



BOARD OF COUNTY COMMISSIONERS

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

TUESDAY, JULY 25, 2023 AT 6:00 P.M.
T. PAGE THARP BUILDING
OPAL CANNON AUDITORIUM
WWW.LEE.GA.US

MEETING AGENDA
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

- | | <u>PAGE</u> |
|--|-------------|
| 1. <u>INVOCATION</u> Pastor David Postlewaite, First Free Will Baptist Church, to lead 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 July 11, 2023. | A - F |
| 5. <u>CONSENT AGENDA</u> NONE | |
| 6. <u>NEW BUSINESS</u> (A) Recognition of employees' years of service. | 1 |
| (B) Dr. Emmett Griswold, President of Albany Technical College, to address the Board to give his formal introduction and provide Albany Technical College workforce updates. | 2 |
| (C) Hospital Authority Chairman Rick Muggridge to address the Board regarding next steps for the Hospital Authority and the hospital project. | |
| 7. <u>PUBLIC HEARING</u> NONE | |
| 8. <u>DEPARTMENTAL MATTERS</u> <u>Building Inspection/ Business Licensing</u> (A) Consideration to approve an application for an alcohol license from Mr. Devanshukumar Patel for the retail sale of off-premise consumption of liquor, wine and beer. This will be a Package Store named "The Spirits" proposed to be located at 1425 US Hwy 82 West. | 3 - 7 |
| <u>Planning, Zoning & Engineering</u> (B) Review of the minutes from the July 6, 2023 meeting of the Planning Commission. | 8 - 13 |

- (C) Consideration to approve an application from **Brittany Land Company, LLC (Z23-006)** to rezone two (2) lots at a total of 49.297 acres from AG to R-1. This property lies in Parcels 025 044 & 026 016 in Land Lot 71 of the Second Land District of Lee County, Georgia. **Planning Commission recommends approval, with the following condition, as presented on the staff report: The proposed development must reduce impacts on floodplains (and wetlands, if identified) to the extent possible.** Public Hearing held July 11, 2023 14 - 22
- (D) Consideration to approve a variance application from **Oakland Plantation Partners, LLC (Z23-007)** to allow the following setbacks: 18' front, 10' rear, and 5' side for each lot. This is currently zoned R-2. The total number of acres is 39.316. This property is located off of Oakland Parkway in Parcel 017D 004. **Planning Commission recommends approval with a 3 – 2 vote.** Public Hearing held July 11, 2023 23 - 29
- (E) Consideration to adopt an ordinance to amend Chapter 70 of the Code of Ordinances of Lee County (the Lee County Zoning Code) so as to **amend definitions as required by 2022 Georgia Laws Act 881 (HB 1405).** **Planning Commission recommends approval.** Public Hearing held July 11, 2023 30 - 56
- (F) Consideration to adopt an ordinance to amend Section 70-6 of the Code of Ordinances of Lee County relating to definitions under the Lee County Zoning Code so as to **revise the definition of “home occupation, residential”.** **Planning Commission recommends denial with a 4 – 1 vote.** Public Hearing held July 11, 2023 57 - 67
- (G) Consideration to adopt an ordinance to amend Chapter 70, Article III, Section 70-94 of the Code of Ordinances of Lee County relating to **greenspace**, so as to establish the process to determine unbuildable land and undevelopable land. **Planning Commission recommends approval, with the following amendment: A minimum of twenty-five percent (25%) of the remaining developable land shall be preserved as greenspace regardless of service level.** Public Hearing held July 11, 2023 68 - 70
9. **CONSTITUTIONAL OFFICERS & GOVERNMENTAL BOARDS/AUTHORITIES**
- (A) **Elections and Registration** – Consideration to approve an Intergovernmental Agreement with the Secretary of State’s Office. 71 - 72
10. **COUNTY MANAGER’S MATTERS** 73 - 77
- (A) Updates on County projects.
11. **COMMISSIONER’S MATTERS**
- (A) Discussion of the 100-acre park. *HANDOUT*
- (B) Discussion of potential road projects. 78 - 80
- (C) Discussion of bid process. *HANDOUT*
- (D) Discussion of generators. *HANDOUT*
12. **UNFINISHED BUSINESS**
NONE
13. **COUNTY ATTORNEY’S MATTERS**
NONE
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, August 8, 2023 at 6:00pm.**

(B) The **Lee County Rivers Alive** annual clean-up event will be this **Saturday, July 29, 2023 from 9:00am to 1:00pm.** There will both be on water and on land opportunities to volunteer. A waiver must be signed for participation. Please contact the Lee County Chamber of Commerce at (229) 759-2422 for more information.

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, JULY 11, 2023 6:00 P.M.
T. PAGE THARP BUILDING
OPAL CANNON AUDITORIUM
WWW.LEE.GA.US

MEETING MINUTES
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

The Lee County Board of Commissioners met in a voting session on Tuesday, July 11, 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 6:03pm.

INVOCATION

Apostle Malden Batten, The Church of Leesburg, 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 minutes for the Board of Commissioners meeting for June 27, 2023.**
Commissioner Roland made the **MOTION** to approve the minutes for the Board of Commissioners meeting for June 27, 2023. Commissioner Walls seconded the **MOTION**. The **MOTION** was unanimous with Commissioner Singletary and Commissioner Guarnieri voting yea.

CONSENT AGENDA

NONE

NEW BUSINESS

- (A) **Tommy Gregors, Director of Artesian Alliance, to address the Board regarding programs and facility improvements.**

Handouts were provided to the Board by Mr. Gregors. Mr. Gregors spoke on the growth plan for Chehaw Park & Zoo, including the addition of a zip line and three tier adventure course as well as a revamp of the play park area with replacement of play equipment. The play park has seen approximately 750,000 kids since its development over 20 years ago, which was also community built involving over 2,000 volunteers. There are also plans to expand the zoo in the future, including an additional zip line trail.

The total estimated cost of this proposed project is \$1.6 million. These funds are to be split among Dougherty County (\$500,000.00), the City of Albany (\$500,000.00), Lee County, the Chehaw Park Authority

(\$150,000.00), and the Flint Riverquarium (\$50,000.00), with Lee County's requested contribution at approximately \$400,000.00. After all expenses and labors are paid, with an estimated anticipated 7,000 users per year, after year one, an estimated net of \$205,000.00 per year is expected. This will also add job opportunities as nine additional staff members will be needed as well as seasonal staff as needed.

The zip line will take an approximate nine months to build whereas the play park may be completed in two months. It would be most beneficial to complete all projects at once. Mr. Gregors added that the risks and liability of the zip line have been reduced; there are new harnesses and hookups with safety features. The price also includes service and maintenance.

PUBLIC HEARING

- (A) **Brittany Land Company, LLC (Z23-006) has submitted a request to rezone two (2) lots at a total of 49.297 acres from AG to R-1. This property lies in Parcels 025 044 & 026 016 in Land Lot 71 of the Second Land District of Lee County, Georgia. Planning Commission recommends approval, with the following condition, as presented on the staff report: The proposed development must reduce impacts on floodplains (and wetlands, if identified) to the extent possible.**

Chairman Mathis opened the Public Hearing.

