



BOARD OF COUNTY COMMISSIONERS

T. PAGE THARP GOVERNMENTAL BUILDING
102 STARKSVILLE AVENUE NORTH, LEESBURG, GEORGIA 31763

TUESDAY, JUNE 13, 2023 AT 6:00 P.M.
T. PAGE THARP BUILDING
OPAL CANNON AUDITORIUM
WWW.LEE.GA.US

MEETING AGENDA
WORK SESSION

COUNTY COMMISSIONERS

Billy Mathis, Chairman	District 3
Luke Singletary, Vice-Chairman	District 2
Dennis Roland, Commissioner	District 1
Chris Guarnieri, Commissioner	District 4
George Walls, Commissioner	District 5

COUNTY STAFF

Christi Dockery, County Manager
Kaitlyn Good, County Clerk
Jimmy Skipper, County Attorney

		<u>PAGE</u>
1.	<u>INVOCATION</u> Pastor Josh Posey, First Baptist Church of Leesburg, to lead the invocation.	
2.	<u>PLEDGE OF ALLEGIANCE</u>	
3.	<u>CALL TO ORDER</u>	
4.	<u>APPROVAL OF MINUTES</u>	
	(A) Consideration to approve the minutes for the Board of Commissioners meeting for May 23, 2023.	A - E
	(B) Consideration to approve the minutes from the Joint Public Hearing with the City of Leesburg and the City of Smithville on May 23, 2023.	F - G
5.	<u>CONSENT AGENDA</u> NONE	
6.	<u>NEW BUSINESS</u>	
	(A) Kelly Bruner Moore requests to address the Board regarding the 5 th Annual Georgia State Bible Reading on July 14, 2023.	1
	(B) Melissa Schroeder of NextEra to address the Board regarding a permit extension.	2 - 14
7.	<u>PUBLIC HEARING</u>	
	(A) The Lee County Board of Commissioners will hold a public hearing regarding the proposed 2023-2024 Budget .	15
8.	<u>DEPARTMENTAL MATTERS</u>	
	<u>E-911 Center</u>	
	(A) Discussion of new telecommunications tower.	16 - 23
	<u>Fire & EMS</u>	
	(B) Consideration to approve repair on a fire engine.	24

9. **CONSTITUTIONAL OFFICERS & GOVERNMENTAL BOARDS/AUTHORITIES**
- (A) **Magistrate Court** – Consideration to award the bid for Indigent Defense Services. 25 - 31
- (B) Consideration to appoint **one (1) member** to the **Chehaw Park Authority** for a term of three (3) years. Current term expires 06/30/2023. New term expires 06/30/2026. Letter of interest in reappointment received from Commissioner George Walls. 32 - 33
- (C) Consideration to appoint **three (3) members** to the **Utilities Authority Board** for a term of one (1) year. Current term expires 06/30/2023. New term expires 06/30/2024. Letters of interest received from Arthur Ford, Levent Gokcen, and Victor Stubbs. 34 - 37
10. **COUNTY MANAGER'S MATTERS**
- (A) Updates on County projects. 38 - 43
- (B) Consideration to authorize staff to put out a bid for Disaster Recovery Management, Disaster Debris Monitoring and Disaster Recovery Services. *Current five (5) year contract expires September 30, 2023*
- (C) Consideration to approve an annual renewal lease for DFCS. 44
11. **COMMISSIONER'S MATTERS**
- (A) Discussion of road projects. 45 - 47
- (B) Discussion of placing gates at the Pine Lakes subdivision greenspace. 48 - 52
12. **UNFINISHED BUSINESS**
NONE
13. **COUNTY ATTORNEY'S MATTERS**
- (A) Discussion of proposed amendments to Chapter 70 of the Code of Ordinances of Lee County, Georgia (the Lee County Zoning Code), as required by 2022 Georgia Laws Act 881 (HB 1405). 53 - 80
- (B) Discussion of a proposed amendment to Section 70-6 of the Code Ordinances of Lee County to revise the definition of "Home Occupation, Residential". 81 - 90
- (C) Discussion of a proposed amendment to Chapter 70, Article III, Section 70-94 of the Code of Ordinances of Lee County, Georgia, relating to Greenspace. 91 - 93
14. **EXECUTIVE SESSION**
NONE
15. **PUBLIC FORUM**
Citizens will be allowed to address the Board of Commissioners regarding any issues or complaints. Individuals should sign up prior to the start of the meeting.
16. **ANNOUNCEMENTS**
- (A) The next regularly scheduled County Commission Meeting is **Tuesday, June 27, 2023 at 6:00pm**.
- (B) The offices of the Lee County Board of Commissioners will be **closed Monday, June 19, 2023** in observance of Juneteenth. County offices will reopen for regular business on Tuesday, June 20, 2023. **Residential garbage services will be delayed one day for the rest of the week.**
17. **ADJOURNMENT**

AGENDA MAY CHANGE WITHOUT NOTICE

Lee County is a thriving vibrant community celebrated for its value of tradition encompassing a safe family oriented community, schools of excellence, and life long opportunities for prosperity and happiness without sacrificing the rural agricultural tapestry.

Persons with special needs relating to handicapped accessibility or foreign language interpretation should contact the ADA Coordinator at (229) 759-6000 or through the Georgia Relay Service (800) 255-0056 (TDD) or (800) 355-0135 (voice). This person can be contacted at the T. Page Tharp Building in Leesburg, Georgia between the hours of 9:00 a.m. and 4:00 p.m., Monday through Friday, except holidays, and will assist citizens with special needs given proper notice of seven (7) working days. The meeting rooms and buildings are handicap accessible.



BOARD OF COUNTY COMMISSIONERS

T. PAGE THARP GOVERNMENTAL BUILDING
102 STARKSVILLE AVENUE NORTH, LEESBURG, GEORGIA 31763

TUESDAY, MAY 23, 2023 6:00 P.M.
T. PAGE THARP BUILDING
OPAL CANNON AUDITORIUM
WWW.LEE.GA.US

MEETING MINUTES
VOTING SESSION

COUNTY COMMISSIONERS

Billy Mathis, Chairman	District 3
Luke Singletary, Vice-Chairman	District 2
Dennis Roland, Commissioner	District 1
Chris Guarnieri, Commissioner	District 4
George Walls, Commissioner	District 5

COUNTY STAFF

Christi Dockery, County Manager
Kaitlyn Good, County Clerk
Jimmy Skipper, County Attorney

The Lee County Board of Commissioners met in a voting session on Tuesday, May 23, 2023. The meeting was held in the Opal Cannon Auditorium of the Lee County T. Page Tharp Governmental Building in Leesburg, Georgia. Those present were Chairman Billy Mathis, Vice-Chairman Luke Singletary, Commissioner Dennis Roland, Commissioner Chris Guarnieri, and Commissioner George Walls. Staff in attendance was County Manager Christi Dockery, County Attorney Jimmy Skipper, and County Clerk Kaitlyn Good. The meeting was also streamed on Facebook Live. Chairman Mathis called the meeting to order at 6:00pm.

INVOCATION

Pastor Jonathan LaBarge, New Hope Baptist Church, led the invocation.

PLEDGE OF ALLEGIANCE

The Board and the audience said the Pledge of Allegiance in unison.

CALL TO ORDER

APPROVAL OF MINUTES

- (A) **Consideration to approve the Board of Commissioners meeting minutes for May 9, 2023.**
Commissioner Roland made the **MOTION** to approve the Board of Commissioners meeting minutes for May 9, 2023. Commissioner Walls seconded the **MOTION**. The **MOTION** was unanimous with Commissioner Singletary and Commissioner Guarnieri voting yea.
- (B) **Consideration to approve the minutes for the Special Called Meeting of the Personnel Committee of the Board of Commissioners for May 9, 2023.**
Commissioner Singletary made the **MOTION** to approve the minutes for the Special Called Meeting of the Personnel Committee of the Board of Commissioners for May 9, 2023. Commissioner Roland seconded the **MOTION**. The **MOTION** was unanimous with Commissioner Guarnieri and Commissioner Walls voting yea.
- (C) **Consideration to approve the minutes for the Special Called Joint of the Board of Commissioners and Lee County Development Authority for May 15, 2023.**
Commissioner Guarnieri made the **MOTION** to approve the minutes for the Special Called Joint Meeting of the Board of Commissioners and Lee County Development Authority for May 15, 2023. Commissioner Walls seconded the **MOTION**. The **MOTION** was unanimous with Commissioner Roland and Commissioner Singletary voting yea.

CONSENT AGENDA

NONE

NEW BUSINESS

(A) **Recognition of employees' years of service.**

Chairman Mathis recognized the following employees for their years of service to Lee County:

5 years – Corrie Futch – Property Appraiser

5 years – Jack Smith – Deputy, Sheriff's Office

5 years – Melinda Newberry – Utility Billing Specialist

(B) **Lisa Oosterveen, Deputy Director, ASPIRE Behavioral Health and Developmental Disability Services, to present on Mental Health Awareness Month and discuss services provided by ASPIRE.**

Hollis Smith and Brittany Craft, ASPIRE Behavioral Health and Developmental Disability Services, presented on Mental Health Awareness Month and discussed the adolescent and adult services offered in our area, such as school based services present (in all Lee County schools), a mental health resiliency clubhouse, a crisis center, outpatient services, and a residential substance abuse program.

Consideration to adopt a proclamation declaring May 2023 as Mental Health Awareness Month in Lee County.

Commissioner Roland made the **MOTION** to adopt a proclamation declaring May 2023 as Mental Health Awareness Month in Lee County. Commissioner Walls seconded the **MOTION**. The **MOTION** was unanimous with Commissioner Singletary and Commissioner Guarnieri voting yea.

PUBLIC HEARING

NONE

DEPARTMENTAL MATTERS

NONE

CONSTITUTIONAL OFFICERS & GOVERNMENTAL BOARDS/AUTHORITIES

(A) **Consideration to appoint one (1) member to the Tax Assessors Board for a term of three (3) years. Current term expires 05/31/2023. New term expires 05/31/2026. Letter of interest in reappointment received from Charles "Chuck" Gee.**

Commissioner Singletary made the **MOTION** to reappoint Charles "Chuck" Gee to the Tax Assessors Board for a term of three (3) years, expiring 05/31/2026. Commissioner Walls seconded the **MOTION**. The **MOTION** was unanimous with Commissioner Roland and Commissioner Guarnieri voting yea.

COUNTY MANAGER'S MATTERS

Joey Davenport, Chief Building Official/Co-Assistant County Manager took a moment to introduce and welcome Diana Sandoval and Sid Walker, new personnel with the Planning, Zoning, and Engineering Department.

(A) **Updates on County projects.**

County Manager Christi Dockery discussed ongoing projects in the County: (1) The striping project on Park Street has been completed; (2) the gymnasium renovation project is in its final phase; (3) the LMIG road resurfacing projects have been completed; and (4) the current CDBG project should be completed within the next two weeks.

(B) **Consideration to award the bid for Administrative and Related Gant Services for the 2023 CDBG project.**

County Manager Christi Dockery stated that if the County does not move forward with a 2023 project, these same bid results can be utilized for the 2024 CDBG application cycle.

Commissioner Singletary made the **MOTION** to award the bid for Administrative and Related Grant Services for the 2023 CDBG Project to Bob Roberson & Associates, recipient of the highest scoring rating amongst reviewers. Commissioner Guarnieri seconded the **MOTION**. The **MOTION** was unanimous with Commissioner Roland and Commissioner Walls voting yea.

(C) **Consideration to award the bid for Engineering and/or Architectural Grant Services for the 2023 CDBG project.**

Commissioner Singletary made the **MOTION** to award the bid for Engineering and/or Architectural Grant Services for the 2023 CDBG project to Still Waters Engineering, recipient of the highest scoring rating amongst reviewers. Commissioner Guarnieri seconded the **MOTION**. The **MOTION** was unanimous with Commissioner Roland and Commissioner Walls voting yea.

(D) **Consideration to approve an annual renewal NPDES Permit Contract with Flint River Consulting.**

Commissioner Singletary made the **MOTION** to approve an annual renewal NPDES Permit Contract with Flint River Consulting for \$16,500.00. Commissioner Guarnieri seconded the **MOTION**. The **MOTION** was unanimous with Commissioner Roland and Commissioner Walls voting yea.

(E) **Consideration to approve an annual renewal On Call Contract with Flint River Consulting.**

Commissioner Singletary made the **MOTION** to approve an annual renewal On Call Contract with Flint River Consulting for \$10,500.00. Commissioner Guarnieri seconded the **MOTION**. The **MOTION** was unanimous with Commissioner Roland and Commissioner Walls voting yea.

(F) **Consideration to approve a lease agreement, to expire December 31, 2028, for property located at 297 Foxworth Drive, Leesburg, GA 31763 to Richard and Sherry Benz.**

Commissioner Roland made the **MOTION** to approve a lease agreement, to expire December 31, 2028, for property located at 297 Foxworth Drive, Leesburg, GA 31763 (FEMA lot) to Richard and Sherry Benz. Commissioner Walls seconded the **MOTION**. The **MOTION** was unanimous with Commissioner Singletary and Commissioner Guarnieri voting yea.

COMMISSIONER'S MATTERS

(A) **Consideration to ratify the healthcare plan renewal.**

This renewal includes Anthem BlueCross BlueShield, Know the Costs, and Teladoc. There is a 5% employee contribution increase for the Platinum Plan and a \$250.00 increase for the employer contribution to the Silver Plan.

Commissioner Singletary made the **MOTION** to ratify the healthcare plan renewal. Commissioner Guarnieri seconded the **MOTION**. The **MOTION** was unanimous with Commissioner Roland and Commissioner Walls voting yea.

(B) **Discussion of greenspace.**

(C) **Discussion of stormwater.**

Mike Talley, Stormwater Engineer, Flint River Consulting, and Joey Davenport, Chief Building Official/Co-Assistant County Manager were present.

Chairman Mathis began the discussion by stating that there is a long standing issue regarding both stormwater and greenspace. A change in state law was adopted regarding stormwater runoff and an ordinance was put in place some time ago referencing the amount of greenspace required in every residential development (some requirements are also state law).

Mr. Davenport stated that in 2002, the state released a greenspace requirement and the County responded by adopting an ordinance in conjunction. A few years later, the state did away with that requirement, however, the County never went back and revised the ordinance to reflect this change. To Mr. Davenport's knowledge, there is not a current state requirement specifically regarding greenspace.

Chairman Mathis added there were two conflicting greenspace ordinances, with one ordinance stating you can only build three (3) houses per acre but also one that asks you to do calculations on the number of acres in the development, subtract the number of lots that are not buildable, and then get the lots out of the remaining property, which seem contradictory and can be confusing. Mr. Davenport clarified that the three (3) houses per acre requirement is for if there is water and sewer, which would logically provide 1/3 acre lot sizes; however, when stormwater areas are taken out of the area, resulting lot sizes can be as small as 2/10 acre.

Commissioner Singletary stated that the way he interpreted the ordinance was that the lots were divided after the greenspace and stormwater ponds/drainage had been accounted for (the buildable lots). Chairman Mathis said he didn't read it that way and it's because of this confusion that there needs to be a correction made to clarify the wording and intent of the ordinance.

Commissioner Roland suggested allowing the developers to divide the greenspace among the houses, thereby providing larger lot sizes and the ability to collect property taxes off of it. Mr. Davenport wished to clarify that the County is not taking greenspace anymore. County Attorney Skipper added that greenspace must be owned by a homeowners association or a trust and that just because its greenspace doesn't necessarily mean that it is untaxable. Commissioner Singletary added that greenspace is an essential part of the neighborhoods and subdivisions.

County Attorney Jimmy Skipper will draft an amendment to the existing greenspace ordinance so as to limit the amount of houses permitted (with a well and septic, the requirement is one (1) for every 2 acres; with water and septic, the requirement is one (1) for every acre; with water and sewer, the requirement is three (3) per acre) on a developable acre, specifically defined so as not to include stormwater areas, greenspace, or roadways. For example, if there are 100 acres and 25 acres of that area is greenspace, the total number of houses permitted to be built is based upon the remaining 75 buildable acres.

The Board also agreed to retain the following requirements, as seen in the Lee County Code of Ordinances Sec. 70-94. - Land conservation: "Where the property is to be developed as a major subdivision with at least a county provided water system or a county provided sewer system, unless otherwise specified, a minimum of 25 percent of the remaining developable land shall be preserved. Where the property is to be developed with wells and septic tanks, a minimum of ten percent of the developable land shall be preserved."

Chairman Mathis then asked Stormwater Engineer Mike Talley to discuss the latest stormwater update and let the Board know of any further suggestions, adding that the County doesn't allow developers to do the bare minimum as has been seen in the past. Mr. Talley stated that the latest update was to adopt the infiltration requirement as set by the State, which requires a developer of a commercial development to capture and infiltrate one inch of runoff from the site. The water stays at the site and then gets infiltrated back into the ground, usually in this area by way of a pond. Additionally, there is already a water quality requirement at less the volume than the runoff reduction volume, so if the infiltration/runoff reduction requirement is met, the water quality requirement is satisfied as well.

In moving forward, Mr. Talley emphasized that he goes by the Code, which he acknowledged can be amended as the Board sees fit and as situations arise resulting in cause to re-evaluate a portion of the current Code. With any changes come tradeoffs like losing developable land because more land is required to abide by some set standards or spending money if the development of any kind of underground detention is necessary; however, Mr. Talley added that the underground options typically do not work well in this area due to the water table.

Chairman Mathis emphasized the concern of runoff to neighbors and asked if we were doing everything we could do to prevent it, to which Mr. Talley replied that he believes we are, but added that the aerial topographical maps that the State has provided to the County are very beneficial. This allows staff to view the property/project area and assess any potential runoff issues. Mr. Talley added that there were some other things the County could do and improve on, such as percolation tests and infiltration. Chairman Mathis asked Mr. Talley to work on and provide the Board a simple summary of what the County is doing vs what the County could be doing better for any stormwater issues.

UNFINISHED BUSINESS

NONE

COUNTY ATTORNEY'S MATTERS

NONE

EXECUTIVE SESSION

NONE

PUBLIC FORUM

Citizens will be allowed to address the Board of Commissioners regarding any issues or complaints. Individuals should sign up prior to the start of the meeting.

No citizens took part in the Public Forum.

ANNOUNCEMENTS

- (A) The next regularly scheduled County Commission Meeting is **Tuesday, June 13, 2023 at 6:00pm.**
- (B) The offices of the Lee County Board of Commissioners will be **closed Monday, May 29, 2023** in observance of Memorial Day. County offices will reopen Tuesday, May 30, 2023 for regular business hours. **Residential garbage services will be delayed one day for the rest of the week.**

ADJOURNMENT

The meeting adjourned at 6:44 PM.

Facebook video link: <https://www.facebook.com/leecountyga/videos/628340435568747>

Lee County is a thriving vibrant community celebrated for its value of tradition encompassing a safe family oriented community, schools of excellence, and life long opportunities for prosperity and happiness without sacrificing the rural agricultural tapestry.

Persons with special needs relating to handicapped accessibility or foreign language interpretation should contact the ADA Coordinator at (229) 759-6000 or through the Georgia Relay Service (800) 255-0056 (TDD) or (800) 355-0135 (voice). This person can be contacted at the T. Page Tharp Building in Leesburg, Georgia between the hours of 9:00 a.m. and 4:00 p.m., Monday through Friday, except holidays, and will assist citizens with special needs given proper notice of seven (7) working days.

The meeting rooms and buildings are handicap accessible.



BOARD OF COUNTY COMMISSIONERS

T. PAGE THARP GOVERNMENTAL BUILDING
102 STARKSVILLE AVENUE NORTH, LEESBURG, GEORGIA 31763

TUESDAY, MAY 23, 2023 AT 5:30PM
T. PAGE THARP BUILDING
OPAL CANNON AUDITORIUM
WWW.LEE.GA.US

LEE COUNTY BOARD OF COMMISSIONERS
CITY OF LEESBURG
CITY OF SMITHVILLE

COUNTY COMMISSIONERS

Billy Mathis, Chairman	District 3
Luke Singletary, Vice-Chairman	District 2
Dennis Roland, Commissioner	District 1
Chris Guarnieri, Commissioner	District 4
George Walls, Commissioner	District 5

COUNTY STAFF

Christi Dockery, County Manager
Kaitlyn Good, County Clerk
Jimmy Skipper, County Attorney

The Lee County Board of Commissioners, City of Leesburg, and City of Smithville met for a Special Called Joint Meeting on Tuesday, May 23, 2023 at 5:30pm. The meeting was held in the Opal Cannon Auditorium of the Lee County T. Page Tharp Governmental Building in Leesburg, Georgia. Commission Chairman Billy Mathis, Leesburg Mayor Billy Breedon, and Smithville Mayor Vincent Cutts were seated on the stage. Chairman Mathis called the meeting to order at 5:32PM.

CALL TO ORDER

PUBLIC HEARING

- (A) Lee County and the Cities of Leesburg and Smithville are conducting a Public Hearing to update the Lee County Joint Comprehensive Plan. The current plan will expire on February 28, 2024. In accordance with the Georgia Minimum Standards and Procedures for Local Comprehensive Planning (Chapter 110-12-1), each community must conduct a public hearing before the start of the planning process.

The purpose of this hearing is to brief the community on the process to be used to update the comprehensive plan and offer opportunities for public participation and public input in the development of the plan.

A handout was provided and made available to those present. A copy of the current comp plan is available on the DCA website, County website, and the SWGRC website.

Barbara Reddick, Southwest Georgia Regional Commission, summarized the Comprehensive Plan Update and the purpose of today's Public Hearing. The Comp Plan is for 2019 – 2029 and must be updated every five (5) years. This Public Hearing is to officially start the process of that update, allowing citizens to provide input; emphasizing that community involvement is a very important aspect of the process.

A comp plan is required for every county in Georgia. If a comp plan update is not completed and submitted by February 28, 2024, we could lose our Qualified Local Government Status, which affects the County's ability to obtain grants and permits, etc. from the state. Ms. Reddick and SWGRC staff will contact each entity to schedule individual meetings (tentatively June and July) and another Public Hearing must be held before the update is formally submitted. SWGRC will guide the meetings and the plan update as it moves along. The most important elements looked at during the update process are: Community goals, needs and opportunities, the report of accomplishments, the community work program, the broadband element, land use, and SWOT analysis.

Chairman Mathis opened the Public Hearing at 5:42.

With no questions or comments from the Boards, staff, or public, the Public Hearing was closed at 5:43.

EXECUTIVE SESSION

NONE

PUBLIC FORUM

Citizens will be allowed to address the Board of Commissioners regarding any issues or complaints. Individuals should sign up prior to the start of the meeting.

No citizens took part in the Public Forum

ANNOUNCEMENTS

- (A) The next regularly scheduled County Commission meeting is **Tuesday, May 23, 2023 at 6:00pm.**
- (B) The offices of the Lee County Board of Commissioners will be **closed Monday, May 29, 2023** in observance of Memorial Day. County offices will reopen Tuesday, May 30, 2023 for regular business hours. **Residential garbage services will be delayed one day for the rest of the week.**

ADJOURNMENT

The meeting was adjourned at 5:45pm.

Facebook video link: <https://www.facebook.com/leecountyga/videos/534875578659024>

Lee County is a thriving vibrant community celebrated for its value of tradition encompassing a safe family oriented community, schools of excellence, and life long opportunities for prosperity and happiness without sacrificing the rural agricultural tapestry.

Persons with special needs relating to handicapped accessibility or foreign language interpretation should contact the ADA Coordinator at (229) 759-6000 or through the Georgia Relay Service (800) 255-0056 (TDD) or (800) 355-0135 (voice). This person can be contacted at the T. Page Tharp Building in Leesburg, Georgia between the hours of 9:00 a.m. and 4:00 p.m., Monday through Friday, except holidays, and will assist citizens with special needs given proper notice of seven (7) working days.

The meeting rooms and buildings are handicap accessible.



LEE COUNTY BOARD OF COMMISSIONERS

Request Form to Address
The Board of Commissioners

<u>Name of Speaker:</u> Kelly Bruner Moore
<u>Company or Organization Being Represented:</u> n/a
<u>Date of Commission Meeting You Wish to Appear:</u> 6/13/23
<u>Address:</u>
<u>Telephone Number:</u>
<u>Email Address:</u>
<u>Topic to Discuss with the Board of Commissioners:</u> (Please be specific and include attachments as necessary) 5th Annual GA Statewide Bible reading to be held at the Courthouse on 7/14/23, at 7:14 a.m.
<u>Signature of Speaker:</u> <i>Kelly B. Moore</i> <u>Date:</u> <i>5/31/23</i>

Requests to address the Board of Commissioners must be received by **12:00 noon**, and a minimum of **one week prior to the Tuesday commission meeting**. Return this form to the County Clerk's office at 102 Starksville Avenue North, Leesburg, Georgia 31763 or e-mail Kaitlyn.good@lee.ga.us.

The County Commission meetings are held twice per month. The Work Session is held the 2nd Tuesday of each month at 6:00 p.m. and the Voting Session is held the 4th Tuesday of each month at 6:00 p.m. All meetings are opened to the public and held in the Opal Cannon Auditorium of the T. Page Tharp Governmental Building located at 102 Starksville Avenue N, Leesburg, Georgia 31763.

If you have any questions regarding this process, please contact Kaitlyn Good, County Clerk, at Kaitlyn.good@lee.ga.us.

Billy Mathis
Chairman, Lee County Board of Commissioners
T. Page Tharp Governmental Building,
102 Starksville Avenue
North Leesburg, Georgia 31763

June 9, 2023

Dear Commissioner Mathis,

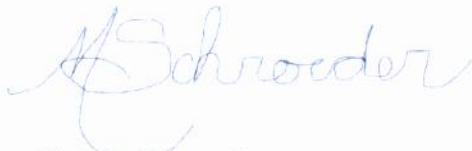
Pinewood Solar, LLC respectfully requests a 12-month extension to the Conditional Use Permit (CUP) for the proposed Pinewood Solar Energy Project (Project) that was approved by the Lee County Board of Commissioners on January 21, 2022.

- The Pinewood Solar CUP expires on July 24, 2023. The original plan was for construction to begin in Q2 2023, with an expected commercial operation date of Q4 2024. The project is seeking approval for a CUP extension based on the challenges that were beyond the Project's control.
- This Project was previously bid into, and considered for selection, in a Request for Proposal (RFP) with a large investor-owned utility. This Request for Proposal (RFP) was cancelled by the requestor in November 2022, before final awards, due to unforeseen industry and market challenges relating to supply chain constraints and a US Department of Commerce investigation into tariff circumvention by China. The investigation is now complete, and the supply chain is starting to get back to normal operations to support material deliveries for construction of this project.
- Pinewood Solar continues to be a competitively priced and a highly marketable project that has extremely high odds of entering into a contract to sell power in the 2023 Georgia Power Company (GPC) RFP that was just announced last week. Projects with CUPs are prioritized and ranked higher than those without, and therefore, it is critical to the success of this project to obtain an extension to the CUP prior to its expiration. NextEra Energy Resources is the leader in the industry in the state of Georgia with seven (7) operating projects and three (3) projects under construction right now.
- The 200-megawatt (MW) proposed Pinewood Solar project has not materially changed since the original staff review in October 2021. The proposed project land use would continue to be compatible and harmonious with the use or development of the adjacent properties. The project will comply with all federal, local, and state erosion and sediment controls and will work closely with the Georgia Environmental Protection Division.

