

City Council of Peachtree City
Meeting Minutes
Thursday, August 21, 2025
6:30 PM

Call to Order

The Mayor and Council of Peachtree City met in regular session on Thursday, August 21, 2025. Mayor Kim Learnard called the meeting to order at 6:30 p.m. Council members attending: Laura Johnson, Suzanne Brown, and Clinton Holland.

Pledge of Allegiance and Moment of Silence

Announcements, Awards, Special Recognition

None

Presentation

None

Public Comment

Bev Ottone of Newnan, a Peachtree City Hockey parent for more than 14 years, said there was no need for a travel hockey team, which had been mentioned by others at a previous meeting, because older players often were not interested. PTC Hockey lost them to ice hockey, not travel teams. Those who wanted to play on travel teams joined teams with other players in nearby areas. She did voice a desire for an enclosed hockey rink, saying the tournaments it hosted would bring money to local businesses.

David Harrer of The Gates subdivision expressed concern about potential noise from the pickleball courts scheduled to be built at Meade Field. He urged Council to incorporate noise abatement features into the design. Another resident of The Gates, Ronnie Bates, echoed his concerns about pickleball noise, saying residents would be glad to work with the City on lessening potential noise issues.

Agenda Changes

None

Minutes

Holland moved to approve the July 10, 2025 City Council meeting minutes, the July 10, 2025 Executive Session minutes, the August 7, 2025 City Council Work Session minutes, and the August 7, 2025 City Council Executive Session minutes. Brown seconded. Motion carried unanimously.

A. July 10, 2025 City Council Meeting Minutes

APPROVED 4-0

B. July 10, 2025 Executive Session Minutes

APPROVED 4-0

C. August 7, 2025 City Council Work Session Minutes

APPROVED 4-0

D. August 7, 2025 City Council Executive Session

APPROVED 4-0

Consent Agenda

Brown moved to approve Consent Agenda items A and B. Johnson seconded. Motion carried unanimously.

A. List of Vehicles and/or Equipment for Surplus

APPROVED 4-0

B. Huddleston Dual Left Construction Bid

APPROVED 4-0

Old Agenda Items

A. 07-24-06 Resolution #08212025-OA-A to Adopt FY2026 Operating Budget & CIP

City Manager Justin Strickland noted there had already been several presentations on the proposed fiscal year 2026 budget and did not want to repeat them. He commended staff for their hard work during this process, commenting that he had been talking with Council since April and sent a proposed budget to Council in May. There was a work session in June and a public hearing in July. Strickland remarked that he was proud of the work staff had put in and proud of the discussions he had had with Council. Strickland said he felt this was a very fiscally responsible budget and offered to answer any questions. He concluded by saying he recommended approval of the budget and Capital Improvement Plan (CIP) and that the motion could be taken from the recommendation in his memo.

Holland said he would like to speak. He noted that the budget was \$58 million, with a reserve fund of 59% of that, about \$34 million. He went on to say he thought it was time to give something back to the taxpayers. He moved to approve the budget with the provision that they move enough money from the reserve fund to enable a full rollback of the millage rate for FY 25-26.

Learnard told him that was not the recommended motion, but Brown then seconded Holland's motion.

Learnard said this was the first she had heard of this, even though they had been talking about the budget since February. Holland said they had been talking about the bloated reserve fund, also. He again moved to approve the budget but only with the provision that they move enough money from the reserve funds so they could approve a full rollback of the millage rate for the coming fiscal year. Brown said that was the motion she had seconded.

How would that work? Learnard asked. Would they change the reserve amount in the 11th hour? She recalled that Financial Services Director Kelly Bush had explained how the reserves helped the City maintain a AAA bond rating. The Mayor asked Holland and Brown if they had new numbers to propose. Brown said

the budget would remain the same amount; this would just be moving the reserves.

Lernard stated that she took the budget very seriously. This had been a public process with citizen input all along. At the public hearing, she noted, only two citizens spoke, both in favor of the proposed budget. Now, she said, there was suddenly a new plan, and she could not accept or support it. She called it disrespectful to her, to staff and to this process.

Holland said it was not disrespectful to the citizens who paid taxes, but Lernard countered that the citizens had been part of the process all along, and it had all been done very much in the public eye. She asked Johnson if she had comments.