With no comments or questions from the Board or audience, the Public Hearing was closed.

- (B) **Oakland Plantation Partners, LLC (Z23-007) has submitted a variance application to allow the following setbacks: 18' front, 10' rear, and 5' side for each lot. This is currently zoned R-2. The total number of acres is 39.316. This property is located off of Oakland Parkway in Parcel 017D 004. Planning Commission recommends approval with a 3 – 2 vote.**

Chairman Mathis opened the Public Hearing.

Bobby Donley, Lanier Engineering, addressed the Board regarding this application for a proposed subdivision development that some have considered The Villas Phase II, to be called "Whisperwood". The new subdivision has the same overall concept, setbacks, and plan as The Villas, including the small lot sizes. The project is currently in the design phase. Commissioner Roland reminded Mr. Donley and the Board of a current sewer moratorium set by the Utilities Authority, to which Mr. Donley replied that he is aware of said moratorium, and feels confident that it will be at least one year before any homes are built.

With no further comments or questions from the Board or audience, the Public Hearing was closed.

- (C) **An ordinance to amend Chapter 70 of the Code of Ordinances of Lee County (the Lee County Zoning Code) so as to amend definitions as required by 2022 Georgia Laws Act 881 (HB 1405). Planning Commission recommends approval.**

Chairman Mathis opened the Public Hearing.

With no comments or questions from the Board or audience, the Public Hearing was closed.

- (D) **An ordinance to amend Section 70-6 of the Code of Ordinances of Lee County relating to definitions under the Lee County Zoning Code so as to revise the definition of "home occupation, residential". Planning Commission recommends denial with a 4 – 1 vote.**

Chairman Mathis opened the Public Hearing.

With no comments or questions from the Board or audience, the Public Hearing was closed.

- (E) **An ordinance to amend Chapter 70, Article III, Section 70-94 of the Code of Ordinances of Lee County relating to greenspace, so as to establish the process to determine unbuildable land and undevelopable land. Planning Commission recommends approval, with the following amendment: A minimum of twenty-five percent (25%) of the remaining developable land shall be preserved as greenspace regardless of service level.**

Chairman Mathis opened the Public Hearing.

Co-Assistant County Manager/ Chief Building Official Joey Davenport addressed the Board to further explain the definition of “service level”. The current ordinance states (in Section 70-95 (3)), **(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%)** 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”. After discussion at their regular meeting, the Planning Commission voted to recommend the percentage be changed to 25% throughout the section.

Bobby Donley, Lanier Engineering, addressed the Board regarding the use of “and” vs “or” within the document in Section 70-95 (3)(i) as follows, “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%) of the remaining developable land shall be preserved as greenspace” whereas in the title of the document the word “and” is used, as follows “County-provided water system *or* a County-provided sewer system”.

Chairman Mathis stated that the will of the Board was to correct some wording within the ordinance pertaining to usable space and the definition of “density”, with no discussion being considered for the change of the percentages in the original ordinance. The purpose was to clarify that “density” is determined by the number of usable acres, not total acres. Chairman Mathis asked County Attorney Jimmy Skipper to review the text amendment.

With no further comments or questions from the Board or audience, the Public Hearing was closed.

DEPARTMENTAL MATTERS

Building Inspection/ Business Licensing

- (A) Milan Patel (Z23-005) has submitted an application for a proposed new business which would include the construction of a package store on U.S. Hwy 82, utilizing two (2) currently vacant lots at 1.19 acres each, for a total of 2.38 acres. The property owner is R. L. Joiner, Jr., et al. The subject property consists of Parcels 029B 004 & 029B 003 in Land Lot 263 of the Second Land District of Lee County, Georgia.

Co-Assistant County Manager/ Chief Building Official Joey Davenport summarized the application and stated that all requirements are met and the property is already properly zoned at C-2. The applicants simply wished to be sure the application for a package store was approved before moving forward with the purchase and combination of the two vacant lots.

Commissioner Singletary made the **MOTION** to approve the application for a proposed new business which would include the construction of a package store on U.S. Hwy 82, utilizing two (2) currently vacant lots at 1.19 acres each, for a total of 2.38 acres. The property owner is R. L. Joiner, Jr., et al. The subject property consists of Parcels 029B 004 & 029B 003 in Land Lot 263 of the Second Land District of Lee County, Georgia. Commissioner Roland seconded the **MOTION**. The **MOTION** was unanimous with Commissioner Guarnieri and Commissioner Walls voting yea.

E-911

- (B) Consideration to approve the placement of the new telecommunications tower in North Lee County.

Commissioners Roland and Singletary voiced support for locating the tower at Fire Station 4 as it is continuously staffed and therefore any equipment can be monitored; just seems like the safer option overall. Commissioner Walls stated that his concern was if the fire station needs expanding due to added personnel, to which Commissioner Singletary stated that he didn't see a need for expansion for a while there and if expansion was needed, there was room on the property to accommodate it even with a tower. County Manager Christi Dockery added that the property is 2.5 acres.

Commissioner Roland made the **MOTION** to approve placement of the new telecommunications tower in North Lee County at Fire Station 4. Commissioner Singletary seconded the **MOTION**. The **MOTION** was unanimous with Commissioner Guarnieri and Commissioner Walls voting yea.

CONSTITUTIONAL OFFICERS & GOVERNMENTAL BOARDS/AUTHORITIES

(A) **Discussion of the Board of Tax Assessors.**

Chairman Mathis stated that a member of the Tax Assessors Board will be moving out of the County and therefore resigning from that board. Chairman Mathis asked the Board to provide recommendations and help find volunteers to fill the vacancy. County Manager Christi Dockery added that this board includes course work and continuing education requirements. This individual also served on the Utilities Authority, so there will be a vacancy on the board as well.

COUNTY MANAGER'S MATTERS

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

County Manager Christi Dockery discussed ongoing projects in the County: (1) Staff has until the end of July to submit project ideas and wish lists for SPLOST VIII; and (2) staff, along with Southwest Georgia Regional Commission staff, is working together to complete the Comp Plan Update.

(B) **Consideration to declare vehicles and equipment surplus.**

Commissioner Roland made the **MOTION** to declare the following vehicles and equipment surplus: A 2010 Ford F-150 XL Pickup Truck, 2007 Ford F-150 Pickup Truck, 1984 Caterpillar 130 G Motorgrader, two (2) 6 foot Rhino Mower Decks, Woods Batwing Mower Deck, 2006 John Deere Gator 6X4, 1994 Olympian Generator, 2007 Generator, 2003 Generator, 2008 Generator, 2003 Generator, 1999 Generator, two (2) 2000 Generators, 1999 Olympian Generator, 1999 Generac Generator, Ingersoll Rand Permanently Installed Stationary Air Compressor, TR-1 Pipe Trailer with pipes pin type hitch, TR-2 Pipe Trailer with pipes pin type hitch, 2001 Honda Rancher ATV, Worthing Air Compressor, Hydraulic Pump with motor and tank, 2004 Dog Box slide in unit, 2003 Dog Box slide in unit, and a 2004 Dog Box slide in unit. Commissioner Singletary seconded the **MOTION**. The **MOTION** was unanimous with Commissioner Guarnieri and Commissioner Walls voting yea.