- Construction of this project needs to begin within 12 months of the extension of this permit to meet the scheduled commercial operation date of Q4 2026. The commercial operation date is driven by the timeline for interconnection into the Georgia Integrated Transmission System, whereby GPC requires 24-30 months to construct a proposed substation to facilitate the project connecting to the grid.
- Pinewood Solar strives to be an excellent partner to Lee County by continuing to support initiatives that benefit the Community. NextEra Energy Resources has made a significant investment in this project, with capital expenditures of nearly \$500,000 to date and nearly \$1.2MM in expenses.

Pinewood Solar is pleased to submit this letter and subsequent information to the Board of Commissioners for review and consideration. We look forward to working with you on a successful partnership for this project.

Sincerely,

A handwritten signature in blue ink that reads "Melissa Schroeder". The signature is fluid and cursive, with the first name being more prominent.

Melissa Schroeder
Project Director
404-937-0085
melissa.schroeder@nexteraenergy.com

Key Information for Consideration

Location

- The Project Site (Site or Project Area) is located approximately 6 miles north of the City of Leesburg, south of State Route 377 and west of State Route 195 (See Figure 1, attached).
- The Project footprint would be approximately 1,500 acres, situated within four contiguous parcels. The remaining 3,689 acres within the parcels would not be impacted.

Visual Impacts

- The Project is not anticipated to impact overall community character because potential views would be mostly obscured from adjacent roadways and properties, non-participating residences are not anticipated to be impacted, and a vegetative buffer would be installed to obscure the proposed Project where it would be potentially visible from roadways. Agricultural, pastoral, and forested views would still dominate the character of the surrounding landscape. A viewshed analysis was conducted to identify areas where the Project may be visible from roadways. (See Figure 2, attached).
- The facility would be located on private land that is currently cropland, surrounded by native and timber woodland. Minimal vegetation removal would be required for this project, leaving the forested areas of the properties largely untouched. The Project would have a natural vegetative buffer in place, shielding the view from public rights of way.
- The solar site is in an area with minimal residential development. No residential dwellings (except for participating property owner whose land we are leasing) were identified that would have clear views of the proposed SES. No potentially sensitive land uses (e.g., recreational business or tourism resources) were identified on adjacent properties not owned by the leasing landowners.

Erosion and Sediment Control

- Prior to construction, Pinewood Solar would submit a Stormwater Management Plan in compliance with Lee County Code of Ordinances Chapter 38, Article VI that would include water detention systems designed to sufficiently accommodate a minimum of a 100-year storm event; detention basins and other Best Management Practices (BMP'S) would be designed to sufficiently control the flow of water off Site in the event of large storms with heavy rainfall.
- A performance bond would be submitted for 110 percent of the total cost of construction for the stormwater management facilities.
- During construction, the Project's Stormwater Pollution Prevention Plan, will be overseen by the Georgia Environmental Protection Division (GA EPD). The GA EPD is expected to release new permit requirements in Q3 2023 requiring increased site stabilization measures and a more phased approach to issuing permits than in the past. NextEra Energy Resources is already working closely with EPD inspectors and implementing these new site stabilization measures at projects currently under construction in Georgia.
- Since the original review, Pinewood Solar has completed a full drainage report. Results indicate this project site is a low risk for flooding and erosion and that electrical equipment can, and will be, built above the 100-year flood level.

- A wetland delineation report has been conducted and the project will implement the 25ft GA EPD buffer on state waters as well the additional 75ft Lee County buffer for wetlands.
- Upon completion of construction, areas within the Site boundary (except for access pathways) would be revegetated. Revegetation of the Site would help stabilize the soil and decrease runoff, as well as:
 1. Reduced visual impact as compared to an unvegetated surface;
 2. Prevent erosion and sedimentation and maintain water quality in the surrounding area;
 3. Serve as a cover crop to prevent topsoil erosion and maintain or enhance soil nutrients; and
 4. Provide habitat for wildlife and the voluntary establishment of native plant species.

Environmental Impacts: Species

- In a letter dated January 26, 2021, the USFWS concurred with the on an onsite environmental survey and report that the proposed SES would have “No Effect” on any of the federally listed species.
- Two active burrows for the Georgia listed Gopher tortoise were found onsite during a formal survey. One of the burrows is in an area that the project could possibly impact. The project will coordinate with the Georgia Department of Natural Resources for a collection and re-location before the start of construction, as necessary.

Project Timeline

- ✓ Preliminary design (complete)
- ✓ Environmental due diligence (complete)
- ✓ Lee County Conditional Use Permit (complete)
- ✓ Geotechnical activities, topography study, and other preliminary engineering activities (complete)
- ✓ Hydrology [water run-off study] (complete)
- Transmission Interconnection Studies (ongoing, completion expected Q3 2023)
- Interconnection Agreement with Transmission Provider (expected Q4 2023)
- Project marketing (ongoing; 2023 Georgia Power RFP announced last week with bids due Q1 2024)
- Stormwater Pollution Prevention Plan and Building Permits (expected Q4 2023)
- Switchyard & Substation Construction (begin Q1 2024, completion Q2 2026)
- PV Construction (Q4 2024-Q4 2026)
- Operation (approximately 30 years)

Project Benefits & Community Partnership

In addition to providing clean affordable and reliable energy, the Project would:

1. Generate approximately \$24 million in additional tax revenue over the life of the project to benefit Lee County through an approximately \$270 MM capital investment
2. Create up to 350 construction jobs
3. Support the economy through purchases of regional goods and services

Pinewood Solar strives to be an excellent partner to Lee County by continuing to support initiatives that benefit the Community.

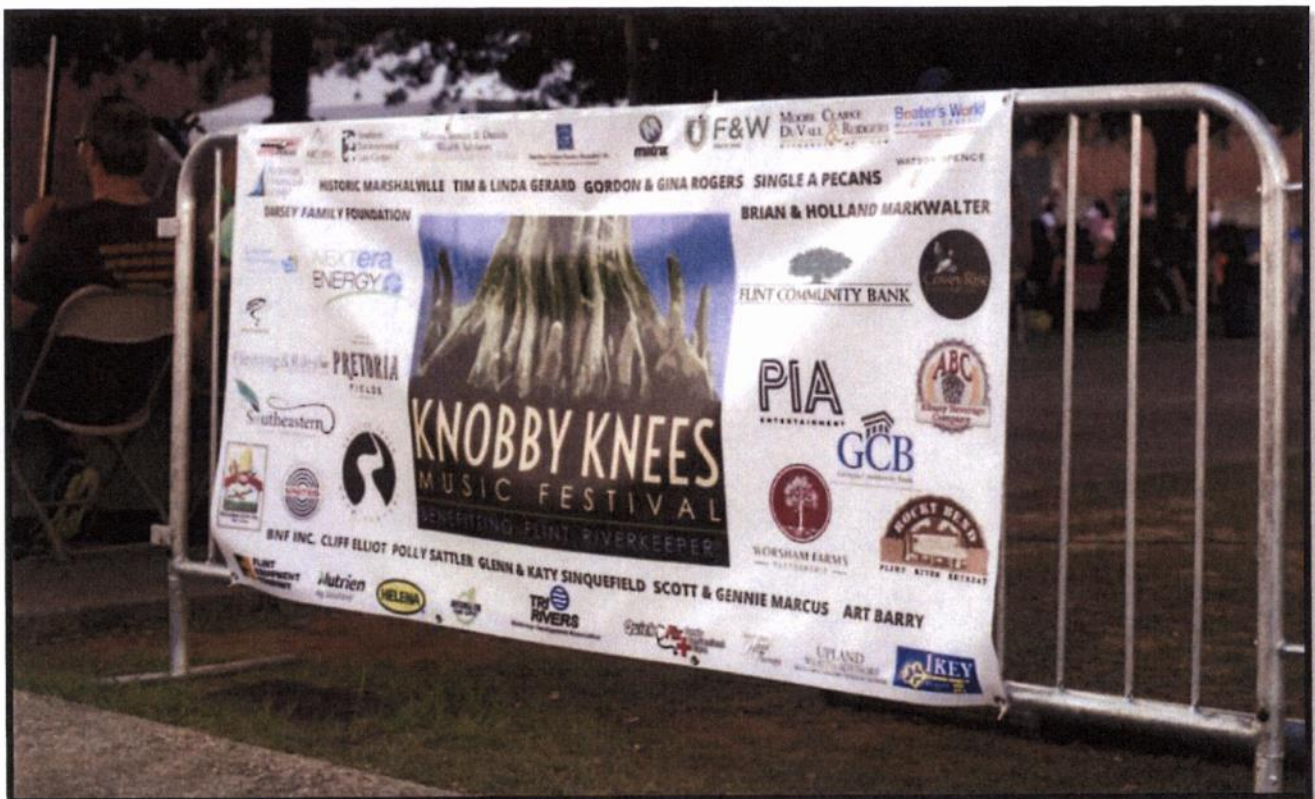
- Chamber of Commerce's LCHS Alumni Event; entering into a \$15,000 multi-year support agreement after supporting in 2022
- Lee County Family Connection: committed to a second \$10,000 grant to support two initiatives
- Lee County Chamber of Commerce Champion membership for the 2nd year.
- Flint River Keeper Knobby Knees Music Festival \$2,500 Platinum Sponsorship for a 2nd year
- Albany Technical College \$5,000 support for an Alternative/ Sustainable Energy program
- \$50,000 STEM grant to Lee County Middle School, whose students wrapped up an amazing year learning about and working with drones.
- Support to Lee County Athletic Booster Club and Lee County Teacher Appreciation, \$2,500 each

Lee County Middle School class participating in a STEM program as a result of a \$50,000 grant from the NextEra Energy Foundation (SY 2022-3)



NextEra Energy sponsored a new program at Albany Technical College

ATC starts new renewable energy program



Georgia Power released their Request for Proposal Timeline for 2023-2024



[CARES 2023 Home](#)

[Schedule](#)

[Announcements](#)

[Register](#)

[Log On](#)

This tentative schedule is subject to adjustments.

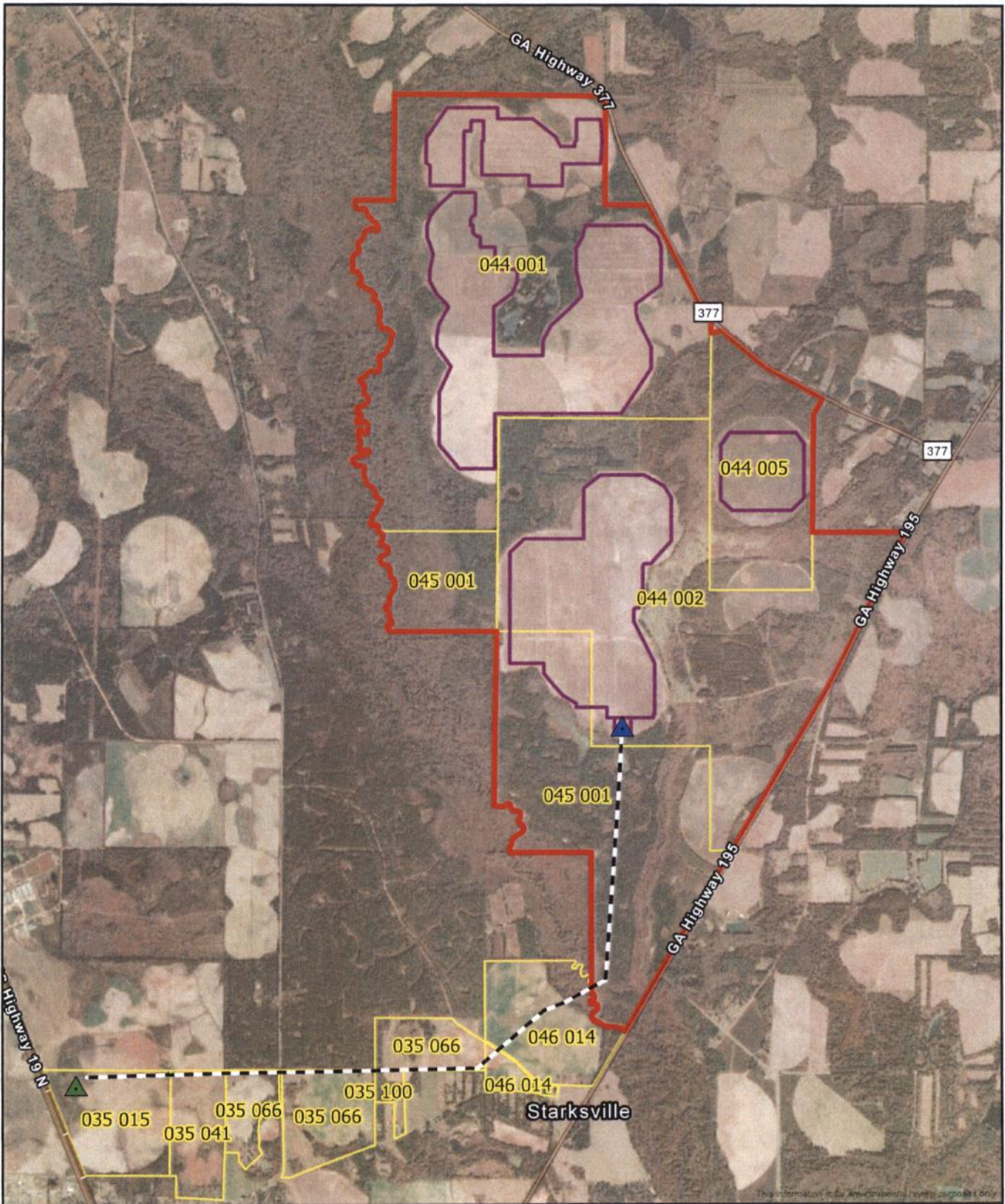
SCHEDULE

Schedule Event	Day of Week	Date
Service Date	Thursday	June 1, 2023
Draft RFP Documents Issued via Website		Anticipated Aug - Sep 2023
Comment period regarding draft RFP documents		Anticipated Sep - Oct 2023
RFP Bidder's Conference Webinar (includes transmission/environmental)		Anticipated Oct 2023
Deadline to submit "other renewable fuel or technology" to IE		Anticipated Oct - Nov 2023
Revised RFP and PPA documents shared via IE website and filed with Commission		Anticipated late Nov 2023
Commission decision on RFP documents		Anticipated Dec 2023
RFP released via Website		Anticipated Dec 2023
Self-build Bids and Bid Fees Due		Anticipated Jan - Feb 2024
Bids and Bidder's Fees due		Anticipated Jan - Feb 2024

For information on Accion Group's Privacy Policy [click here](#)

For technical problems with this website please contact the [Accion Power Site Administrator](#)





This information is for informational purposes only.

-  Interconnecting Substation
-  Project Substation
-  Generation Tie-Line
-  Facility Boundary
-  Parcels
-  Project Area

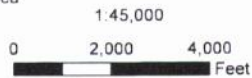
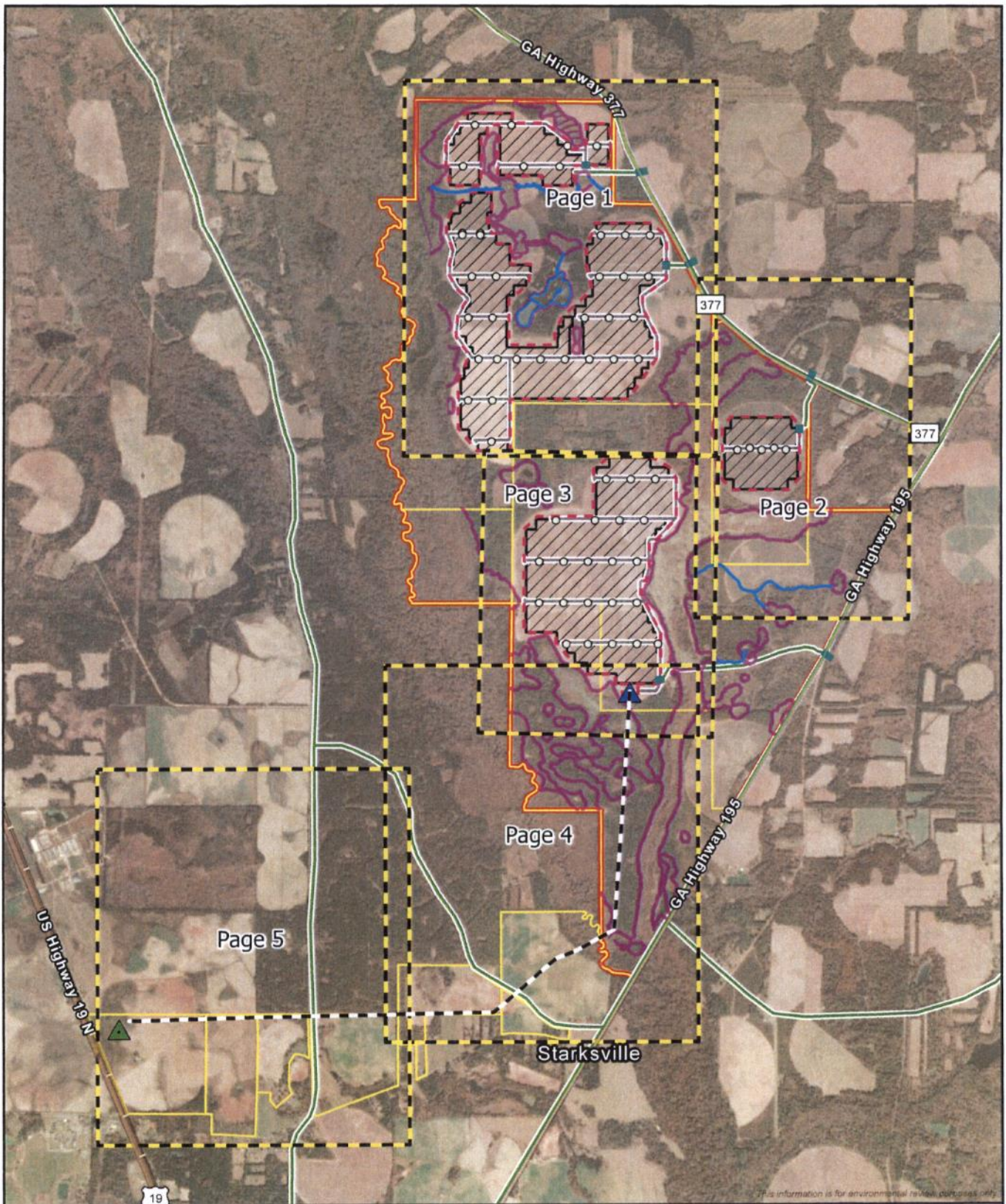


Figure 1
Project Location
Pinewood Solar Conditional Use Application
 Pinewood Solar LLC,
 Lee County, Georgia





<ul style="list-style-type: none"> Interconnecting Substation Project Substation Inverter and Transformer Generation Tie-Line Gate Access Road Facility Road 	<ul style="list-style-type: none"> 25-Foot Setback 75-Foot Setback Panel Areas Parcels Fence Line Project Area Page Extent 	<p>1:48,000</p> <p>0 2,000 4,000 Feet</p>	<p>Preliminary Site Plan Pinewood Solar Conditional Use Application Pinewood Solar LLC Lee County, Georgia</p>
--	--	---	---

**NextEra Energy Foundation Classroom Makeover Grant
Lee County Middle School Project Completion Report (December 1, 2022)**

Metrics

A. Number of students served prior to the Project

- a. Prior to receiving the Next Era Foundation Grant, LCMS did not have the financial resources to implement a drone program. As a result, LCMS had zero student participation prior to the makeover.

B. Number of students served by the Project at completion

- a. There are currently 61 total students participating in the program. These students range from 12 to 14 years in age, in grades 6-8.

C. Demographic makeup of students served by the Project, at completion

- a. Participating students adhere to the demographic guidelines established in our grant application. 61 total students were selected (31 males/30 females). Program demographics are included below.

Race	Number of Participants
African American (50%)	31 (50.8%)
Caucasion (25%)	15 (24.5%)
Hispanic (10%)	6 (9.8%)
Asian/Pacific Islander (5%)	3 (4.9%)
Other (10%)	6 (9.8%)
Total number of participants	61

D. Project Impact (300 words)

The Program has positively impacted LCMS in multiple ways. The grant has allowed LCMS to expand STEM opportunities for our students through technology purchases and improvements, lab updates and authentic hands-on experiences. A drone program for our students has been in the planning phase for the last couple of years. While LCMS continually works to add new STEM

opportunities for our students, our primary focus has shifted to improve equity and access for all learners at our middle schools. This grant has allowed LCMS to increase exposure for students that are historically underrepresented in STEM education. The curriculum developed has included opportunities for students to learn about coding, 3d design and printing, the engineering design thinking process, authentic drone applications, career connections, as well as providing opportunities to connect our kids with the community. A program scope and sequence was included in the Oversight Report, submitted on September 1, 2022. All activities are expected to conclude the first week of March with our NextEra drone competition and reveal. In addition to our obligations outlined in the grant agreement, LCMS will submit a final video submission showcasing our program from start to finish.

Our partnership with NextEra Energy has been a positive experience for our school and our students. The grant has provided the foundational resources needed to develop our drone program. Our goal moving forward is to build upon our current program by expanding access to more students through a tiered program approach. This will include investing in additional specialized drones and related technology, expanding the curriculum to include enhanced coding methods and by providing students with additional career-based field experiences.

E. Program Documentation (pictures)

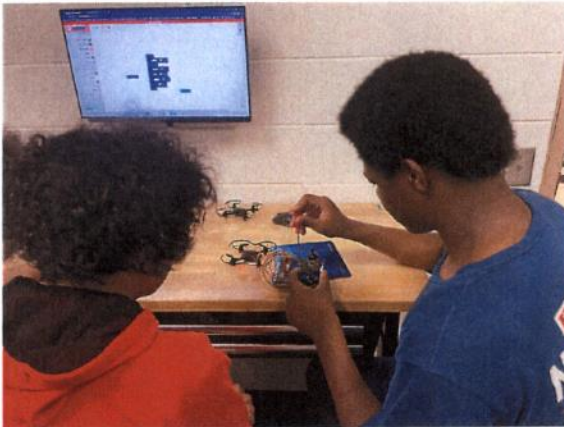
- a. Video will be submitted at the conclusion of the program.



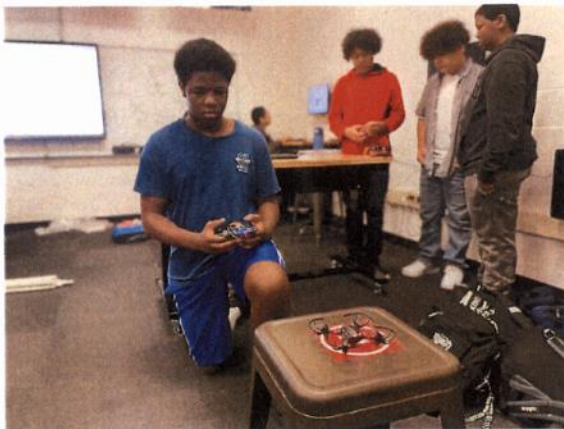
Students using Tinkercad to design 3D drone propellers that will be printed and tested to determine thrust capabilities



Students coding drones to fly specific flight paths



Student building remote control for drone



Student preparing to test maneuverability of drone



Students are constructing drone course obstacles which teams designed using Tinkercad. Once the design of the course was finalized, students determined an itemized list of materials to be purchased.



LEE COUNTY

Board of Commissioners

One of Georgia's original counties ~ Established in 1825

PUBLIC NOTICE

A copy of the proposed budget for the Lee County Board of Commissioners for fiscal year 2023/2024 is available for review at the County Clerk's Office at the T. Page Tharp Governmental Building, 102 Starksville Avenue North, Leesburg, GA and on the website at www.lee.ga.us. Copies are also available for public review at the Leesburg Library, 245 Walnut Avenue South, Leesburg, GA and the Oakland Library, 445 Oakland Parkway West, Leesburg, GA 31763 during normal operating hours.

The Lee County Board of Commissioners **BUDGET PUBLIC HEARING** regarding the proposed FY 2023-2024 budget will be held **Tuesday, June 13, 2023 at 6:00 p.m.** at the T. Page Tharp Governmental Building, Opal Cannon Auditorium, 102 Starksville Avenue North, Leesburg, GA. This Public Hearing is open to the public and the public is encouraged to attend.

The Lee County Board of Commissioners will adopt the FY 2023-2024 proposed budget June 27, 2023 at 6:00 p.m. The meeting will be held in the T. Page Tharp Governmental Building, Opal Cannon Auditorium, 102 Starksville Avenue North, Leesburg, GA. The public is encouraged to attend and observe this meeting.

Media Notified: 05/26/2023
Posted on website and official board: 05/26/2023
Published in Legal Organ: 05/31/2023 and 06/07/2023

Persons with special needs relating to handicapped accessibility or foreign language interpretation should contact the ADA Coordinator at (229) 759-6000 or through the Georgia Relay Service (800) 255-0056 (TDD) or (800) 355-0135 (voice). This person can be contacted at the T. Page Tharp Building in Leesburg, Georgia between the hours of 9:00 a.m. and 4:00 p.m., Monday through Friday, except holidays, and will assist citizens with special needs given proper notice of seven (7) working days. The meeting rooms and buildings are handicap accessible.

Lee County is a thriving, vibrant community celebrated for its value of tradition encompassing a safe family oriented community, schools of excellence, and life long opportunities for prosperity and happiness without sacrificing the rural agricultural tapestry.