Johnson, too, said this motion was a surprise to her. She asked staff if House Bill 581 imposed a freeze on taxes for this year so residents would not be paying any more than last year, which meant a full rollback would not affect residents, only commercial and industrial properties. Strickland told her that was correct; residential properties would not pay any more than they paid last year, no matter what Council did. With that confirmation, Johnson said she was in support of the budget as submitted and did not support the motion on the table.

The Mayor called for the vote, and the motion was denied 2-2, with Holland and Brown in favor and Johnson and Lernard voting against.

That left them with a budget in front of them that they had been working on since February, Lernard said. Were there questions or concerns?

Brown said they needed to give citizens some of their money back. Lernard again stated her disbelief that this had come up now and told Holland it was easy to tell that this was an election year. Brown said they had been talking about reserves for months, and Lernard remarked that department heads had spent weeks working with the City Manager, and that there was a five-year financial model in place. She told Holland it was disrespectful to the citizens to try to change the game now in a public meeting.

She asked if Strickland or Bush would go over the benefits of keeping the reserve fund balance as proposed. Lernard said one of the reasons was to provide a cushion in the event of financial uncertainties surrounding HB 581, which Peachtree City had opted into as a way to cap property tax increases. Lernard said the robust reserves were part of the reason Peachtree City received an AAA bond rating from Moody's in March of 2023, and she did not want to do anything to compromise that or their ability to do grant matching, purchase land, or handle capital expenses.

Johnson commented that Strickland had, at the beginning of the budget process, asked each Council member what they wanted and had made some changes based on recommendations given to him. Johnson said she was not opposed to

using the reserves to give something back to taxpayers, but all members had been given the opportunity to state their viewpoints in the beginning. She felt Strickland and staff had done their best to create a budget as directed by Council. Now, she concluded, that budget deserved Council's support.

Holland said he stood by what he said: it was time to give back. He noted that State law required only a 33% fund balance, while Peachtree City had 59%. That was taxpayer money, he stated, and the City was not a bank. There was a time to give the money back to the people and to the businesses. The budget of \$58 million would stand, he said, but they should take money out of reserves and give it back to citizens and businesses.

Johnson again confirmed that even if they did a full rollback, none of the money would go to residents, only to businesses. Strickland and Holland both agreed with that, with Holland saying he was a proponent of giving back to businesses because they paid the majority of taxes.

There had been a months-long public process, Learnard remarked. She told Holland his suggestions to staff had been included in the budget, including a compromise on the cost of living adjustments (COLA) for City employees that she did not support. Now, she stated, when it was time to pass the budget, he had come up with a new idea and a new speech to give. She said the citizens deserved better.

Brown countered that citizens would get some of their taxes back. Learnard suggested they make a plan for that, and Johnson agreed, adding that no one in the City should doubt that they had the best staff who worked very hard and provided Council with what they asked of them.

They had been talking about reducing the reserves for quite some time, Brown observed, and doing it in this way gave money back to the people who paid it in the beginning.

Learnard said that right now they needed to pass the budget and the financial forecast model and if they wanted to take things further, there could be collaborative conversations in a public way. She acknowledged that they had discussed the reserve fund in the past, but they were not going to just pass a motion on the fly without consideration. She said she was prepared to pass the budget and have those conversations going forward. It was an insult, the Mayor said, to pull a stunt like this in a Council meeting.

Holland told her it was not a stunt; he just thought he was being a good steward of the citizens' money as he was elected to do. The City did not need those kinds of reserves.

Learnard said she was willing to collaborate with Holland and offered to meet with

him the next day to craft a plan to discuss in a public forum. Right now, Hollard replied, all they needed was a vote on whether to pass the budget. Learnard asked if he wanted to make a motion, and he said he did not.

Johnson said she did not see a point in having a motion to pass the budget.

Brown then moved to table Old Agenda item 07-24-06 to the September 18 Council meeting. Holland seconded. Learnard wanted to ask a question, but Brown called the question. The motion was denied by a 2-2 vote; Holland and Brown voting in favor, Johnson and Learnard, against.

The Mayor asked Strickland for his comments. The City's policy was for the reserve fund to be above 31%, Strickland said, and he was fine with whatever Council wanted it to be as long as it was over that amount. However, he could not recommend rolling the millage back and operating on reserves. Once you started operating off of reserves, when you got to the number you wanted to be at, then you had to start raising the millage, he explained. If they wanted to roll back the millage, Strickland said his recommendation would be to cut the budget.

