeping than has historically been done. There will be more focus on creativity, layout, and design work in-house, and the position will require the ability to measure the impact of the advertising efforts. In short, the position will be more of an administrative one, rather than a management role.

Staff revised the job description to reflect a more accurate summary of job responsibilities and a change in title.

The new job description (see attached) has been evaluated by Human Resources according to the Factor Evaluation System as established by our compensation plan. It is recommended that the new position be placed in Salary Grade 16.

Budget Impact:

The budgetary impact this year should be a savings of up to approximately \$8099.00 depending on the individual who is placed in the position through either the Internal Job Bid process or outside recruitment.



Marketing and Events Specialist
Convention & Visitors Bureau (CVB)

CVB/07
Reports to: CVB Executive Director

Salary Grade: 16
Job Code: CVB/07

FLSA Status: Non-Exempt
Date: January 8, 2019

JOB SUMMARY

This position performs specialized duties related to the marketing function of the Convention and Visitors Bureau (CVB).

ESSENTIAL FUNCTIONS

- Prepares marketing presentations; oversees all CVB printed materials, State of Georgia Tourism material and information requests, and coordinates site inspections and familiarization (FAM) tours.
- Creates and updates itineraries, copy writing, FAM itineraries, and works with travel writers.
- Maintains knowledge of hotels, special events, meeting facilities, recreation venues, including space expansions, space limitations, renovations, and special arrangements for group business.
- Coordinates and maintains a list and inventory of all sales and marketing resources as needed for sales efforts.
- Maintains updated hotel, event, and attraction information for Peachtree City publications, digital marketing, and website.
- Secures venue and prepares and executes agenda, invitations, and presentations for hotel marketing meetings.
- Maintains and updates website and its asset management software, keeping the site information up to date; including news, calendar of events, and special offers.
- Assists with marketing efforts by maintaining and updating ad placement spreadsheet; maintains advertising files including, but not limited to, submitting ad contracts and invoices; managing ad production materials, and proofing and preparing monthly reports.
- Assists with research, preparation, design, and proofing of all Peachtree City collateral and website.
- Responsible for general filing.

- Prepares required correspondence.
- Represents Peachtree City at City-sponsored local events and other events as required and prepares and operates trade show booths for event services.
- Responsible for handling television and film requests.
- Provides support and shared oversight of web and social media for the organization.
- Performs related duties.

KNOWLEDGE REQUIRED BY THE POSITION

- Knowledge of tourism industry, hospitality industry, and marketing principles.
- Knowledge of Word Press or similar web design program, Microsoft Office applications, with advanced expertise in Word and Excel; proficiency with personal computers and handheld devices.
- Knowledge of customer service principles and practices.
- Knowledge of social media.
- Knowledge of office procedures, methods, and equipment; must have thorough knowledge of proper phone etiquette, basic business letter writing; and administrative procedures affecting inventory and promotional items.
- Knowledge of local attractions, activities, and contacts.
- Skill in problem solving.
- Skill in organization, prioritizing, multi-tasking, and planning.
- Skill in interpersonal relations.
- Skill in oral and written communication.
- Ability to type 50 wpm.
- Ability to exercise good judgment in maintaining information, records, and reports.
- Ability to read, understand, and review documents for accuracy and relevant information.
- Ability to deal with all levels of personnel in a courteous and efficient manner and exercise discretion on confidential matters.
- Ability to work both independently or collaboratively, depending upon nature of project.
- Ability to work under pressure dictated by event schedules and project timetables.

- Ability to work cooperatively and collaboratively in a workplace of dignity and respect.

SUPERVISORY CONTROLS

The CVB Executive Director assigns work in terms of general instructions. The supervisor spot-checks completed work for compliance with procedures, accuracy, and the nature and propriety of the final results.

GUIDELINES

Guidelines include City and department policies and procedures. These guidelines are generally clear and specific, but may require some interpretation in application.

COMPLEXITY/SCOPE OF WORK

- The work consists of related administrative, marketing, and customer service duties. Frequent interruptions contribute to the complexity of the position.
- The purpose of this position is to support the marketing function of the CVB. Successful performance contributes to the effectiveness of department operations.

CONTACTS

- Contacts are typically with coworkers, advertising vendors, travel writers, the State Department of Tourism, and members of the general public.
- Contacts are typically to collaborate with other organizations, exchange information, resolve problems, and provide services.

PHYSICAL DEMANDS/ WORK ENVIRONMENT

- The work is typically performed while sitting at a desk or table or while intermittently sitting, standing, or stooping. The employee occasionally lifts light and heavy objects.
- The work is typically performed in an office and outdoors, occasionally in cold or inclement weather.

SUPERVISORY AND MANAGEMENT RESPONSIBILITY

None.

MINIMUM QUALIFICATIONS

- Knowledge and level of competency commonly associated with completion of a baccalaureate degree in a course of study related to the occupational field.
- Sufficient experience to understand the basic principles relevant to the major duties of the position usually associated with the completion of an apprenticeship/internship or having had a similar position for one to two years.

The qualifications listed above represent the credentials necessary to perform the essential functions of this position. To be successful in this position, an individual must be able to perform each essential duty satisfactorily. Reasonable accommodation may be made to enable individuals with disabilities to perform the essential functions of this position.

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: City Council

VIA: Jonathan Rorie, City Manager *JR*
Paul Salvatore, Financial Services Director *P.S.*
Kelly Bush, Assistant Financial Services Director *KB*
Angela Egan, Purchasing Agent *AE*

FROM: Scott Hicks, Public Services Superintendent *SH*

DATE: 12/20/2018

SUBJECT: F-350 dumping stake bed
17 January 2019, City Council Meeting

Recommendation:

That Council approves staff's recommendation for the purchase of one (1) 2019 Ford F-350 dumping stake bed from Speedway Ford for the quote price of \$43,488.00

Discussion:

We received Quotes from three (3) dealers.

DEALER	QUOTE
SPEEDWAY FORD	\$43,488.00
ALLAN VIGIL FAYETTE	\$44,753.60
ALLAN VIGIL MORROW	\$46,625.09

Budget Impact:

Sufficient funds are available for this purchase.

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: City Council

VIA: Jonathan Rorie, City Manager
Paul Salvatore, Financial Services Director P.S. ✓
Kelly Bush, Assistant Financial Services Director ✓
Angela Egan, Purchasing Agent

FROM: Scott Hicks, Public Services Superintendent S.H.

DATE: 12/20/2018

SUBJECT: Bobcat E85 excavator
17 January 2019, City Council meeting

Recommendation:

That Council approves staff's recommendation for the purchase of one (1) 2019 BOBCAT E85 excavator from Bobcat of Atlanta for the bid price of \$85,985.04

Discussion:

We received bids from five (5) dealers that conformed to the bid specification.

DEALER	BID W/OPTIONS
BOBCAT OF ATLANTA	\$85,985.04
ATLANTA EQUIPMENT	\$96,876.56
ATLAS EQUIPMENT	\$103,233.00
YANCEY BROS	\$109,659.00
TRACTOR EQUIPMENT CO	\$109,375.00

Budget Impact:

Sufficient funds have been budgeted for this purchase.

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor & Council Members

VIA: Jonathan N. Rorie, City Manager 

FROM: Betsy Tyler, Public Information Officer/City Clerk 

DATE: January 9, 2019

SUBJECT: Ordinance Amendment – Alcoholic Beverages – Out-of-State Criminal History Requirements
January 17, 2019, City Council Meeting

Recommendation:

That Council adopt the attached amendment to the Alcoholic Beverage Ordinance.

Discussion:

Section 6-3814 of the City's Code requires that applicants who have not lived in Georgia for a least five years to provide a criminal background history from the state or states in which they have lived during that time. This used to reflect the requirements under State Law.

However, state law has changed, and the criminal histories provided to the City by the GBI also include a national check from the FBI. The proposed amendment brings the ordinance up to date with the revisions in State law and the new process.

Budget:

The proposed amendment will have no effect on the budget.

**AN ORDINANCE TO AMEND ARTICLE II, LICENSING, CHAPTER 6, ALCOHOLIC BEVERAGES,
OF THE PEACHTREE CITY CODE OF ORDINANCES, AS AMENDED, TO PROVIDE FOR
SUPPORTING DOCUMENTS TO BE FILED WITH LICENSE APPLICATION; TO REPEAL
CONFLICTING ORDINANCES; TO PROVIDE FOR SEVERABILITY;
AND FOR OTHER PURPOSES**

NOW THEREFORE, BE IT AND IT IS HEREBY ORDAINED BY THE CITY COUNCIL OF THE
CITY OF PEACHTREE CITY, GEORGIA, THAT:

Section 1. Article II, Section 6-38, as amended, is hereby further amended and is
to be codified as follows:

Sec. 6-38 Supporting documents to be filed with application

- (4) A certificate of the chief of police of the city certifying that each person named in an application pursuant to subsection 6-37(2) has been investigated and found not to have been convicted of nor to have entered a plea of nolo contendere to any felony or a misdemeanor relating to the sale of alcoholic beverages or illegal drugs within five years prior to the date of the application for a license. ~~For those applicants who, within the last five-year period, have resided or do reside in a state other than Georgia, the applicant must furnish a certified copy of a driver history and criminal background~~

Section 2. All ordinances or parts thereof which conflict with the provisions of this ordinance are, to the extent of such conflict and except as hereinafter provided, hereby repealed.