Chairman
Billy Mathis
District 3

Vice-Chairman
Luke Singletary
District 2

Commissioner
Dennis Roland
District 1

Commissioner
Chris Guarnieri
District 4

Commissioner
George Walls
District 5

County Manager
Christi Dockery

County Attorney
Jimmy Skipper

102 Starksville Avenue North
Leesburg, Georgia 31763

Office: (229) 759-6000
Fax: (229) 759-6050

www.lee.ga.us



Lee County E-911 Emergency Response Department
110 Starksville Ave N
Leesburg, Ga 31763



TO: Honorable Board of County Commissioners
FROM: Nikkie Celinski, E-911 Director and Deputy EMA Director
SUBJECT: New Tower
DATE: June 8, 2023

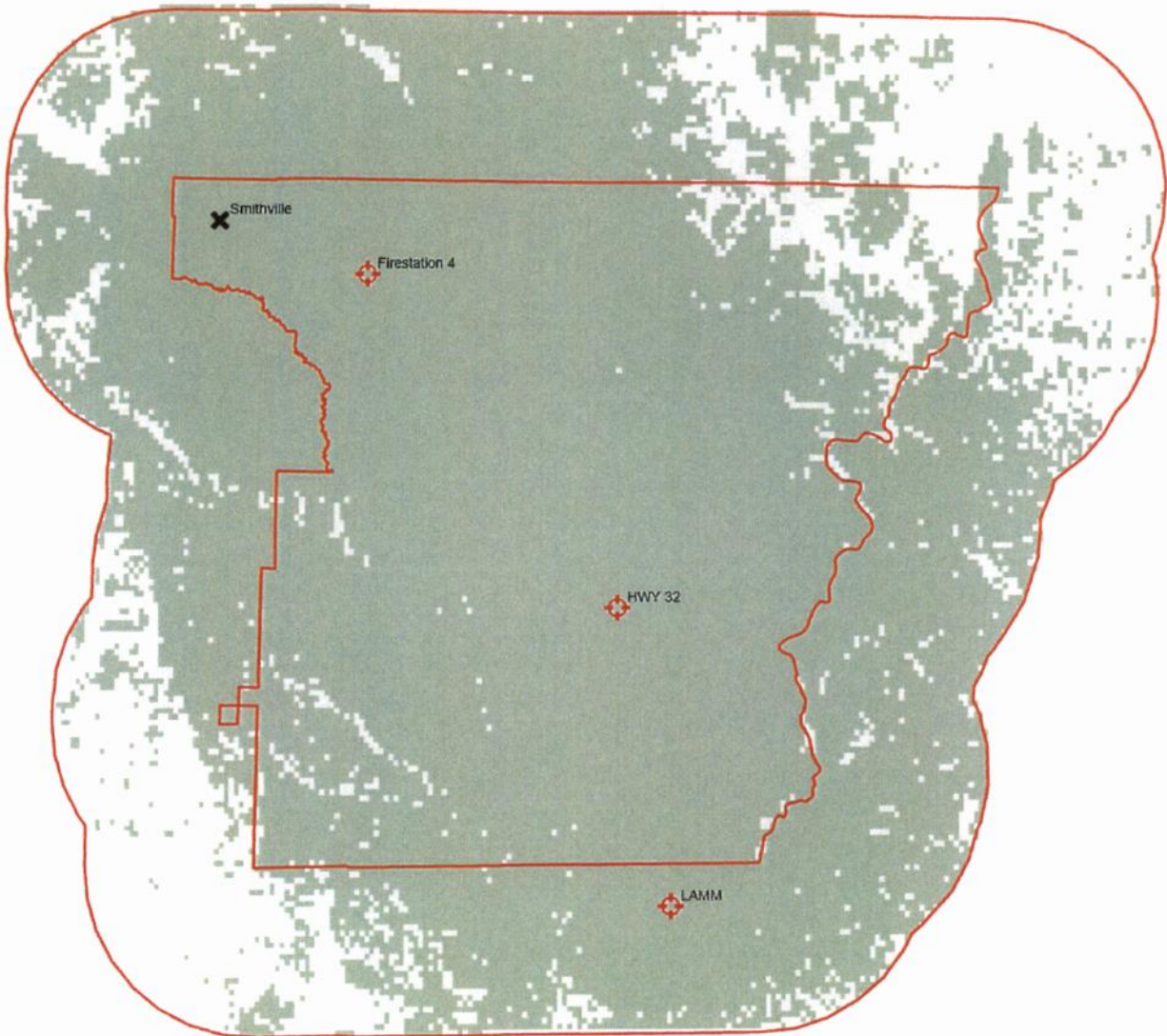
The two maps attached show the Inbound and Outbound coverage for the radios. As you can see the whole county is shaded green with the help of the Lamm St tower in Albany, the tower on Highway 32 and the tower at the Fire station in Smithville. 100% coverage isn't always guaranteed however this will vastly improve the coverage for our public safety radios in the county, and help prevent any incidents where radio communication dropped.

Regards,

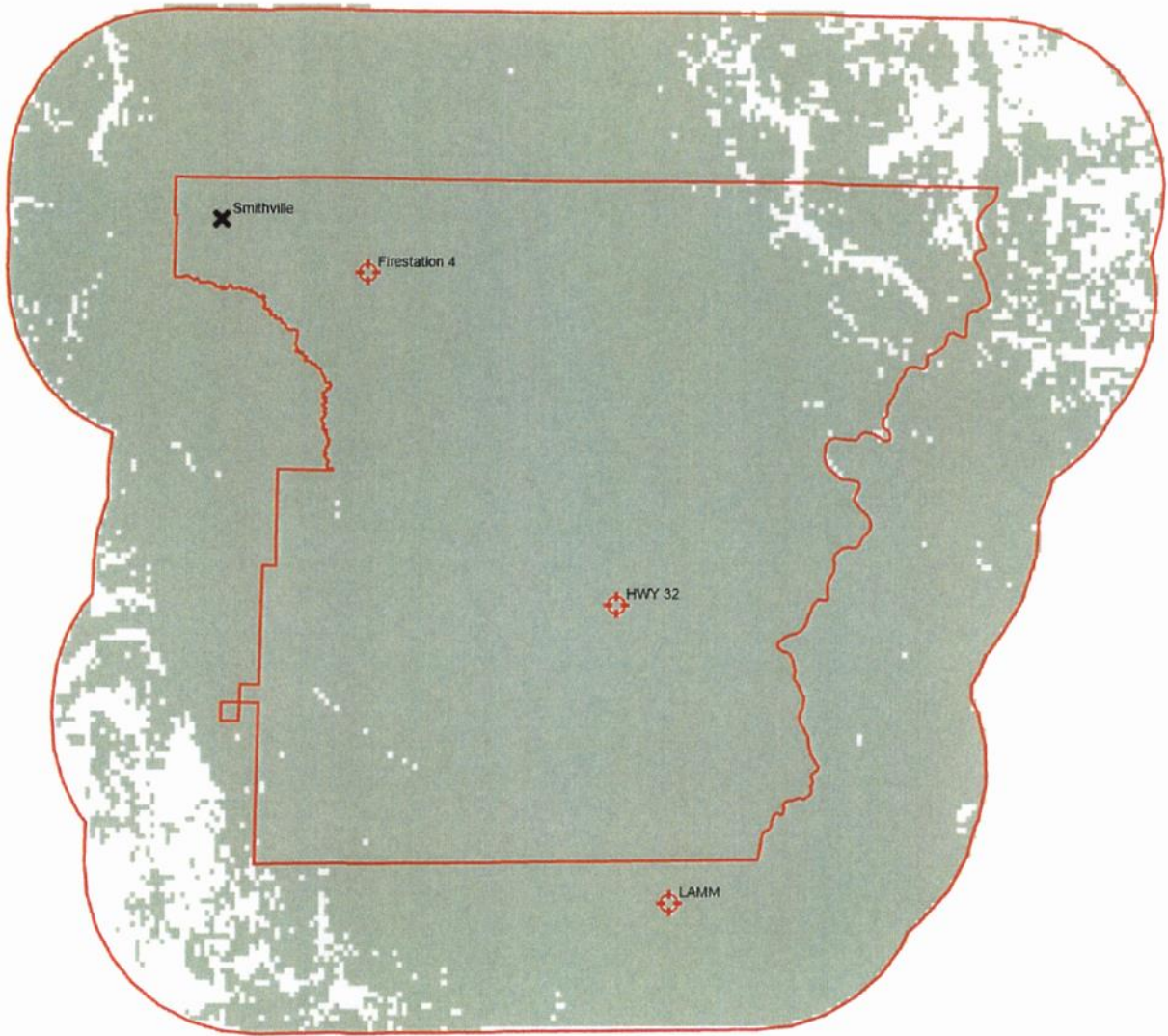
Nikkie Celinski
E-911 Director

Maps showing coverage including the 5 mile contour boundary

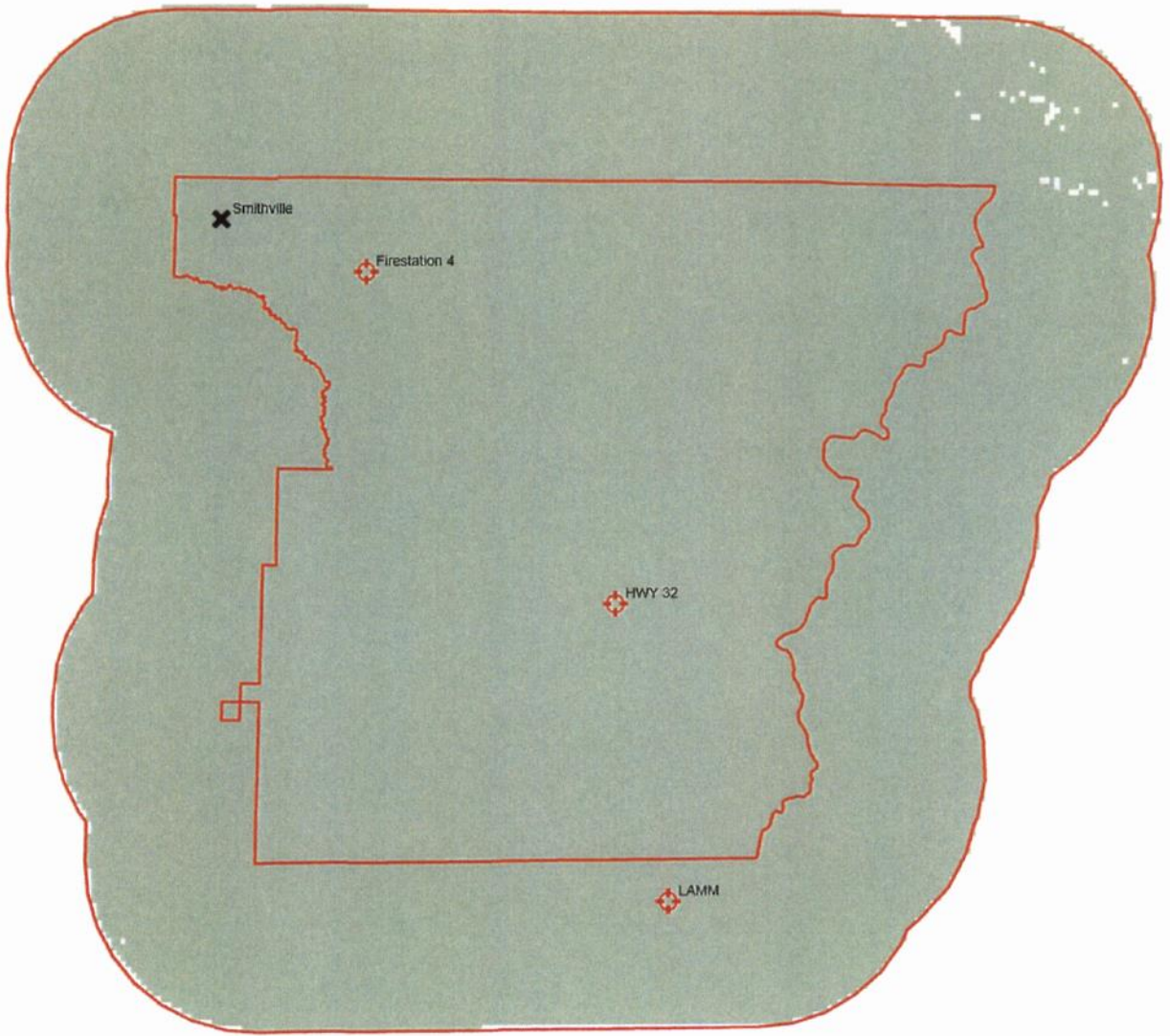
Inbound Subscriber



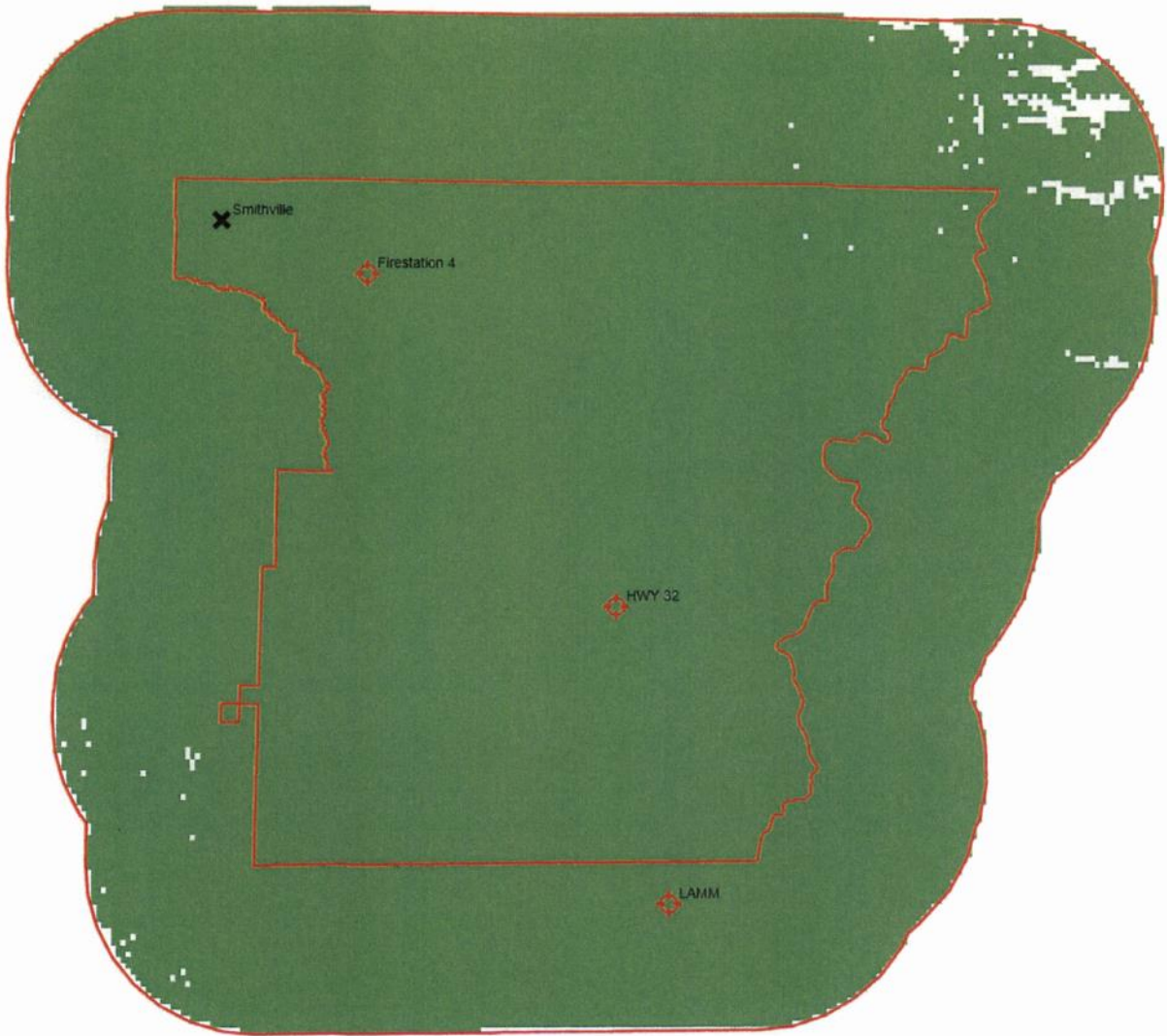
Outbound Subscriber



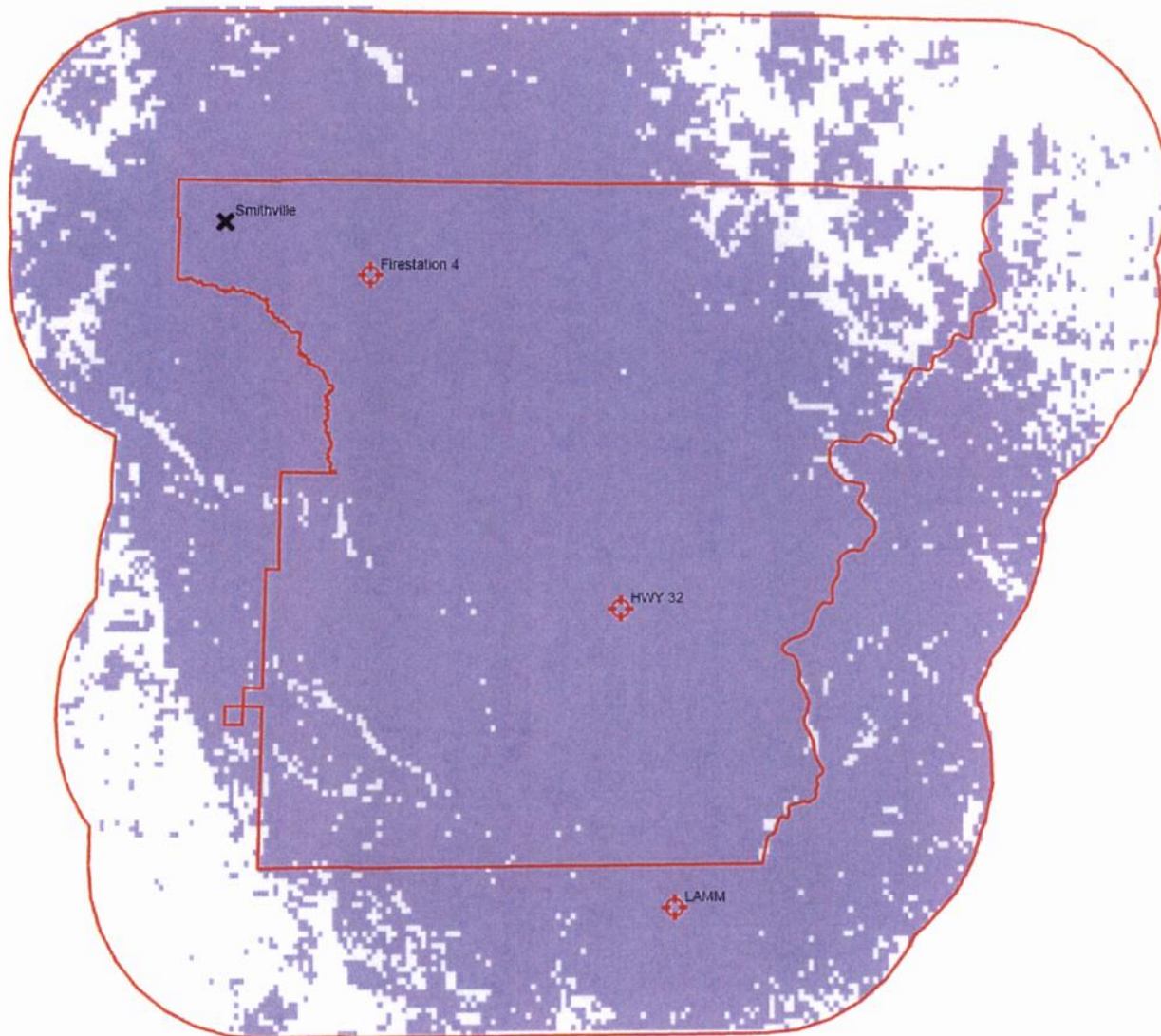
Inbound Mobile



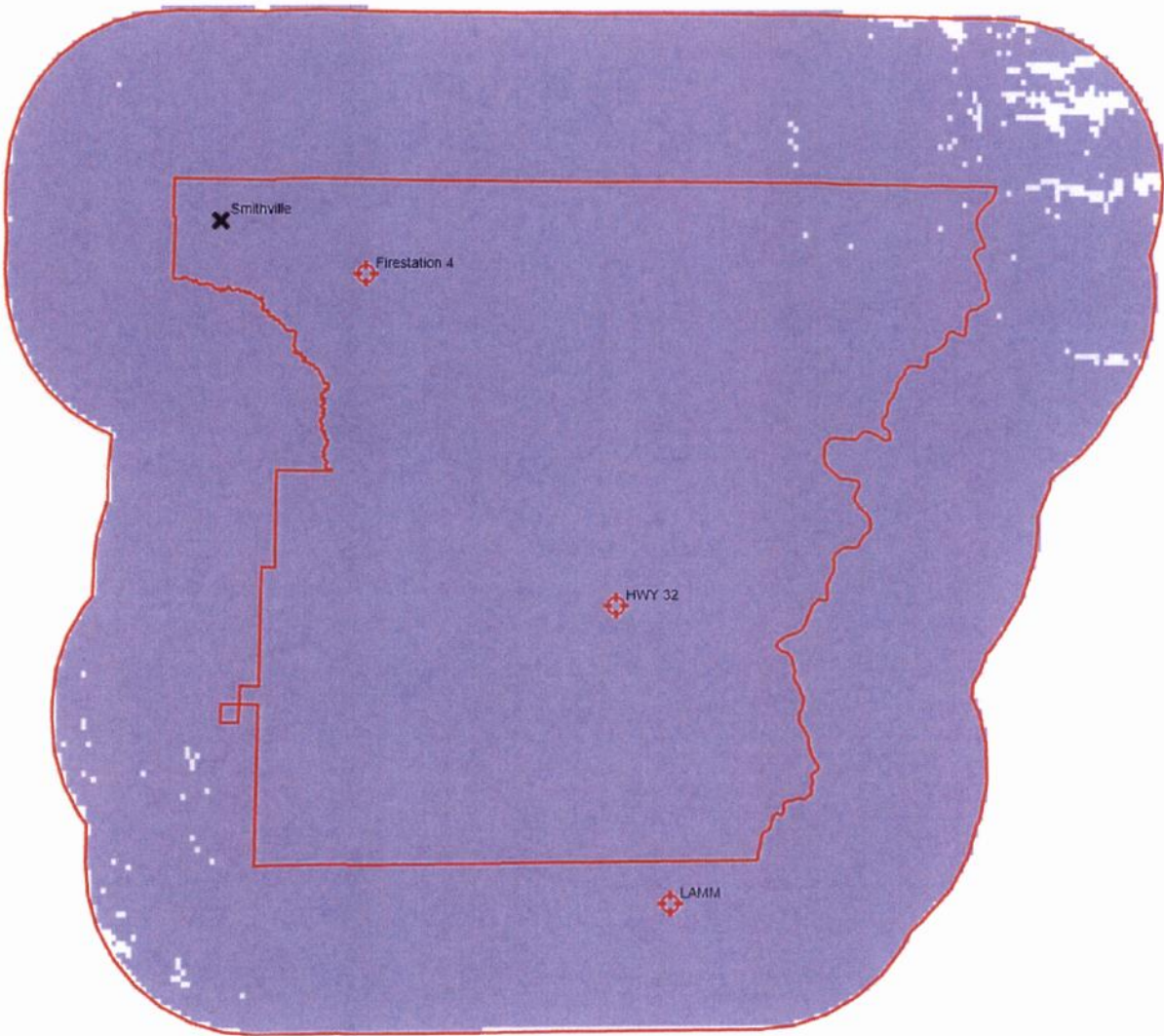
Outbound Mobile



Roundtrip Subscriber



Roundtrip Mobile



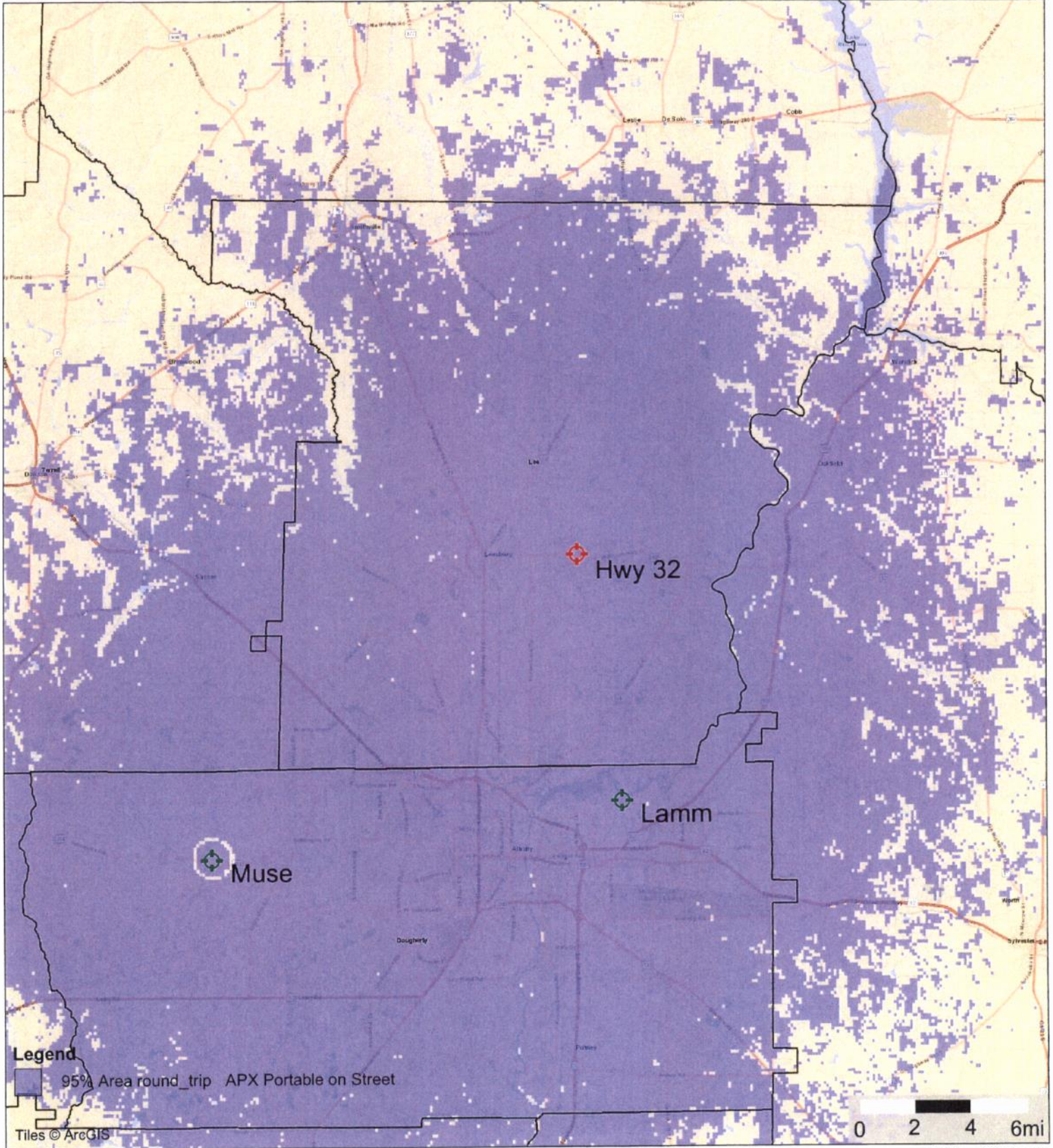


Lee County, GA ASTRO 25 Coverage

For Information Only

MOTOROLA
SOLUTIONS

Portable On-Street Round Trip Coverage at DAQ 3.4



Printed: 9/17/2021
System version: 2.8.9

APX 6000 with 1/2-Wave Antenna at Hip Level in Swivel Case with RSM

Solution: SW Georgia
Project: SW Georgia
Design: Design 76
ACV034

This map is intended solely for the equipment configuration stated above.
Coverage can vary significantly if different configurations are used.



Lee County Fire and Emergency Services

342 Leslie Hwy

Leesburg Ga, 31763

229-759-6090

June 8, 2023

Christi Dockery

County Manager

Ref: Engine 4

Fire Engine 4 is a 2010 International that has 75,894 miles and 5479 hours.

The history on this Engine is that the diesel engine is a Max Force 7400 built by International that has burned coolant since shortly after being placed in service. Talking with other fire departments across the state and to mechanics this particular engine built in that year has had the same problems. We have had this truck at our shop many times over the years for this problem. There was no fix for this issue according to other departments as well as mechanics. We now have this truck in the shop at Tony McLeod repair shop in Albany. With water on the pistons, which could be a cost between \$6,000 to as much as \$70,000 should the diesel engine have to be replaced.

My recommendation would be to have the truck repaired due to the good condition of the apparatus as well as the fire pump. The cost to replace this apparatus will be appx. \$370,000 with a two to three year delivery from date of order. This is the oldest front line Engine in our fleet and ever with repairs will provide several years of service.