Holland said he was not suggesting they change the budget; he wanted to take money out of the reserves and give it back to the citizens and the businesses. Brown added they would be using reserves for just one year.

Bush spoke up to say that if they wanted to use reserves, the best way was for one-time expenses, such as buying land. Once you rolled back the millage rate, it had an effect every year going forward. Right now, she could not even say what a full rollback would look like because they did not have the tax digest.

Bush also said they should not reduce the reserves in large amounts because that would affect the bond rating. They also should not use the reserve fund for ongoing expenses. Using the reserves for a one-time expense was returning money to the citizens, she stated, just in a different way.

She again noted they did not have the tax digest and would not be receiving tax revenues at the usual time. Because they could rely on a strong reserve fund, that would not cause financial stress.

Again, Strickland said if they wanted to roll back the millage rate, his recommendation would be to cut expenses from the budget.

Learnard asked Holland what he wanted to cut, but he said he had stated what he wanted to do. He wanted to use reserve funds in the amount required to allow them to roll back the millage rate.

What did he want it rolled back to? Learnard asked. He said he wanted whatever amount was needed to effect a rollback. He approved of the budget, but with his

condition of providing for a rollback in the millage rate.

Learnard proposed they approve the budget without conditions, then sit down and look at the numbers and see what they could agree on going forward. Holland pointed out that they had just turned down a motion to table this until September 18.

Johnson said she voted against that because she needed more information. Their professional staff had given them recommendations, but it seemed that they were being ignored, she remarked. She recalled the 15-year forecast they were given during the town hall meeting on HB 581 and how the bill would affect future budgets. Opting into HB 581 was a way of giving back to the citizens, she stated. She said she believed they all had the citizens' best interests in mind, and she was open to a conversation about how to move forward.

Brown said she and Holland were not objecting to the \$58 million budget, they were just deciding if they should reach into the City's pocket or the taxpayers' pockets. She felt a 59% reserve fund meant they should give taxpayers a break.

Learnard asked if they could pass the budget without a contingency then have those conversations?

Johnson moved to approve the resolution to adopt the Fiscal Year 2025-2026 Operating Budget and Capital Improvement Plan. Learnard seconded. Motion was denied by a 2-2 vote, with Learnard and Johnson voting in favor, Holland and Brown, against.

Brown re-introduced her motion to table Old Agenda item 07-24-06 to the September 18 Council meeting. Holland seconded.

Learnard asked Strickland what that meant in terms of staff time, and he said it depended on the direction he got from Council. Learnard said she did not want to waste staff time. Holland said he wanted them to have the tax digest before they voted.

Johnson said she felt they had to table this at this point. The Mayor said this was outrageous, and the citizens deserved colleagues who talked with one another for the betterment of the City.

Motion to table carried unanimously.

B. 04-02-05 FY2026 Fee Schedule

Strickland asked Council to table this item as well because it had to do with the budget. Johnson moved to table New Agenda item 04-02-05, FY2026 Fee Schedule until the September 18 Council meeting. Brown seconded. Motion carried unanimously.

New Agenda Items

A. 08-25-10 Keep Peachtree City Beautiful FY2026 Budget

Keep Peachtree City Beautiful (KPTCB) Executive Director Al Yougel presented the proposed FY 26 budget. He pointed out that the waste hauler franchise fees were down \$3,361 from last year even though they were increased from \$1 a quarter to \$1 a month. The fees applied only to homes with trash service, which about 1,400 to 1,600 homes did not have.

Yougel noted that the cost of contract labor had decreased, but costs for supplies had increased. The total proposed budget was \$246,261.

Learnard asked how the reduction in hours and the restrictions were working, and Yougel said it was working well. People were telling them it was long overdue, and it freed up staff time to get out on the streets.

Holland asked how many people they had to turn away from the recycling center because they were not residents. Yougel said he did not have any numbers, but the overall response had been positive. He said the number of people showing up on Sunday mornings had been lower than anticipated.

Brown noted that many people in Peachtree City recycled, but she thought Council needed to address the issue of people not having residential trash service. Council needed to get that handled citywide so people did not dump their trash on the cart paths.