(C) **Discussion of LMIG 2024.**

Chairman Mathis opened the discussion by stating that between LMIG, TSPLOST, and SPLOST funds, there is approximately \$5 million that can be used for road projects. Chairman Mathis asked the Board members to decide on needed projects within their districts. Current costs are as follows: \$1.25 million to pave a dirt road mile and \$230,000 to resurface a paved mile. The 2024 LMIG application is due in February 2024.

COMMISSIONER'S MATTERS

(A) **Discussion of parks and greenspace.**

County Manager Christi Dockery stated that the GIS Department was working to compile a list of greenspace within the County that was dedicated as greenspace after 2005. The information from GIS will include data such as the subdivision name, parcel number, and the property owner's name in an effort to verify it complies with the ordinance that greenspace must be owned by a trust, a HOA, or the County.

Parks & Recreation Director Jeremy Morey was present. Mr. Morey began the discussion about the "pocket parks" located in the Springdale, Callaway Lakes, and Huntingdon subdivision areas. Handouts were provided to the Board detailing Mr. Morey's analysis and proposed improvements to each park, including estimated costs for the projects. Proposed improvements discussed include fencing, new playground equipment, solar security lighting, picnic tables, and continued maintenance. Chairman Mathis stated there were funds available with impact fees that could be used for such projects.

Mr. Morey stated that he had spoken to some homeowners who voiced mixed feelings about the existence of the parks in their respective neighborhoods. Previously, partial fencing and barriers were placed at the rear of

the park in Calloway Lakes; however, full, permanent fencing is now being considered due to unwanted vehicle and ATV/UTV traffic in that area. Chairman Mathis asked Mr. Morey to provide a plan and list of suggested improvements for each park after speaking with the Commissioner of each respective district the parks are in, as well as homeowners.

Commissioner Guarnieri asked Mr. Morey if he felt the playground equipment needed to be replaced, to which Mr. Morey replied that some could be replaced and added that some equipment had been replaced, as needed, over the years. There is also not much room for additions/ expansion within the small parks. Chairman Mathis stated that if trees needed to be removed, that would be acceptable. Chairman Mathis also suggested the addition of state park type grills for the locations.

Commissioner Walls asked about the Pine Lakes greenspace (verified listed as greenspace on the plat). Mr. Morey stated that he went out to the 14 acre property and noticed many access points to the property. Gates could be added, but there is no room on the property for parking. Chairman Mathis suggested clearing some of the trees and brush enough to fence the property to create a large park.

Commissioner Roland also asked if the parks such as that at Callaway Lakes, since owned by the County, are open to being enjoyed by all Lee County citizens to which Chairman Mathis stated "yes". Commissioner Walls also asked if it was possible to install toddler sized swings at the parks, to which Mr. Morey stated he would look into those prices and requirements.

(B) **Discussion of abandoned houses.**

County Attorney Jimmy Skipper began this discussion by stating that there is an ordinance based on state law pertaining to nuisance unfit dwellings, structures, and buildings. If building code officials look into a dilapidated building, there are a list of qualifications to be deemed abandoned and a petition is filed in Magistrate Court. The owner will be served and a hearing scheduled. If the Magistrate Court Judge finds that it meets the criteria to be deemed dilapidated, the judge then has the authority, depending on the value of the property as it currently sits, to order the property owner to repair it or to order the property owner to have it demolished at their own expense.

The standard is that if it costs more than the property is worth to repair it, it may then be ordered to be torn down. Documentation from appraisers to establish value of the structure are examined before making this decision. If the property owner does not act within the timeframe provided by the judge, the County may take matters into their own hands with a court order and demolish the structure at that point. Once torn down, the County would have a lien on that property for the amount it cost the County to have the building torn down.

Chairman Mathis, with no objection from the Board, asked Mr. Skipper to move forward with this ordinance process. Mr. Skipper added that if the County could do several properties at one time, it would make a little more efficient. Commissioner Walls asked if these houses could be condemned. Mr. Skipper stated that a condemnation just means they are inhabitable, which doesn't solve the problem.

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.

Paul Clayton – Current state of Old Leslie Road and a request for paving

ANNOUNCEMENTS

- (A) The next regularly scheduled County Commission Meeting is **Tuesday, July 25, 2023 at 6:00pm.**
- (B) The **Lee County Rivers Alive** annual clean-up event will be **Saturday, July 29, 2023 from 9:00am to 1:00pm.** There will both be on water and on land opportunities to volunteer. A waiver must be signed for participation. Please contact the Lee County Chamber of Commerce at (229) 759-2422 for more information.

ADJOURNMENT

The meeting adjourned at 7:09PM.

Facebook video link: <https://www.facebook.com/leecountyga/videos/822979749223370>

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.