Respectfully,

David Forrester Fire Chief



MEMORANDUM LEE COUNTY BOARD OF COMMISSIONERS

TO: Honorable Board of County Commissioners
SUBJECT: Indigent Defense Services – Magistrate Court
MEETING DATE: Tuesday, June 13, 2023

MOTION/RECOMMENDATION

Motion to award the bid for Indigent Defense Services for Lee County Magistrate Court. Staff recommends awarding the bid to The Eidson Firm, the lowest responsive bidder, at a cost of \$3,000.00 per month.

BACKGROUND

Sealed written bids were accepted from qualified vendors for Indigent Defense Services for Lee County Magistrate Court. All bids were due and subsequently opened at 2:05pm on Tuesday, May 23, 2023 in Opal Cannon Auditorium of the T. Page Tharp Governmental Building.

Sealed written bids were received from three (3) vendors:

The Eidson Firm	\$3,000.00 monthly
Brown-Williams & Associates, P.C.	10-30 Defendants: \$3,000.00 monthly
	30-50 Defendants: \$4,000.00 monthly
	Additional Appearances: \$1,000.00 daily
The Law Office of C.D. Bean, P.C.	No Set Price Provided

ATTACHMENTS

Proposal from the Eidson Firm
Proposal from Brown-Williams & Associates, P.C.
Proposal from the Law Office of C.D. Bean, P.C.



THE EIDSON FIRM

PATRICK S. EIDSON

Trial Lawyer

May 15, 2023

Lee County Board of Commissioners
Attn: Christi Dockery, County Manager
102 Starksville Avenue North
Leesburg, GA 31763

**RE: Lee County Magistrate Court
Indigent Defense Services**

Dear Ms. Dockery:

I have read and reviewed the Board of Commissioners' Request for Proposal for Indigent Defense Services.

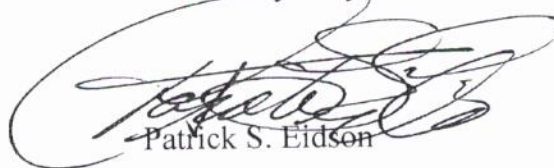
I enclose herewith my Circum Vitae, which I believe outlines my qualifications to serve as Indigent Defense Counsel for Lee County Magistrate Court. Having served in this capacity for 16 years, from 2002 to 2018, and having represented dozens of retained clients before the Honorable Jim Thurman since that time, I am certainly familiar with the practices and procedures of Lee County Magistrate Court.

I would welcome the opportunity to provide Indigent Defense Services as outlined in your Request for Proposal and would do so at the rate of \$3,000.00 per month.

I look forward to hearing from you.

With every best wish, I remain

Yours very truly,



Patrick S. Eidson

PSE/ag
Enclosure

BROWN-WILLIAMS & ASSOCIATES, P. C.

PERSONAL INJURY, FAMILY LAW, WILLS & ESTATES, REAL ESTATE
VALERIE BROWN-WILLIAMS
ATTORNEY-AT-LAW

1301N. MADISON STREET
P. O. BOX 681
ALBANY, GA 31702-0681

229 878-6222
FAX 229 878-0701
valerie@brownwilliamsllaw.com

May 22, 2023

Lee County Board of Commissioners
Attn.: Christi Dockery, County Manager
102 Starksville Ave., North
Leesburg, GA 31763

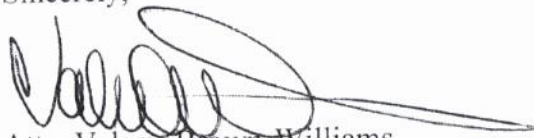
RE: Indigent Defense Services for Lee County Magistrate Court

Dear Sir/Madam:

Please accept this as my proposal to provide indigent defense legal representation in the Magistrate Court of Lee County. Enclosed herewith are my resume and bid to provide services. While the bulk of my practice for the last several years has been in the areas of domestic relations, personal injury and will and estates, I worked in Albany Municipal Court from 2002 through 2019 as prosecutor for Albany Utilities fka Water, Gas and Light. During my 27 years practicing law in Albany, I also served on an interim basis as public defender in the same court at varying times over the years.

Upon graduating from Mercer University, Walter F. George School of Law, in 1995, it was my desire to become a criminal defense attorney and I did so for the first few years of my career until I expanded my areas of practice. While criminal defense work is approximately ten (10) percent of my current practice, it has always been an area that I consider to be one where I can be a public servant and my years of experience as an attorney can only serve to benefit those who cannot afford to hire an attorney when they are in need. I thank you in advance for considering me for this position.

Sincerely,



Atty. Valerie Brown-Williams

Encl.

ATTORNEY VALERIE BROWN-WILLIAMS
BROWN-WILLIAMS & ASSOCIATES, P.C.
PROPOSAL FOR INDIGENT DEFENSE LEGAL SERVICES
LEE COUNTY MAGISTRATE COURT

One monthly court appearance and court preparation for 10-30 defendants - \$3000.00/month

One monthly court appearance and court preparation for 31-50 defendants - \$4000.00/month

Additional court appearance days - \$1000.00/day

The Law Office of C.D. Bean P.C.
2307 Robinhood Rd
Albany, Georgia 31707

May 14, 2023

Lee County Board of Commissioners
102 Starkville Avenue North
Leesburg, Georgia 31763

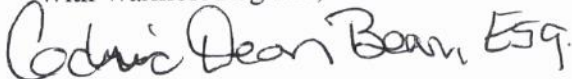
RE: Request for Proposal Indigent Defense Lee County Magistrate Court

To all this may concern:

After seeing your Request for Proposal, The Law Office of C.D. Bean P.C. would be excited to offer our professional legal services in representing indigent defendant's in Lee County Magistrate Court. To provide you with a brief background, The Law Office of C.D. Bean P.C. is a boutique law firm founded by Cedric Deon Bean in 2020.

The Firm is located in Northwest Albany, at 2307 Robinhood Rd, across the street from Dawson Rd Church of Christ. The firm is staffed by Attorney Bean, and two legal assistants. Although our firm is small however, our firm is ready and willing to assist you with your legal needs. Please see the enclosed Executive Summary for further details.

With Warmest Regards,



Cedric Deon Bean BS, MS, MA, JD
State Bar of Georgia 890414

Executive Summary

Company Background

The Law of C.D. Bean P.C.
Est. 2020

About the Attorney

My name is Cedric Deon Bean, Esq. I'm a licensed attorney in the State of Georgia in good standing. I have been licensed to practice law since 2020. In 2020, I graduated from Mitchell Hamline School of Law in St. Paul Minnesota. I became an attorney after 15 years in the insurance and financial service industry. I'm originally from Troy, Al, however, I been in the Albany/Leesburg area for the last 15 years. In addition to, owning a law firm, I also own Bean Insurance Group, an insurance agency. However, I have staff that run the day-to-day operation of the agency.

Education

Colorado Technical University BS, Business Administration
University of Alabama MS, Finance and Financial Planning
University of Alabama MA, Management
Mitchell Hamline School of Law, Juris Doctor

Admitted Jurisdiction and Courts

I'm currently admitted to the Georgia Court of Appeals, Georgia Supreme Court, Georgia Superior Court, and the Federal Middle District of Georgia.

Practice Areas

My practice areas are Estate Planning (15%), Personal Injury (15%) and Criminal Defense (70%). My practice primary focus is Criminal Defense.

Indigent Defense Contract

I currently contract with the Georgia Public Defender Council, Dougherty Circuit Public Defender and Patuala Circuit Public Defenders to providing indigent defense.

Relevant Experience

I'm in my third year of practice. My experience has been primarily in criminal defense. Since being authorized to practice I have maintained a contract, in which I provided indigent defense. Prior to being admitted to practice, I was practicing for two years under Georgia Student Practice Rule. In the capacity as a student attorney, I worked with the Chattahoochee Judicial Circuit District Attorney's Office.

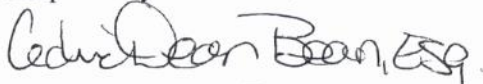
The Law Office of C.D. Bean P.C.
2307 Robinhood Rd
Albany, Georgia 31707

I have successfully handle over 350 criminal defense case with a majority being indigent defense. In addition, I have been counsel in over 30 trials. I have been first chair in 10 trails. In theses capacities, I have became familiar with the all relevant federal and state laws, as well as the local ordinances, and rules of procedure applicable to criminal defense which are subject to the jurisdiction of the Magistrate Court of Lee County.

The Law Office of C.D. Bean P.C. is willing to commit to a twelve-month contract with the Lee County Board of Commissioners to provide indigent defense services for the Magistrate Court of Lee County on a regular basis upon such schedule as may be established from time-to-time by the Judges of the Lee County Magistrate Court. Such services will be provided by Cedric Deon Bean on an independent contractor basis, and he will attend all motion hearings, plea hearings, and trials involving indigent defendants assigned to him by Lee County Magistrate Court.

Further details of such contracts can be negotiated as said contract process move to that point. Please see the enclosed attachments. If any additional information is needed please don't hesitate to contact The Law Office of C.D. Bean at 229-894-7555; and Tiffiney Sherman Legal Secretary 229-500-0164.

Respectfully submitted,



Cedric Deon Bean, Esq.
Attorney Ga Bar 890414
The Law Office of C.D. Bean

**LEE COUNTY
CURRENT BOARD VACANCIES**

Candidates appointed by the Lee County Board of Commissioners are required to live in Lee County. If you would like to be considered for appointment to a County Volunteer Board, please submit a letter of interest including any certificates, resumé, or related documents you want to be considered or complete the Volunteer Board application. For additional information on these Volunteer Boards, see the Lee County website or contact the Deputy County Clerk.

Payton Harris, Deputy County Clerk
Lee County Board of Commissioners
102 Starksville Avenue North
Leesburg, Ga. 31763
(229) 759-6000
www.lee.ga.us
payton.harris@lee.ga.us

Vacancies will be open until filled.

Current Volunteer Board Vacancies

	Vacancies	Expires	Term
Regional Commission Council of Southwest Georgia	1	01/01/2023	1 Year

Upcoming Volunteer Board Vacancies

	Vacancies	Expires	Term
Tax Assessors Board	1	05/31/2023	3 Year
Chehaw Park Authority	1	06/30/2023	3 Year
Utilities Authority	3	06/30/2023	1 Year

*Denotes one vacancy being held "By Virtue of Office"

June 13, 2023

George Walls
110 Donald Road
Leesburg, GA 31763

Re: Reappointment to the Chehaw Authority Board

Honorable Board of Commissioners,

I am seeking reappointment to the Chehaw Authority Board for a term of three (3) years. I have served on this Board for the last three (3) years.

I live and work in Lee County and look forward to many more years of service to the Chehaw Authority Board as well as the Board of Commissioners.

Sincerely,

Commissioner George Walls

Utilities Authority			
District	Name & Address	Term	Appointing Authority
BOC	George Walls 110 Donald Road Leesburg, GA 31763	1 Year Term Expiring on 01/31/2024	County
1 06/30/2017	Art Ford 407 GA Hwy 32 East Leesburg, GA 31763	1 Year Term Expiring on 06/30/2023	County
1 06/30/2017	Victor Stubbs 181 Magnolia Avenue Leesburg, GA 31763	1 Year Term Expiring on 06/30/2023	County
1 01/31/2023	Amy Addison 193 Quail Valley Drive Leesburg, GA 31763	1 Year Term Expiring on 01/31/2024	County
4 01/31/2017	Johnny Barthlein 156 Pheasant Drive Leesburg, GA 31763	1 Year Term Expiring on 01/31/2024	County
01/31/2023	Bob Usry 586 State Hwy 118 E Leesburg, GA 31763	1 Year Term Expiring on 01/31/2024	County
3	Levent Gokcen 374 Hickory Grove Rd. Leesburg, GA 31763	1 Year Term Expiring on 06/30/2023	County
<p>Members must be Lee County citizens. Meetings are held on the third Thursday of each month (12 meetings annually) at 6:00 p.m. at the T. Page Tharp Governmental Building, Opal Cannon Auditorium, 102 Starksville Ave. N., Leesburg, GA 31763</p> <p>General Manager ~ Chris Boswell Email: cboswell@lee.ga.us; Telephone: (229) 759-6056; FAX: (229) 759-3319 Utilities Administrator ~ Tricia Harris, Attorney ~ Jimmy Skipper.</p> <ul style="list-style-type: none"> • Board Members: paid \$100/mthly 			

Lee County Utilities Authority

George Walls
Chairman
Victor Stubbs
Vice-Chairman
Authority Members:
Johnny Barthlein
Art Ford
Levent Gokcen
Robert (Bob) Usry
Amy Addison

905 US Highway 19 South
Leesburg, GA 31763

Tel: (229) 759-6056
Fax: (229) 759-3319

CHRIS BOSWELL
General Manager

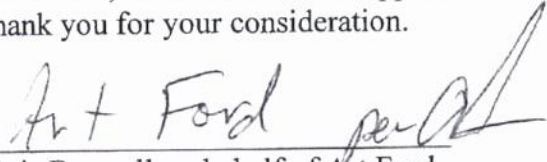
Tricia Holmes
Director of Administrative Operations

Ira Houston
Director of Field Operations

June 2, 2023

Dear Commissioners,

I, Art Ford, would like to be reappointed to the Lee County Utilities Authority for another term.
Thank you for your consideration.



Chris Boswell on behalf of Art Ford
407 GA HWY 32 East
Leesburg, Georgia 31763

AF:cb

Lee County Utilities Authority

George Walls
Chairman
Victor Stubbs
Vice-Chairman
Authority Members:
Johnny Barthlein
Art Ford
Levent Gokcen
Robert (Bob) Usry
Amy Addison

905 US Highway 19 South
Leesburg, GA 31763
Tel: (229) 759-6056
Fax: (229) 759-3319

CHRIS BOSWELL
General Manager

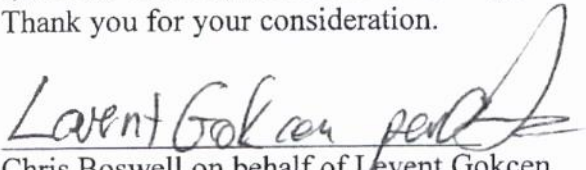
Tricia Holmes
Director of Administrative Operations

Ira Houston
Director of Field Operations

June 2, 2023

Dear Commissioners,

I, Levent Gokcen, would like to be reappointed to the Lee County Utilities Authority for another term.
Thank you for your consideration.



Chris Boswell on behalf of Levent Gokcen
407 GA HWY 32 East
Leesburg, Georgia 31763

LG:cb

Lee County Utilities Authority

George Walls

**905 US Highway 19 South
Leesburg, GA 31763**

Tel: (229) 759-6056

Fax: (229) 759-3319

Chairman
Victor Stubbs
Vice-Chairman
Authority Members:

Johnny Barthlein

Art Ford

Levent Gokcen

Robert (Bob) Usry

Amy Addison

CHRIS BOSWELL
General Manager

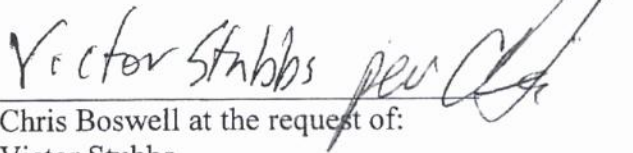
Tricia Holmes
Director of Administrative Operations

Ira Houston
Director of Field Operations

June 6, 2023

Dear Commissioners,

I, Victor Stubbs, would like to be reappointed to the Lee County Utilities Authority for another term.
Thank you for your consideration.



Chris Boswell at the request of:

Victor Stubbs

181 Magnolia Ave.

Leesburg, Georgia 31763

VS:cb



MEMORANDUM

LEE COUNTY BOARD OF COMMISSIONERS

TO: Honorable Board of County Commissioners
SUBJECT: County Updates

2021 CDBG

- Palmyra Mobile Home Park project
- Project application submitted June 4, 2021
- Pre-Application Public Hearing held September 22, 2020
- Recommended County match at \$100,000.00
- \$469,284.00 grant amount awarded to Lee County on September 27, 2021
- Kick-off Meeting – December 2021
- Chad Griffin, Still Waters Engineering, verified the property lines
- Final Design complete
- Deeds being drafted and easements to be requested from the property owner
- Utilities Authority approved easements on September 15, 2022
- RFP for Water Extension services published September 6, 2022
 - Bid Opening: October 11, 2022
 - BOC awarded bid on October 11, 2022 to Zane Grace Construction for a base bid of \$541,810.78
 - November 30, 2022: Pre-Construction Meeting held with the contractor, engineers, and representatives of DCA, the County, and the Utilities Authority
 - MHP owners have signed the easement documents.
- Completion date is expected to be by the June 22 deadline
- DCA will meet with staff to monitor the progress of this grant.
- Fire hydrants installed on Palmyra Road
- Lee County will be eligible for a FY 2024 CDBG project

Agricultural Complex

- Located on 100 acres on Leesburg Bypass — 231 State Route 3
- Proposed plans provided July 29, 2020
 - Including: A boating access point at the creek's edge, the agricultural complex, walking trails, and campsites
- Resolution adopted and lease agreement signed on September 22, 2020 with Georgia Department of Natural Resources for a Boat Ramp
 - Renewed January 11, 2022
 - Estimated Start Date: Fall 2023
 - DNR hired EMC Engineering to survey property for canoe/kayak ramp
 - DNR staff notified us that the DNR Commissioner has signed the Boat Ramp agreement for the Lee County construction project
 - Engineering design will begin in January 2023

- Improvements to the Property
 - Renovation of Covered Building: New roof, fresh paint, picnic tables, electrical system, well
 - Bobby Donley, Lanier Engineering, provided proposed site plan
 - Proposal submitted to the BOC for review
 - Trails: ¾ mile walking trail that runs along a 46 foot high ridgeline above the Kinchafoonee Creek and has a seasonal view of the waterway
 - Eight (8) picnic tables as well as a number of trash cans have been placed along this trail on the creek side
 - Directional signs for the area ordered (i.e. Parking, No Parking, trail markers, boundary signs, etc.)
- Future Improvements
 - Defining the road
 - Rocking the area on top of the ridgeline for a parking area
 - Placing a gate at the trailhead so that the area can be closed to public for safety during high water events
- Planning/Designing Committee created by the Board at the May 11, 2021 meeting
 - **Committee Members:** Art Ford, Tim Sumners, Tom Sumners, Bobby Donley, Lisa Davis, David Dixon, Judy Powell, Commissioner Rick Muggridge, Commissioner Luke Singletary, County Manager Christi Dockery, Parks & Recreation Director Jeremy Morey, Chief Marshal Jim Wright
 - **First Meeting:** June 14, 2021
 - **Second Meeting:** November 15, 2021
 - **Third Meeting:** January 11, 2022

2020 Census Numbers

- Lee County: 33,179
- Smithville: 593
- Leesburg: 3,480

2021 Census Numbers

- Lee County: 33,411

Commercial Land Development Permits

- Ace Hardware Store
- Action Building
- Artesian City Federal Credit Union
- DeSoto Silicon Ranch Phase II & III
- Finish Line Storage 2
- Ledo Self Storage 2
- Oaklee Investment, LLC
- Woodgrain Millwork

GIS

Road Layer

- Including road width, length, and speed limits

Utilities Mapping Project

- Purpose: To map all utilities in Lee County
 - Includes water mains, water valves, water towers, fire hydrants, sewer lines, sewer manholes, sewer pump stations, fiber, gas, telephone, etc. as well as feature type, pipe size, pipe material, valve size, etc.
- Goal: To have an internet map in ArcGIS Online where utility workers can view utility maps on a tablet in the field.

Gymnasium Renovation

- Project overseen by Bill Walter, Masonry Restoration Technologies & Services, LLC

- On December 14, 2021, the Board voted unanimously to allow the Courthouse Annex Window Sealant Project and the Gymnasium Window Replacement Project to be added to the existing contract for the Tharp Building Restoration Project for an estimated cost of \$56,840.00
- Project Completed: June 2023

LMIG Funds

- **FY2023**
 - Application Submitted October 18, 2022
 - Roads: Lumpkin Road West, Quail Street, Northwood Drive, Stanley Street, Cannon Drive, Balmoral Drive, Elgin Court, Montrose Drive, Brittany Lakes Drive, Fairethorne Drive, Graves Springs Road, Heathridge Court, Hearthstone Drive, Sterling Drive, Pewter Court, Willow Lake Drive, Fair Oaks Court, Hickory Ridge Court, Cedric Street, Ravenwood Court, Maplewood Court, and Sportmans Club Road. Striping remains to be completed.
 - **Funds Received from GDOT: \$627,424.76**
 - Total, with 30% match from Lee County: **\$815,652.19**
 - BOC awarded bid on December 13, 2022 to Reeves Construction Company for **\$1,977,781.35**
 - **Completed:** May 2023

Sidewalks

- Georgia Department of Transportation, GDOT, has approved the City of Leesburg's request for funding assistance for sidewalks on State Route 3, State Route 32, and Firetower Road
- GDOT is committing up to \$304,000.00, or 70% of the project cost, whichever is less
- December 22, 2022: Board voted to pay the County's share of the cost for sidewalks on Firetower Road (\$13,500.00)
- Ongoing project

Smithville Road Bridge

- Georgia Department of Transportation, GDOT, plans to replace the bridge over the Muckaloochee Creek on Smithville Road
- Construction and Maintenance Easements received from adjoining property owners and recorded
- **Estimated Start Date:** Summer 2023
 - Detour will be implemented during this construction.

Speed Limit Ordinance

- Approved by BOC at April 26, 2022 meeting
- Staff has submitted documents to GDOT
- Requested DOT examine Old Leesburg Road/State Route 133
- Awaiting GDOT review and approval

SPLOST VII

- Collection: October 1, 2019 - September 30, 2025

SPLOST VIII

- Possible Ballot Year: November 2024

Storm Drainage Repair/ Holding Ponds

- Lumpkin Road
 - BOC approved a contract with Lanier Engineering to survey in March 2020
 - Survey completed June 2020
 - BOC currently reviewing plans and options
- Liberty Holding Pond (Doublegate)
 - BOC approved a contract with engineer Mike Talley to design
 - BOC approved a contract with Lanier Engineering to survey in February 2019
 - **Under review**

TSPLOST

- Collection: April 1, 2019 - March 31, 2024

TSPLOST II

- Joint meeting held Tuesday, June 21, 2022 at 5:00pm
- Voters approved continuation of TSPLOST II - November 8, 2022 Election
- Collection: April 1, 2024 – March 31, 2029

Westover Extension

- GDOT project - DARTS support
- Will connect Westover Road and Ledo Road at Capstone Connector
- Oxford has begun work
- Staff is working with DARTS on signal and safety issues for Ledo Road intersection
- Estimated Completion Date: December 2024

RFPs and RFQs

Open

Indigent Defense Services for Magistrate Court

- Bid Opening: May 23, 2023
- Results to be brought before the Board on June 13, 2023
- Board voted to table the bid on April 11, 2023 and republish after an original bid opening on April 6, 2023

Recently Awarded

Administrative and Related Grant Services for the CDBG

- Bid Opening: May 7, 2023
- BOC awarded bid on May 23, 2023 to **Roberson and Associates**

Engineering and/or Architectural Grant Services for the CDBG

- Bid Opening: May 9, 2023
- BOC awarded bid on May 23, 2023 to **Still Waters Engineering**

Inmate Medical Services

- Bid Opening: April 27, 2023
- BOC awarded bid on May 9, 2023 to **Southern Health Partners**
- Base pricing of \$418,800.00 annually and with added Dental and Mental Health, will bring the first year's price to \$440,264.00
- Will increase by 4% the second and third year of the contract
- Service to begin July 1, 2023

2023 LMIG Road Projects

- Roads: Lumpkin Road West, Quail Street, Northwood Drive, Stanley Street, Cannon Drive, Balmoral Drive, Elgin Court, Montrose Drive, Brittany Lakes Drive, Fairethorne Drive, Graves Springs Road, Heathridge Court, Hearthstone Drive, Sterling Drive, Pewter Court, Willow Lake Drive, Fair Oaks Court, Hickory Ridge Court, Cedric Street, Ravenwood Court, Maplewood Court, and Sportmans Club Road
- December 5, 2022: Addendum 1 submitted to contractors and published online
- Bid Opening: December 13, 2022
- BOC awarded bid on December 13, 2022 to **Reeves Construction Company** for \$1,977,781.35
- Completion: May 2023

Residential and Commercial Curbside Garbage Services

- Pre-Bid Meeting: August 9, 2022
- Bid Opening: August 23, 2022

- BOC awarded bid on August 23, 2022 to **Express Disposal** for an annual savings of \$144,885.12
- Previous Bid Opening: June 7, 2022
- Results brought before the Board on June 28, 2022
 - Bids rejected
- Services began May 2023

Future

Fencing

- Approved by BOC at April 25, 2023 meeting
- Staff writing RFP documents
- To be placed at several County facilities
- Projected Bid Opening: July 2023

Telecommunications Tower

- Approved by BOC at September 13, 2022 meeting
- To be located at Fire Station 4
- Will increase Public Safety radio coverage in the County
- Staff finalizing RFP documents
- Projected Bid Opening: TBD

Courthouse Window Coverings

- Approved by BOC at May 25, 2021 meeting
- Pre-Bid Meeting: October 18, 2022
- Project to be reopened at a future date
- Projected Bid Opening: TBD

LED Lighting in the Fire Stations

- Previous Pre-Bid Meeting: September 20, 2022
- Previous Bid Opening: October 19, 2022
- Results brought to the Board on October 25, 2022
 - Bids rejected
- Bid documents to be reviewed and revised
- Project to be reopened at a future date
- Projected Bid Opening: TBD

LED Lighting in all County Buildings

- Approved by BOC at March 23, 2021 meeting
- Projected Bid Opening: TBD

ADA Compliant Website

- Staff writing RFP documents
- Projected Bid Opening: TBD

County Building Painting Services

- Approved by BOC at March 23, 2021 meeting
- Staff writing RFP documents
- Projected Bid Opening: TBD

Flooring Services for County Buildings

- Approved by BOC at April 27, 2021 meeting
- Staff writing RFP documents
- Projected Bid Opening: TBD

Extended Sewer Installation on Hwy 19

- Approved by BOC at June 22, 2021 meeting
- Staff writing RFQ documents
- Projected Bid Opening TBD



STATE PROPERTIES COMMISSION
270 Washington Street, Suite 2-129, SW, Atlanta, Georgia 30334

Chairman
Brian P. Kemp
Governor

Executive Director/State Property Officer
Marty W. Smith

May 15, 2023

Lee County Board of Commissioners
102 Starksville Avenue North,
Leesburg, GA 31763

RE: Human Services, Department of
Family & Children Services
Agreement Number: 4083

FY: 2024

Dear Landlord:

The Agreement ("Agreement") dated April 21, 2022, by and between Lee County Board of Commissioners ("Landlord") and State Properties Commission ("Tenant") for 7,051 rentable square feet of Office space located at 121 Fourth Street, Leesburg, GA 31763-0889, will expire on June 30, 2023.

The Agreement referenced above granted to Tenant the option to extend the Term for additional periods of one (1) year each. In accordance with OCGA §50-16-41, the State Properties Commission (SPC) is authorized to manage the utilization of administrative space by state entities. Such authority includes the ability to manage any space rented or leased from any public or private entity. Therefore, by virtue of such authority, the SPC hereby notifies you of Tenant's desire to exercise this option extending the Term for a 12-month period beginning July 01, 2023 and ending June 30, 2024 under the same terms, conditions, covenants, agreements, and provisions and stipulations of the Agreement and at the Monthly rental rate of \$3,066.50.