Johnson thanked Yougel for his work, adding that her son was a service missionary at the recycling center a few days a week.

Brown moved to approve New Agenda item 08-25-10, Keep Peachtree City Beautiful FY2026 Budget. Holland seconded. Motion carried unanimously.

B. 08-25-11 Convention and Visitors Bureau FY2026 Budget

Convention and Visitors Bureau (CVB) Executive Director Tyler Runyon first went over a few things that had been accomplished at the CVB over the past year, including a new logo design and new brand focused on bringing tourism to Peachtree City. They launched a new system that helped with the tracking of hotel room nights. Website redevelopment had been a priority, and they had also produced a new visitors guide. Runyon said there would be an open house at the visitors center in September to introduce the new mural and show off the soft renovations. Hops and Props was very successful, and Wine, Whiskey, and Warbirds was planned for October, Runyon stated.

He said the budget was very similar to the previous year's. They had been conservative because it was hard to predict hotel/motel tax revenues, and those made up 88% of the budget. On the expense side, sales and marketing made up

48%. The proposed FY 26 was \$1,052,586.

Brown asked Runyon if he was confident that the numbers he had now for hotel nights were accurate. He said he was certain it was 100% accurate due to the way the numbers were reported. They now tracked rates, how many rooms, and food and beverage spent at the hotels.

Holland said he was glad to see the events to boost Peachtree City and the Georgia wineries and breweries. Runyon stated this was the first year they had ever done an event that brought fly-ins to the airport.

Johnson said the mural looked really good, and the new visitors guide did, as well.

Holland moved to approve New Agenda item 08-25-11 Convention and Visitors Bureau FY2026 Budget. Brown seconded. Motion carried unanimously.

C. 08-25-12 Ordinance #1239 Alcohol Ordinance Amendment

City Clerk Yasmin Julio noted that at the August 7 meeting, the Council requested staff to bring back an amended ordinance to allow alcohol tastings for distilled spirits at package stores. The current law allowed only beer and wine tastings, but State law had changed to allow them for spirits, as well.

The proposed update would allow them to consolidate the tasting permits to allow retail package dealers to host tastings depending on their permit type. The amendment would also remove public hearings for new alcohol licenses. State law did not require hearings for new alcohol licenses; that was a local ordinance which the City Attorney recommended removing. Council approval for new licenses would still be required. Another change would authorize Code Enforcement officers to assist with enforcing the City ordinance.

Because the fee schedule was not adopted, Julio asked that the fee schedule be changed to include the tasting permit. Meeker offered to expound on the public hearing aspect, but Council said they didn't need more information. Johnson asked that he make the motion to approve because there was a change due to the fee schedule.

Meeker recommended a motion to approve the proposed changes to the alcohol ordinance as set forth in the agenda packet as well as the fee for the tasting permit in the amount of \$150. So moved, said Holland, seconded by Brown. Motion passed unanimously.

D. 08-25-13 FY25 Budget Amendment and Purchase of 13.24 acres of property from the Peachtree City Water and Sewerage Authority

Meeker said the City had been trying to acquire this property from the Water and Sewerage Authority (WASA) for several years. He said he had been concerned about the environmental aspect of the former treatment site, but studies had shown that it was safe since they were not planning on any construction.

An appraisal of the property and the contract were in the meeting packet. The purchase price reflected the appraised value, Meeker remarked, and WASA was retaining an easement over the entirety of the property for the lines they had there. There would also be a restriction on the City putting any structures on the property without WASA's approval.

Meeker said the motion should be to approve the contract and authorize the Mayor and City Manager to sign all documents to move forward with the closing of the transaction if approved by WASA.

The Mayor asked where the money was coming from, and Meeker told her it was from reserves.

Julio pointed out they needed an FY 25 budget amendment attached to this, and Meeker said to use the motion he had just stated and add the purchase price of \$794,000 from reserves.

So moved, said Holland, seconded by Brown. Motion carried unanimously.

E. 08-25-14 Initiation of Rezoning of Parcel No. 0745 005

This property was de-annexed from the Town of Tyrone by the Georgia General Assembly and annexed into Peachtree City with the blessing of both Councils, Meeker explained. Shortly thereafter, there was an application for rezoning, and it was denied in December 2023. Staff was now suggesting Council initiate a rezoning for the property from its current Agricultural Reserve (AR) to Residential (R-43).