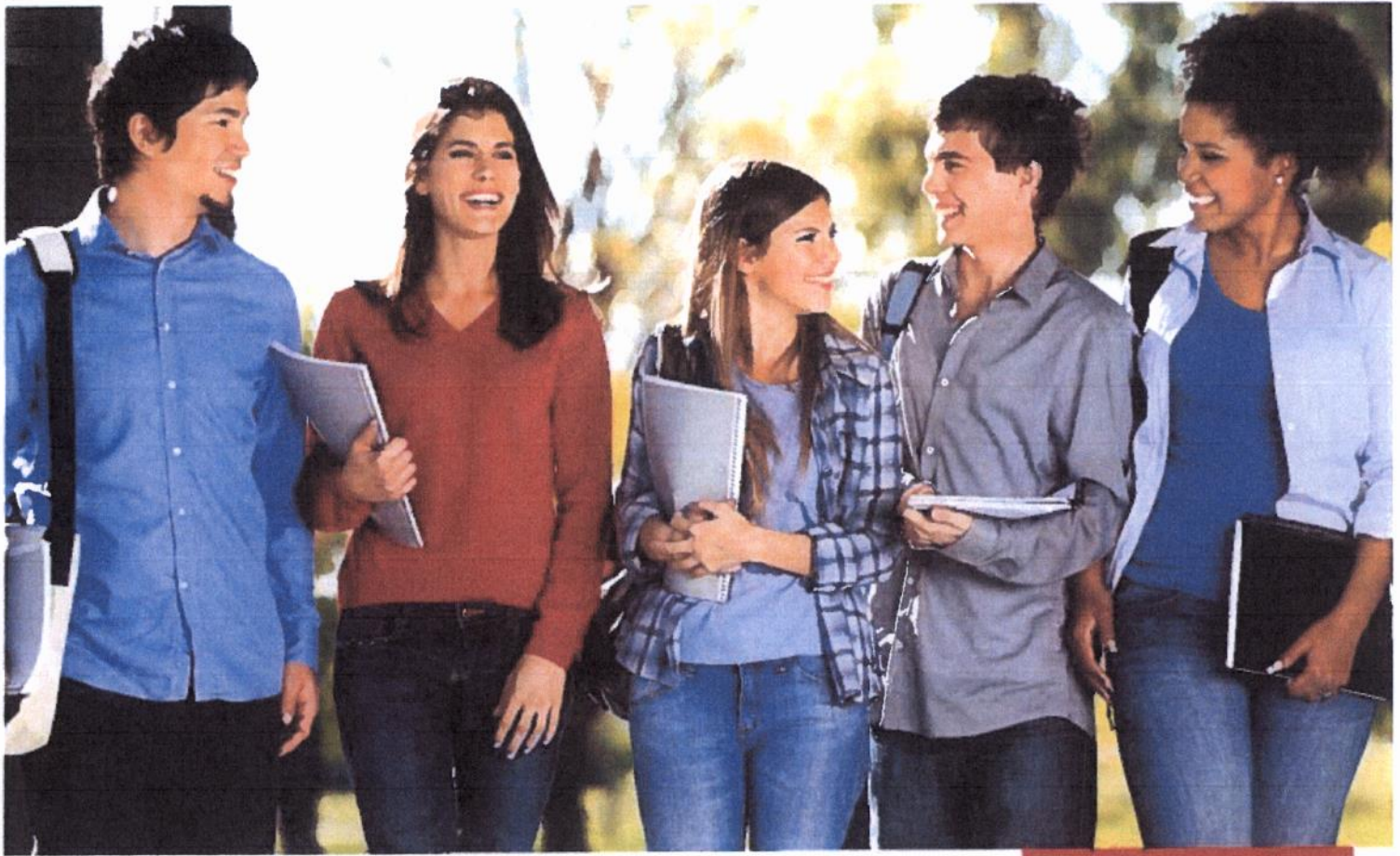


**MEMORANDUM
LEE COUNTY BOARD
OF COMMISSIONERS**

TO: Honorable Board of County Commissioners
SUBJECT: Employee Years of Service Recognition
MEETING DATE: Tuesday, July 25, 2023

Please recognize the following employees for their many years of service to Lee County:

- 5 years – Courtney Wingfield – County Extension Office
- 5 years – Danny Alday – Sheriff's Office
- 5 years – William Gurley – Public Safety
- 15 years – David (Alan) Kidd – Fire & EMS
- 20 years – Carla Brown – Magistrate Court Judge
- 20 years – William McCalvin – Parks and Recreation
- 25 years – Douglas Denmark – Public Works



LEE COUNTY ADULT LEARNING CENTER

1346 Suite G. US Hwy 19 S • Leesburg, GA 31763 • 229.759.3040

AVAILABLE CLASSES:

Language Arts, Reading
Mathematics
Language Arts, Writing
Science
Social Studies
English Literacy

REQUIREMENTS TO ATTEND CLASSES

Participants must be 16 years old and older

Must have valid state issued picture ID

**16-17 year-olds must have parental consent,
withdrawal form from last school attended and
valid state picture id**

CLASS SCHEDULE

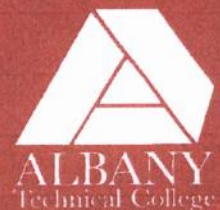
DAY CLASSES

Monday - Friday
8:00am - 3:00pm

EVENING CLASSES

Monday - Thursday
5:30pm - 8:30pm

VIRTUAL CLASSES
AVAILABLE





LEE COUNTY, GA GOVERNMENT

SUBJECT: Package Store License

DATE SUBMITTED: 7/18/23

DIVISION:

AUTHORIZED BY: Joey Davenport

AGENDA DATE REQUESTED: 7/25/23

TYPE:

CONTACT PERSON: Carol Lee

DEPARTMENT: Inspection/Licensing

- Regular
- Consent

MOTION/RECOMMENDATION:

Staff requests the Board of Commissioners consider an application for a Package Store proposed to be located at 1425 US Hwy 82 West.

BACKGROUND:

All requirements have been met by the applicant.

ATTACHMENTS:

- 1. Memo
- 2. Planner's Report

| | | |
|---|--|---|
| <p><u>REVIEWED BY (INITIALS):</u> Legal: Finance: Other:</p> <p><u>USER DEPT.:</u></p> <p><u>SUBMITTED BY:</u></p> <p>_____ County Manager</p> | <p><u>ADVERTISED:</u> Date: 7/12 & 7/19/23 Paper: Lee County Ledger <input type="checkbox"/> Not Required</p> <p><u>COSTS:</u></p> <p><u>CURRENT FY:</u></p> <p><u>APPROPRIATION CODE:</u></p> <p><u>AFFECTED PARTIES:</u> <input type="checkbox"/> Notified <input type="checkbox"/> N/R</p> | <p><u>COMMISSION ACTION:</u> <input type="checkbox"/> Approved <input type="checkbox"/> Approved w/Conditions <input type="checkbox"/> Denied <input type="checkbox"/> Continued to:</p> <p><u>FUNDING SOURCE:</u> <input type="checkbox"/> Capital Improvement <input type="checkbox"/> Operating <input type="checkbox"/> Other</p> |
|---|--|---|



LEE COUNTY

Life works well here

BOARD OF COUNTY COMMISSIONERS

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

LEE COUNTY BUILDING INSPECTION
BUILDING INSPECTION
BUILDING PERMITS
BUSINESS LICENSE
ALCOHOL LICENSE

Joey Davenport
Chief Building Official

Carol Lee
Administrative Assistant

Martha Roberts
Permit Technician

Lee County, Georgia
102 Starksville Ave. N.
Leesburg, GA 31763
(229) 759-6000
Fax: (229) 759-2346
Web: www.lee.ga.us
buildinginspections@lee.ga.us

*One of the first
original counties of
Georgia*

*Established
June 9, 1825*

Lee County Alcohol License Memorandum

Date: 7/25/23

To: Lee County Board of Commissioners

From: Carol Lee
License Administrator

RE: Package Store Application

Mr. Devanshukumar Patel is requesting that the Lee County Board of Commissioners grant him an Alcohol License for retail sale of off-premise consumption of liquor, wine and beer. This will be a Package Store named The Spirits located at 1425 US 82 West.

CONSIDERATIONS FOR APPROVAL OR DENIAL

- 1. The existence or non-existence of verifiable information regarding the applicant's work history, status, experience, and reputation.**

The Business License Department is unaware of any negative information relating to the applicant's work history, status...etc. There is no record of any information on these subjects that would require staff to recommend against the granting of the application for this license.

- 2. The history of the applicant, if any, in engaging in fraudulent or criminal activities.**

See summary by request.