STATE PROPERTIES COMMISSION

J. Frank Smith
Deputy Executive Director

Recommended Road Resurfacing Projects

Road Name	Grade	From	To	Miles	Width	District	Details
Mossy Dell Road	73	S R. 32	New York Road	2.91	20	1	Level and Resurface \$ 825,000.00 Slight to Moderate Alligator Cracking on 60% of Road, Severe Edge Unraveling, Really Bad Section in Creek Crossing
Lumpkin Road E	92	Smithville Road	Griffith Road	1.67	20	1	Level and Resurface \$ 361,100.00 Some Slight Block Cracking
New York Road	70	S R. 195	Philema Road	5.25	22	1	Level, Resurface, Widen \$ 1,785,000.00 Slight to Moderate Alligator Cracking on 20% of Road, Severe Edge Unraveling Making Road Narrow. Several Base Failures East of Mossy Dell
Chokee Road	85/85	S R. 195	Pryor Road	3.84	20	1	Level and Resurface \$ 882,498.04 5-6 Potholes From Base Failure, Severe Alligator Cracking, Most Damage North of Dan Green Road- Grade is 65 North of Dan Green and 85 South
Pryor Road	85	County Line	County Line	1.30	20	1	Level and Resurface \$ 299,000.00 Severe Base Failure on 20% of Road, Alligator and Block Cracking Also Present
Cutts Road	70	Chokee Road	Pryor Road	0.76	20	1	Level and Resurface \$ 174,800.00 Some Potholes and Alligator Cracking on 30% of Road, Unraveling Edges and Some Base Failure
Pinewood Road	80	U.S. 19	S R. 32	5.96	20	2	Level and Resurface \$ 1,370,462.25 Some Alligator Cracking in Wheel Paths for the First 2 Miles by Prison
Forrester Pkwy	78	U.S. 19	Philema Road	5.35	24	2 3 5	Level and Resurface \$ 1,230,881.27 Some Cracking and Settling of Road Makes Ride Rough
Fussell Road	78	U.S. 82	Palmyra Road	2.22	20	3	Level and Resurface \$ 510,978.18 Small Amount of Base Failure and Alligator Cracking Along Edges, Potholes and Some Edge Unraveling
Ledo Road	78	U.S. 82	U.S. 19	3.51	24-62	3	Level and Resurface \$ 777777.78 Would Need to Split With City of Albany, Some Potholes Beginning to Form, Stress Cracking and Settling Also Present
Graves Springs Road	73	Forrester Pkwy	S R. 32	5.20	20	5	Level and Resurface \$ 1,196,000.00 Alligator Cracking on Wheel Paths on 25% of Road That Will Lead To Base Failure Soon, Some Base Failure Already Present

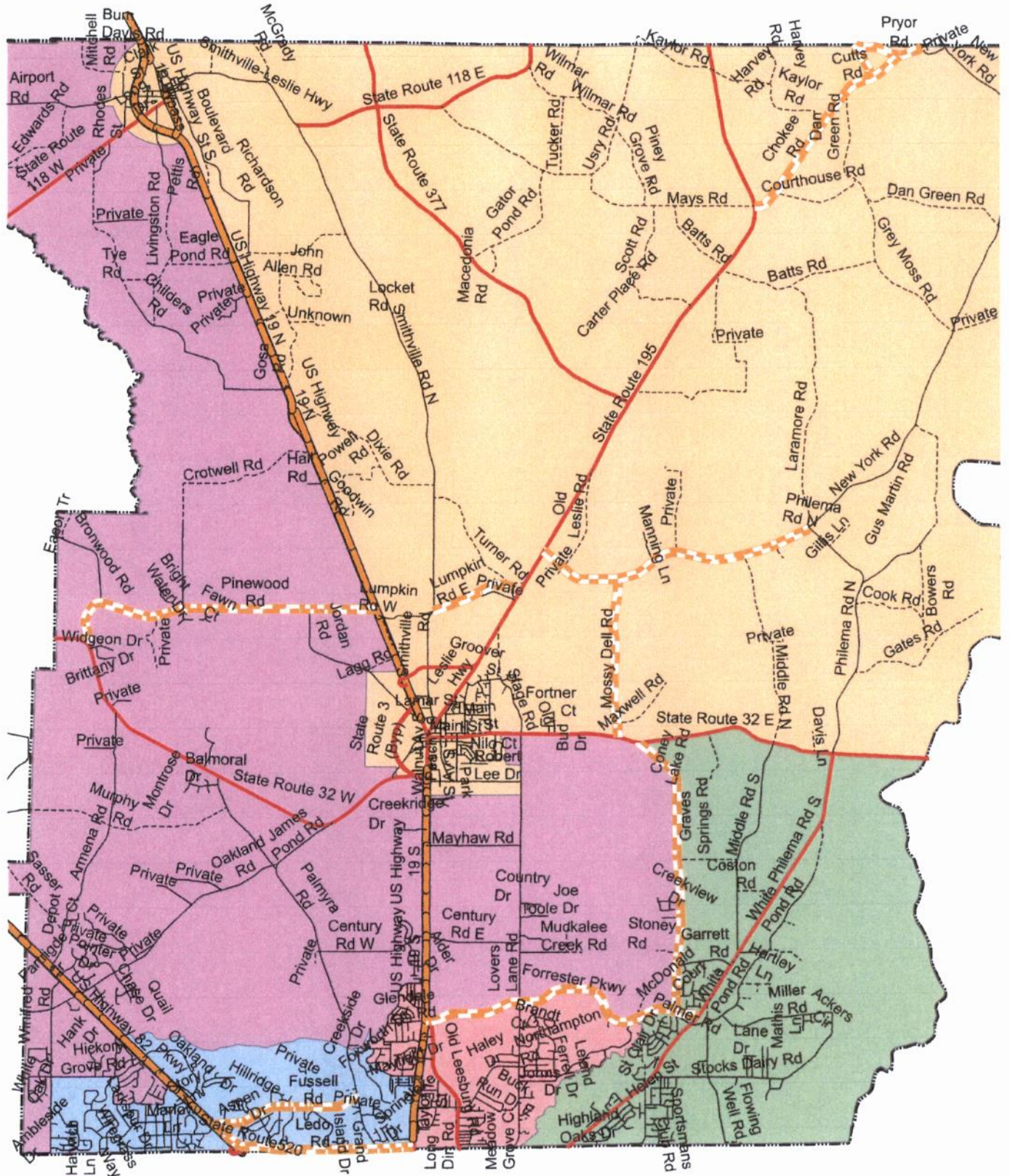
Cost Per Mile to Resurface 230000

Mossy Dell Road	1	---
New York Road	2	---
Chokee Road	3	---
Forrester Pkwy	4	---
Graves Springs Road	5	---
Pinewood Road	6	---
Fussell Road	7	---
Lumpkin Road E	8	---

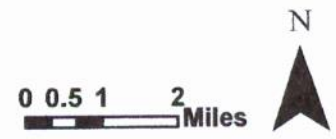
Airport Road	---	West of Smithville	
Jordan Road	---	Leesburg	Should do Pinewood First
Century Road	---		
Mayhaw Road	---		
Smithville Road	---	Looks Good	
Childers Road	---		
Philema Road	---		

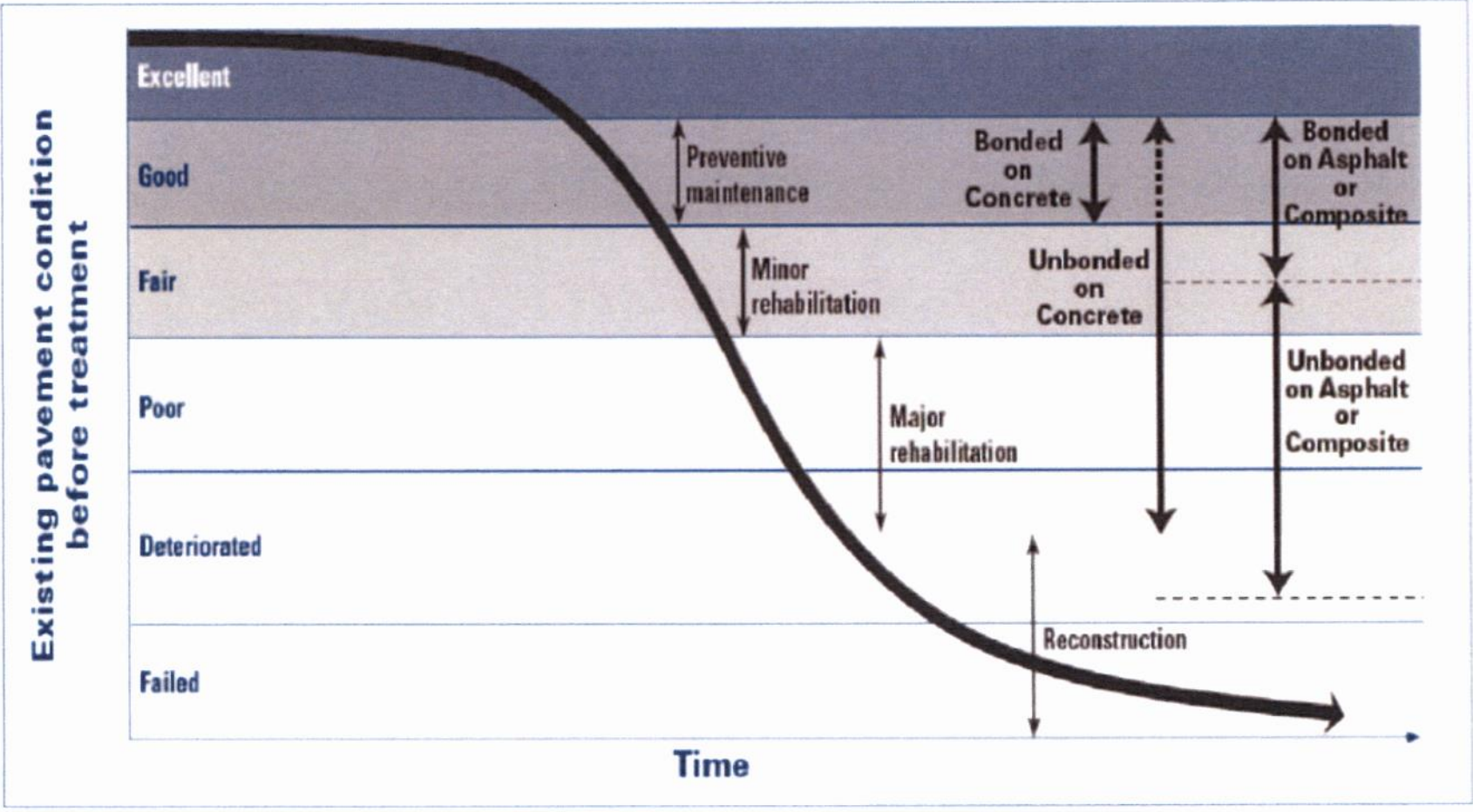
Connector Roads

- 1 Airport Road
- 2 Childers Road
- 3 Richardson Road
- 4 Smithville Road
- 5 Chokee Road
- 6 Cutts Road
- 7 New York Road
- 8 Philema Road
- 9 Mossy Dell Road
- # Lumpkin Rd E
- # Pinewood Road
- # Graves Springs Road
- # Middle Road
- # Forrester Pkwy
- # Century Road
- # Palmyra Road
- # James Pond Road
- # Mayhaw Road
- # Oakland Road
- # Fussell Road
- # Oakland Parkway
- # Ledo Road



- Roads to be Resurfaced
- District 1
- District 2
- District 3
- District 4
- District 5







Overview



Legend

- Parcels
- Roads

<p>Parcel ID 062B 311</p> <p>Class Code Exempt</p> <p>Taxing COUNTY</p> <p>District UNINCORPORATED</p> <p>Acres 7.42</p>	<p>Owner LEE COUNTY BOARD OF COMMISSIONERS 102 STARKSVILLE AVENUE NORTH LEESBURG, GA 31763</p> <p>Physical Address LONG PINE DRIVE</p> <p>Assessed Value</p>	<p>Last 2 Sales</p> <table border="0"> <thead> <tr> <th>Date</th> <th>Price</th> <th>Reason</th> <th>Qual</th> </tr> </thead> <tbody> <tr> <td>2/2/2001</td> <td>0</td> <td>GV</td> <td>U</td> </tr> <tr> <td>n/a</td> <td>0</td> <td>n/a</td> <td>n/a</td> </tr> </tbody> </table>	Date	Price	Reason	Qual	2/2/2001	0	GV	U	n/a	0	n/a	n/a
Date	Price	Reason	Qual											
2/2/2001	0	GV	U											
n/a	0	n/a	n/a											

(Note: Not to be used on legal documents)

Date created: 6/9/2023
Last Data Uploaded: 6/8/2023 8:07:44 PM

Developed by Schneider
GEO SPATIAL

I DO HEREBY CERTIFY THAT THIS MAP OR PLAT IS A CORRECT REPRESENTATION OF THE LAND PLATTED.

Larry Burness 12-11-00
 LARRY BURNESS, SURVEYOR
 GEORGIA REGISTRATION No. 2634 DATE

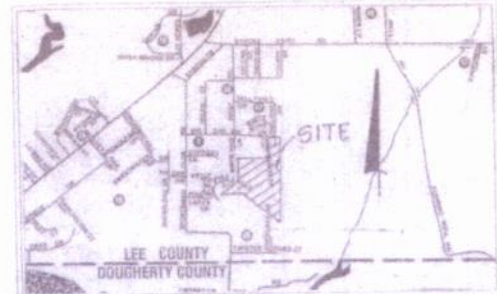
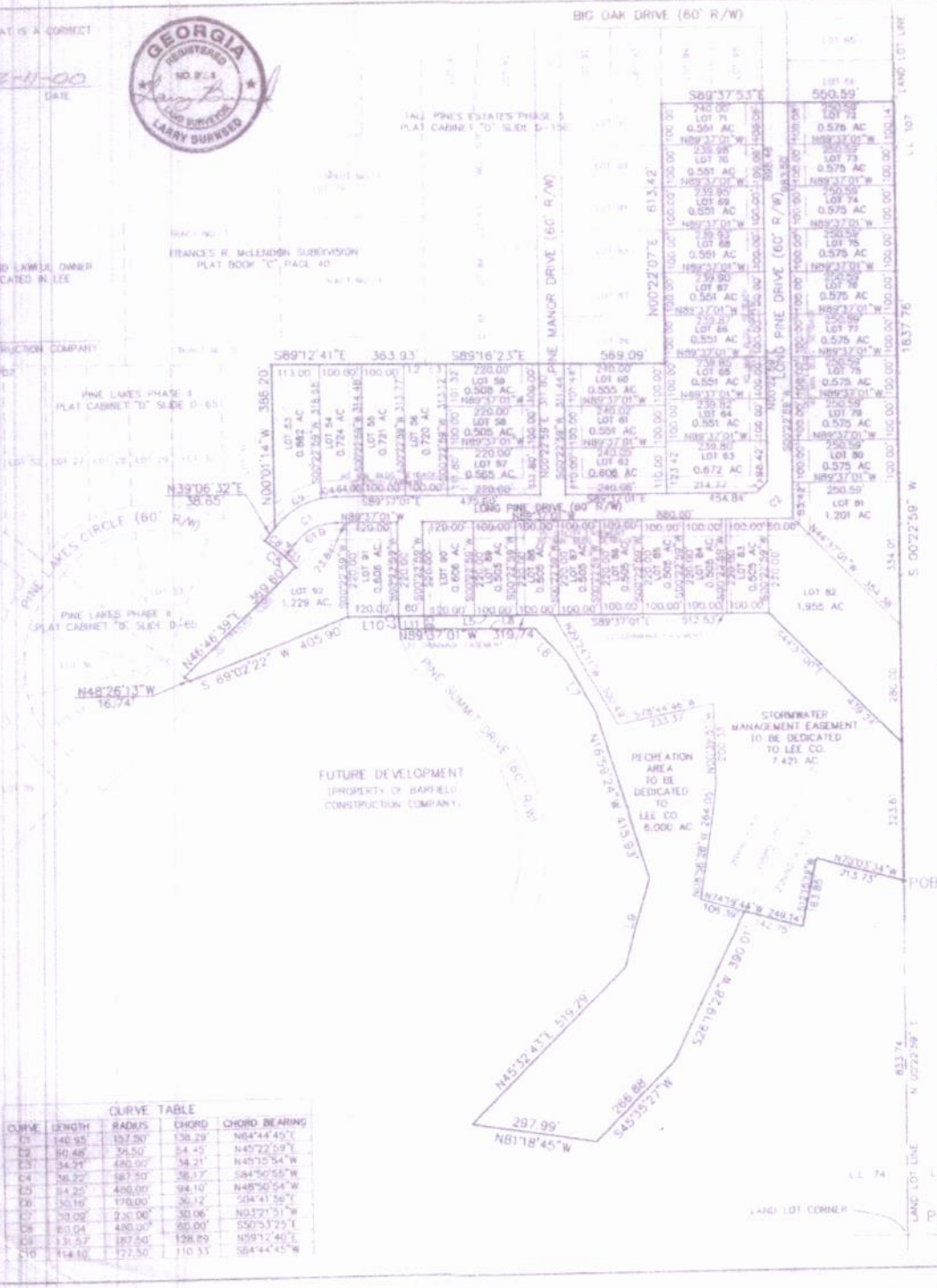


ATLAS SURVEYING COMPANY
 1927A CEDO ROAD
 ALBANY, GA 31707
 PHONE (912) 435-5170
 FAX # (912) 435-2199
 (MAIL ACCOMPANY ALL SUBMITTALS)

THIS IS TO CERTIFY THAT I AM THE TRUE AND LAWFUL OWNER OF THE PROPERTY PLATTED HEREON AND LOCATED IN LEE COUNTY, GEORGIA.

FRANCES R. McLENDON SUBDIVISION
 PLAT BOOK "C", PAGE 40

BARFIELD CONSTRUCTION COMPANY
 P.O. BOX 571
 ALBANY, GA 31707



LOCATION MAP
 SCALE 1" = 2500'

- NOTES:
- TOTAL AREA OF THIS DEVELOPMENT (SECTION IV) IS 42.471 AC.
 - THIS PROPERTY IS CURRENTLY ZONED R-1.
 - THERE IS A 10' DRIVE EASEMENT PARALLEL AND CONGRUOUS TO ALL STREET RIGHTS-OF-WAY.
 - ALL LOTS HAVE A FRONT SETBACK OF 40', A SIDE SETBACK OF 10', AND A REAR SETBACK OF 30'.
 - ALL LOTS ARE SERVED BY LEE COUNTY WATER SYSTEM AND INDIVIDUAL SEPTIC TANKS.
 - ALL INTERNAL STREETS ARE CURB AND GUTTER SECTION LOT WEAS.
 - BOUNDARY SURVEY BY ATLAS SURVEYING COMPANY.
 - THIS PROPERTY IS NOT LOCATED IN A 100 YEAR FLOOD PLAIN.
 - 1987 LRM PANEL 1.00075 DATED 05/18/87.
 - THE LEE COUNTY UTILITIES AUTHORITY HAS CONFIRMED THAT THE WATER OR POTABLE WATER AND RECEIPT OF SANITARY SEWAGE FROM ALL LOTS WITHIN THE DEVELOPMENT WILL BE REQUIRED TO IMMEDIATELY CONNECT TO PUBLIC WATER AND SEWAGE SYSTEMS WHENEVER EITHER BECOMES ACCESSIBLE.
 - BEFORE ANY BUILDING ACTIVITY BEGINS, LEE COUNTY HEALTH DEPARTMENT MUST APPROVE THE BUILDING SITE. AN INTERIM NON-SURFICE WILL BE REQUIRED IN THE AREA OF CONSTRUCTION TO MAINTAIN EXISTING UTILITIES AND BE AVAILABLE FOR INDIVIDUAL SEWAGE DISPOSAL SYSTEMS.
 - ALL LOTS MAY BE PRESENT IN SOME OF THESE CATEGORIES AND ARE PROTECTED BY FEDERAL LAW INTO A DESIGNATED WETLANDS ARE DESIGNATED AS A WETLAND, CONTACT THE U.S. ARMY CORPS OF ENGINEERS, REGULATOR, 601 WEST 10TH AVENUE, SAVANNAH, GEORGIA 31406-0001.

APPROVED
 COUNTY PLANNING COMMISSION
 ADMINISTRATOR
Pamela Thompson
 3/20/01



ALL LOTS APPROVED BY THE PLANNING COMMISSION MAY NOT BE BUILDABLE LOTS.

PLAT FOR
PINE LAKES SECTION IV
 FORMERLY TALL PINES ESTATES SECTION VI
 AND RECORDED IN PLAT CABBINET E SLIDE E64
 PART LAND LOT 74 1ST LAND DISTRICT
 LEE COUNTY, GEORGIA
 SCALE: 1" = 200' DECEMBER 27, 2000

LANIER ENGINEERING
 CIVIL ENGINEERS
 1004 THIRD AVENUE
 ALBANY, GEORGIA 31707
 (912) 436-2222

PineLakes Sec. IV
 Formerly Tall Pines Estates Section VI

LEGEND

- PC = POINT OF BEGINNING
- PT = HIGH PINE 200'
- PF = HIGH PINE 500'
- GP = GALVANIZED IRON PIPING FOUND
- CM = CONCRETE MOUND FOUND
- CP = CONCRETE CURB FOUND
- CB = CURB FOUND
- WB = WIRE FOUND
- TOURNAI QUARTZ CONCRETES "TRIAL STATION"
- 4" x 4" BETA COLLECTOR WITH ONE SOFTWIRE
- FIELD CLOSURE: 3721.03'
- ANGULAR ERROR: 47.688" POINT
- MEASURE OF ADJUSTMENT: LEAST SQUARES
- PLAT CLOSURE: 7.4889"

THESE WERE NO ORIGINAL RECORDING SURVEY INSTRUMENTS FOUND IN THIS 200 FT² OF THIS PROPERTY BY ANY POINT OF REFERENCE THEREIN. THIS PLAT INCLUDES NO RESEARCH AS TO EASEMENT OF TITLE.

LINE TABLE

LINE	LENGTH	BEARING
1.1	35.46	S45°22'59"E
1.2	24.94	S89°12'42"E
1.3	40.26	S89°16'24"E
1.4	30.55	S39°06'31"W
1.5	307.47	S49°32'01"W
1.6	157.30	N42°40'02"W
1.7	131.54	N7°27'41"W
1.8	251.04	S89°27'01"E
1.9	111.17	N18°44'29"E
1.10	121.20	POB
1.11	60.70	N89°37'01"W

CURVE TABLE

CURVE	LENGTH	RADIUS	CHORD	CHORD BEARING
C1	140.95	107.50	138.29	N64°44'45"E
C2	30.48	39.50	34.45	N45°22'59"E
C3	34.21	48.00	34.21	N45°15'54"W
C4	84.25	187.50	281.37	S84°50'55"W
C5	84.25	480.00	94.10	N48°50'54"W
C6	10.16	170.00	30.12	S04°41'56"E
C7	30.00	230.00	30.00	N03°21'51"W
C8	60.04	480.00	60.00	S50°57'25"E
C9	131.57	128.00	128.00	N59°12'40"E
C10	114.10	127.50	110.33	S64°44'45"W

I DO HEREBY CERTIFY THAT THIS MAP OR PLAN IS A CORRECT REPRESENTATION OF THE LAND PLATED

Larry Burned 12-11-00
 LARRY BURNED, P.L.S.
 GEORGIA REGISTRATION NO. 2634



ATLAS SURVEYING COMPANY
 1927A LEDO ROAD
 ALBANY, GA 31707
 PHONE (912) 435-6170
 FAX (912) 435-2199
 EMAIL ACCOUNT@ATLAS-SURVEY.COM

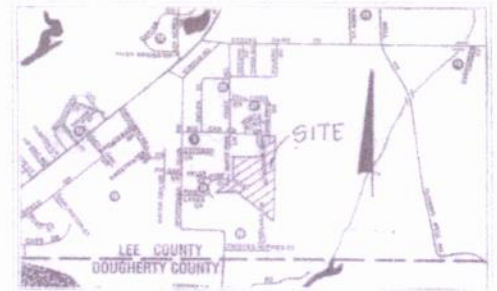
THIS IS TO CERTIFY THAT I AM THE TRUE AND LAWFUL OWNER OF THE PROPERTY PLATED HEREON AND LOCATED IN LEE COUNTY, GEORGIA.

Barfield Construction Company
BARFIELD CONSTRUCTION COMPANY
 P.O. BOX 571
 ALBANY, GA 31707

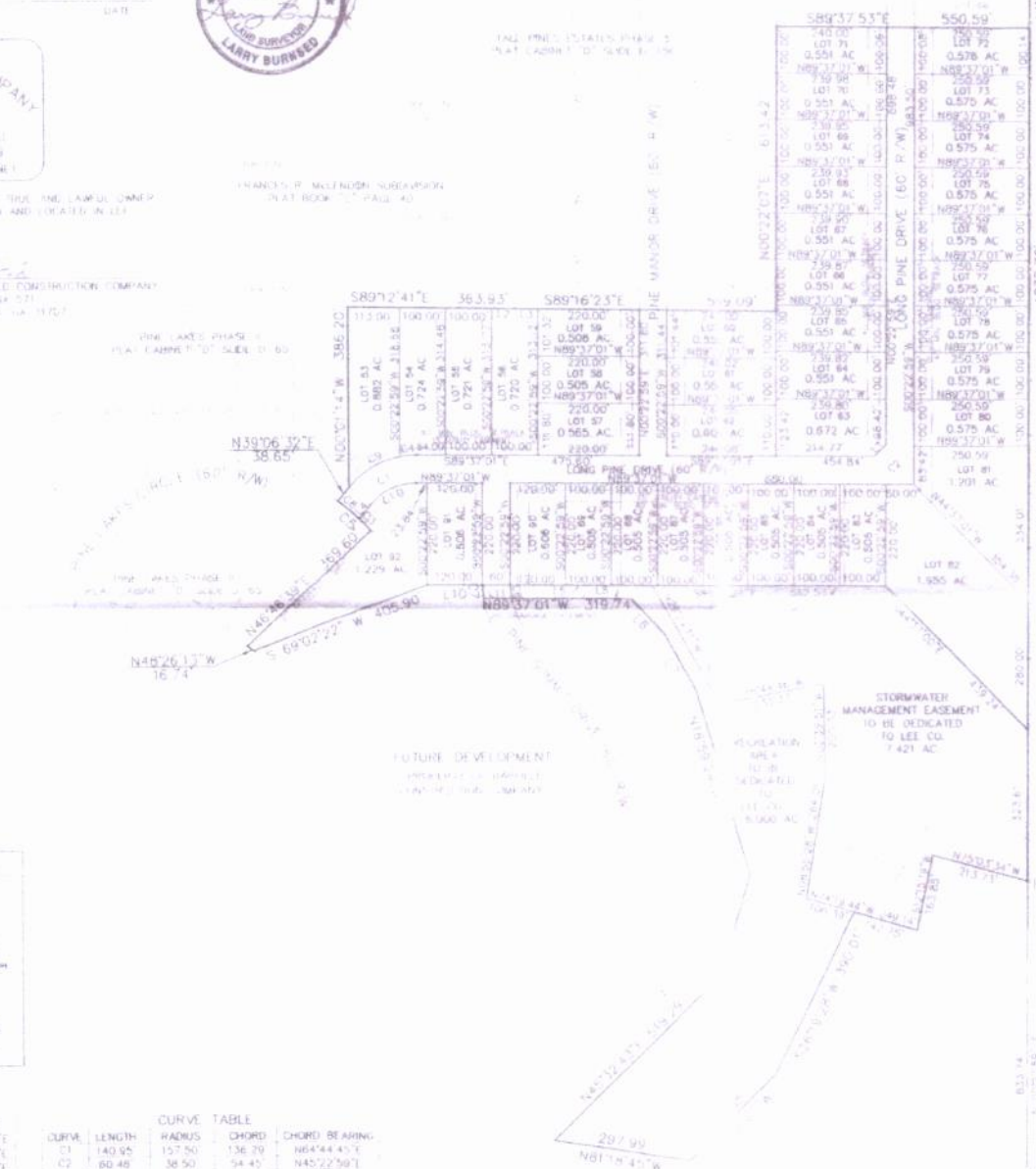
60' JAK DRIVE (60' R/W)

TALE PINE'S ESTATES PHASE 1
 PLAT CABBINETS SLIDE # 1-3

FRANCIS R. MULLINOVA, SURVEYOR
 IN AT ROOM 101, PAGE 40



THESE LOTS ARE TO BE DEVELOPED AS RESIDENTIAL LOTS. THE BUYER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL GOVERNMENT. THE BUYER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL GOVERNMENT. THE BUYER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL GOVERNMENT.