Section 3. Should any provision of this ordinance be declared invalid by a Court of competent jurisdiction, such decision shall not affect the validity of this ordinance as a whole or any provision thereof other than the provisions specifically declared to be invalid. The City Council declares that it would have passed this ordinance and each

subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more subsections, sentences, clauses or phrases may be declared invalid.

Section 4. This ordinance shall be in full force and effect upon its official adoption by the City Council.

This _____ day of _____.

Vanessa Fleisch, Mayor

Attest: _____
Betsy Tyler, City Clerk

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor and City Council

VIA: Jonathan N. Rorie, City Manager 

FROM: Robin Cailloux, AICP, Senior Planner 

DATE: January 7, 2019

SUBJECT: Public Hearing: Consider Variance Request, Fence height along Right-of-Way, 109 Bandon Way
January 17, 2019 City Council Meeting

Case Number:	PV18-0010
Request:	Variance from Building and Construction Section 18-165(e), Fence height along Right-of-way
Property Location:	109 Bandon Way
Current Zoning:	GR-4, General Residential
Property Owner/ Applicant	Cheryl & David Moulton

Discussion:

The Applicant is requesting relief in the form of a variance from the fence height front requirement [Section 18-165(e)] of the Buildings and Construction Code. This section states that the maximum height of a fence along a right-of-way shall be no more than four (4) feet. The Applicant proposes to keep an existing 6-foot fence purchased with the home. The subject property is a corner lot with frontage on both Bandon Way and Eadestowne Way. The fence in question is along Eadestowne Way, which is considered a side property line per the zoning classification for this phase of the Everton development.

The fence in question was constructed by the developer without a building permit. The Planning Department was made aware of the fence by Code Enforcement in 2014. The builder was notified that the fence was not up to code and required a building permit. Per discussion with the planner, Code Enforcement closed their case. No further communication between the City and the developer about this case can be located in the email archives of either party.

Current City staff was made aware of the non-complying fence in late 2018 when a neighbor requesting a similar fence permit was denied. The applicant contested the permit denial based on the existing of this fence at 109 Bandon Way.

109 Bandon Way Variance Request

Page 2

When staff notified the property owner of 109 Bandon Way that their fence was not in compliance and that they would need to reduce the height of the fence, they indicated that they had purchased the property from the builder with the fence in place and are requesting to keep the fence at its current height.

As part of the application, the Applicant has included a justification narrative, design schematics and photos of the existing fence, and letters of support from surrounding residents. These materials are attached to this memo.

Variance Consideration

In accordance with Section 1202, variances shall only be granted if:

- (a) The request is in harmony with the intent of the zoning ordinance*
- (b) The application of fence height on this property would create a hardship. There must be some extraordinary conditions on this property (such as size, shape, or topography) that similarly zoned properties do not have to contend with.*

Variance Criteria

Section 1207 states the City Council shall not grant a variance unless all of the following findings can be made

- (a) There are special circumstances applicable to the property, including location, shape, size, surroundings, or topography so that the strict application of this ordinance denies the property of privileges enjoyed by other property in the vicinity and under identical zoning district classification;*
Staff Comment: There are no special circumstances are applicable to the property. The City has many corner lots that must also meet the fence height requirements.
- (b) The strict or literal interpretation and application of this ordinance would result in practical difficulties or unnecessary hardships inconsistent with the general purpose and intent of the Zoning Ordinance, or would deprive the Applicant of privileges granted to others in similar circumstances;*
Staff Comment: No evidence of practical difficulties or unnecessary hardship was presented as part of the application. The fence height requirement is standard throughout the City and is not a privilege granted to other properties in similar circumstances.
- (c) There are exceptional or extraordinary circumstances or conditions applicable to the property involved or the intended development of the property which preclude the applicant from complying with this ordinance and that do not apply generally to other property in the same zoning district and which prevent the applicant from complying with existing regulations;*

109 Bandon Way Variance Request

Page 3

Staff Comment: There are no exceptional or extraordinary circumstances on the property that don't also apply to other corner lots throughout the City.

(d) The granting of such variance will not constitute the granting of special privileges inconsistent with the limitations on other property in the same zoning district;

Staff Comment: Granting this variance would constitute the granting of a special privilege inconsistent with the fence requirements on other property in the same zoning district and throughout the City.

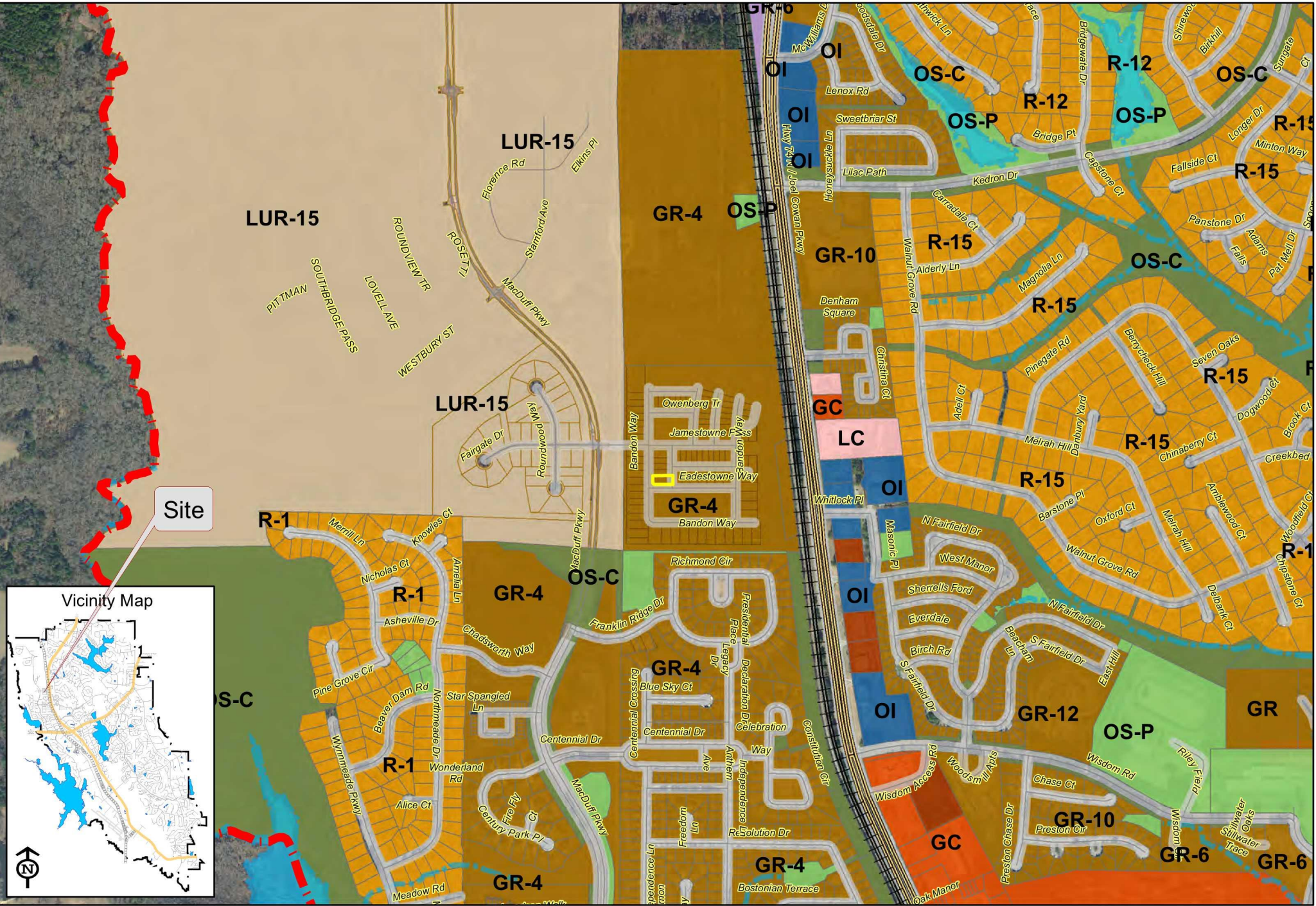
(e) The granting of such variance will not be materially detrimental to the public health, safety, or general welfare nor injurious to property or improvements in the zone or neighborhood in which the property is located; and

Staff Comment: Granting of a variance in this case would not be detrimental to public health or safety.

(f) The granting of such variance will not create inconsistencies with any objective of the Comprehensive Plan.

Staff Comment: Granting of the variance would not create any significant inconsistencies with the Comprehensive Plan.