Holland moved to approve New Agenda item 08-25-14, Initiation of Rezoning of Parcel No. 0745 005 from AR to R-43. Brown seconded. Motion carried unanimously.

F. 08-25-15 Initiation of a Text Amendment to the Short-Term Rental Ordinance

Strickland said Council had a consensus at its August 7 work session to proceed with a potential change to the Short-Term Rental (STR) Ordinance to allow for a non-applicable time period from June 1, 2026-July 31, 2026.

This was due to the FIFA World Cup coming to the United States, with several matches planned for Atlanta. Fayette Forward had been working on a program for people throughout the county to use their homes as STRs subject to the "Augusta Rule" that exempted income from rentals of 14 days or less from Federal income tax.

Tonight, Strickland said he was asking for initiation of an amendment to the STR Ordinance for the June 1-July 31, 2026 time period. This would have to go first to the Planning Commission, then back to Council for adoption.

Brown moved to approve New Agenda item 08-25-15, Initiation of a Text Amendment to the Short-Term Rental Ordinance. Holland seconded. Motion carried unanimously.

G. 08-25-16 Deer Herd Management Analysis and Deer Season Pilot Program

Assistant City Manager Chris Hobby introduced Jordan McDonald of Seekin' Whitetails to discuss the analysis of the deer population conducted by his firm over the past few months. McDonald explained the process of identifying areas of deer overpopulation and patterns of deer activity.

He said they recorded 802 deer in various Peachtree City neighborhoods, but he believed this number represented only a quarter of the city's whitetail deer population. Fernwood, Whitfield Farms, Fetlock Meadows, Stevens Forest, Spooner Ridge, Golfview, Pinegate, Jennings Yard, SummerBrooke, and Stoney Brook Plantation were the areas with the highest documented deer populations. He attributed this to optimal environmental conditions, such as ample food sources and low vehicle traffic. McDonald recommended further study to monitor trends, increase accuracy, and explore solutions and offered to answer questions.

Hobby said he and Strickland had met with the Georgia Department of Natural Resources (DNR) and the United States Department of Agriculture (USDA) about the deer situation, and both had recommended a herd analysis. McDonald's findings were not surprising, Hobby remarked, and led them to develop an urban archery pilot program for deer control at the Flat Creek Greenbelt. This area was chosen because it was City property with high deer density and wooded buffers separating it from development.

This would be an archery-only program using elevated stands. Hobby said the objective was to reduce deer density, thereby decreasing vehicle collisions and habitat damage while allowing them to assess long-term feasibility.

There were two ways the area could be divided among hunters. One way, allowing for four hunters per weekend, would give them each a 500-yard long area to hunt in, with a 500-yard buffer between hunters. The second option, accommodating eight hunters, would have 250-yard grids. He said either number was fine, and there had already been a lot of interest in the lottery to select the hunters.

Hobby showed the weekends they were considering for the hunts, starting September 13-14, then on September 19-21, October 23-25, October 30-November 1, November 21-23, and November 28-30. He said they were looking to thin the doe population, so the weekends would alternate between doe-only and either sex, with buck hunting limited to those with eight points or more and a 15-inch spread.

This hunt would require no licenses or permits in addition to what the DNR

required. All State laws and bag limits would apply. The only additional requirement would be the doe-only requirements. The hunt and lottery would be run through the City's Recreation and Special Events Department. There would be one lottery to choose the hunters and another to assign a weekend.

He went over the rules and regulations, which stipulated archery equipment only and stands at least 10 feet tall that must be provided and erected by the hunters. The hunters must remain in their designated zone. The City would not be responsible for injuries, and baiting would not be allowed because Georgia law prohibited it on public lands. Hunters would be required to remain at least 150 feet from any occupied buildings, cart paths, trails, or roadways. Shots would not be allowed across trails or toward residences or roads. Hobby pointed out that Fairfax County, Virginia, had run an urban hunting program with similar safety rules for more than 20 years with no injuries.

Hunters would be required to check in and out each day, and harvests must be reported to the City and the DNR within 24 hours. They could retrieve deer from private property only with the permission of the property owner. Violations would result in removal from the program.