LEGEND
 PBM - POINT OF BEGINNING
 PS - PIONEER SET
 PF - PIONEER FOUND
 CPM - CALVERTED PIPE FOUND
 CMB - CONCRETE MONUMENT FOUND
 -S- - METAL PINS
 EQUIPMENT USED: TOPCON GPS / TOTAL STATION & IFC-4 DATA COLLECTOR WITH SINO 500 TRANS FIELD CLOSURE 1/2743
 ANGULAR ERROR: 2" SINGLE POINT
 METHOD OF ADJUSTMENT: LEAST SQUARES
 PLAT CLOSURE: 1/490,000
 THERE WERE NO NATIONAL COLOR OF SURVEY MONUMENTS FOUND WITHIN THE PLOT OR THE PROPERTY OR ANY POINT OF REFERENCE THEREIN. THIS PLAN REFLECTS NO RESEARCH AS TO EASEMENTS OR TITLE.

LINE	LENGTH	BEARING	CURVE	LENGTH	RADIUS	CHORD	CHORD BEARING
1.1	35.56'	N45°22'59"E	C1	140.95'	157.50'	136.79'	N64°44'45"E
1.2	50.02'	S89°12'42"E	C2	60.48'	36.50'	54.45'	N45°22'59"E
1.3	49.08'	S89°16'24"E	C3	54.21'	480.00'	34.21'	N45°15'54"W
1.4	38.65'	S39°06'31"W	C4	36.22'	167.50'	36.17'	S84°40'05"W
1.5	107.47'	S89°37'01"E	C5	94.25'	480.00'	94.10'	N48°50'54"W
1.6	107.30'	N42°54'02"W	C6	50.16'	170.00'	50.12'	S04°41'56"E
1.7	136.54'	N29°24'11"W	C7	30.09'	256.00'	30.06'	N03°21'01"W
1.8	259.04'	S89°37'01"E	C8	60.04'	480.00'	60.00'	S50°37'21"E
1.9	217.67'	N16°44'29"E	C9	131.57'	187.50'	128.89'	N09°37'40"E
1.10	120.00'	N89°57'01"W	C10	114.10'	127.50'	111.33'	S64°44'45"W
1.11	60.10'	N89°37'01"W					

APPROVED
 COUNTY PLANNING COMMISSION
 DECATUR
Pamela Thompson
 3/20/01

GEORGIA, LEE COUNTY
 CLERK'S OFFICE SUPERIOR COURT
 Filed: April 23, 2001
 Title: 100% Plat Cabinet E, Slide E67
 Recorded: April 23, 2001
Katly Walker



ALL LOTS IN THIS PLAT ARE TO BE DEVELOPED AS RESIDENTIAL LOTS. THE BUYER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL GOVERNMENT. THE BUYER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL GOVERNMENT.

PINE LAKES, SECTION IV
 FORMERLY TALE PINE'S ESTATES, SECTION IV
 AND RECORDED IN PLAT CABBINETS SLIDE # 1-3

LANIER ENGINEERING, INC.
 CIVIL ENGINEERS
 1004 THIRD AVENUE
 ALBANY, GEORGIA 31707
 (912) 436-1700

Return
to
Ellen

Please Return To:
C. Nathan Davis
P. O. Box 672
Albany, GA 31702

GEORGIA LEE COUNTY
FILED FOR RECORD ON
01/19/01

BOOK 588 PAGE 118
RECORDED 1/20/01

LEE COUNTY, GEORGIA
REAL ESTATE TRANSFER TAX
DATE 1-19-01
Clerk of Superior Court

ANN E. NIX, CLERK
S.C.L.C. GA

WARRANTY DEED

STATE OF GEORGIA, COUNTY OF LEE

THIS INDENTURE, Made the 2ND day of January, in the year two thousand one,
between

GEORGE A. BARFIELD, JR.

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

LEE COUNTY, GEORGIA

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

WITNESSETH that: Grantor, for and in consideration of TEN DOLLARS (\$10.00) AND
OTHER GOOD AND VALUABLE CONSIDERATIONS 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 74, First Land District,
Lee County, Georgia, and being more particularly described in the attached Exhibit
"A", the same being expressly incorporated herein by reference.

This is a portion of that property conveyed to GEORGE A. BARFIELD, JR. by
Warranty Deed recorded at Deed Book 456, Page 307 in the Office of the Clerk of
Superior Court, Lee County, Georgia.

Subject to easements and restrictions of record, including laws, ordinances and
regulations regulating the use of the conveyed property.

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.

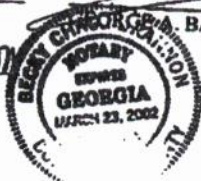
AND THE SAID Grantor will warrant and forever defend the right and title to the above
described property unto the said Grantee against the claims of all persons whomsoever.

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

[Signature]
INDEPENDENT WITNESS
[Signature]

NOTARY PUBLIC
My Commission Expires:
March 23, 2002
wpdocs42701c.wd



[Signature] (SEAL)
GEORGE A. BARFIELD, JR.

All that certain tract or parcel of land lying and being in a portion of Land Lot 74 of the First Land District in Lee County, Georgia and being more particularly described as follows:

All the 60' wide right-of-way of Long Pine Drive; the 60' wide right-of-way of Pine Manor Drive; the 60' wide right-of-way of Pine Summit Drive; the 15' wide utility easements parallel and contiguous to all street rights-of-way; the 7.421 acre stormwater management easement behind Lots 125-130; the 6.00 acre recreation area located west of the storm water management easement; the 20' wide drainage easement centered along the common line of Lots 126 and 127; the 20' wide drainage easement located along the west side of Lot 131; and the 20' wide drainage easement located along the northwest side of Lot 135 all as shown on plat by Lanier Engineering, Inc. dated December 11, 2000 entitled "Plat for Tall Pines Estates Section VI" and recorded in the office of the Clerk of Superior Court of Lee County, Georgia in Plat Cabinet ____ Slide ____

EXHIBIT "A" TO WARRANTY DEED
GEORGE A. BARFIELD, JR. TO LEE COUNTY, GEORGIA

**INITIAL DRAFT OF PROPOSED AMENDMENTS TO CHAPTER 70 OF THE
CODE OF ORDINANCES OF LEE COUNTY (THE LEE COUNTY ZONING CODE)
AS REQUIRED BY 2022 GEORGIA LAWS ACT 881 (HB 1405)**

Sec. 70-6. - Definitions.

For the purposes of these regulations certain words and tenses, used herein, shall be interpreted or defined as follows:

Words used in the present tense include the future tense.

The singular number includes the plural and the plural, the singular.

The word "person" includes a corporation, partnership, or association as well as an individual.

The term "shall" is always mandatory and not merely directory.

Terms not herein defined shall have the meanings customarily assigned to them.

The term "governing body" shall mean the Board of Commissioners of Lee County, Georgia.

Accessory building: A detached, subordinate structure, the use of which is clearly incidental to, customarily associated with and related to the principal structure or use of land, and which is located on the same lot as the principal structure or use. Accessory buildings shall include storage buildings, tool houses, party houses, bathhouses (used in conjunction with swimming pools) and similar uses.

Accessory use: The use customarily incidental and accessory to the principal use of a building located upon the same building site as the principal use.

Agriculture: Agriculture shall be considered to mean the raising of soil crops and/or livestock in a customary manner on tracts of land 25 acres or more in size and shall include all associated activities. Retail selling of products raised on the premises shall be considered a permissible activity provided that space necessary for the parking of customer's vehicles shall be provided off the public right-of-way.

Airfield: Any area of land or water utilized for the landing or taking off of aircraft.

Alley: Any dedicated public way providing a secondary means of ingress to or egress from land or structure thereon.

Alteration: Any change, addition or modification in construction or type of occupancy; any change in the structural members of the building, such as walls, partitions, columns, beams, girders, or any change which may be referred to herein as "altered" or "reconstructed."

Ambulatory: In respect to a person, the ability to move from place to place by walking, either unaided or aided by prosthesis, brace, cane, crutches or hand rails, or by propelling a wheelchair; and can perceive an emergency condition, whether caused by fire or otherwise and escape without human assistance, using the normal means of egress.

Apartment: A room or suite of rooms used as dwelling for one family which does its cooking therein.

Apartment houses: A residential structure containing three or more apartment units.

Artificial lot: The area of a one-acre or larger tract to be built on that is delineated for the purposes of calculating landscape requirements. This is only for calculating landscape requirements and only for tracts that are one acre or larger.

Assisted living communities: Provide assisted living care to adults who require varying degrees of assistance with the activities of daily living, but who do not require continuous medical or nursing care.

Automobile wrecking yard, automobile used parts or auto graveyard: Anywhere three or more vehicles not in running condition, or the parts thereof, are stored in the open or any building or structure used principally for wrecking or storage of automobiles not in running condition for automobile parts.

Basement: A portion of a building partly below grade and having less than five feet above the finished grade level of the building.

Block: A tract of land bounded by streets, or by a combination of streets and public parks, cemeteries, railroad rights-of-way, shorelines of waterways, drainage ways, or boundary lines of municipalities or counties.

Boarding house: A residence or part thereof where meals and/or lodging are provided for compensation for three or more persons by pre-arrangement for definite periods. A boarding house is to be distinguished from a hotel, motel, or a nursing home.

Buffer: That portion of a given lot, not covered by buildings, pavement, parking, access and service areas, established as landscaped open space for the purposes of screening and separating properties with incompatible land uses, the width of which is measured from the common property line and extends the developed portion of the common property line. A buffer consists of trees, shrubs, and other natural vegetation undisturbed by grading or site development and replanted where sparsely vegetated or where disturbed for approved access and utility crossings.

Buildable area: The buildable area of a lot is the space remaining after the minimum open space requirements of these regulations have been complied with.

Building: Any structure having a roof, supported by columns or by walls and intended for shelter, housing or enclosure of any person, animal or goods. Where roofed structures are separated from each other by party walls having no opening passage, each portion so separated shall be considered a separate building.

Building inspector: The highest ranking building official of the governing body, or his representative.

Building height: The vertical distance of a building measured from the average elevation of the finished grade to the highest point on the roof surface.

Building, principal: A building in which the principal use of the lot on which it is located is conducted.

Building setbacks: The distance any part of any structure must be from any front, rear, or side property line. Building setbacks are established in this chapter.

Caretaker or employee residence: An accessory residence located inside or in addition to the principal structure or use of a parcel of land. Said residence must be occupied by a bona fide caretaker or the owner himself as necessary to the property's orderly operation or safety.

Child care institution (CCI): Any child-welfare aid facility which either primarily or incidentally provides full-time room, board, and watchful oversight to six or more children through 18 years of age outside of their own homes, as licensed or commissioned by the Georgia Department of Human Services, Office of Residential Child Care (ORCC). This may include, at the discretion of the **P**lanning **D**irector, child caring facilities also regulated by ORCC for individuals up to 21 years of age, including outdoor child caring programs (OCCP), children transition care centers (CCTC), maternity homes, and runaway and homeless youth program (RHP).

Clerk: The clerk of the governing body.

Clinic: A professional office where the services of more than one practitioner can be obtained and where patients are studied or treated on an outpatient basis and where no overnight accommodations are provided.

Club: An organization of persons for special purposes or for the promulgation of sports, arts, science, literature, politics or the like, but not for profit.

Community living arrangement (CLA): Any residence, whether operated for profit or not, that undertakes through its ownership or management to provide or arrange for the provision of daily personal services, support, care, or treatment exclusively for two or more adults who are not related to the owner or administrator by blood or marriage and whose residential services

are financially supported, in whole or in part, by funds designated by the department of behavioral health and developmental disabilities (DBHDD).

Community residence: A dwelling unit occupied to two or more typically unrelated persons as their normal place of residence, but in which separate cooking facilities are not provided for such resident persons. The term "community residence" includes, but is not limited to, a rooming house, boarding house, community living arrangement, and personal care home. A retirement community, assisted living facility, nursing home, hotel or motel, or bed and breakfast inn shall not be deemed to be a group (community) residence. (See chapter 70—Zoning, article III, section 70-99 for community residence requirements.)

Conditional use: A use which within certain districts specified by this chapter is not permitted as a matter of right but may be permitted within these districts by the county commission after the Planning Commission has:

(1) Reviewed the proposed site plans for the use, its arrangement and design, its relationship to neighboring property and other conditions peculiar to the particular proposal which would determine its desirability or undesirability; and

(2) Has found the proposal not to be contrary to the intent of this chapter. All conditional use applications will follow the same public notice, public hearing and review process as any application for rezoning.

Convalescent home: A convalescent home is a home for the care of children or the aged or infirm, or a place of rest for those suffering bodily disorders, wherein two or more persons are cared for. Said home shall conform and qualify for licensure under state law. A retirement community facility or an assisted living facility or a nursing home is not a convalescent home.

Cremation: The reduction of a dead human body to residue by intense heat.

Crematorium: A location containing properly installed, certified apparatus intended for use in the act of cremation. Crematoriums do not include establishments where incinerators are used to dispose of toxic or hazardous materials, infectious materials or narcotics.

Curb cut: An alteration to an existing curb and gutter for the construction of a driveway to provide for ingress/egress between property and an abutting public street.

Day care facility: A day care facility is an individual or jointly owned facility designated to offer care and/or training to children unrelated to the owner or director for any part of a day on a regular basis. Such facility may or may not be operated for profit. Day care is not a baby-sitting service to be used for the convenience of the parents at irregular intervals (drop-ins).

(1) A group center (day nursery, day care center) is defined as a facility for six or more children, regardless of age, whose primary purpose is the care of the child for part of a day, while his parent or parents are absent from home.

(2) A nursery school is defined as a school for two-, three-, and four-year old children which operates for periods not to exceed four hours a day and whose primary purpose is education and guidance for healthy emotional and social development of children.

(3) Kindergarten is defined as a school for four- or five-year old children which operates for periods not to exceed four hours a day and whose primary purpose is education and guidance for healthy emotional and social development.

(4) Family day care is defined as a service in a private home, offering care in a family setting to a maximum of five children, including the foster family's own children during part of the day while the natural parents are absent from their home.

(5) Adult day care is defined as personal care and supervision in a protective setting for adults outside their own home for less than 24 hours per day. The program may include the provisions of daily medical supervision, nursing and other health care support, psycho-social assistance, or appropriate socialization stimuli or a combination of these. Adult day care is available for those persons who do not require 24 hour per day institutional care, but who, because of physical and/or mental disability, are not capable of full time independent living.

Density: The number of dwelling units developed on an acre of land. As used in this chapter, all densities are stated in dwelling units per gross acre.

District: A portion of the jurisdiction of the governing body within which, on a uniform basis, certain uses of land and buildings are permitted and within which certain yards, open spaces, lot areas and other requirements are established.

Drive-in establishment: A business establishment, other than a drive-in restaurant, so developed that its retail or service character is dependent on providing a driveway approach or parking spaces for motor vehicles so as to serve patrons while in the motor vehicle, and may include drive-in banks, drive-in cleaners, and drive-in laundries.

Drive-in restaurant: A restaurant or other establishment serving food and/or drink so developed that its retail or services character is dependent on providing a driveway approach or parking spaces for motor vehicles so as to serve patrons while in the motor vehicle.

Dwelling, single-family: A building used or designed for use as a residence for a single-family.

Dwelling, two-family (duplex): A duplex is a building either designed, constructed, altered or used for two adjoining dwelling units that are connected by a common wall and/or if two stories by a common floor.

Dwelling, multiple: A building or portion thereof used or designed as a residence for three or more families living and cooking independent of each other in said building. This definition

includes three family houses, four-family houses and apartment houses, but does not include hotels, motels, trailer camps or mobile home parks.

Efficiency unit: An efficiency unit is a dwelling unit consisting of one room, exclusive of bathroom, kitchen, hallway, closets or dining alcove directly off the principal room, providing not less than 400 square feet of floor area.

Erected: Includes built, constructed, reconstructed, moved upon, or any physical operations on the premises required for the building. Excavations, fill, drainage, and the like, shall be considered a part of the erection.

Essential services: The erection, construction, alteration, or maintenance by public utilities, governmental departments or commissions, of underground, surface, or overhead; gas, communication, electrical, steam, fuel or water transmission or distribution systems, sewers, pipes, conduits, cable, fire alarm and police call boxes, traffic signals, hydrant and similar accessories in connection therewith, but not including buildings, which are necessary for the furnishing of adequate service by such utilities or governmental departments for the general public health, safety, convenience or welfare.

Event: An event consists of a celebration, reception, party, concert, holiday gathering, family gathering, corporate function, general gathering, birthday party, retirement event, employee appreciation event, wedding, wedding reception, anniversary celebration, funeral, and other similar parties, receptions and events. An event center does not include retail sales, amphitheaters, rodeos, circuses, or similar public events. An event center may host either public or private events. An event center shall be open only for scheduled event-based operations.

Event center: A commercial building or facility where events are permitted to occur under this article. Any such center shall be a permanent structure (not a temporary structure) which meets all local and state-wide building codes applicable to the type of commercial building to be used as an event center. An event center, building or facility, or the portion of a building or facility utilized as an event center, shall consist of not more than 10,000 square feet. No residential structure shall be considered to be an event center. Event centers may utilize indoor and outdoor spaces, provided that any outdoor activities hosted at event centers adjacent to residentially zoned property shall be limited to the hours of 10:00 a.m. to 10:00 p.m. Monday through Saturday and Sundays from 12:00 noon to 10:00 p.m. All event facilities shall be located on a collector or arterial street. Any on-site kitchen or catering facility shall comply with all applicable local and state regulations, including, but not limited to, the rules and regulations of the environmental health department, the Georgia Department of Agriculture, and compliance with chapter 6—Alcoholic Beverages in its entirety; particularly including section 6-37, Alcoholic beverage caterers.

Family: No more than six unrelated persons or one or more related persons occupying a housing unit and using common kitchen facilities and entrances, as distinguished from a group occupying a boarding house, or personal care home.

Fast food restaurant: A fast food restaurant is defined to be a restaurant that has all of the following characteristics.

- (1) Its principal business is the sale of food items and beverages of the kind, which can readily be taken out of the restaurant for consumption off the premises.
- (2) Utensils, if used at all, are made of plastic or other disposable materials. Food is packaged in paper or styrofoam or other disposable containers.
- (3) Service is not customarily provided to customers at their tables by employees of the restaurant.

Farm: A platted or unplatted parcel of land 25 acres or more in an area which is used for growing crops, raising livestock or other agricultural purposes.

Farm stand: A booth or stall located on a farm from which produce and farm products are sold to the general public.

Filling: Shall mean the depositing or dumping of any matter on or into the ground, except deposits resulting from common household gardening and general farm care.

Flea market: An outdoor and/or indoor facility established for the purpose of selling at retail such new or used items as household goods, tools, crafts or any other combination of new or used goods. These markets, sales and displays are those that occur continuously or frequently, and specifically more than two times per year, normally at a fixed location where a proprietor, partnership, or corporation leases to vendors a booth, commercial stall or designated area from which the vendor markets his/her goods.

Flood plain: A nearly level alluvial plain that borders a stream and is subject to flooding unless protected artificially.

Foster child: A child unrelated to a family by blood or adoption with whom he or she lives for the purposes of care and education.

Garage, private: An accessory building designed or used for the storage of motor driven vehicles owned and used by the occupants of the building to which it is an accessory.

Garage, public: Any premises used for the storage or care of motor vehicles or place where any such vehicles are equipped for operation, repaired or kept for pay, hire or sale.

Garden, private: A non-commercial private garden which is an accessory use to the primary use of the zoning district. The primary use must be present at the same location as the garden in any zoning district with the exception of agricultural zoning districts.

Ground mounted solar energy system means an SES facility that is structurally mounted to the ground and does not qualify as an integrated SES. For purposes of the Lee County zoning code, any solar canopy that does not qualify as an integrated SES shall be considered a ground mounted SES, regardless of where it is mounted.

The *footprint* of a ground mounted SES facility is calculated by drawing a perimeter around the outermost SES panels and any equipment necessary for the functioning of the SES facility, such as transformers and inverters. The footprint does not include any visual buffer or perimeter fencing. Transmission lines (or portions thereof) required to connect the SES facility to a utility or consumer outside the SES perimeter shall not be included in calculating the footprint.

Ground mounted SESs shall be delineated by size as follows:

Small scale ground mounted solar energy system (small scale SES) means a ground mounted SES where the solar facility totals five acres or less.

Intermediate scale ground mounted solar energy system (intermediate scale SES) means a ground mounted SES where the solar facility totals not less than more than five acres, but less than 50 acres.

Large scale ground mounted solar energy system (large scale SES) means a ground mounted SES where the solar facility totals more than 50 acres.

Group home: A group home is a residential home use of a property for the care of individuals in the home environment who have mental and/or developmental disabilities, or individuals will benefit socially from living in a group environment. All group homes must be licensed by the appropriate state agency and must have a conditional use permit granted by the Board of Lee Commissioners prior to opening.

Guest house: A building or portion thereof used or designed for use as a residence, specifically as an accessory use to the principal building. Occupation of guesthouses shall be temporary [30 continuous days at a maximum].

Halfway house: A group home facility which is licensed or supervised by any federal, state, or county correctional facility to be used for health/welfare rehabilitation or similar purposes.

Home occupation: Any use conducted entirely within the dwelling and carried on by the inhabitants thereof, which use is incidental and secondary to the use of the dwelling for dwelling purposes and does not change the character thereof. Provided further, that no article or service is sold or offered for sale on the premises, except such as is produced by such occupation; that such occupation shall not require internal or external alterations or construction, open storage or signs not customary in residential areas. One non-illuminated name plate, which is not more than two square feet in area, may be attached to the building which shall contain only the name and occupation of the resident of the premises. Clinics,

hospitals, childcare centers, and day nurseries, among others, shall not be deemed to be home occupations.

Home occupation, residential:

(1) The home occupation use shall only be allowed in residential zoning districts which allow home occupations.

(2) The dwelling unit must maintain a residential appearance and there shall be no outward evidence of the occupation or impacts in appearance, noise, light, odor, traffic and utilities that would be detectable beyond the dwelling unit.

(3) The use shall be conducted entirely within the dwelling unit and accessory structures with not more than 25 percent of a property's gross floor area devoted to the home occupation.

(4) Only persons living in the dwelling unit on a full time basis shall be employed at the location of the home occupation.

(5) No more than one home occupation shall be authorized for any residential dwelling unit.

(6) No business materials or equipment shall be stored at the premises of the home occupation unless such material or equipment is stored in an area within the residence. No business vehicles used in the home occupation shall be stored on the premises where the home occupation is undertaken.

(7) The following businesses, uses, and activities shall be prohibited as home occupation uses: adult entertainment establishments; kennels; stables; veterinarian clinics; medical and dental clinics; restaurants, clubs, and drinking establishments; motor vehicle repair or small engine repair; funeral parlors; adult businesses; limousine service; taxi service; and wrecker service.

(8) No motor vehicle other than a passenger automobile, passenger van or passenger truck used by the resident as a personal vehicle shall be parked on the property.

(9) Non-conforming home occupation uses: Non-conforming uses permitted as of October 1, 2005, shall be allowed to continue to operate under the following conditions:

a. No non-conforming use may be changed to another non-conforming use.

b. No non-conforming use shall be increased, extended or enlarged beyond the size or scope of the use as it existed on the date of issuance of the current occupation tax certificate.

c. The non-conforming use is specially designated to the current property and business owner. (The home occupational use is not transferable.)

d. Violation of these conditions will result in an immediate and permanent revocation of the right to continue the non-conforming use.

Hospital: An institution providing health services, primarily for in-patients and medical or surgical care of the sick or injured, including as an integral part of the institution, such related facilities as laboratories, out-patient departments, training facilities, central service facilities and staff offices.

Industrialized Building: Any structure or component thereof which is designed and constructed in compliance with the state minimum standards codes and O.C.G.A. 8-2-2 (Georgia Industrialized Buildings Act) and is wholly or in substantial part made, fabricated, formed, or assembled in manufacturing facilities for installation or assembly and installation on a building site and has been manufactured in such a manner that all parts or processes cannot be inspected at the installation site without disassembly, damage to, or destruction thereof. See Rule 110-2-01.

Junk: Any motor vehicle, machine, appliance, scrap material or other items that are in a condition which prevents its use for the purpose for which it was originally manufactured.

Junk yard: Includes automobile wrecking yards and includes any area of more than 200 square feet for the storage, keeping or abandonment of junk, including scrap metals or other scrap materials, or for the dismantling, demolition or abandonment of automobiles, or other vehicles or machinery or parts thereof, but does not include uses established entirely within enclosed buildings.

Kennel: Any lot or premises on which three or more dogs, four months or older, are kept either permanently or temporarily for commercial or breeding purposes.

Laboratory: A place devoted to experimental study, such as testing and analyzing. Manufacturing of product or products is not permitted within this definition.

Landscape strip: That portion of a given lot, not covered by buildings, pavement, parking, access and service areas, established as landscaped open space, the width of which is measured from the common property line and extending the developed portion of the property line. A landscape strip, as distinguished from a buffer, may be disturbed by grading or site development but shall be maintained as landscaped open space. A landscape strip may consist of grass lawns, decorative planting, berms, walls, fences or other approved features designed and arranged to produce an aesthetically pleasing effect within the development.

Loading strip: An off-street space on the same parcel of property with the building or group of buildings, for temporary parking of a commercial vehicle while loading and unloading merchandise or materials.

Lodging house: A lodging house or rooming house is a building other than a hotel or motel where lodging is provided for five or more persons for compensation pursuant to previous arrangement.

Lot: A parcel of land occupied or intended to be occupied by a principal building or use and any accessory building and uses customarily incident to it, and including open spaces not less in extent than those required in connection therewith by these regulations.