ATTACHMENTS





VARIANCE APPLICATION

153 Willowbend Rd, Peachtree City, GA 30269
P: 770-487-5731 F: 770-631-2552
WWW.PEACHTREE-CITY.ORG

Admin. Variance Fee: \$25.00
Variance Fee: \$250.00 + \$100
for each additional request

Receipt # _____
Date Filed ____/____/____
Case # _____
Office Use Only

VARIANCE LOCATION	Street Address <u>109 Brandon Way</u> <u>Peachtree City, GA 30269</u>	PROPERTY OWNER Name <u>Same as applicant</u> Phone _____ Email _____
	Zoning District: ☒ Residential ☐ Multi-Family ☐ Commercial/Industrial/Office	
APPLICANT	Variance Type: ☐ Administrative ☐ Special Exception ☒ Variance (check one below)	PROPERTY INFO Subdivision: <u>Everton</u> Phase: <u>1</u> Lot # <u>52</u>
	Variance from which ordinance: ☐ Sign ☒ Fence ☐ Land Development ☐ Zoning	
APPLICANT	Name <u>David W. Moulton Sr. *</u>	SUPPORTING DOCUMENTS Please submit the following evidentiary items in support of this application and the requested variances. (Please check off the items that are attached to this application) ☒ Site plan (with property lines and proposed work) ☒ A detailed report justifying the requested variance ☒ Letters of support from adjacent property owners ☒ Digital Photographs \ Renderings (CD or Email) ☐ Other Items Demonstrating Need (topo. Survey, etc)
	Address <u>109 Brandon Way</u> City, State, Zip <u>Peachtree City, GA 30269</u> Phone # _____ Email <u>RICK@LLPTC.com</u>	

ADMINISTRATIVE VARIANCE	1.) Is a current survey included with the application? ☐ Yes ☐ No	Briefly describe why this variance is being requested: (A separate detailed report is still required to be attached to this application)
	2.) Does the application pertain to a zoning setback? ☐ Yes ☐ No	
ADMINISTRATIVE VARIANCE	3.) Is the violation an existing setback violation? ☐ Yes ☐ No	
	4.) How long has the violation existed? _____ Years	
ADMINISTRATIVE VARIANCE	5.) What is the required setback? _____ Feet	
	6.) How much of a variance is being requested? _____ Feet	
ADMINISTRATIVE VARIANCE	7.) Were you the owner of the property when the violation occurred? (If not, who was?) ☐ Yes ☐ No	

SPECIAL EXCEPTION	1.) Is a current survey included with the application? ☐ Yes ☐ No	Briefly describe why this variance is being requested: (A separate detailed report is still required to be attached to this application)
	2.) Has property been rezoned or deed restrictions? ☐ Yes ☐ No	
SPECIAL EXCEPTION	3.) Is the violation an existing setback violation? ☐ Yes ☐ No	
	4.) Application for a bldg setback, fence, or parking? (Circle One)	
SPECIAL EXCEPTION	5.) What is the required setback, height, or spaces? _____	
	6.) How much of a variance is being requested? _____	

VARIANCE	Please review the ordinances and instructions on the back of this page.	Briefly describe why this variance is being requested: (A separate detailed report is still required to be attached to this application) <u>Higher fence, which was installed by builder, needed for privacy</u>
	1.) Is a current survey included with the application? ☒ Yes ☐ No	
VARIANCE	2.) How much of a variance is being requested? <u>2</u> Feet	
	3.) Were you the owner of the property when the violation occurred? (If not, who was?) ☐ Yes ☒ No	

I hereby certify that I am the owner of the property on which a variance is being requested and that all information provided as a part of this application is true and correct.

Signature of Owner/Agent: [Signature] Date 5/22/18

OFFICE ONLY

ADMINISTRATIVE VARIANCE	Signature: _____	☐ Approved ☐ Denied
Date of Acceptance: _____	Date of Hearing: _____	☐ Approved with Conditions

SPECIAL EXCEPTIONS & VARIANCE FROM ORDINANCES	This application, 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: _____	Date of Acceptance: _____	Date of Public Hearing: _____

* Represented by Richard P. Lindsey

DETAILED REPORT

Mr. and Mrs. David Moulton are the owners of property located at 109 Bandon Way, Peachtree City, Georgia. Prior to the purchase of their home, Mr. and Mrs. Moulton requested that the builder erect a fence along the side of their property to assist in providing privacy to the inside of their home. On the side of their home facing Eadestowne Way, there is a brick patio. A glass door and full length windows open directly from the house to the brick patio. The builder of the home, Pulte Homes, erected a six-foot fence with the top eighteen inches (18") being mostly open and decorative. This fence matches the other fences located throughout the neighborhood. Mr. and Mrs. Moulton required the builder to erect a privacy fence along the patio as a condition of purchasing the property. The fence has been in place prior to their purchasing the home in July 2016.

On September 6, 2018, Mr. and Mrs. Moulton learned for the first time that this fence, on the side of their property, is in violation of Peachtree City Ordinances, specifically, Ordinance 18-165(e). That ordinance restricts the height of fences that adjoin a street right-of-way to no more than four-feet. The solid portion of the fence is four and one-half feet in height topped by an eighteen-inch decorative, mostly open, feature.

Mr. and Mrs. Moulton seek a variance from this ordinance for the following reasons:

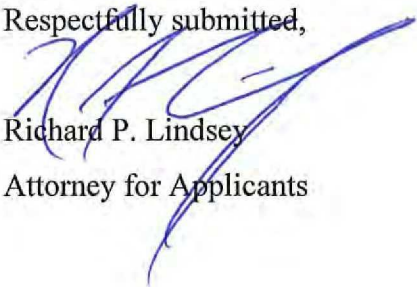
- (a) There are special circumstances due to the small size of the lot and its location in the neighborhood. The property is located in Everton Subdivision on a corner lot. It is approximately 1/5 an acre in size. The fence is located on the side of the house which, being a corner lot, fronts on the street right-of-way known as Eadestowne Way. The fence only extends along the length of the brick patio and a little beyond in order to provide privacy for the Moultons when they are using their brick patio and when they are on the inside of their house. The fence in no way presents a "stockade" look as it only extends about one-half of the length of the property. In addition, the top 18 inches of the fence is decorative and mostly open which matches the other fences found in the neighborhood.
- (b) A strict and literal interpretation of the ordinance results in an unnecessary hardship. The small lot does not permit the use of landscaping to provide screening for the brick patio or the windows and glass door. The fence is not in the front of

the house but is along the side. The City has previously granted variances for fences in excess of four feet when those are along the sides of houses which are on corner lots.

- (c) There are exceptional and extraordinary circumstances that support the variance request. As stated above, the small size of the lot and the fact that it is on a corner present a unique challenge to provide privacy for the occupants of the home and users of the patio. Planting landscaping such as trees and high bushes would require the owners either to tear out a portion of the brick patio or to trespass onto the City's right-of-way in order to provide screening for the patio and house. The Moultons did not construct the patio and it was present when they purchased the home.
- (d) The granting of this variance will not constitute a special privilege since the need for the fence is a result of the location of the patio which is on the side of the house. In addition, the small size of the lot does not permit an alternative means to provide screening. Only homes that are located on a such a similar small lot, on a corner, which have side patios would be in a similar situation as the applicants.
- (e) The applicants have received support from their neighbors to permit the fence to remain. The fence matches many other fences installed by the builder throughout the subdivision. It is an attractive fence and in no way presents a visual blight or stockade appearance along Eadestowne Way. As such, it will not be material detrimental to the public health, safety or general welfare nor injurious to property or improvements in the neighborhood.
- (f) The granted variance will not create any inconsistencies with any objective of the Comprehensive Plan.

For the above stated reasons, Mr. and Mrs. Moulton request a variance from the height restrictions found in Ordinance No. 18-165(e) so that their present fence may remain in its current location.