LEE COUNTY
Life works well here

BOARD OF COUNTY COMMISSIONERS

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

LEE COUNTY BUILDING INSPECTION BUILDING INSPECTION BUILDING PERMITS BUSINESS LICENSE ALCOHOL LICENSE

Joey Davenport
Chief Building Official

Carol Lee
Administrative Assistant

Martha Roberts
Permit Technician

Lee County, Georgia
102 Starksville Ave. N.
Leesburg, GA 31763
(229) 759-6000
Fax: (229) 759-2346
Web: www.lee.ga.us
buildinginspections@
lee.ga.us

*One of the first
original counties of
Georgia*

*Established
June 9, 1825*

3. Compliance with application requirements.

The applicant has completed all application requirements.

4. Adequate and satisfactory reference response.

Reference response was adequate and satisfactory.

5. Proximity of the proposed business to densely populated residential districts.

(See Planner's Report)

6. Compliance with zoning regulations.

(See Planner's Report)

7. Safety of the premises from which the business will operate.

(See Planner's Report)

8. Compliance with state and local laws, regulations and ordinances.

All requirements relating to the application have been met.

STAFF RECOMMENDATION:

Staff requests the Board of Commissioners consider the Alcohol Application for The Spirits package store.

Lee County, GA

Online Appeals

Would you like to submit an appeal to the Board of Assessors? [Click Here](#) for more information.

Summary

Parcel Number 029B 148
 Location Address 1425 US 82
 Legal Description LL 263 2ND DIST F USSELL RD & HWY 82
 (Note: Not to be used on legal documents)
 COUNTY UNINCORPORATED (District 03)
 Tax District COUNTY UNINCORPORATED (District 03)
 Millage Rate 28.18
 Acres 2
 Homestead Exemption No (50)
 Landlot/District N/A

[View Map](#)



Owner

[ERIC FAIRCLOTH PROPERTIES](#)
 LLC
 1425 US HWY 82 WEST
 LEESBURG, GA 31763

Land

| Type | Description | Calculation Method | Square Footage | Frontage | Depth | Acres | Lots |
|------------|-------------------|--------------------|----------------|----------|-------|-------|------|
| Commercial | Comm-Highway 82 W | Acres | 0 | 0 | 0 | 2 | 0 |

Commercial Improvement Information

Description Auto Dealerships-Avg
 Value \$631,200
 Actual Year Built 1996
 Effective Year Built 1996
 Square Feet 14288
 Wall Height 18
 Wall Frames
 Exterior Wall 70%
 Roof Cover 30%
 Interior Walls
 Floor Construction
 Floor Finish
 Ceiling Finish
 Lighting
 Heating
 Number of Buildings 1

Accessory Information

| Description | Year Built | Dimensions/Units | Identical Units | Value |
|---------------------------|------------|------------------|-----------------|----------|
| Storage Building | 2014 | 8x8 / 0 | 1 | \$600 |
| Carport; Pre-Fab No Slab | 2010 | 18x20 / 0 | 1 | \$370 |
| x" REAR PHOTO OF BUILDING | 2004 | 0x0 / 0 | 0 | \$0 |
| Comm. Fence: Chain Link | 1996 | 1x940 / 0 | 1 | \$3,700 |
| Paving: Asphalt | 1996 | 0x0 / 42000 | 1 | \$16,800 |

Sales

| Sale Date | Deed Book / Page | Plat Book / Page | Sale Price | Reason | Grantor | Grantee |
|-----------|------------------|------------------|------------|--------|------------------|---------------------------|
| 2/1/2004 | 730 168 | C 142 | \$0 | Kin | FAIRCLOTH ERIC A | ERIC FAIRCLOTH PROPERTIES |
| 8/1/2002 | 647 156 | | \$0 | Kin | FAIRCLOTH ERIC A | FAIRCLOTH ERIC A |
| 1/1/1998 | 331 45 | | \$0 | Kin | FAIRCLOTH OSCAR | FAIRCLOTH ERIC A |

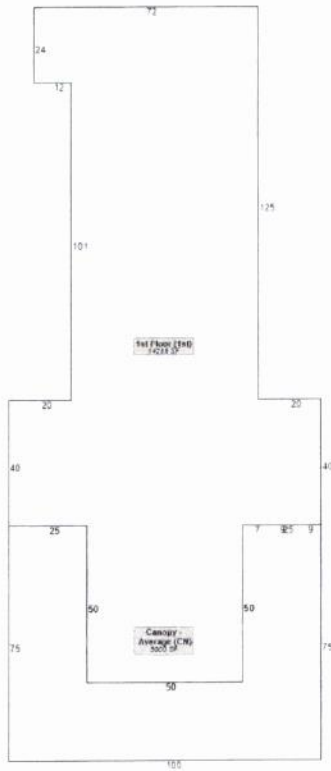
Valuation

| | 2023 | 2022 | 2021 | 2020 | 2019 |
|---------------------|-------------|-------------|-------------|-----------|-----------|
| Previous Value | \$1,052,670 | \$1,052,670 | \$815,300 | \$815,300 | \$815,300 |
| Land Value | \$400,000 | \$400,000 | \$400,000 | \$300,000 | \$300,000 |
| - Improvement Value | \$631,200 | \$631,200 | \$631,200 | \$476,700 | \$476,700 |
| + Accessory Value | \$21,470 | \$21,470 | \$21,470 | \$38,600 | \$38,600 |
| = Current Value | \$1,052,670 | \$1,052,670 | \$1,052,670 | \$815,300 | \$815,300 |

Photos



Sketches



No data available for the following modules: Rural Land, Conservation Use Rural Land, Residential Improvement Information, Mobile Homes, Prebill Mobile Homes, Permits.

[User Privacy Policy](#) [GDPR Privacy Notice](#)
Last Data Upload: 7/18/2023 3:05:41 PM





Lee County - Leesburg - Smithville Planning Commission

CHAIRMAN JASON SHEFFIELD, VICE-CHAIRMAN JIM QUINN
JOHNNY GOLDEN, KYLE LUCKIE, MIKE MCVEY, TONYA MYRICK, SHIRLEY STILES

MEETING MINUTES
July 6, 2023 at 6:00 P.M.
Opal Cannon Auditorium
T. Page Tharp Governmental Building
102 Starksville Avenue North
Leesburg, GA 31763

Members Present: Jim Quinn, Johnny Golden, Kyle Luckie, Mike McVey, and Tonya Myrick

Members Absent: Jason Sheffield and Shirley Stiles

Staff Present: Joey Davenport, Sid Walker, Diana Sandoval, Kaitlyn Good, and Christi Dockery

I. CALL TO ORDER

Vice-Chairman Jim Quinn called the meeting to order at 6:01 p.m.

II. ACKNOWLEDGEMENT OF GEORGIA LAW REGARDING CAMPAIGN CONTRIBUTIONS

Interim Planning Director Joey Davenport read the Georgia Law regarding campaign contributions.

III. NEW BUSINESS

NONE

IV. APPROVAL OF MINUTES

(A) Approval of the minutes from the April 6, 2023 Planning Commission meeting.

Vice-Chairman Jim Quinn made the **MOTION** to **APPROVE** the minutes as presented, seconded by Commissioner Kyle Luckie. The **MOTION** was unanimous with Commissioners Tonya Myrick, Johnny Golden, and Mike McVey voting yea.