Lot area: The size of a lot measured within the lot lines as expressed in terms of acres or square feet.

Lot, corner: A lot abutting on two streets at their intersection. The minimum front yard setback shall be observed on both street frontages.

Lot depth: The mean distance between the front and rear lot lines.

Lot, double frontage: An interior lot having frontages on two or more parallel streets as distinguished from a corner lot. In the case of a row of double frontage lots, one street will be designated as the front street on the plat and the request for a building permit will indicate which street is the designated front street.

Lot, flag: Lots which have adequate land area for two lots but which do not have adequate street frontage for more than one lot. The standards require access for fire protection and also require screening in the higher density residential areas to protect the privacy of abutting residences. The intent of flag lots is to provide additional housing and commercial opportunities and to promote the efficient use of land.

Lot, frontage: That portion of a lot extending along a street right-of-way line.

Lot, interior: A lot other than a corner lot.

Lot lines: The property lines bounding the lot.

(1) Front lot line: On a lot abutting upon a public street, the front lot line shall mean the line separating such lot from such street right-of-way.

(2) Rear lot line: Ordinarily, the lot line that is opposite and most distant from the front lot line of the lot. In the case of an irregular shaped lot the county planner shall designate the rear lot line.

(3) Side lot line: Any lot line that is not a front or rear lot line.

Lot of record: A parcel of land, the dimensions of which are shown on a map or plat on file with the clerk of superior court of the county and which actually exists as shown, or any part

of such parcel held in a recorded ownership separate from the ownership of the remainder thereof.

Lot width: The distance between the side lot lines, measured along the front building line and parallel to the street right-of-way.

Manufactured home: A factory built structure that is manufactured or constructed under the authority of 42 United States Code Section 5401 and is to be used as a place for human habitation, but which is not constructed or equipped with a permanent hitch or other device allowing it to be moved other than for the purpose of moving it to a permanent site, and which does not have permanently attached to its body or frame any wheels or axles. A mobile home is not a manufactured home, except as hereafter provided.

Manufactured home park: A licensed business operation which leases spaces for permanent or for temporary occupancy for periods exceeding 30 days for mobile homes and, under some conditions, travel trailers.

Manufactured home stand: The site designed for the placement of a manufactured home and its cabana, accessory structures, utility connections and off-street parking facilities.

Maximum lot coverage: The part or percentage of the lot that may be occupied by buildings or structures, including accessory buildings or structures.

Memory care services means the additional watchful oversight systems, programs, activities, and devices that are required for residents who have cognitive deficits which may impair memory, language, thinking, reasoning, or impulse control, and which place the residents at risk of eloping, i.e., engaging in unsafe wandering activities outside the home.

Memory care unit means a specialized unit or home that either holds itself out as providing memory care services or provides personal services in secured surroundings.

Mobile home: A manufactured home built before June 15, 1976, ~~They~~ **which does** not meet current building codes.

Modular homes: Factory built housing certified as meeting local or state building codes as applicable to modular housing. Once certified by the state, modular homes shall be subject to the same standards as site built homes.

Motor vehicle repair: General repair, engine rebuilding, rebuilding or reconditioning of motor vehicles; collision service such as body, frame or fender straightening and repair; overall painting; but not including undercoating of automobiles unless conducted in a completely enclosed spray booth.

Motor vehicle wash establishment: A building, or portion thereof, the primary purpose of which is that of washing motor vehicles.

Non-conforming use: Any building or land use which lawfully exists at the time of adoption of this chapter and which does not now conform with the use regulations of the district in which it is located.

Nursery (tree and shrub): An area or establishment devoted to the raising and care of trees, shrubs, or similar plant materials.

Nursing home: Any facility which primarily provides skilled nursing care and related services to residents who require medical or nursing care, rehabilitation services to the injured, disabled, or sick; or, on a regular basis, provides health care and services to individuals who, because of their mental or physical condition, require care and services (above the level of room and board) which is available to them only through such facility and is not primarily for the care or treatment of mental disease or defect. A nursing home must be properly licensed as a nursing home under state law.

Off-street parking lot: A facility providing vehicular parking spaces, along with adequate drives and aisles for maneuvering, so as to provide access for entrance and exits for the parking of more than two automobiles.

Open air business uses: Open-air business use shall include the following:

(1) Retail sale of trees, shrubbery, plants, flowers, seeds, topsoil, humus, fertilizer, trellises, lawn furniture, playground equipment and other home garden supplies and equipment.

(2) Retail sale of fruits and vegetables.

(3) Tennis courts, archery courts, shuffleboard, horseshoe courts, miniature golf, golf driving range, children's amusement park or similar recreation uses.

(4) Bicycle, trailer, motor vehicles, mobile homes, boats or home equipment sales, services or rental services.

(5) Outdoor display and sale of prefabricated storage buildings, garages, swimming pools and similar use.

Open space, landscaped: That portion or portions of a given lot, not covered by buildings, pavement, parking access and service areas, set aside and maintained as a buffer, landscape strip or other approved open area.

Outdoor display: The open display of items, outside of any principal or accessory building that does not include walls for enclosure, that is for the primary purpose of attracting attention to the specific item from nearby or adjacent streets or roads.

Outdoor storage: The open storage of any items, whether business related or personal, outside of any principal or accessory building or structure that does not include walls for enclosure.

Parking space: An area of not less than nine feet wide and 20 feet long, for each automobile or motor vehicle, such space being exclusive of necessary drives, aisles, entrances or exits and being fully accessible for the storage or parking of permitted vehicles.

Personal care home: A building or buildings in which housing, meals, and 24-hour continuous watchful oversight for two or more adults are provided and which facility is licensed or permitted as a personal care home by the State of Georgia. The term "personal care home" shall not include a child caring institution, transitional housing, a rehabilitation housing facility, a rooming house, a boarding house, or any other facility which provides residential services for federal, state, or local correctional institutions. A personal care home includes a community living arrangement, which is an establishment licensed by the state which undertakes, through their ownership or management, to provide or arrange for the provision of daily personal services, care, or treatment for two or more adults who are not related to the owner or administrator and whose residential services are financially supported, in whole or in part, by funds designated to the department of behavioral health and development disabilities. The term also includes memory care units which provide memory care services in a secured environment. There are three types of personal care homes, as follows:

- (1) Family personal care home: A personal care home of any family-type residence, which is non-institutional in character, and which offers care for two to six adults;
- (2) Group personal care home: A personal care home in a residence or other type of building that is non-institutional in character and offers care for seven to 15 adults; and
- (3) Congregate personal care home: A personal care home that offers care to 16 or more adults.

For purposes of the definitions of "personal care home," personal services include, but are not necessarily limited to, individual assistance with or supervision of self-administered medication, assistance with ambulation and transfer, and assistance with essential activities of daily living, such as eating, bathing, grooming, dressing, and toileting.

Planned unit development: A planned unit development is a single parcel of land within which a number of buildings (uses) are located or intended to be located in accordance with an overall plan of design and not in relation to a prearranged pattern of land subdivision. Examples of a planned unit development (P.U.D.) include a complex of apartment buildings, offices and a shopping center with a number of stores.

Prime farm land: Land in the county which is best suited for producing feed, forage, fiber, and oil seed crops and also available for these uses. It has the soil quality, growing season, and moisture supply needed to produce sustained good yield of crops economically if treated and managed, including water management, according to modern farming methods.

Private event: A private event is an event held under this article which is an invitation-only event.

Private home care provider: A private home care provider provides private home care services. The private home care provider is an agency that is licensed by the state to provide services at a client's residence that involves direct care to the client of the provider and includes nursing services, personal care tasks, and companion or sitting tasks. Such services are provided through the private home care providers own employees or agents.

Produce stand/curb market: A permanent or semi-permanent building stand not exceeding 200 square feet of floor area intended to provide a place to sell at retail only perishable farm and garden vegetables and orchard or grove fruits, but not including buildings or structures erected by a bona fide farmer for the sale of seasonal produce grown on their land in an Agricultural Zoning District.

Public event: A public event is an event held under this article where the public is invited or allowed to attend. For purposes of this article, an event for which tickets or other evidence of authority to attend the event are required for persons in attendance at the event, whether such tickets are purchased or distributed without any cost or considerations, shall be considered to be a public event.

Recovery residents: Housing for persons released from prisons, jails, or mental health facilities, who need a more restrictive environment than outpatient services in order to establish or maintain abstinence from alcohol and other drugs, criminal activities, or other behavioral issues which are not compatible with general society. Recovery residences are characterized according to the intensity of the substance abuse services counseling that is delivered as follows:

(1) Standard recovery residences (SRR) require all residents to attend one or more hours of substance abuse services or counseling, or mental health counseling, per week;

(2) Intensive recovery residences (IRR) require all residents to attend five or more hours of substance abuse counseling, or mental health counseling, per week, which counseling is delivered by certified substance abuse counselors.

Recreation facility, commercial: A recreation facility operated as a business and open to the public for a fee.

Reference level: The reference level for any building is seven inches above the existing curb, or in the absence of an existing curb, above the crown of the adjacent public road.

Rubbish: The miscellaneous waste material resulting from housekeeping, mercantile enterprises, trades, manufacturing offices and construction enterprises, including other waste material such as slag, stone, broken concrete, fly ash, tin cans, glass, scrap metal, rubber, paper, rags, chemicals, and/or similar or related combinations thereof.

Screening: Also referred to in the text as "protective screening" is a visual and acoustical barrier which, through the use of buffers, natural topography, landscaping, fences, walls, beams or approved combination thereof, is of such nature and density that provides year-round maximum capacity from the ground to a height of at least six feet that screens structures and activities on the lot from view from the normal level of a first story window on an abutting lot.

Service station: A building or structure designed or used for the retail sale or supply of fuels, lubricants, air, water and other operating commodities for motor vehicles, aircraft or boats, and including the customary space and facilities for the installation of such commodities on or in vehicles, and including space for facilities for the temporary storage of vehicles, minor repair or servicing.

Shopping center: Two or more commercial establishments planned and managed as a single unit with off-street parking and loading facilities provided on the property.

Sign, business: A sign which directs attention to a business, profession, product, service, activity or entertainment conducted, sold or offered on the premises at which the sign is located.

Sign, freestanding: A sign which is supported by one or more columns, uprights or braces in or upon the ground, or by another structure, the sole purpose of which is to support the sign. A freestanding sign is not attached to a building.

Sign, general advertising: A sign which directs attention to a business, profession, idea, product, service, activity, or entertainment not conducted, sold or offered on the premises upon which the sign is located. It may either be freestanding or be attached to the building. A general advertising sign is commonly known as a "billboard."

Sign, wall: A sign, which is attached to the wall of any building. A wall sign shall project not more than 12 inches from the building.

Sign, area: The smallest square, rectangle, triangle, circle or combination thereof that encompasses the entire area devoted to advertising, information or identification. The term "sign area" includes trim, but excludes structural supports. (In the case of a sign with two sides for display, one side only shall be counted in determining sign area.)

Single parcel ownership: Possession of a parcel of property wherein the owner does not own adjoining property.

Soil removal: Shall mean the removal of any kind of soil or earth matter which includes topsoil, sand, gravel, clay or similar materials or any combination thereof, except common household gardening and general farm care.

Solar energy system (SES) means a device, a structural design feature, or a facility which provides for the collection of solar energy for electricity generation, consumption, or transmission, or for thermal applications.

For purposes of the Lee County zoning code, SES or SES facility refers only to (1) photovoltaic SES that convert solar energy directly into electricity through a semiconductor device or (2) solar thermal systems that use collectors to convert the sun's rays into useful forms of energy for water heating, space heating, or space cooling.

SES or SES facility, as used in the Lee County zoning code excludes concentrated solar power, which uses mirrors to focus the energy from the sun to produce electricity.

Stable, commercial: Any place established for gain or profit at which more than four adult horses are kept for the purpose of training, boarding, riding, sale or breeding or where instruction pertaining to the same is given for a fee.

Story: That portion of a building, other than the cellar or mezzanine, included between the surface of any floor and the floor next above it, or, if there is no floor above it, then the space between the floor and the ceiling next above it. For the purpose of these regulations, a basement or cellar shall be counted as a story if over 50 percent of its height is above the level from which the height of the building is measured, or if it is used for business purposes, or if it is used for dwelling purposes by other than a janitor or domestic servant employed in the same building including the family of the same.

(1) *Ground story:* The lowest story of a building, the floor of which is not more than 12 inches below the elevation of the reference level.

(2) *Half-story:* The part of a building between a pitched roof and the uppermost full story, said part having a finished floor area which does not exceed one-half of the floor area of said story.

(3) *Mezzanine:* Shall be deemed a full story when it covers more than 50 percent of the story underneath said mezzanine, or, if the vertical distance from the floor next below it to the floor above it is 24 feet or more.

Street: A thoroughfare which affords traffic circulation and principal means of access to abutting property, including avenue, place, way, drive, lane, boulevard, highway, road, and any other thoroughfare except an alley. A public street is a street accepted by dedication or otherwise by the governing body. A private street is a street not so accepted.

Structure: Anything constructed or erected with a fixed location on or in the ground, or attached to something having a fixed location on or in the ground. Among other things, structures include buildings, manufactured homes, signs, swimming pools and fallout shelters but do not include walls or fences.

Structural alteration: Any change in the supporting members of a building or structure, such as bearing walls or partitions, columns, beams or girders or any change in the width or number of exits, or any structural change in the roof.

Subdivision regulations: Regulations as adopted by the governing body governing the subdivision of land.

Swimming pool: Any structure or container intended for swimming or bathing located either above or below grade designed to hold water to a depth of greater than 24 inches.

Townhouse: One of a group of two or more attached single-family residences. Each townhouse unit is separated from the adjoining unit or units by an approved firewall or walls. Firewalls shall be located on the lot line. Each townhouse has a front and rear ground level entrance. The townhouse is located on its own approved, recorded, lot.

Transitional housing facility: A building or buildings in which is provided long-term but not permanent living accommodations for more than six persons who have no permanent residence and who are in need of long-term housing assistance.

Truck gardening: Truck gardening is the use of land for growing edible vegetables, fruits, and other crops for resale and commercial purposes. Household gardening by a property owner for a hobby or purely local consumption by himself and his family residing on the same premises shall not be considered to be truck gardening.

Use: The purpose for which land, premises, or a building thereon is designed, arranged, or intended, or for which it is occupied, maintained, let, or leased.

Utility room: A room or space, located other than in the basement, specifically designed and constructed to house utilities, such as major home appliances.

Variances: A variance is a relaxation to the terms of this zoning chapter where such variance will not be contrary to the public interest and where, owing to conditions peculiar to the particular property and not the result of any action of the applicant, a literal enforcement of the ordinance requirements would result in unnecessary and undue hardship.

Water system, community: A public water system which serves at least 15 service connections used by year-round residents or regularly serves at least 25 year-round residents.

Water system, individual: A potable water system other than a community or public water system, serving no more than two principal buildings, residence or other facility designed or used for human occupancy or congregation on one lot.

Water system, public: A system for the provision to the public of piped water for human consumption, if such system has at least 15 service connections or regularly serves an average of at least 25 individuals daily at least 60 days out of the year.

(1) Any collection, treatment, storage and distribution facilities under the control of the operator of such system and used primarily in connection with such system.

(2) Any collection or pretreatment storage facilities not under such control which are primarily in connection with such system. A public water system is either a community water system or a noncommunity water system.

Yard, front: A space extending the full width of the lot and situated between the right-of-way line of the abutting street and the front line of the principal building.

Yard, rear: A space extending across the full width of the lot between the rear line of the principal building and the rear line of the lot.

Yard, side: A space situated between the principal building and side line of the lot and extending from the rear line of the front yard to the front line of the rear yard.

Zero lot line: The location of a building on a lot in such a manner that one or more of the building sides rest directly on a lot line.

Zoning: The power of local governments, including Lee County, to provide within its territorial boundaries for the zoning of property for various uses and the prohibition of other or different uses within such zones and for the regulation and development and improvement of real estate within such zones in accordance with the uses of property for which such zones were established.

Zoning decision means final legislative action by the Lee County Board of Commissioners which results in:

- (1) The adoption or repeal of a zoning ordinance;
- (2) The adoption of an amendment to a zoning ordinance which changes the text of the zoning ordinance;
- (3) The adoption or denial of an amendment to a zoning ordinance to rezone property from one zoning classification to another;
- (4) The grant or denial of a permit relating to a special use property;

(5) The grant or denial of a variance or conditions concurrent and in conjunction with a decision pursuant to subparagraph 3 or subparagraph 4 of this paragraph.

Zoning ordinance: The ordinance or ordinances adopted from time to time by Lee County establishing procedures and zones within the unincorporated area of Lee County which regulates the uses and development standards of property within such zones. The term shall also include the zoning map adopted in conjunction with the zoning ordinance which shows the zones and zoning classifications of the property therein.

(Ord. of 12-2-2002, § 70-6; Res. No. Z05-020, 9-19-2005; Ord. of 3-27-2018 , pt. 1; Ord. of 1-28-2020, pt. 1 ; Ord. of 4-27-2021 ; Ord. of 10-12-2021 ; Ord. of 10-26-2021 , pt. 1)

Cross reference— Definitions generally, § 1-2.

Sec. 70-686. - General conditions.

(a) These regulations, including the zoning map, may be amended by the Board of Commissioners:

(1) On its own motion; or;

(2) On petition submitted by the owner of real property or an agent of the owner of real property. ., or

~~(3) On recommendation of the planning commission, but no amendment shall become effective unless it shall have been submitted to the planning commission for review and recommendation.~~

(b) The following policies and procedures are herein established to provide guidelines for zoning decisions as defined in Section 70-6 of the Code of Ordinances. ~~the following activities.~~

~~(1) The adoption of a new zoning ordinance.~~

~~(2) The adoption of an amendment to the zoning ordinance which changes the text of the ordinance~~ (3) ~~The adoption of an amendment to the zoning ordinance which rezones property from one zoning classification to another. (Map Amendment).~~

(c) Applications for amendment of this chapter may be made in the form of proposals for amendments of the text of this chapter or proposals for amendment of the zoning map. Applications for amendment shall be on forms provided by the Planning Director or his designee, shall be submitted to the Planning Director, or his designee, and shall include a fee as established by the Board of Commissioners to defray expenses.

(d) Applications shall be submitted by the last Friday of each month, as an established submittal deadline in order for the application to be reviewed by the Planning commission the following month. Only completed applications will be accepted by the established submittal deadline.

(e) No application for a zoning change affecting the same parcel of property or part thereof previously defeated shall be accepted by the planning Director, or his designee until the expiration of at least six months immediately following the defeat of the rezoning request by the Board of Commissioners.

(f) Application forms shall be obtained from the Planning Director, or his designee and shall include but not be limited to the following:

(1) The street address and location of the subject property.

(2) A legal survey plat of the property in question including a locator map. Plat must include signature of registered surveyor and registration number. **Legal description?**

(3) The present zoning classification and the proposed zoning classification for the subject property.

(4) All applications shall be signed by the owners or authorized agent (authorization must be on file) and include the name ~~and~~, address, and daytime phone number of the owner or authorized agent.

(5) The area of land proposed to be rezoned shall be stated in acres to the nearest hundredth of an acre.

(6) The application file number, date of application, and action taken on all prior rezoning for all or a part of the subject property.

(7) In the case of a text amendment, the application shall set forth the new text to be added and the existing text to be deleted.

(Ord. of 12-2-2002, § 70-686)

Sec. 70-687. - Referral of the Planning Commission.

(a) The Planning Commission shall review each application in light of the comprehensive plan, the future land use plan, the zoning criteria, and other facts presented at their meeting and issue a finding which recommends "approval" or "denial" of the application. The Planning Director, or his designee, will prepare a report on each application to assist the Planning Commission in their decision making process. The Planning Commission finding shall be forwarded as a recommendation to the Board of Commissioners. If a quorum of the Planning Commission is present and fails to take action at the advertised public

hearing, it will be forwarded to the Board of Commissioners with no recommendation. The minutes of the Planning Commission meeting will be given to the Board of Commissioners so that they may take into account all issues that were raised.

(Ord. of 12-2-2002, § 70-687)

Sec. 70-687.1. – Public hearings and notices for all applications.

(a) All applications as specified in this chapter shall require public hearing prior to action on said application.

(b) The Planning Commission, or the Board of Commissioners shall hold a public hearing on all applications. The public hearing shall constitute the public hearing as required by the Georgia Zoning Procedures Law (O.C.G.A. § 36-66-1 et seq.) All hearings should be heard in accordance with the annual schedule prepared for and adopted by each individual board, and may be amended from time to time. The public hearing shall be heard by:

(1): The Lee County, Leesburg, and Smithville Planning Commission (the “Planning Commission”) is hereby designated as the board that shall hold a public hearing on applications to amend the text of this Article, rezoning applications, variance applications, and conditional use permits. The Planning Commission shall also hold a public hearing on all variance requests that were filed and scheduled to be considered simultaneously and pertain to the same property with rezoning or ; conditional use permit; requests. The Planning Commission shall also hold a public hearing on all variance and conditional use requests which were filed as stand-alone requests not related to any simultaneously filed rezoning request.

(2): The Board of Commissioners is hereby designated as the board that shall ~~hall~~ hold the second public hearings on all amendments to the texts of this Code, zoning amendments, variance requests, and conditional use requests, and to make the final decisions regarding such matters.

Sec. 70-688. – Advertisement of public hearings.

(a) Applications to amend the text of this Code, the zoning designation of one or more parcels of real property, applications for variances, and conditional use requests shall be advertised in accordance with (A) and (B) of this subsection below and shall be required to meet the following public hearing notice requirements:

(A) Notice of public hearings before the Planning Commission and notice of public hearings before the Lee County Board of Commissioners shall be prepared and sent for publication by County Planning and Zoning Department staff.

(B) All applications pertaining to zoning decisions as defined in O.C.G.A. § 36-66-3(4), variance applications, and conditional use applications –shall require a public hearing preceded by publication of a public hearing notice within the legal organ of Lee County

at least fifteen (15) but not more than forty-five (45) days prior to the date of the public hearing. All such notices shall include the application number, date, time, location, and purpose of the public hearing. In addition, the following additional notice requirements shall be complied with:

- (1) For Rezoning: existing and proposed rezoning classifications;
- (2) For Conditional use permits: proposed use and existing zoning district; and
- (3) Variances: proposed Code revisions request to be modified. Each Article of this Chapter requested to be varied shall be separately identified.

(b) Where any proposed action includes any combination of zoning decisions defined under subsection (3), subsection (4), or subsection (5) included in the definition of “zoning decisions” in Section 70-6 of this Code for the same property, only one hearing shall be required under this Code Section with respect to such proposed action.

(c) Public hearing signs related to zoning decisions as defined in O.C.G.A. §36-66-3(4), and public hearings related to variance applications and conditional use permits shall comply with the following procedures:

(1) Public hearing signs shall be placed in a conspicuous location on the subject property at least twenty-one (21), but not more than forty-five (45) days prior to the date of the scheduled hearing. The required sign shall state the time, place, and purpose of the public hearing.

(2) Where the land owned by the applicant does not border upon a public road in order that passers-by may see the sign which provides the public notice, the required notice shall be placed on the right of way of a public road nearest the property as well as upon the subject property.

(3) Acts of vandalism or natural occurrences which may diminish the effectiveness of the public notice provided shall not void any proceedings or actions taken by any of the boards required to hold public hearings under this section.

(4) Once the Board of Commissioners has made a final decision upon any application requiring the public hearing, the County shall be responsible for the removal of all public hearing signs.

(d) At least thirty (30) days prior to the required public hearing on a zoning application, fa -variances application, and a conditional use application, the department head of the Planning and Zoning Department shall cause a notice of the date, time, and location of the hearing to be mailed to the owner whose property or interest is the subject of such hearing as applicable.

(e) When a proposed zoning decision relates to or will allow the location or relocation of a halfway house, drug rehabilitation center, or other facility for treatment of drug dependency, public hearings shall be held on the proposed action. Such public hearing shall be held at least six (6) months and not more than nine (9) months prior to the date of the final action on the zoning decision. The hearing required by this subsection shall be in addition to any hearing required under subsection (a) of this section. The local government shall give notice of such hearing by:

(1) Posting notice on the affected premises in a manner prescribed in this section; and

(2) Published in the local legal organ a notice of the hearing at least fifteen (15) days and not more than forty-five (45) days prior to the date of the hearing.

Both the posted notice and the published notice shall include a prominent statement that the proposed zoning decision relates to or will allow the location or relocation of a halfway house, drug rehabilitation center, or other facility for treatment of drug dependency. The published notice shall be at least 6 column inches in size and shall not be located in a classified advertising section of a newspaper.

(f) (1) Notwithstanding any other provisions of this chapter to the contrary, when a proposed zoning decision relates to an amendment of the zoning ordinance to revise one or more zoning classifications or definitions relating to single-family residential uses of property so as to authorize multifamily uses of property pursuant to such classification or definitions or to grant blanket permission, under certain or all circumstances, for property owners to deviate from the existing zoning requirements of a single-family residential zoning, such zoning decision must be adopted in the following manner:

(A) The zoning decision shall be adopted at two regular meetings of the local government making the zoning decision, during a period of not less than 21 days apart; and

(B) Prior to the first meeting provided for in subparagraph (A) of this paragraph, at least two (2) public hearings shall be held on the proposed action. Such public hearings shall be held at least three (3) months and not more than nine (9) months prior to the date of final action on the zoning decision. Furthermore, at least one of the public hearings must be held between the hours of 5:00 p.m. and 8:00 p.m. The hearings required by this paragraph shall be in addition to any hearing required under subsection (a) of this Code section. The local government shall give notice of such hearing by:

(i) Posting notice on each affected premises in the manner prescribed by subsection (b) of this Code section; provided, however, that when more than 500 parcels are affected, in which case posting notice is required every 500 feet in the affected area; and

(ii) Publishing in the local legal organ a notice of each hearing at least fifteen (15) days and not more than forty-five (45) days prior to the date of the hearing.

Both the posted notice and the published notice shall include a prominent statement that the proposed zoning decision relates to or will authorize multifamily uses or give blanket permission to the property owner to deviate from the zoning requirements of a single-family residential zoning of property in classification previously relating to single-family residential uses. The published notice shall be at least nine (9) column inches in size and shall not be located in the classified advertising section of the newspaper. The notice shall state that a copy of the proposed amendment is on file in the office of the Lee County Clerk and in the office of the Clerk of the Superior Court of Lee County for the purpose of examination and inspection by the public. The local government shall furnish anyone, upon written request, a copy of the proposed amendment, at no cost.

(2) The provisions of paragraph (1) of this subsection shall also apply to any zoning decisions that provide for the abolition of all single-family residential zoning classifications within the territorial boundaries of a local government or zoning decisions that result in the rezoning of all property zoned for single-family residential uses within the territorial boundaries of a local government to multifamily residential uses of property.

(3) The provisions of this subsection (f) shall not apply to zoning decisions for the rezoning of property from a single-family residential use of property to a multifamily residential use of property when the zoning is initiated by the owner or authorized agent of the owner of such property.

Sec. 70-688. — Notice of public hearing.