Respectfully submitted,



Richard P. Lindsey

Attorney for Applicants

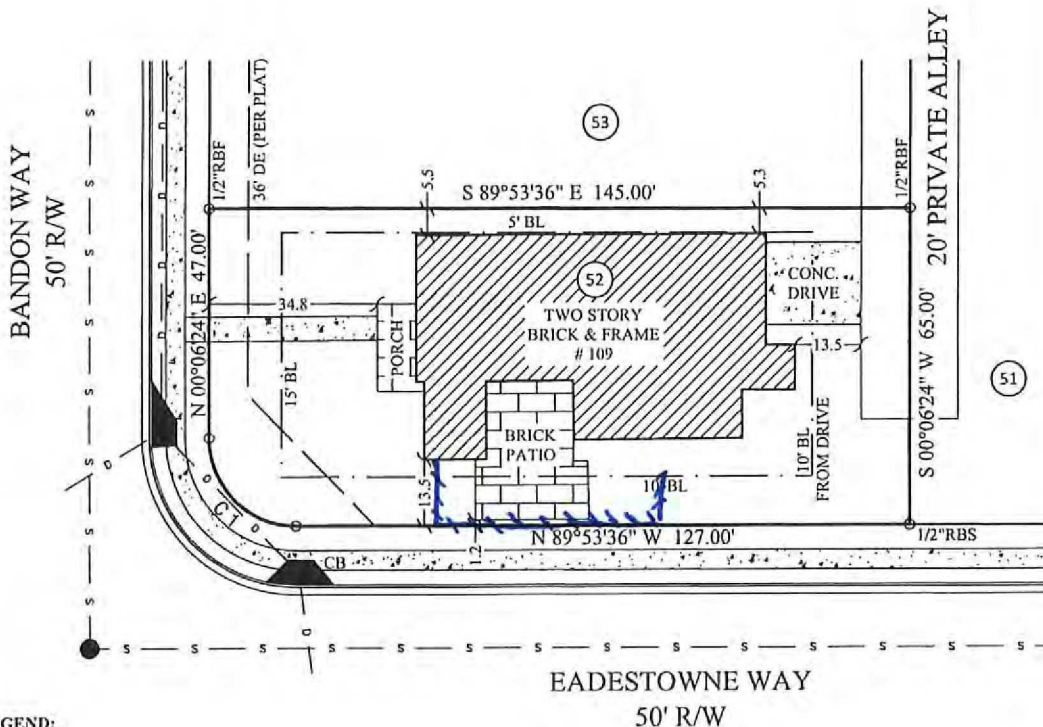
GENERAL NOTES

1. THIS PROPERTY IS SUBJECT TO ADDITIONAL EASEMENTS OR RESTRICTIONS OF RECORD.
2. CARTER LAND SURVEYORS IS UNABLE TO WARRANT THE ACCURACY OF BOUNDARY INFORMATION, STRUCTURES, EASEMENTS, AND BUFFERS THAT ARE ILLUSTRATED ON THE SUBDIVISION PLAT.
3. UTILITY EASEMENT HAS NOT BEEN FIELD VERIFIED BY SURVEYOR. CONTACT UTILITY CONTRACTOR FOR LOCATION PRIOR TO CONSTRUCTION. (IF APPLICABLE)
4. THIS PLAT IS FOR EXCLUSIVE USE BY CLIENT. USE BY THIRD PARTIES IS AT THEIR OWN RISK.
5. DIMENSIONS FROM HOUSE TO PROPERTY LINES SHOULD NOT BE USED TO ESTABLISH FENCES.
6. THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 10,000 FEET.
7. THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 10,000 FEET AND AN ANGULAR ERROR OF 7 SECONDS PER ANGLE POINT AND WAS ADJUSTED USING THE COMPASS RULE.
8. EQUIPMENT USED: TOPCON APLI TOTAL ROBOTIC STATION.

Curve	Radius	Length	Chord	Chord Bear.
C1	18.00'	28.27'	25.46'	N 44°53'36" W

109 BANDON WAY PEACHTREE CITY, GA

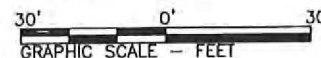
AREA: 9,355 S.F. ~ 0.215 ACRES
PLAT BOOK 49, PAGES 1-15



LEGEND:

RBS- Rebar Set
RBF- Rebar Found
OTPF- Open Top Pipe Found
CTPF- Crimp Top Pipe Found
BL- Building Line
DE- Drainage Easement
PE- Perpetual Easement
SSE- Sanitary Sewer Easement
P- Porch
UE- Utility Easement
FP- Fence Post
PP- Power Pole
-P- Power Line
-X- Fence
-D- Drainage Easement
-S- Sewer Easement
CB- Catch Basin
R/W- Right of Way
CONC- Concrete
Dk- Deck
Pat- Patio
S- Stoop

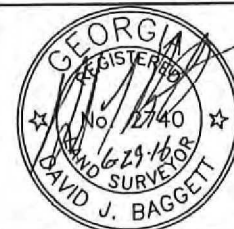
SCALE: 1" = 30'



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

SURVEY FOR:
**DAVID MOULTON SR.
LIVING TRUST**
SUBDIVISION: EVERTON
LOT: 52 PHASE: 1 LAND LOT: 157 & 158
7TH DISTRICT, 2ND SECTION
PEACHTREE CITY
FAYETTE COUNTY, GEORGIA
FIELD WORK DATE: 05/18/2016
20160602312 JWH

CARTER & CLARK
LAND SURVEYORS AND PLANNERS
2780 Peachtree Industrial Boulevard
Duluth, GA 30097
Ph: 770.495.9793
Toll Free: 866.637.1048
www.carterandclark.com
Atlanta • Charlotte • Houston • Dallas
Galveston • Beaumont





LINDSEY & LACY, PC

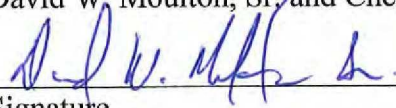
LETTER OF REPRESENTATION

Please note that we are represented in our variance request by attorney Rick Lindsey of Lindsey & Lacy, PC. Please direct all communication to him at the following address, telephone number and email address:

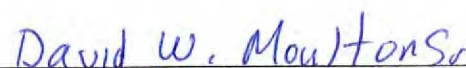
Rick Lindsey
Lindsey & Lacy, PC
2002 Commerce Drive, North
Suite 300
Peachtree City, GA 30269
(770) 486-8445
rick@llptc.com

Thank you.

David W. Moulton, Sr. and Cheryl Moulton



Signature



Printed Name

Doc ID: 009835580001 Type: WD
 Recorded: 07/12/2016 at 09:55:00 AM
 Fee Amt: \$529.20 Page 1 of 1
 Transfer Tax: \$519.20
 Fayette, Ga. Clerk Superior Court
 Sheila Studdard Clerk of Court
 BK 4479 PG 484

Blackburn & Adair, LLC
 2475 Northwinds Parkway
 Suite 150
 Alpharetta, GA 30009
 Attn: John Adair / ALP-160702

WARRANTY DEED

STATE OF GEORGIA

COUNTY OF FULTON

THIS INDENTURE, Made the 6th day of July, 2016, between

Pulte Home Corporation

of the County of Gwinnett, and State of Georgia, as party or parties of the first part, hereinafter called Grantor, and

D. W. Moulton, Sr. and Cheryl M. Moulton, trustees, or their successors in trust, under the D. W. Moulton, Sr. Living Trust U/T/D 09/07/2001, and any amendments thereto and Cheryl M. Moulton and D. W. Moulton, Sr., trustees, or their successors in trust, under the Cheryl M. Moulton Living Trust U/T/D 09/07/2001, and any amendments thereto

as party or parties of the second part, hereinafter called Grantee (the words "Grantor" and "Grantee" to include their respective heirs, successors and assigns where the context requires or permits).

WITNESSETH: That Grantor, for and in consideration of the sum of TEN DOLLARS and other good and valuable considerations---(\$10.00) in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, has granted, bargained, sold, aliened, conveyed and confirmed, and by these presents does grant, bargain, sell, alien, convey and confirm unto the said Grantee,

All that tract or parcel of land lying and being in Land Lot 157 of the 7th District, Fayette County, Georgia, being Lot 52, of Everton Parkside Subdivision, Phase 1, per plat thereof recorded in Plat Book 49, Page 1-15, Fayette County, Georgia Records, which recorded plat is incorporated herein by reference and made a part of this description.

This conveyance is made subject to all covenants, easements and restrictions of record.

TO HAVE AND TO HOLD the said tract or parcel of land, with all and singular the rights, members and appurtenances thereof, to the same being, belonging, or in anywise appertaining, to the only proper use, benefit and behoof of the said Grantee forever in FEE SIMPLE.

AND THE SAID Grantor will warrant and forever defend the right and title to the above described property unto the said Grantee against the claims of all persons whomsoever.

IN WITNESS WHEREOF, the Grantor has signed and sealed this deed, the day and year above written.

Signed, sealed and delivered
 in the presence of:

Virginia Trull
 (Unofficial Witness)

Lisa Howell
 Notary Public



Pulte Home Corporation

By: *[Signature]* (Seal)
 Closing Coordinator *Shirley Solario*



Certificate of Occupancy

Department of Building Inspection

153 WILLOWBEND ROAD • PEACHTREE CITY, GA 30269 • PHONE: 770-487-8901

This Certificate is issued pursuant to the requirements of the 2012 International 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. For the following:

SINGLE-FAMILY RESIDENTIAL
Use Classification

PSF 15-0040
Bldg. Permit No.

R-3
Group

V B
Type Construction/Fire Protection

12/15/2015
Permit Date

PULTE HOMES
Owner

LOT 52, EVERTON
Address

109 BANDON WAY
Building Address

PEACHTREE CITY, GA 30269
Locality

Building Official: **Brian Epstein**
SAFEbuilt, Inc.

By: Jennis Rice
Jennis Rice

Date: 6-28-16









October 4, 2018

202 Bandon Way

Peachtree, City GA 30269

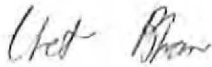
Re: Fence at 109 Bandon Way

Dave,

In reference to the fence in your yard. I am in full support of you keeping it as is. You are a great neighbor and asset to our community.