V. PUBLIC HEARINGS

ZONING APPLICATION

(A) Brittany Land Company, LLC (Z23-006) has submitted a request to the Lee County Planning Commission to **rezone** two lots at a total of 49.297 acres from AG to R-1 residential. This property is Parcel 025 044 & 026 016 in Land Lot 71 of the Second Land District of Lee County, Georgia.

Vice-Chairman Jim Quinn opened the public hearing at 6:05 p.m. and read the application into the record.



Public Hearing Discussion

Staff Presentation

Interim Planning Director Joey Davenport addressed the commission.

Applicant Presentation

Applicant George McIntosh addressed the commission at 6:06 pm.

Public Support

None

Public Opposition

None

Commission Discussion

Vice-Chairman Jim Quinn closed the public hearing at 6:10 p.m.

Recommendation

Commissioner Johnny Golden made a **MOTION** to **APPROVE** the zoning application from Brittany Land Company, LLC (Z23-006) with the following condition, as presented on the staff report: The proposed development must reduce impacts on floodplains (and wetlands, if identified) to the extent possible. The **MOTION** was seconded by Commissioner Mike McVey. The **MOTION** was unanimous with Commissioners Kyle Luckie and Tonya Myrick voting yea.

VARIANCE APPLICATION

(B) Oakland Plantation Partners, LLC (Z23-007) has submitted a variance application to the Lee County Planning Commission to allow the following setbacks: 18' front, 10' rear, and 5' side for each lot. This is currently zoned R-2 with a total number of 39.316 acres. This property is located off of Oakland Parkway. This property is Parcel 017D 004.

Vice-Chairman Jim Quinn opened the public hearing at 6:17 p.m. and read the application into the record.

Public Hearing Discussion

Staff Presentation

Interim Planning Director Joey Davenport addressed the commission, stating that Oakland Plantation Partners has submitted a variance request to the required setbacks for the proposed Whisperwood subdivision phases 1 & 2. The staff report notes that this case has conditions that are peculiar to the subject property. This proposed variance request is similar to the previously approved Villa's @ Oakland subdivision property located near this proposed development, and that if granted, the proposed variances from standard R-2 setbacks are not expected to cause substantial detriments to the public interest or impair the purpose or intent of the code of ordinances per Sec. 70-90. Which all the requirements were met.



Applicant Presentation

Bobby Donley, Lanier Engineering, addressed the commission, stating that this same variance request has been previously approved at the "Villas @ Oakland" and it would be the same setbacks that they are now requesting for this proposed new development (Whisperwood).

Public Support

None

Public Opposition

None

Commission Discussion

Commissioner Johnny Golden expressed concern about the side and rear setbacks. Stating that it was close to each house.

Vice-Chairman Jim Quinn closed the public hearing at 6:25 p.m.

Recommendation

Commissioner Kyle Luckie made a **MOTION** to **DENY** the variance application from Oakland Plantation Partners, LLC (Z23-007), seconded by Commissioner Johnny Golden. The **MOTION** failed with Commissioners Mike McVey, Tonya Myrick, and Jim Quinn voting nay. Application was approved with a 3-2 vote.

TEXT AMENDMENTS

- (C) An ordinance to amend **Chapter 70 of The Code of Ordinances of Lee County (The Lee County Zoning Code)** so as to amend definitions; amend general conditions relating to zoning applications; amend requirements for public hearings and notices for zoning applications for the Planning Commission and the Board of Commissioners; to provide for advertisements of public hearings; to provide for the content of such public notices; to provide for appeals of zoning decisions; to provide for appeals of decisions of the Board of Commissioners granting or denying stand-alone applications for variances and applications for conditional use permits; to provide for other matters relating to such appeals; to provide for the applicability of the county zoning code; to provide for resolution of conflicts between the county zoning code and the state zoning procedures act; to provide for repeal of conflicting ordinances, to provide for an effective date, and for other purposes.

Vice-Chairman Jim Quinn opened the public hearing at 6:32 p.m. and read the application into the record.

Public Hearing Discussion

Staff Presentation

Interim Planning Director Joey Davenport addressed the commission, stating the application and proposed definition changes are primarily due to changes in state zoning procedures law that required the county attorney to amend this section of the county ordinance to comply with the new state laws.



Public Support

None

Public Opposition

None

Commission Discussion

Vice-Chairman Jim Quinn closed the public hearing.

Recommendation

Commissioner Johnny Golden made a **MOTION** to **APPROVE** the proposed text amendment, seconded by Commissioner Mike McVey. The **MOTION** was unanimous with Commissioners Kyle Luckie and Tonya Myrick voting yea.

- (D) An ordinance to amend **Section 70-6 of The Code of Ordinances of Lee County** relating to definitions under the Lee County Zoning Code so as to revise the definition of “home occupation, residential”; to provide for home occupations to be considered as including articles produced or services offered which are sold or offered for sale at or from the home occupation premises; to delete the limitation on persons who may be employed by home occupations at the location of the home occupation; to provide for the parking of motor vehicles of customers at the location of the home occupation during the time that the home occupation is conducting business; to provide for repeal of conflicting ordinances; to provide for an effective date; and for other purposes.

Vice-Chairman Jim Quinn opened the public hearing at 7:18 p.m. and read the application into the record.

Public Hearing Discussion

Staff Presentation

Interim Planning Director Joey Davenport addressed the commission, stating the current stage of the definition and what the new definition would change for people applying for a home occupation. This would change the requirements for allowable employees, selling good from the home.

Public Support

None

Public Opposition

None

Commission Discussion

Vice-Chairman Jim Quinn closed the public hearing.

Recommendation

Commissioner Kyle Luckie made a **MOTION** to **DENY** the proposed text amendment, seconded by Mike McVey. The **MOTION** passed with Commissioners Jim Quinn and Tonya Myrick voting yea and



Commissioner Johnny Golden voting no. This recommendation is based on the broad definition of selling and distributing items from the home with no restrictions.

- (E) An ordinance to amend **Chapter 70, Article III, Section 70-94 of The Code of Ordinances of Lee County** relating to greenspace, so as to establish the process to determine unbuildable land and undevelopable land; to provide the applicable process to determine the amount of buildable land for purposes of determining the total amount of acreage to be set aside as greenspace; to provide the percentage of the remaining developable land to be served as greenspace where the subdivision is to have county-provided water and sewer systems, where the subdivision is to have wells and septic tanks, and where the subdivision is to have county-provided water and septic tanks; to provide for an effective date; to provide for repeal of conflicting ordinances; and for other purposes.

Vice-Chairman Jim Quinn opened the public hearing at 6:39 p.m. and read the application into the record.

Public Hearing Discussion

Staff Presentation

Interim Planning Director Joey Davenport addressed the commission, stating the current wording and requirements of the ordinance have become a subject of controversy as well as the required way to calculations for greenspace. Apparently, since the inception of this ordinance, the greenspace has been calculated based on the applicable percentage of the entire acreage of the proposed development, despite the fact that the ordinance clearly states that the calculation for the yield for determining the number of lots shall not contain any undevelopable land.