~~—— (a) — Posting of property. Not less than 15 days or more than 45 days prior to the date set for the public hearing before the board of commissioners on any application for a map amendment sponsored by anyone other than the local government, and pursuant to Chapter 66 O.C.G.A., the planning director shall have erected at least one sign for every public road frontage the subject property has. If no public road abuts thereon, then such sign shall be erected along the nearest opened, public right-of-way. Signs shall be erected in such a manner as may be most readily seen by the public. Each sign shall show the application file number, the present zoning classification, the proposed zoning classification, the scheduled date, time, and place of public hearing, and the telephone number and contact to call for further information. Each notification sign shall be maintained at all times by the planning director or his designee until a decision has been made by the board of commissioners, then removed.~~

~~—— (b) — Newspaper advertisement. Not less than 15 nor more than 45 days prior to the scheduled date of the public hearing before the board of commissioners, notice shall be published in the legal organ for both map and text amendments. The notice shall include the time, place, and purpose of the hearing. If the zoning action for a map amendment is initiated by a party other than the local government, the notice shall also include the location of the~~

~~property, the present zoning classification, and the proposed zoning classification of the property pursuant to Chapter 66 O.C.G.A.~~

(Ord. of 12-2-2002, § 70-688)

Sec. 70-691. – Appeals.

(a) Appeals of zoning decisions as defined in this chapter shall be considered legislative in nature, and shall be subject to direct constitutional challenge regarding the validity of maintaining the existing zoning on a subject property or the validity of conditions or an interim zoning category other than what was requested in the Superior Court of Lee County pursuant to said Court’s original jurisdiction over declaratory judgments pursuant to Chapter 4 of Title 9 of the Code of Georgia and equity jurisdiction under Title 23 of the Georgia Code. Such challenges shall be by way of de novo review in the Superior Court wherein such review brings up the whole record from the local government and all competent evidence shall be admissible at the trial thereon, whether adduced in a local government hearing or not and employing the presumption that a governmental zoning decision is valid and can be overcome substantively by an appellate showing by clear and convincing evidence that the zoning classification is significant detriment to the Petitioner and is insubstantially related to the public health, safety, morality or general welfare.

(b) Zoning decisions under O.C.G.A. §36-66-3(4)(E), and decisions by the Board of Commissioners of Lee County granting or denying stand-alone applications for variances and applications for conditional use permits shall be subject to appellate review by the Superior Court of Lee County pursuant to its appellate jurisdiction from lower judicatory bodies and shall be brought by way of petition for such review as provided for in Title 5 of the Georgia Code. Such matters shall be reviewed on the record which shall be brought to the Superior Court as provided in Title 5.

(c) All such challenges or appeals shall be brought within thirty (30) days of the written decision of the Lee County Board of Commissioners regarding the challenged or appealed action.

(d) (1) The chairperson of the Lee County Board of Commissioners shall have authority, without additional approval by the Board of Commissioners, to approve or issue any form or certificate necessary to perfect the petition described in Title 5 of the Georgia Code for review of lower judicatory bodies and upon whom service of such petition may be effected or accepted on behalf of Lee County Board of Commissioners, during normal business hours, at the regular office of the Lee County government.

(2) The chairperson of the Lee County Board of Commissioners, or his or her designee, shall have the authority to accept service and is the person upon whom service of an appeal may be effected or accepted on behalf of the Lee County Board of Commissioners, during normal business hours, at the regular offices of the local government.

(e) An appeal or challenge filed by an opponent pursuant to this section shall stay all legal proceedings in furtherance of the action appealed from or challenged unless the Board of Commissioners of Lee County certifies that, by reason of the facts stated in the certificate, a stay would cause imminent peril to life or property. In such actions, the applicant for the zoning decision shall be necessary party and shall be named as a defendant in the action and served in accordance with the requirements of Title 5 or Title 9 of the Georgia Code, as appropriate.

(f) In accord with the provisions of the Lee County Zoning Code of Ordinances, all final zoning decisions, decisions regarding variance applications, and decisions regarding conditional use permits shall be finally rendered by the Lee County Board of Commissioners and there are no quasi-judicial officers, boards, or agencies appointed by the Lee County Board of Commissioners to exercise delegated quasi-judicial zoning powers as such powers are defined in O.C.G.A. §36-66-3(1.1).

Sec. 70-692. – Applicability of Chapter.

Notwithstanding any other provision of this Chapter, it is the intent of the Lee County Board of Commissioners, in adopting this ordinance, to comply in all respects with the provisions of the Zoning Procedures Law established pursuant to O.C.G.A. §36-66-1 through O.C.G.A. §36-66-6 where such provisions are otherwise applicable to applications and petitions filed under Chapter 70 of the Lee County Code of Ordinances. In the event that there are conflicts between the provisions of Chapter 70 of the Lee County Zoning Code of Ordinances and the Zoning Procedures Law at O.C.G.A. §36-66-1 through O.C.G.A. §36-66-66, then the provisions of the Zoning Procedures Law shall control.

BE IT FURTHER ORDAINED that all ordinances or parts of ordinances in conflict herewith are hereby repealed.

BE IT FURTHER ORDAINED that this ordinance shall be effective as of July 1, 2023 and shall be applicable to all applications filed under this Chapter on or after such date.

SO ORDAINED this _____ day of _____, 2023.

**Board of Commissioners
of Lee County, Georgia**

By: _____
Billy Mathis, Chairman

Attest: _____
Kaitlyn Good, County Clerk

ACTION TAKEN

FIRST READING:

SECOND READING:

DATE OF ADOPTION:

Initial Draft of Proposed Amendment to Section 70-6 of the Code Ordinances of Lee County to Revise the Definition of "Home Occupation, Residential"

For the purposes of these [zoning](#) regulations certain words and tenses, used herein, shall be interpreted or defined as follows:

Words used in the present tense include the future tense.

The singular number includes the plural and the plural, the singular.

The word "person" includes a corporation, partnership, or association as well as an individual.

The term "shall" is always mandatory and not merely directory.

Terms not herein defined shall have the meanings customarily assigned to them.

The term "governing body" shall mean the Board of Commissioners of Lee County, Georgia.

Accessory building: A detached, subordinate structure, the use of which is clearly incidental to, customarily associated with and related to the principal structure or use of land, and which is located on the same lot as the principal structure or use. Accessory buildings shall include storage buildings, tool houses, party houses, bathhouses (used in conjunction with swimming pools) and similar uses.

Accessory use: The use customarily incidental and accessory to the principal use of a building located upon the same building site as the principal use.

Agriculture: Agriculture shall be considered to mean the raising of soil crops and/or livestock in a customary manner on tracts of land 25 acres or more in size and shall include all associated activities. Retail selling of products raised on the premises shall be considered a permissible activity provided that space necessary for the parking of customer's vehicles shall be provided off the public right-of-way.

Airfield: Any area of land or water utilized for the landing or taking off of aircraft.

Alley: Any dedicated public way providing a secondary means of ingress to or egress from land or structure thereon.

Alteration: Any change, addition or modification in construction or type of occupancy; any change in the structural members of the building, such as walls, partitions, columns, beams, girders, or any change which may be referred to herein as "altered" or "reconstructed."

Ambulatory: In respect to a person, the ability to move from place to place by walking, either unaided or aided by prosthesis, brace, cane, crutches or hand rails, or by propelling a wheelchair; and can perceive an emergency condition, whether caused by fire or otherwise and escape without human assistance, using the normal means of egress.

Apartment: A room or suite of rooms used as dwelling for one family which does its cooking therein.

Apartment houses: A residential structure containing three or more apartment units.

Artificial lot: The area of a one-acre or larger tract to be built on that is delineated for the purposes of calculating landscape requirements. This is only for calculating landscape requirements and only for tracts that are one acre or larger.

Assisted living communities: Provide assisted living care to adults who require varying degrees of assistance with the activities of daily living, but who do not require continuous medical or nursing care.

Automobile wrecking yard, automobile used parts or auto graveyard: Anywhere three or more vehicles not in running condition, or the parts thereof, are stored in the open or any building or structure used principally for wrecking or storage of automobiles not in running condition for automobile parts.

Basement: A portion of a building partly below grade and having less than five feet above the finished grade level of the building.

Block: A tract of land bounded by streets, or by a combination of streets and public parks, cemeteries, railroad rights-of-way, shorelines of waterways, drainage ways, or boundary lines of municipalities or counties.

Boarding house: A residence or part thereof where meals and/or lodging are provided for compensation for three or more persons by pre-arrangement for definite periods. A boarding house is to be distinguished from a hotel, motel, or a nursing home.

Buffer: That portion of a given lot, not covered by buildings, pavement, parking, access and service areas, established as landscaped open space for the purposes of screening and separating properties with incompatible land uses, the width of which is measured from the common property line and extends the developed portion of the common property line. A buffer consists of trees, shrubs, and other natural vegetation undisturbed by grading or site development and replanted where sparsely vegetated or where disturbed for approved access and utility crossings.

Buildable area: The buildable area of a lot is the space remaining after the minimum open space requirements of these regulations have been complied with.

Building: Any structure having a roof, supported by columns or by walls and intended for shelter, housing or enclosure of any person, animal or goods. Where roofed structures are separated from each other by party walls having no opening passage, each portion so separated shall be considered a separate building.

Building inspector: The highest ranking building official of the governing body, or his representative.

Building height: The vertical distance of a building measured from the average elevation of the finished grade to the highest point on the roof surface.

Building, principal: A building in which the principal use of the lot on which it is located is conducted.

Building setbacks: The distance any part of any structure must be from any front, rear, or side property line. Building setbacks are established in this chapter.

Caretaker or employee residence: An accessory residence located inside or in addition to the principal structure or use of a parcel of land. Said residence must be occupied by a bona fide caretaker or the owner himself as necessary to the property's orderly operation or safety.

Child care institution (CCI): Any child-welfare aid facility which either primarily or incidentally provides full-time room, board, and watchful oversight to six or more children through 18 years of age outside of their own homes, as licensed or commissioned by the Georgia Department of Human Services, Office of Residential Child Care (ORCC). This may include, at the discretion of the planning director, child caring facilities also regulated by ORCC for individuals up to 21 years of age, including outdoor child caring programs (OCCP), children transition care centers (CCTC), maternity homes, and runaway and homeless youth program (RHP).

Clerk: The clerk of the governing body.

Clinic: A professional office where the services of more than one practitioner can be obtained and where patients are studied or treated on an outpatient basis and where no overnight accommodations are provided.

Club: An organization of persons for special purposes or for the promulgation of sports, arts, science, literature, politics or the like, but not for profit.

Community living arrangement (CLA): Any residence, whether operated for profit or not, that undertakes through its ownership or management to provide or arrange for the provision of daily personal services, support, care, or treatment exclusively for two or more adults who are not related to the owner or administrator by blood or marriage and whose residential services are financially supported, in whole or in part, by funds designated by the department of behavioral health and developmental disabilities (DBHDD).

Community residence: A dwelling unit occupied to two or more typically unrelated persons as their normal place of residence, but in which separate cooking facilities are not provided for such resident persons. The term "community residence" includes, but is not limited to, a rooming house, boarding house, community living arrangement, and personal care home. A retirement community, assisted living facility, nursing home, hotel or motel, or bed and breakfast inn shall not be deemed to be a group (community) residence. (See chapter 70—Zoning, article III, section 70-99 for community residence requirements.)

Conditional use: A use which within certain districts specified by this chapter is not permitted as a matter of right but may be permitted within these districts by the county commission after the planning commission has:

(1) Reviewed the proposed site plans for the use, its arrangement and design, its relationship to neighboring property and other conditions peculiar to the particular proposal which would determine its desirability or undesirability; and

(2) Has found the proposal not to be contrary to the intent of this chapter. All conditional use applications will follow the same public notice, public hearing and review process as any application for rezoning.

Convalescent home: A convalescent home is a home for the care of children or the aged or infirm, or a place of rest for those suffering bodily disorders, wherein two or more persons are cared for. Said home shall conform and qualify for licensure under state law. A retirement community facility or an assisted living facility or a nursing home is not a convalescent home.

Cremation: The reduction of a dead human body to residue by intense heat.

Crematorium: A location containing properly installed, certified apparatus intended for use in the act of cremation. Crematoriums do not include establishments where incinerators are used to dispose of toxic or hazardous materials, infectious materials or narcotics.

Curb cut: An alteration to an existing curb and gutter for the construction of a driveway to provide for ingress/egress between property and an abutting public street.

Day care facility: A day care facility is an individual or jointly owned facility designated to offer care and/or training to children unrelated to the owner or director for any part of a day on a regular basis. Such facility may or may not be operated for profit. Day care is not a baby-sitting service to be used for the convenience of the parents at irregular intervals (drop-ins).

(1) A *group center (day nursery, day care center)* is defined as a facility for six or more children, regardless of age, whose primary purpose is the care of the child for part of a day, while his parent or parents are absent from home.

(2) *Nursery school* is defined as a school for two-, three-, and four-year old children which operates for periods not to exceed four hours a day and whose primary purpose is education and guidance for healthy emotional and social development of children.

(3) *Kindergarten* is defined as a school for four- or five-year old children which operates for periods not to exceed four hours a day and whose primary purpose is education and guidance for healthy emotional and social development.

(4) *Family day care* is defined as a service in a private home, offering care in a family setting to a maximum of five children, including the foster family's own children during part of the day while the natural parents are absent from their home.

(5) *Adult day care* is defined as personal care and supervision in a protective setting for adults outside their own home for less than 24 hours per day. The program may include the provisions of daily medical supervision, nursing and other health care support, psycho-social assistance, or appropriate socialization stimuli or a combination of these. Adult day care is available for those persons who do not require 24 hour per day institutional care, but who, because of physical and/or mental disability, are not capable of full time independent living.

Density: The number of dwelling units developed on an acre of land. As used in this chapter, all densities are stated in dwelling units per gross acre.

District: A portion of the jurisdiction of the governing body within which, on a uniform basis, certain uses of land and buildings are permitted and within which certain yards, open spaces, lot areas and other requirements are established.

Drive-in establishment: A business establishment, other than a drive-in restaurant, so developed that its retail or service character is dependent on providing a driveway approach or parking spaces for motor vehicles so as to serve patrons while in the motor vehicle, and may include drive-in banks, drive-in cleaners, and drive-in laundries.

Drive-in restaurant: A restaurant or other establishment serving food and/or drink so developed that its retail or services character is dependent on providing a driveway approach or parking spaces for motor vehicles so as to serve patrons while in the motor vehicle.

Dwelling, single-family: A building used or designed for use as a residence for a single-family.

Dwelling, two-family (duplex): A duplex is a building either designed, constructed, altered or used for two adjoining dwelling units that are connected by a common wall and/or if two stories by a common floor.

Dwelling, multiple: A building or portion thereof used or designed as a residence for three or more families living and cooking independent of each other in said building. This definition includes three family houses, four-family houses and apartment houses, but does not include hotels, motels, trailer camps or mobile home parks.

Efficiency unit: An efficiency unit is a dwelling unit consisting of one room, exclusive of bathroom, kitchen, hallway, closets or dining alcove directly off the principal room, providing not less than 400 square feet of floor area.

Erected: Includes built, constructed, reconstructed, moved upon, or any physical operations on the premises required for the building. Excavations, fill, drainage, and the like, shall be considered a part of the erection.

Essential services: The erection, construction, alteration, or maintenance by public utilities, governmental departments or commissions, of underground, surface, or overhead; gas, communication, electrical, steam, fuel or water transmission or distribution systems, sewers, pipes, conduits, cable, fire alarm and police call boxes, traffic signals, hydrant and similar accessories in connection therewith, but not including buildings, which are necessary for the furnishing of adequate service by such utilities or governmental departments for the general public health, safety, convenience or welfare.

Event: An event consists of a celebration, reception, party, concert, holiday gathering, family gathering, corporate function, general gathering, birthday party, retirement event, employee appreciation event, wedding, wedding reception, anniversary celebration, funeral, and other similar parties, receptions and events. An event center does not include retail sales, amphitheaters, rodeos, circuses, or similar public events. An event center may host either public or private events. An event center shall be open only for scheduled event-based operations.

Event center: A commercial building or facility where events are permitted to occur under this article. Any such center shall be a permanent structure (not a temporary structure) which meets all local and state-wide building codes applicable to the type of commercial building to be used as an event center. An event center, building or facility, or the portion of a building or facility utilized as an event center, shall consist of not more than 10,000 square feet. No residential structure shall be considered to be an event center. Event centers may utilize indoor and outdoor spaces, provided that any outdoor activities hosted at event centers adjacent to residentially zoned property shall be limited to the hours of 10:00 a.m. to 10:00 p.m. Monday through Saturday and Sundays from 12:00 noon to 10:00 p.m. All event facilities shall be located on a collector or arterial street. Any on-site kitchen or catering facility shall comply with all applicable local and state regulations, including, but not limited to, the rules and regulations of the environmental health department, the Georgia Department of Agriculture, and compliance with chapter 6—Alcoholic Beverages in its entirety; particularly including section 6-37, Alcoholic beverage caterers.

Family: No more than six unrelated persons or one or more related persons occupying a housing unit and using common kitchen facilities and entrances, as distinguished from a group occupying a boarding house, or personal care home.

Fast food restaurant: A fast food restaurant is defined to be a restaurant that has all of the following characteristics.

(1) Its principal business is the sale of food items and beverages of the kind, which can readily be taken out of the restaurant for consumption off the premises.

(2) Utensils, if used at all, are made of plastic or other disposable materials. Food is packaged in paper or styrofoam or other disposable containers.

(3) Service is not customarily provided to customers at their tables by employees of the restaurant.

Farm: A platted or unplatted parcel of land 25 acres or more in an area which is used for growing crops, raising livestock or other agricultural purposes.

Farm stand: A booth or stall located on a farm from which produce and farm products are sold to the general public.

Filling: Shall mean the depositing or dumping of any matter on or into the ground, except deposits resulting from common household gardening and general farm care.

Flea market: An outdoor and/or indoor facility established for the purpose of selling at retail such new or used items as household goods, tools, crafts or any other combination of new or used goods. These markets, sales and displays are those that occur continuously or frequently, and specifically more than two times per year, normally at a fixed location where a proprietor, partnership, or corporation leases to vendors a booth, commercial stall or designated area from which the vendor markets his/her goods.

Flood plain: A nearly level alluvial plain that borders a stream and is subject to flooding unless protected artificially.

Foster child: A child unrelated to a family by blood or adoption with whom he or she lives for the purposes of care and education.

Garage, private: An accessory building designed or used for the storage of motor driven vehicles owned and used by the occupants of the building to which it is an accessory.

Garage, public: Any premises used for the storage or care of motor vehicles or place where any such vehicles are equipped for operation, repaired or kept for pay, hire or sale.

Garden, private: A non-commercial private garden which is an accessory use to the primary use of the zoning district. The primary use must be present at the same location as the garden in any zoning district with the exception of agricultural zoning districts.

Ground mounted solar energy system means an SES facility that is structurally mounted to the ground and does not qualify as an integrated SES. For purposes of the Lee County zoning code, any solar canopy that does not qualify as an integrated SES shall be considered a ground mounted SES, regardless of where it is mounted.

The *footprint* of a ground mounted SES facility is calculated by drawing a perimeter around the outermost SES panels and any equipment necessary for the functioning of the SES facility, such as transformers and inverters. The footprint does not include any visual buffer or perimeter fencing. Transmission lines (or portions thereof) required to connect the SES facility to a utility or consumer outside the SES perimeter shall not be included in calculating the footprint.

Ground mounted SESs shall be delineated by size as follows:

Small scale ground mounted solar energy system (small scale SES) means a ground mounted SES where the solar facility totals five acres or less.

Intermediate scale ground mounted solar energy system (intermediate scale SES) means a ground mounted SES where the solar facility totals not less than more than five acres, but less than 50 acres.

Large scale ground mounted solar energy system (large scale SES) means a ground mounted SES where the solar facility totals more than 50 acres.

Group home: A group home is a residential home use of a property for the care of individuals in the home environment who have mental and/or developmental disabilities, or individuals will benefit socially from living in a group environment. All group homes must be licensed by the appropriate state agency and must have a conditional use permit granted by the Board of Lee Commissioners prior to opening.

Guest house: A building or portion thereof used or designed for use as a residence, specifically as an accessory use to the principal building. Occupation of guesthouses shall be temporary [30 continuous days at a maximum].

Halfway house: A group home facility which is licensed or supervised by any federal, state, or county correctional facility to be used for health/welfare rehabilitation or similar purposes.

Home occupation: Any use conducted entirely within the dwelling and carried on by the inhabitants thereof, which use is incidental and secondary to the use of the dwelling for dwelling purposes and does not change the character thereof. Provided further, that no article or service is sold or offered for sale on the premises, except such as is produced, sold, or provided to customers in connection with ~~by~~ such occupation; that such occupation shall not require internal or external alterations or construction, open storage or signs not customary in residential areas. One non-illuminated name plate, which is not more than two square feet in area, may be attached to the building which shall contain only the name and occupation of the

resident of the premises. Clinics, hospitals, childcare centers, and day nurseries, among others, shall not be deemed to be home occupations.

Home occupation, residential:

(1) The home occupation use shall only be allowed in residential zoning districts which allow home occupations.

(2) The dwelling unit must maintain a residential appearance and there shall be no outward evidence of the occupation or impacts in appearance, noise, light, odor, traffic and utilities that would be detectable beyond the dwelling unit.

(3) The use shall be conducted entirely within the dwelling unit and accessory structures with not more than 25 percent of a property's gross floor area devoted to the home occupation.

~~(4) Only persons living in the dwelling unit on a full time basis shall be employed at the location of the home occupation.~~

(45) No more than one home occupation shall be authorized for any residential dwelling unit.

(56) No business materials or equipment shall be stored at the premises of the home occupation unless such material or equipment is stored in an area within the residence. No business vehicles used in the home occupation shall be stored on the premises where the home occupation is undertaken.

(67) The following businesses, uses, and activities shall be prohibited as home occupation uses: adult entertainment establishments; kennels; stables; veterinarian clinics; medical and dental clinics; restaurants, clubs, and drinking establishments; motor vehicle repair or small engine repair; funeral parlors; adult businesses; limousine service; taxi service; and wrecker service.

~~(78) No motor vehicle other than a passenger automobile, passenger van or passenger truck used by the resident as a personal vehicle or used by a guest of the resident shall be parked on the property during non-business hours. Motor vehicles of customers of the person conducting the home occupation may be parked at the premises of the home occupation during business hours while the customer is conducting business with the person operating the home occupation. No provision of this subsection shall be construed to authorize a violation of either restrictive covenants applicable to the premises where the home occupation is being conducted or to amend any provision of the County's Code of Ordinances with respect to the types of motor vehicles which may be parked in a residential subdivision.~~

(89) Non-conforming home occupation uses: Non-conforming uses permitted as of October 1, 2005, shall be allowed to continue to operate under the following conditions:

- a. No non-conforming use may be changed to another non-conforming use.
- b. No non-conforming use shall be increased, extended or enlarged beyond the size or scope of the use as it existed on the date of issuance of the current occupation tax certificate.
- c. The non-conforming use is specially designated to the current property and business owner. (The home occupational use is not transferable.)
- d. Violation of these conditions will result in an immediate and permanent revocation of the right to continue the non-conforming use.

_____ BE IT FURTHER ORDAINED that all ordinances or parts of ordinances in conflict herewith are hereby repealed.

BE IT FURTHER ORDAINED that this ordinance shall become effective upon the _____ day of _____, 2023.

SO ORDAINED effective the _____ day of _____, 2023.

**Board of Commissioners
of Lee County, Georgia**

By: _____
Billy Mathis, Chairman

Attest: _____
Kaitlyn Good, County Clerk

ACTION TAKEN

FIRST READING: _____

SECOND READING: _____

DATE OF ADOPTION: _____

Initial Draft of Proposed Amendment to Chapter 70, Article III, Section 70-94 of the Code of Ordinances of Lee County, Georgia, relating to Greenspace

BE IT ORDAINED that Chapter 70, Article III, Section 70-94 is hereby amended as provided below:

(a) In order to protect open greenspace and to reduce the cost of development of certain residential subdivisions, this chapter proposes to establish density neutral development requirements by establishing the total number of units (lots) a specified amount of developable land will yield. The total yield must not include (unbuildable or undevelopable land) within the proposed area of the subdivision. In order to do this, where the property is to be developed as a major subdivision as defined in this Code of Ordinances, the following process shall be followed:

(1) Determine all unbuildable land within the area of the proposed subdivision. For purposes of this Section, unbuildable land shall include steep slopes, storm water retention areas, ponds, lakes, and land that will not perk. The remaining land within the proposed major subdivision shall be deemed to be developable land.

(2) Then, out of the remaining developable land, the number of dwelling units desired shall be determined, provided that the maximum density allowed by this chapter shall not be exceeded.

(3) Once the total amount of developable land has been determined, then the amount of greenspace, as defined in Section 38-287, in such major subdivision shall be determined. In making such determination, the developable land shall be calculated by subtracting the road and street right of way ~~and~~, storm water management ponds, ~~and~~ greenspace in the subdivision. After such subtraction, the remaining developable land shall be subject to the following: (i) if there is to be a County-provided water system or a County-provided sewer system for the lots in the subdivision, a minimum of twenty-five percent (25%) percent of the remaining developable land shall be preserved as greenspace; (ii) if there are to be wells and septic tanks for the lots in the subdivision, then a minimum of ten percent (10%) of the remaining developable land shall be preserved as greenspace; and (iii) if there are to be water system and septic tanks for the lots in the subdivision, then a minimum of ten percent (10%) of the remaining developable land shall be preserved as greenspace. Greenspace areas shall be preserved as a common area for the residents of the subdivision.

Unless the conservation area is conveyed to and accepted by the county, a legal entity such as a homeowner's association, or a trust for maintenance and care must be established and evidence thereof provided to the county and filed with the subdivision filings. Such homeowner's association or trust must have perpetual existence and be responsible for the continued preservation of the preserved land. Whenever an adjacent development has already preserved greenspace, all greenspace areas must be connected among the different developments in order to provide a connected greenspace "belt."

(4) Once potential green space areas are determined as provided in subsection (3) above, the next step is to locate potential home sites on the remaining developable land.

(5) Once potential home sites are located on the remaining developable land, streets should be aligned with the houses and trails, separate from public roads, may also be used to connect the home sites to allow neighborhood connectivity.

(6) The final step is to draw in lot lines. These cannot include unbuildable lands noted in subsection (1) or land delineated as greenspace conservation areas per subsection (3).

~~Unless the entire property consists of buildable lands, both subsection (1) and subsection (3) requirements must be complied with by the developer. provided, however, that in no event shall less than twenty five percent (25%) of the total tract be preserved in developments where wells and septic tanks are not to be used, no less than ten percent (10)% percent of the total developable land shall be preserved in developments where wells and septic tanks are to be used, and no less than ten percent (10)% percent of the total developable land shall be preserved in developments where water systems and septic tanks are to be used.~~

(b) The requirements of subparagraph (a) of this section shall not be applicable in R-1L, R-3L, or when the governing body has required a minimum building lot size greater than allowed for the zoning density.

BE IT FURTHER ORDAINED that all ordinances or parts of ordinances in conflict herewith are hereby repealed.

BE IT FURTHER ORDAINED that this ordinance shall become effective upon the _____ day of _____, 2023.

SO ORDAINED effective the _____ day of _____, 2023.

**Board of Commissioners
of Lee County, Georgia**

By: _____
Billy Mathis, Chairman

Attest: _____
Kaitlyn Good, County Clerk

ACTION TAKEN

FIRST READING: _____

SECOND READING: _____

DATE OF ADOPTION: _____