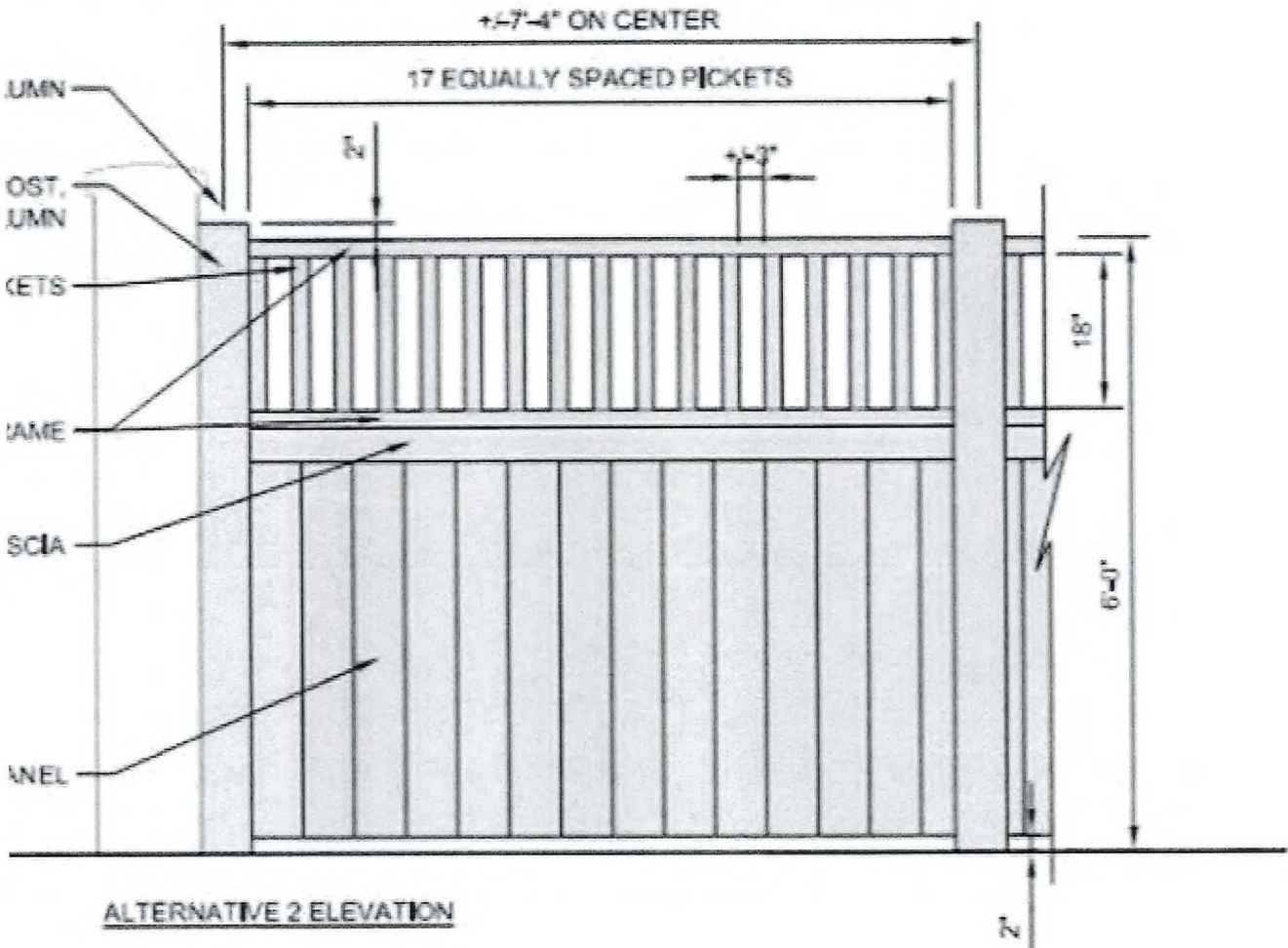
Please let me know if there is anything else I can assist with.

Best,

A handwritten signature in cursive script, appearing to read "Chet Bhasin".

Chet Bhasin

NOTE:
ALL WOOD COMPONENTS SHALL BE PRESSURE
TREATED PINE STAINED DARK BROWN.



ALTERNATIVES 1 AND 2

REVISIONS	PROJECT ATLANTA GARDEN SERIES LANDSCAPE TEMPLATE	CLIENT <i>John Wieland</i> JOHN WIELAND HOMES AND NEIGHBORHOODS 4125 ATLANTA RD. SE, SMYRNA, GA 30086 PH: (770) 938-1800	STAMP CHAU WALL & ASSOCIATES 10000 Peachtree Dunwoody Rd., Suite 100 Dunwoody, GA 30343 770-413-1000 www.chauwall.com
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Kevin Bryant
Amy Mann-Bryant
107 Bandon Way
Peachtree City, GA 30269

October 5, 2018

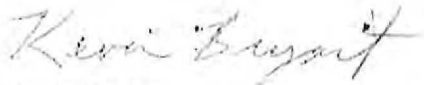
To whom it may concern:

Our names are Kevin Bryant and Amy Mann-Bryant. We currently reside at 107 Bandon Way, Peachtree City GA 30269 and we live next door to Dave and Cheryl Moulton at 109 Bandon Way, Peachtree City, GA 30269.

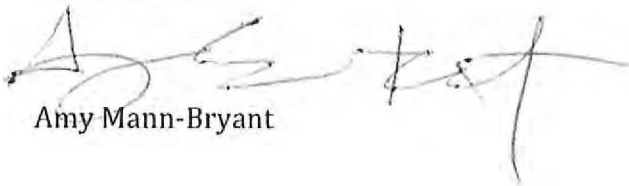
We support a variance for his privacy fence. We are able to see the fence when pulling in and out of our driveway. It has been there since we moved in and we support its current design and height. It is set back from the sidewalk and is not obstructing anyone's view.

Should you have any questions, we can be reached at (470) 439-1440.

Sincerely,



Kevin Bryant



Amy Mann-Bryant

Scott and Melissa Johnson

212 Bandon Way

Peachtree City, GA 30269

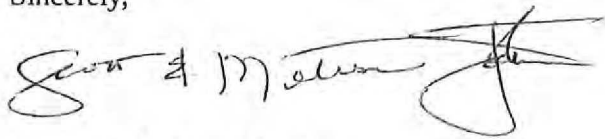
October 5, 2018

To whom it may concern,

We currently reside at 212 Bandon Way, Peachtree City, GA 30269, and are neighbors with the Moulton family who live at 109 Bandon Way. We absolutely support a variance for their privacy fence. We live across the pond from the Moulton's, and we face the side of their house where the fence is located. It has been there since we moved into the neighborhood and have never once felt the fence obstructed our view from the sidewalk or from the street while in our vehicles. We without reservation support the current design and height. Further, after speaking with several other neighbors we know they feel the same.

Thanks for taking the time to reconsider this matter and please feel free to call us if you should have any questions (470) 331-6921.

Sincerely,

A handwritten signature in black ink, appearing to read "Scott & Melissa Johnson", with a large, stylized flourish at the end.

Scott and Melissa Johnson

Sang Yi Kim
101 Eadestowne Way
Peachtree City, GA 30269
05 Oct 2018

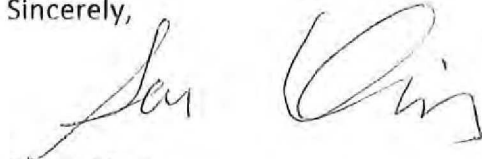
To whom it may concern:

My name is Sang Yi Kim and I currently live at 101 Eadestowne Way, Peachtree City, GA 30269. I live next door to the Moultons at 109 Bandon Way, Peachtree City, GA 30269.

I support of a variance for his privacy fence. I live on the street where his side fence is located and look at it from my patio and great room. It has been there since we moved in and I support its current design and height. It does not obstruct the view of with street and is set back from the sidewalk.

Please feel free to call me if you need anything else....(770) 881-5280

Sincerely,

A handwritten signature in black ink, appearing to read 'Sang Yi Kim', written in a cursive style.

Sang Yi Kim

Samuel Rayborn
108 Bandon Way
Peachtree City, GA 30269
04 Oct 2018

To whom it may concern:

My name is Samuel A. Rayborn and I currently reside at 108 Bandon Way, Peachtree City, GA 30269. I am a neighbor of David Moulton who resides at 109 Bandon Way, Peachtree City, GA 30269.

I am writing in regard to his fence. I have no issues with its design, its height or any other aspect of its placement. In fact, of all the neighborhood fences, his is the most aesthetically pleasing especially considering its proximity to the street.

Please feel free to call me if you need any other information....678-857-8242

Sincerely,



Samuel Rayborn

Daniel McCue
103 Eadestowne Way
Peachtree City, GA 30269
05 Oct 2018

To whom it may concern:

My name is Dan McCue and I currently live at 103 Eadestowne Way, Peachtree City, GA 30269. I live two houses down from our neighbor David Moulton who resides at 109 Bandon Way, Peachtree City, GA 30269.

I am writing in support of a variance for his privacy fence. I live on the street where his side fence is located and have no issues with its' current design or height. It is an attractive fence and is set back from the sidewalk, and from the cross street Bandon Way, and does not obstruct the view from either street.

Please feel free to call me if you need additional information....678-850-6608

Sincerely,



Daniel McCue

Sundar Rajamohan
118 Bandon Way
Peachtree City, GA 30269
05 Oct 2018

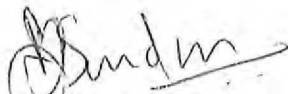
To whom it may concern:

My name is Sundar Rajamohan and I currently live at 118 Bandon Way, Peachtree City, GA 30269. I live across the street to the Moultons at 109 Bandon Way, Peachtree City, GA 30269.