Public Support

None

Public Opposition

Mr. Bobby Donley addressed the commission, stating his concerns over the way the ordinance is currently worded and the unnecessary complexity of the method of calculation for greenspace requirements. Mr. Donley expressed his desire for this ordinance to be re-worded and simplified so that the intent of the ordinance would be easier and clearer to understand and interpret.

Commission Discussion

The commission discussed recommending a revision including emphasis on changing "or" to "and" at paragraph 3 item 1 and to suggest greenspace requirements be 25% for all developments.

Recommendation

Commissioner Kyle Luckie made a **MOTION** to **APPROVE** the proposed text amendment with the following amendment: A minimum of twenty-five percent (25%) of the remaining developable land shall be preserved as greenspace regardless of service level. The **MOTION** was seconded by Commissioner Mike McVey. The **MOTION** was unanimous with Commissioners Tonya Myrick and Johnny Golden voting yea.



UNFINISHED BUSINESS

NONE

VI. ANNOUNCEMENTS

The Lee County Board of Commissioners will conduct a public hearing on **Tuesday, July 11, 2023 at 6:00 p.m.** and a final vote on **Tuesday, July 25, 2023 at 6:00 p.m.** on the applications and proposed text amendments in the Opal Cannon Auditorium of the T. Page Tharp Governmental Building, located at 102 Starksville Avenue North, Leesburg, Georgia.

VII. ADJOURNMENT

Commissioner Kyle Luckie made a motion to **ADJOURN**, seconded by Mike McVey. The **MOTION** was unanimous with Commissioners Johnny Golden, Jim Quinn, and Tonya Myrick voting yea. The meeting adjourned at 7:23 p.m.

Meetings of the Planning Commission and the Board of Commissioners are open to the public.

Georgia law requires that all parties who have made campaign contributions to any member of the Board of Commissioners in excess of two hundred fifty dollars (\$250) within two (2) years immediately preceding the filing of this request, and who desire to appear at the public hearing in opposition to the application, shall, at least five (5) days prior to the public hearing, file a campaign contribution report with the Lee County Planning Commission.

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
Planning Department
Lee County, Georgia
Zoning Staff Report

DATE: 7/6/2023

APPLICATION TYPE: Zoning Application

APPLICANT: Brittany Land Company, LLC

REQUESTED ACTION: Rezoning from AG to R-1L

PURPOSE: Undefined.

LOCATION OF PROPERTY: Land Lot 71, 2nd District, in Section Two of Running Deer Subdivision, with parcel frontages on Georgia Highway 32 and Plantation Drive (see applicant's Boundary Survey)

PARCEL SIZE: 49.297 Acres

EXISTING CONDITIONS:

Present Zoning and Use of Property: AG - Present use is vacant land.

Adjacent Zoning/Use:

North— AG and R-1 and 1

South— R-1 and R-1L

East— AG and R-1

West— R-1

Available Public Services: Information about available public services was not included in the application.

MEETING INFORMATION: All meetings are held in the assembly room in the Lee County Administration Building unless otherwise advertised.

| | |
|--|---------------|
| Planning Commission (public hearing): | 07/06; 7:00pm |
| County Commission (public hearing): | 07/11; 6:00pm |
| County Commission (voting session): | 07/25; 6:00pm |

STAFF RECOMMENDATION:

Staff recommends **conditional approval** of the zoning application to change the zoning of the subject area from AG to R-1L based on the following factors. Per the Lee County Comprehensive Plan, the subject area is designated as Conservation and Agricultural area in the Comprehensive Plan's future land use map. The Conservation area designation includes the northern portion of the subject area. This future land use category is defined as areas prone to flooding or that lie in the 100-year floodplain, where development is generally discouraged due to environmental characteristics. Per Lee County GIS, the northernmost portion of the subject area (approximately 3 acres) is located within the FEMA zone of 1% annual change of flood hazard (100-year floodplain). While not entirely consistent with the Comprehensive Plan and its future land use plan that intends to discourage development in areas within or near floodplains, only a small portion of the subject property is likely impacted by floodplain. The balance of the property is designated as Agricultural in the Comprehensive Plan's future land use map. This is adjacent to the east of an area designed as Residential. The applicant's proposed plan meets most R-1L zoning requirements. However, the likely presence of floodplain in the northern end of the subject property requires conservation measures, consistent with Comprehensive Plan recommendations.

If the application is approved, then planning staff recommends the following conditions. The proposed development must reduce impacts on floodplains (and wetlands, if identified) to the extent possible. Floodplains and wetlands preservation affect the quality of life of residents by reducing flood hazard potential and maintaining water quality, which is critical to health and the economy. The Comprehensive Plan supports the conservation of land in floodplain located at the northern edge of the subject property.

USES ALLOWED IN THE PROPOSED ZONING DISTRICT THAT ARE NOT ALLOWED IN THE CURRENT ZONING DISTRICT:

Current Zoning: AG

Proposed Zoning: R-1L

Uses Allowed Under Proposed Zoning Districts and Not Under Current Zoning:

1. Single-family residential use with density of 1 unit per 5 acres (well and septic), or 1 unit per 4 acres with public water.

PLANNING CONSIDERATIONS:

1. **Will the zoning proposal permit a use that is suitable in view of the use, development, and zoning of adjacent and nearby property?**

Development under the proposed R-1L zoning can be suitable with respect to the use, development, and zoning of the adjacent and nearby property as properties to the south and west are zoned R-1 and generally developed for

single family residential use on lot sizes ranging from approximately 3 acres to approximately 10 acres in size.

2. What is the effect on the property value of the subject property should the existing zoning be retained?

The value of the subject property is anticipated to be somewhat affected if the existing zoning is retained as the proposed R-1L residential zoning allow residential development at a higher density level, likely causing increase to the property value.

3. If denied, will the effect on the applicant's property value under the existing zoning be offset by the gain to the health, safety, morals, or general welfare of the public?

Denial of the rezoning request and preserving the existing AG zoning could result in gains to public health, safety, and general welfare as a result of limiting the potential to develop inhabited structures within the identified floodplain area.

4. Has the property been undeveloped an unusual length of time as currently zoned, considered in the context of land development in the vicinity of the property?

The subject property is vacant land that has not previously been developed. Land in the vicinity of the property has experienced development, and there is basic road infrastructure in the area that has provided access and road frontage for residential development in the past.

5. Will the zoning proposal result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, schools, police protection, fire protection, public health facilities or emergency medical services?

The proposed zoning is not expected to cause excessive or burdensome use of existing and nearby roadway infrastructure due to the low residential density allowances due to large lot size requirements in R-1L, especially where public water and sewer are not available. Based on the size, location and configuration of the subject property, it is not likely that more than 10 new homes could be developed (note: the applicant has not provided a proposed development plan to accompany and inform this rezoning application).

6. Is the zoning proposal in conformity with the policy and intent of the future land use plan for the physical development of the area?