When the hunts ended, Hobby said they would look at how many people participated and how many deer were harvested. They would gather feedback from residents. Safety incidents, if any, would be examined. There would be an evaluation of the impact of the hunt on deer-vehicle collisions. Hobby pledged to return to Council and report on the findings and explore further action.

He said staff's recommendation was to authorize this program. The number of hunters would be at their discretion. Learnard asked for his recommendation, and Hobby said he believed they could accommodate eight hunters each weekend. McDonald said he agreed that the 250-yard hunting grids and buffers should be sufficient.

Holland noted the mention of the word "trails" and wanted to add "cart paths" in addition. Hobby said they would be closing the paths in the area during the hunting weekends. However, anyone shooting across a path would also be shooting at a house because the paths were on the edges. Holland inquired about the bag limit, and McDonald said it was 10 does and two bucks.

Holland then wondered why they were not allowing ground hunting. Hobby said there had been no accidents reported in areas that only allowed elevated hunting, but there had been incidents with ground hunting. Brown noted that the accidents in elevated hunting were usually when the hunter fell from the stand.

Why limit hunting to Friday, Saturday and Sunday? Holland asked. Hobby said that would be the most convenient days for most hunters and also the least disruptive days for the area to be closed to the public. The Mayor wondered how they would

restrict the area. Hobby said there would be communications on social media, plus signage and other means of blocking access that would be developed after Council gave the go-ahead.

Holland said he thought citizens would be more likely to use the trails on weekends and thought the hunts could be Monday, Tuesday, Wednesday. Hobby said the thought was that hunters would be more available on weekends. He added that was why they wanted to do a pilot this year so they could learn for the following years.

Brown said she was concerned about the many other areas with an overabundance of deer that were not being touched. Hunting in this area would not impact the areas where there were the most complaints. Hobby said they chose this area for the pilot because it was easy: the City owned it all, paths were on the edges. This was the easiest to manage the first year. They could add multiple other areas next year, using what they had learned this year.

Brown told Holland that the cart paths in this area would not be impacted because they were on the edges. She noted that doing the hunt there would have an impact because the vegetation was being devastated by deer. It was a wetland, and if the deer killed off all the seedlings and saplings, there was nothing to take their place when older trees died.

Brown asked if they could add a provision allowing people who hunted on their own property to track deer onto City property. Hobby said that should be fine. She also asked Hobby if they could look at allowing hunting on a portion of the greenbelts by people with larger properties that abutted them, such as along Robinson? He said he would look into it and come back to Council. Brown also remarked that they did not need another survey.

Holland moved to approve New Agenda item 08-25-16, Deer Herd Management Analysis and Deer Season Pilot Program. Johnson seconded.

Brown mentioned there was an extended hunting season into January, but Holland said McDonald had advised that most archery hunting ceased after Thanksgiving. If there was demand, they could add some days. Brown asked McDonald if they had a target number for deer harvested, but he said they did not, although 100 deer from that area over the four weekends would be a good start.

Motion carried unanimously.

H. 08-25-17 Ordinance #1240 Fence Section 18-165 - Residential Standards Amendment

Planning Director Shayla Reed said staff was requesting to amend the section of the Zoning Ordinance dealing with fences to include the Limited-Use Residential (LUR) and Limited-Use Commercial (LUC) zoning classifications. She said the

proposed language had been provided to them.

Johnson moved to approve New Agenda item 08-25-17, Ordinance #1240 Fence Section 18-165 – Residential Standards Amendment. Holland seconded. Motion carried unanimously.

I. 08-25-18 Building Department Services RFP

The City had issued a Request for Proposals (RFP) to identify qualified firms to provide building code enforcement, plan review, and erosion control plan review and inspection services, Reed stated. These services were currently provided by a third-party contractor whose services were scheduled to expire October 1. They also received engineering services from Charles Abbott and Associates. The City received five responses to the RFP.

In addition to evaluating the proposals, Reed continued, they evaluated the fees being collected for building services and Reed was asking Council to change the rates from the current 60% of revenue up to \$50,000 and 55% above that amount to 50% for both, which would net more money for the City.