I support of a variance for his privacy fence. I live on the street where his side fence is located and look at it from my patio and great room. It has been there since we moved in and I support its current design and height. It does not obstruct the view of with street and is set back from the sidewalk.

Please feel free to call me if you need anything else....(630) 862-2042.

Sincerely,


Sundar Rajamohan

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor and City Council

VIA: Jonathan N. Rorie, City Manager 

FROM: Robin Cailloux, AICP, Senior Planner 

DATE: January 9, 2019

SUBJECT: Public Hearing: Consider Variance Request, GI Zoning Front Parking
Setback Requirement, 312 Dividend Drive
January 17, 2019 City Council Meeting

Case Number:	PV18-0011
Request:	Variance from Section 1008.4 (g), Zoning Ordinance for a 25-foot encroachment into 50-foot front parking setback
Property Location:	312 Dividend Drive
Current Zoning:	GI General Industrial
Parcel Size:	3.1 acres
Property Owner/ Applicant	SouthTree, Inc.

Discussion:

The Applicant is requesting relief in the form of a variance from the front parking setback requirement [Section 1008.4(g)] of the GI General industrial zoning district which requires a minimum front parking setback of 50 feet. The Applicant proposes to encroach 25-feet into the parking setback requirements to allow parking for the office warehouse building proposed on the site.

The subject property is two undeveloped industrial lots with frontage on both Dividend Drive and Prospect Park Drive. These are some of the last remaining undeveloped industrial lots in the City. Like many of the remaining undeveloped industrial property in the city, the lots are small compared to modern size requirements for industrial development. The Applicant is proposing to combine the two lots, creating one 3-acre corner lot with two (2) front yards.

Dividend Drive is considered a major thoroughfare per the City ordinances and requires a 50-foot landscape and tree-save buffer. Prospect Park is a minor road and therefore does not require a landscape and tree-save buffer. The proposed encroachment is along Prospect Park and will not affect the required buffer along Dividend Drive.

312 Dividend Drive Variance Request

Page 2

As part of the application, the Applicant has included a justification narrative and the site plan showing the proposed improvement in relation to the front property line along Prospect Park Drive.

Variance Consideration

In accordance with Section 1202 of the Zoning Ordinance, variances shall only be granted if:

- (a) The request is in harmony with the intent of the zoning ordinance*
- (b) The application of front parking setback on this property would create a hardship. There must be some extraordinary conditions on this property (such as size, shape, or topography) that similarly zoned properties do not have to contend with.*

Variance Criteria

Section 1207 of the Peachtree City Zoning Ordinance states the City Council shall not grant a variance unless all of the following findings can be made

- (a) There are special circumstances applicable to the property, including location, shape, size, surroundings, or topography so that the strict application of this ordinance denies the property of privileges enjoyed by other property in the vicinity and under identical zoning district classification;*

Staff Comment: The size of this industrial lot is a special circumstance that should be considered for the request. The front setback requirements consume a large portion (28%) of the total land area for this lot. Where these setbacks have minimal effect on standard large industrial lots, the impact on these smaller lots is greater.

- (b) The strict or literal interpretation and application of this ordinance would result in practical difficulties or unnecessary hardships inconsistent with the general purpose and intent of the Zoning Ordinance, or would deprive the Applicant of privileges granted to others in similar circumstances;*

Staff Comment: If the ordinance is applied, the applicant will not be able to use the property as proposed. The office and manufacturing building are standard smaller-scale industrial buildings that are appropriate and compatible with the surrounding industrial development, which was constructed prior to the adoption of this ordinance in 2008.

- (c) There are exceptional or extraordinary circumstances or conditions applicable to the property involved or the intended development of the property which preclude the applicant from complying with this ordinance and that do not apply generally to other property in the same zoning district and which prevent the applicant from complying with existing regulations;*

312 Dividend Drive Variance Request

Page 3

Staff Comment: The size of this property (3 acres) is smaller than comparable industrial lots in the City. Because most of the industrial lots in the City are larger, the application of this ordinance has a disparate effect on this property that does not generally apply to other property in the same zoning district.

(d) The granting of such variance will not constitute the granting of special privileges inconsistent with the limitations on other property in the same zoning district;

Staff Comment: Granting this variance does not constitute the granting of special privileges inconsistent with the limitation on other property in the same zoning district. Staff has identified one other small (4-acre) industrial corner lot in the City at Dividend Drive and Dividend Court.

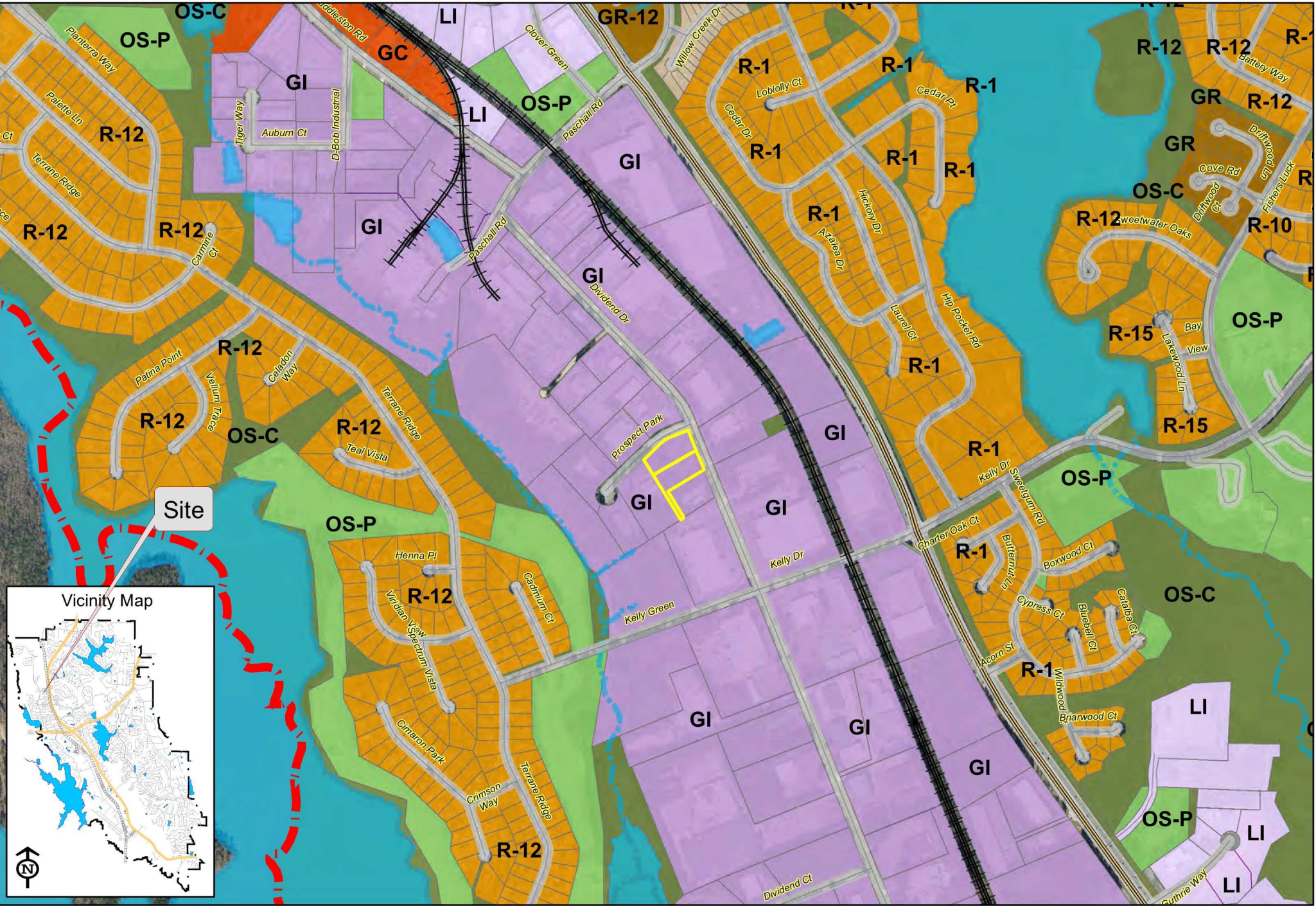
(e) The granting of such variance will not be materially detrimental to the public health, safety, or general welfare nor injurious to property or improvements in the zone or neighborhood in which the property is located; and

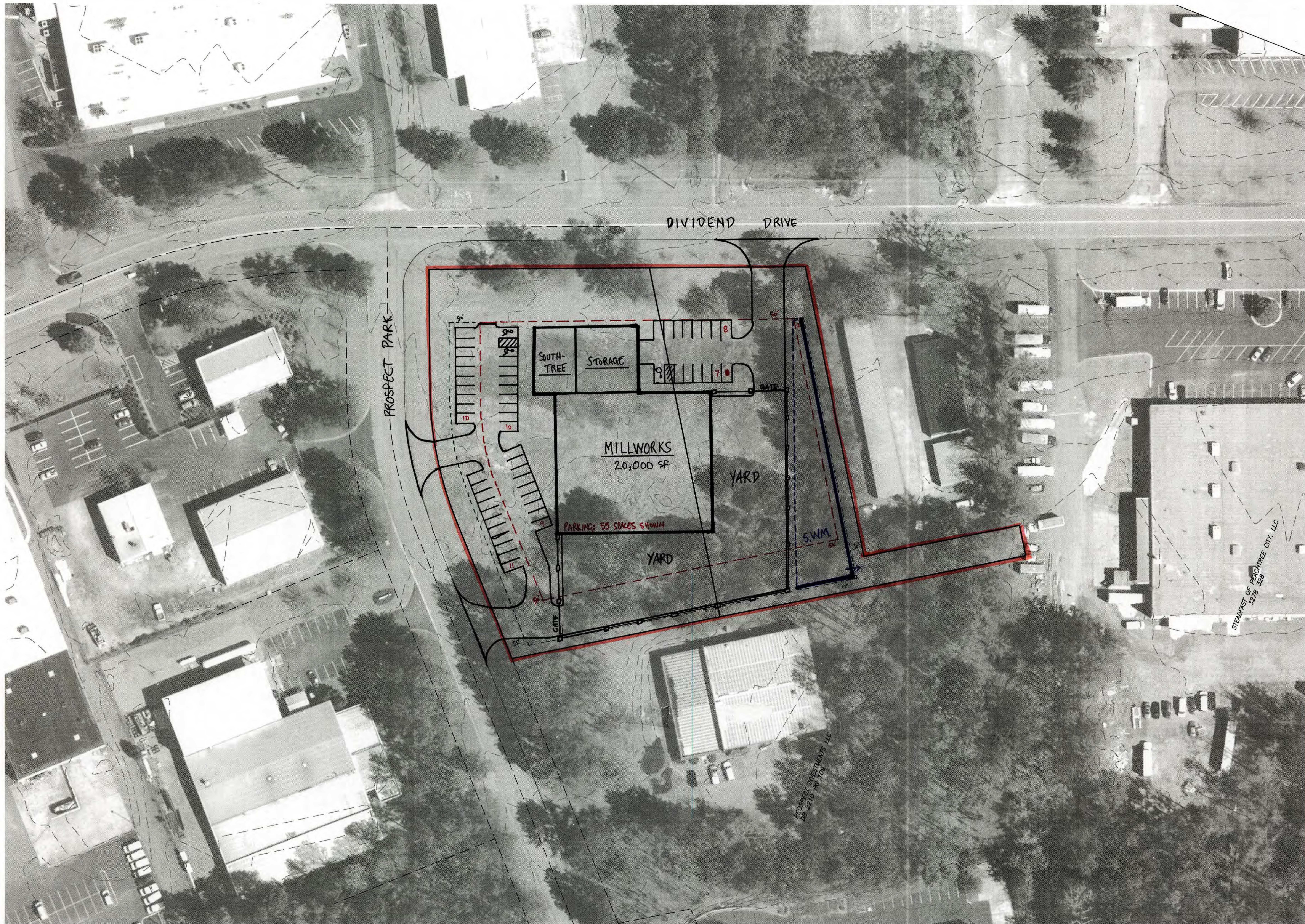
Staff Comment: Granting of a variance in this case would not be detrimental to public health, safety, or general welfare.

(f) The granting of such variance will not create inconsistencies with any objective of the Comprehensive Plan.

Staff Comment: Granting of the variance would not create any significant inconsistencies with the Comprehensive Plan, which encourages industrial development to help balance the property tax base for the City.

ATTACHMENTS





Date	Drawn by	Check by	Project #	Design by	Review by	Rev.	Description	Date	App.
			12345678						

PROJECT TITLE
AND
OWNER INFORMATION
5 LINES
PROVIDED

PROJECT LOCATION AND MISCELLANEOUS INFORMATION

SOUTH-TREE
CONCEPT

December 14, 2018

Planning Department
Robin Cailloux
153 Willowbend Rd
Peachtree City, GA 30269

Re: Variance application for the southwest corner of Dividend Dr. and Prospect Park

We are asking for a variance to encroach into the 50 ft setback along Prospect Park with customer parking only. This variance request pertains to the following ordinance:

APPENDIX A - ZONING

ARTICLE X. – Requirements by District

Sec. 1008. - G1 general industrial district. (1008.4) Other requirements. (c) Minimum front setback depth: 50 feet. (g) No automobile parking or service areas will be permitted within the required front setback depth or within 50 feet of the property line of any adjoining residential zoning lot

We feel this variance request is justified due to the following reasons:

- This is a relatively small lot that fronts two public right of ways, which is requiring two front setbacks of 50 ft. The total acreage of both tracts is 3.07. The requirement of two front setbacks on this property reduces the usable area by 28% of the total tract. While a corner lot with a large amount of acreage may not be affected by these setbacks, a smaller tract like ours is greatly affected.
- The total acreage of this site includes an area that is directly behind the mini-warehouses and extends over to the Better Way Ministries site. This creates a “flag” configuration to this tract. Due to this narrow configuration, this area is completely unusable.
- The topography of this site has drainage from northeast to southwest. While that allows us to install our detention pond on the southwest area of the tract and out of site from the ROW, it does cause us to push the building closer to Prospect Park which is facilitating the need for the variance.
- We intend to adhere to the 50 ft setback along Dividend Dr. It is the main thoroughfare in this area and has the highest traffic count of the two streets related to this property. Prospect Park is completely developed(a total of 5 buildings), with the exception of this property. The traffic along this road is minimal compared to Dividend Dr.
- The development of this tract will consist of two businesses, which include South-Tree Enterprises(General Contractor) and Champion Millworks(manufacturing facility). In Champion’s operation, they will need some outdoor storage area. It is our desire to locate this storage area in the rear and side of the buildings to allow for as much screening as possible. To accommodate the existing setbacks, the entire building would have to be pushed to the west with all parking along Dividend and the storage area along Prospect Park. The granting of this variance would allow for a more aesthetically pleasing development of the site.
- This tract is unique due to its size and location on two public right of ways, therefore, we feel that the granting of a variance along Prospect Park would not create a precedent for future variances. There are only a limited amount of smaller industrial sites left in the City.

- With the proposed development of this site and granting of this variance, it will only enhance the general area and will not be a detriment to the City or any of the surrounding property owners.
- It is important to clarify, that we are not asking for relief from the building setback. We are only asking to encroach the setback with our customer parking.
- With the granting of this variance, we will still have the ability to landscape the 25 ft from the ROW to our parking lot. We will also have sufficient area between the parking lot and the proposed building for additional landscaping.
- Currently the 50 ft setback area along Prospect Park does not contain any mature vegetation that would be eliminated. However, the 50 ft setback along Dividend Dr. does contain some specimen trees that should be able to be left in place.

Based on these unique characteristics of this site, we are asking that you approve this variance as requested. If you have any questions or need any additional information, please do not hesitate to ask.

Sincerely,

Chuck Ogletree
South-Tree Enterprises LLC



VARIANCE APPLICATION

153 Willowbend Rd, Peachtree City, GA 30269

P: 770-487-5731 F: 770-631-2552

WWW.PEACHTREE-CITY.ORG

Admin. Variance Fee: \$25.00
Variance Fee: \$250.00 + \$100
for each additional request

Receipt # _____

Date Filed ____ / ____ / ____

Case # _____

Office Use Only

VARIANCE LOCATION	Street Address <u>corner of Dividend Dr. + Prospect Park</u>	PROPERTY OWNER	Name <u>Release Industries Inc</u>
	Zoning District: ☐ Residential ☐ Multi-Family ☒ Commercial\Industrial\Office		Phone <u>678-787-0791</u>
VARIANCE TYPE	Variance Type: ☐ Administrative ☐ Special Exception ☒ Variance (check one below)	PROPERTY INFO	Email _____
	Variance from which ordinance: ☐ Sign ☐ Fence ☒ Land Development ☐ Zoning		Subdivision: _____
APPLICANT	Name <u>South-Tree Enterprises LLC</u>	SUPPORTING DOCUMENTS	Phase: _____ Lot # _____
	Address <u>1100 Commerce Dr.</u>		Please submit the following evidentiary items in support of this application and the requested variances. (Please check off the items that are attached to this application)
	City, State, Zip <u>Peachtree City GA 30269</u>		☒ Site plan (with property lines and proposed work)
	Phone # <u>770-631-0499</u>		☒ A detailed report justifying the requested variance
	Email <u>cogletree@south-tree.com</u>		☐ Letters of support from adjacent property owners
			☐ Digital Photographs \ Renderings (CD or Email)
			☐ Other Items Demonstrating Need (topo. Survey, etc)

ADMINISTRATIVE VARIANCE	1.) Is a current survey included with the application?	☐ Yes ☐ No	Briefly describe why this variance is being requested: (A separate detailed report is still required to be attached to this application)
	2.) Does the application pertain to a zoning setback?	☐ Yes ☐ No	
	3.) Is the violation an existing setback violation?	☐ Yes ☐ No	
	4.) How long has the violation existed?	_____ Years	
	5.) What is the required setback?	_____ Feet	
	6.) How much of a variance is being requested?	_____ Feet	
	7.) Were you the owner of the property when the violation occurred? (If not, who was?)	☐ Yes ☐ No	

SPECIAL EXCEPTION	1.) Is a current survey included with the application?	☐ Yes ☐ No	Briefly describe why this variance is being requested: (A separate detailed report is still required to be attached to this application)
	2.) Has property been rezoned or deed restrictions?	☐ Yes ☐ No	
	3.) Is the violation an existing setback violation?	☐ Yes ☐ No	
	4.) Application for a bldg setback, fence, or parking?	(Circle One)	
	5.) What is the required setback, height, or spaces?	_____	
	6.) How much of a variance is being requested?	_____	

VARIANCE	Please review the ordinances and instructions on the back of this page.		Briefly describe why this variance is being requested: (A separate detailed report is still required to be attached to this application)
	1.) Is a current survey included with the application?	☒ Yes ☐ No	
	2.) How much of a variance is being requested?	<u>25</u> Feet	
	3.) Were you the owner of the property when the violation occurred? (If not, who was?)	☐ Yes ☒ No	

I hereby certify that I am the owner of the property on which a variance is being requested and that all information provided as a part of this application is true and correct.