She said five employees reviewed the RFPs, and Charles Abbott was selected. She recommended Council award the contract for building department services, plan review and erosion control review and inspections to Charles Abbott and Associates for FY 2026 with the option to extend for up to four additional fiscal years at the rates proposed. Also, to authorize the Mayor or City Manager to execute the contract, subject to legal and staff review.

Holland moved to approve New Agenda item 08-25-18 based on the recommendation of staff. Brown seconded. Motion carried unanimously.

Public Hearings

A. 08-25-19 Variance request from rear setback, 201 Beacon Tree Way

Reed explained this was a one-story home on property zoned single-family residential (R-1). The applicant was requesting a variance in the rear setback from 30 feet to 26 feet in order to construct a sunroom on an existing patio slab. She pointed out the area on a site plan of the property and also showed where an encroachment of the one corner of the house, which had been granted an administrative variance. She also presented photos of the existing house and an example of how it would look with the sunroom.

The applicant, Mark Abresch, said they discovered during this sunroom building process that the house, built in 1975, was too close to the back property line. They had received an administrative variance for that, and his neighbors on either side had no objection to his building the sunroom.

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

opposition, and she closed the hearing.

Brown said she thought the sunroom could be moved to one side and thereby avoid the need for a variance. Holland agreed, saying it could move about four feet, which would require a little more concrete for the slab.

Johnson said it looked like a window would be blocked if the sunroom was moved. Abresch pointed out that this would block a window, and a door possibly would have to be moved.

Was this house built before the setback lines were a requirement? Johnson asked, and Reed said the setbacks were in place at that time, and she did not know why they were not obeyed.

Learnard noted this was a situation they often encountered with older homes. She mentioned the two letters of support from adjacent neighbors. Learnard said here was an opportunity to support someone who wanted to improve their home, so she was in favor of this.

Johnson said they had to take variances seriously because they respected their ordinances. There was a list of requirements that had to be met in order to a variance to be approved. One asked if there were exceptional or extraordinary circumstances, and she said it seemed this was an extraordinary circumstance because the house was built into the setback. She did not think this was granting a special privilege or be inconsistent with the Comprehensive Plan.

Holland asked to see the plat drawing again and indicated how the sunroom could be moved to stay within the setback. Johnson asked if including the window in the sunroom would be a fire safety concern, and Fire Chief Clint Murphy said it would not because the sunroom would provide an egress.

There might be a problem with the roofline, Brown remarked, and Abresch said that was true. The roofline would not have enough slope in an alternate location. Holland acknowledged that was an extraordinary circumstance he had not considered, and this was the rare variance request that he could support.

Brown said she, too, disliked variances but noted this would intrude into the rear setback less than the house did. Learnard said she looked at it as a chance to right the records.

Holland moved to approve item 08-25-19, variance request from rear setback, 201 Beacon Tree Way in the amount of four feet. Johnson seconded. Motion carried unanimously.

B. 08-25-20 Variance request from rear setback, 105 Wexford Way

This property was zoned General Residential (GR-3) and contained a one-story

home. The applicant was requesting a variance of five feet to the 20-foot rear setback in order to build a shed. Reed again presented the variance criteria.

The applicant, Bruce White, said he purchased the property in April and would like to put up a 198-square foot shed, but the lot was oddly shaped and had a severe slope and drainage issues that limited where the shed could be placed. The location he was asking for was the only suitable spot because there was a greenbelt and a drainage ditch behind the house, White continued.

The adjacent neighbors had provided letters of support for this project, and White estimated that about 90% of the homes in the subdivision had similar storage sheds.

The Mayor opened the public hearing. A neighbor, Jeff Anderson, said he had no issues with this variance request. No one else wished to speak either in favor or in opposition to the request, and she closed the hearing.

Brown asked how far this shed was from the side setback. Reed told her there were no side setbacks in this zoning district. Holland asked when the house was constructed, and White said 1984.

Learnard noted that there was buffer behind this property, and she had no problems with the request.

Johnson mentioned that she appreciated that he had a topographical survey, and White shared it with Council. She told White she believed this was the only place the shed could go.

Johnson moved to approve item 08-25-20, variance request from rear setback, 105 Wexford Way, to reduce the setback from 20 feet to 15. Brown seconded. Motion carried unanimously.