Signature of Owner/Agent: [Signature] Date 12-14-18

OFFICE ONLY

ADMINISTRATIVE VARIANCE	Signature: _____	☐ Approved ☐ Denied
Date of Acceptance: _____	Date of Hearing: _____	☐ Approved with Conditions
SPECIAL EXCEPTIONS & VARIANCE FROM ORDINANCES	This application, 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: _____	Date of Acceptance: _____	Date of Public Hearing: _____



N/F
FUTURE DEVELOPMENT

N/F
JOHN PROFFITT

In my opinion, this property does not lie within a flood hazard area according to the latest HUD flood plain map.

In my opinion this plat is a correct representation of the land platted and has been prepared in conformity with the minimum standards and requirements by law.

J.R. Wood

Member S. A. M. S. O. G.



PREPARED FOR:

JOHN PROFFITT

EXHIBIT "A"
TO
LIMITED WARRANTY DEED

SUBDIVISION: PROSPECT PARK		
LOT: 4	LAND LOT: 59	DATE: 11-14-85
BLOCK:	DISTRICT: 6th	REV: ---
SCALE: 1"=60'	COUNTY: FAYETTE, GA.	JOB NO: 85311

Joons Wood & associates consulting engineers · surveyors · planners
206 OAK MANOR LANE, SUITE 4, PEACOCK, GEORGIA 30092
407-9801 FAX: 407-9802

Q - Q&R FOUND
S - 3/4" STEEL BAR SET
WD - WARRANTY DEED
BK - BOOK
PG - PAGE
PGB - POINT OF BEGINNING
POC - POINT OF COMMENCEMENT
NFF - NOW OR FORMERLY

N/F
THE EQUITABLE
LIFE ASSURANCE
SOCIETY OF THE
UNITED STATES

N/F
THE EQUITABLE
LIFE ASSURANCE
SOCIETY OF THE
UNITED STATES

AREA: 53,039 M²
12 ACRES

N/F
JAMES C. HUGHES
NLI BK 159 PG. 506

N/F
FRANKLIN PRODUCTS
LEASED TO CHEF CORP LEASE ASSIGNMENT
DEED BK. 226 PG. 158 & 159

NOTE: PROPERTY LINE RUNS -
ALONG DRAINAGE DITCH

NORTH

NOTE - FIELD SURVEY WAS
RUN FEB. 8, 1965

The two data were when the turkey is found has been compared for change in density and the pattern, and has a change in density of the bird in the year and age of the bird. The two data were when the turkey is found has been compared for change in density and the pattern, and has a change in density of the bird in the year and age of the bird. The two data were when the turkey is found has been compared for change in density and the pattern, and has a change in density of the bird in the year and age of the bird.

A circular seal for a Georgia Land Surveyor. The outer ring contains the word "GEORGIA" at the top and "LAND SURVEYOR" at the bottom, separated by two stars. Inside the ring, the word "REGISTERED" is at the top and the number "No 2261" is in the center. At the bottom of the inner circle, the name "J. PERDUE" is written.

SURVEY FOR
JOHN PROFFITT

LAND LOTS 59 6th DISTRICT
FAYETTE COUNTY GEORGIA
SCALE 1" = 50' 3/11/82

peachtree city
development corp.
manager

PO Box 2700 454 487 8508
 Peachtree City, Georgia 30154

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor and Council Members

VIA: Jonathan N. Rorie, City Manager 

FROM: Betsy Tyler, Public Information Officer/City Clerk 

DATE: January 8, 2019

SUBJECT: Consider Amendment of Animal Control Ordinance – Duty to Restrain Animal
January 17, 2019, City Council Meeting

Recommendation:

That Council adopt the attached amendment to the Animal Control Ordinance.

Discussion:

As you know, in December, the City Manager posted signs at Drake Field requiring that all dogs at the park be leashed. This mirrors the requirements for dogs in all other Peachtree City parks. The action followed multiple complaints about off-leash dogs not being properly controlled at the park, culminating in a dog biting a human on December 27. The attached ordinance amendment affirms the posted policy moving forward.

Complaints:

- **In 2012, when the park was seeing less usage than today, a park user bitten by a dog required 12 stitches for the wound.**
- From 2012 to present, the Police Department has received seven calls via 911 for issues with dogs at Drake Field.
- In the fall of 2018, a City contractor, seeing a large, off-leash pit bull/mastiff type dog ignoring voice commands while running toward him, climbed onto the roof of the storage building to avoid possible attack.
- Complaints about unleashed dogs at Drake increased in December 2018, coming from:
 - Dog owners whose dogs are not trained for voice command and are kept on-leash but bothered by uncontrolled, unleashed dogs.
 - Non-dog owners wanting to enjoy the park but unable to do so due to uncontrolled, unleashed dogs bothering them.
 - **A park user bitten by an uncontrolled, unleashed dog on December 27.**

AN ORDINANCE TO AMEND ARTICLE II, DOMESTIC ANIMAL CONTROL, OF THE PEACHTREE CITY ANIMALS AND FOWL ORDINANCE, AS AMENDED, TO PROVIDE FOR KEEPING ANIMALS UNDER RESTRAINT WHILE OFF PROPERTY; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE FOR SEVERABILITY; TO ESTABLISH AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

NOW THEREFORE, BE IT AND IT IS HEREBY ORDAINED BY THE CITY COUNCIL OF THE CITY OF PEACHTREE CITY, GEORGIA, THAT:

Section 1. Article II, Section 14-34, of the Animals and Fowl Ordinance of the City of Peachtree City, Georgia, as amended, is further amended and is to be codified as follows:

Sec. 14-34. - Duty to keep animal under restraint—While off property.

- (a) It shall be the duty of the owner of any animal to keep the animal under control at all times while the animal is off the real property limits of the owner. For the purposes of this section, an animal is deemed under control when it is confined within a vehicle, parked or in motion, is secured by a physical leash ~~or other device~~ held by a competent person, or is properly confined within an enclosure with permission of the owner of the property where the enclosure is located.
- (b) Any animal kept in the back of an open pickup truck or convertible car must be restrained by a physical leash. Such leash must be of the size and length to restrict the animal within the confines of the car or bed of the truck and to prohibit the animal from jumping out or over the sides or back of such vehicle.
- ~~(c) In addition to the options provided in subsection (a), an animal shall be considered under control at Drake Field and accessing Lake Peachtree from Drake Field or from private property when it is under voice command of a competent person being present with the animal in accordance with the posted rules of the park, except during a special event or a city event.~~

Section 2. All ordinances or parts thereof which conflict with the provisions of this ordinance are, to the extent of such conflict and except as hereinafter provided, hereby repealed.

Section 3. Should any provision of this ordinance be declared invalid by a Court of competent jurisdiction, such decision shall not affect the validity of this ordinance as a whole or

any provision thereof other than the provisions specifically declared to be invalid. The City Council declares that it would have passed this ordinance and each subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more subsections, sentences, clauses or phrases may be declared invalid.

Section 4. This ordinance shall be in full force and effect upon its official adoption by the City Council.

This _____ day of _____ 2018.

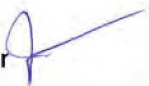
Vanessa Fleisch, Mayor

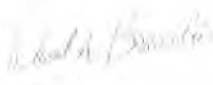
Attest: _____
Betsy Tyler, City Clerk

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor & Council Members

VIA: Jonathan N. Rorie, City Manager 

FROM: David A. Borkowski, P.E., City Engineer 

DATE: January 9, 2019

SUBJECT: Gateway Bridge Guaranteed Maximum Price Approval
January 17, 2019, City Council Meeting

The construction of a bridge over State Route 54 West and associated path connections is a current Special Local Option Sales Tax (SPLOST) project. This project was Bid out as a design-build project and Kiewit was awarded the contract for this project and two other SPLOST projects.

As part of their contract, Kiewit is required to develop plans up through 60% design and present the City with a Guaranteed Maximum Price (GMP) for design and construction. Kiewit has completed the 60% design and calculated the GMP.

Staff has met with Kiewit and is satisfied with the 60% design. Staff will present the design and GMP to Council for approval at the January 17th meeting. If approved by Council, Staff will instruct Kiewit to proceed with final design, permitting and construction.