C. 08-25-21 Variance request from side setback, 129 Fielding Ridge

The development consisted of a two-story house and was zoned for single-family residential (R-12). The applicant was asking for an eight-foot reduction in the 10-foot side setback in order to build a garage. Reed said he had provided a justification for this request, along with letters for support from neighbors. He also presented a photo showing what the house looked like now and a representation of how it would look with the garage.

Applicant Gary Marullo said this was the only place he could put the garage, which he needed for storage of his classic vehicles. He said it would not block any views or affect drainage.

The Mayor opened the public hearing. No one wished to speak either in favor or in opposition, and she closed the hearing.

Reducing the setback down to just two feet in order to build a garage was a safety issue, Brown stated, noting that garage fires were common. Marullo said this site was above the neighboring property and nothing would be changed that would impede fire equipment access. He also disputed her comment that a garage was more of a fire hazard than other construction.

Learnard asked if the garage would be on an existing slab, and Marullo said that was correct and indicated the area on his photo. He told her it would be a detached garage.

Johnson noted that the variance criteria discussed going against the intent of the ordinance. She said she had looked into it, and the reason for side setbacks was for fire safety, to prevent overcrowding and to maintain privacy between neighboring properties.

Marullo pointed to a wall with the driveway atop it, noting that was already there, and he would just be adding a garage on top. Johnson countered that it was still putting a structure too close to another structure, which increased the risk of fire spreading.

Holland asked Marullo if he would consider making the garage smaller so the setback reduction would not be as severe. Marullo said it could be moved inside the setback only as a one-car garage. Holland agreed with Johnson that this was a fire hazard and asked the Fire Chief to comment.

Murphy said he had not seen this proposal before and asked about the distance to the house next door. Marullo said there was almost 12 feet. Murphy said they could use different construction methods to bring the garage into fire compliance, but he would have to refer to the fire code to see about the required distance.

Even if the garage was built to a different fire code, Brown remarked, the neighbor's house was not. She said she could not support this.

Johnson also brought up one of the variance criteria that said "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." She felt this would be a special privilege that other homeowners were not allowed.

Learnard, noting there were three Councilmembers in opposition, asked Marullo if he wanted to withdraw the request. He said he saw no need since it would be voted down. Marullo said he could not make the garage smaller but it would not accommodate two cars. Brown asked if he could put the garage behind the house.

Learnard asked again if he wanted to withdraw and come up with another plan. If they voted to deny this, he could not bring it back for six months. Marullo said he

saw no need to withdraw; if there was another place for the garage, he would have put it there. He could not move the garage to the rear without removing extensive landscaping. Brown told him again that putting the garage too close to the neighbor's home was her concern.

Learnard again gave him a chance to withdraw the application, and Marullo refused.

Brown moved to deny item 08-25-21, variance request from side setback, 129 Fielding Ridge. Johnson seconded. Motion was approved 3-1, with Brown, Johnson, and Holland voting in favor and Learnard voting against.

Council/Staff Topics

Trash Service

Brown said she thought they needed to put trash service on a future agenda.

Pickleball

Brown stated there should be a sound check at The Gates to see if noise from the proposed site of the pickleball courts could be a problem. Strickland said they could do that, and he and Hobby would be reaching out to The Gates residents.

Learnard reflected on the difficulty they had in finding a location and noted that there was a buffer of trees and a street between the subdivision and the courts. Also, the front yards of the homes, not the backyards, were closest to the courts. She was glad Strickland wanted to reach out to the residents.

Brown said a study would be a way to truncate the argument. Johnson asked if they needed to hire a company, and Hobby said the contractor could conduct a test if Council desired. It could be done quickly.

Learnard changed her mind and said she could support that because it might affect how they did fencing or buffers. Hobby said best practice was 300 feet with a buffer, and this site had 500 feet. Holland said getting the answers would put any questions to rest.

Executive Session

Johnson moved to adjourn to executive session at 9:08 p.m. to discuss pending or threatened litigation. Brown seconded. Motion carried unanimously.

Holland moved to reconvene in regular session at 9:12 p.m. Brown seconded. Motion carried unanimously.

Motion to deny claim by Sandra Sherrill

APPROVED 4-0

Adjourn

There being no further business, Brown moved to adjourn the meeting. Johnson seconded. Motion carried unanimously.

The meeting adjourned at 9:12 p.m.

Martha Barksdale, Recording Secretary

Kim Learnard, Mayor