Per the Lee County Comprehensive Plan, the subject area is designated as Conservation and Agricultural area in the Comprehensive Plan's future land use map. The Conservation area designation includes the northern portion of the subject area. This future land use category is defined as areas prone to flooding or that lie in the 100-year floodplain, where development is generally discouraged due to environmental characteristics. Per Lee County GIS, the

northernmost portion of the subject area (approximately 3 acres) is located within the FEMA zone of 1% annual change of flood hazard (100-year floodplain). While not entirely consistent with the Comprehensive Plan and its future land use plan that intends to discourage development in areas within or near floodplains, only a small portion of the subject property is likely impacted by floodplain. The balance of the property is designated as Agricultural in the Comprehensive Plan's future land use map. This is adjacent to the east of an area designed as Residential on the future land use map. In general, the future land use plan for the physical development of the area describes a residential node on either side (north and south) of Highway 32, and the proposed rezoning is not inconsistent with that intent.

7. Is the subject property well suited for the proposed zoning purpose?

The majority of the subject property is likely suitable for low density residential development supported by R-1L. The northernmost part may not be suitable from an environmental standpoint with respect to floodplain.

8. Will the zoning proposal adversely affect the existing use or usability of adjacent or nearby property?

The proposed R-1L zoning would not be expected to adversely affect the existing residential use of adjacent and nearby property to the west and south. Property adjacent to the east and north is zoned AG though current use is forestry, generally, and not active agriculture, therefore the proposed R-1L zoning and potential residential development would not be expected to adversely impact existing use or usability of adjacent property to the east and north.

9. Does the subject property have a reasonable economic use as currently zoned?

As currently zoned AG, there are a number of potential uses for the subject property that would provide some economic value to the property owner. Allowable AG uses that are permitted for this property include grazing, livestock raising, plant nurseries and orchards, sod farming, forest management, raising of crops, agricultural products production, etc.

10. Are there other existing or changing conditions affecting the use of development of the subject property which give supporting grounds for either approval or disapproval of the zoning proposal?

The previous development of many homes under R-1L and R-1 zoning adjacent and nearby to the south and west of the subject property support rezoning of this property to R-1L, with limitation due to the likely presence of floodplain at the northern end.

11. Would the change create an isolated district unrelated to the surrounding districts, such as "spot zoning"?

The zoning change would create R-1L zoning between an existing R-1 district and AG. Overall, the proposed zoning would more likely be considered reasonable transition in zoning as opposed to spot zoning, and the proposed zoning generally aligns with the development trend of the adjacent area as a whole.

12. Are the present zoning district boundaries illogically drawn in relation to existing conditions in the area?

The present zoning district boundaries are not illogically drawn based on the existing conditions of the area.

13. Is the change requested out of scale with the needs of the county as a whole or the immediate neighborhood?

The change requested is not out of scale with the needs of the neighborhood area or the county in terms of R-1L zoning in general.

14. Is it impossible to find adequate sites for the proposed use in districts permitting such use and already appropriately zoned?

The proposed zoning is presumably being requested in order to add additional residential development density potential to the subject property. Most likely, it is not impossible to find sites of similar size in districts already zoned to permit the proposed uses.

15. Would there be an ecological or pollution impact resulting from the proposed zoning if it is granted?

There could be an ecological impact resulting from development in floodplains and/or in direct proximity to wetlands. Should the zoning proposal be approved, all development guidelines would need to be carefully followed during the development process to ensure no ecological or pollution impacts occur. As the Lee County code notes, it is critical to protect floodplains, wetlands and streams in order to protect environmental resources which in turn impact the quality of life and health of the community.



LEE COUNTY
CITY OF LEESBURG
CITY OF SMITHVILLE

ZONING APPLICATION

Owner: BRITTANY LAND CO, LLC
Address: PO BOX 72345 ALBANY GA 31708
Daytime Phone #: 343-2440 Email: _____
Address or location of the property: US 32 W

In order that the general health, safety and welfare of the citizens may be preserved, and substantial justice maintained, I (We) the undersigned request in connection with the property hereinafter described:

Present Zoning: AG Present Use of Property: _____

Proposed Zoning: R-14 Proposed Use of Property: _____

Land Lot Number _____ Land District _____ # of Acres 49±

The subject property is described as follows:

VACANT LAND

ALSO ATTACH (13 COPIES REQUIRED): Plat of property, including vicinity map
 Legal description Containing Metes and Bounds

DISCLOSURE

I (owner) have made campaign contributions having an aggregate value of \$250.00 or more, or made gifts having an aggregate value of \$250.00 or more to an official of (Lee County, City of Leesburg, City of Smithville) (circle one) within two (2) years of application.

I (owner) have NOT made campaign contributions having an aggregate value of \$250.00 or more, or made gifts having an aggregate value of \$250.00 or more to an official of (Lee County, City of Leesburg, City of Smithville) (circle one) within two (2) years of application.

I hereby certify that I am the owner and/or legal agent of the owner, in fee simple of the above-described property.

WITNESS _____

OWNER: BRITTANY LAND CO LLC
BY: HOOD MEMBER MANAGE

DATE: 6-9-2023

DATE: 6-9-2023

Application Fee: 1500⁰⁰ Date Paid: 6-9-2023 received by: _____

In my absence, I authorize the person named below to act as the applicant in the pursuit of action for the application.

Applicant Name: BRITTANY LAND CO, LLC

Address: PO BOX 72345

Phone #: 343-2440 Email: _____

LEGAL DESCRIPTION

Brittany Land Company, LLC

Property To Be Rezoned From Ag to R-1

All that certain tract or parcel of land lying and being in a portion of Land Lot 71 of the 2nd Land District in Lee County, Georgia and being more particularly described as follows:

Commence at a point which is the northwest corner of Lot 106 of Brittany Plantation, Section X as recorded in Plat Cabinet E, Slide E115-B in the Office of the Clerk of Superior Court of Lee county, Georgia, and run S36deg57'29"E for a distance of 22.01 feet to a point; thence run S60deg01'30"E for a distance of 88.77 feet to a point, said point being the Point of Beginning; from this Point of Beginning run N00deg00'00"E for a distance of 13.16' to a point; thence run N90deg00'00"E for a distance of 470.20 feet to a point; thence run S65deg05'31"E for a distance of 856.04 feet to a point; thence run S26deg34'05"W for a distance of 235.21 feet to a point; thence run S19deg16'02"E for a distance of 1969.23 feet to a point; thence run S00deg11'18"W for a distance of 330.79 feet to a point; thence run around a curve to the right which has an arc of 98.06 feet and a radius of 200 feet, the chord being S14deg14'05"W for a distance of 97.08 feet to a point; thence run S28deg16'46"W for a distance of 1171.58 feet to a point which is on the north Right of Way of Georgia Highway 32; thence run along the north Right of Way of Georgia Highway 32 N61deg43'14"W for a distance of 40.00 feet to a point; thence run N28deg16'0046"E for a distance of 1171.58 feet to a point; thence run around a curve to the left which has an arc of 78.45 feet and a radius of 160 feet, the chord being N14deg14'05"E for a distance of 77.67 feet to a point; thence run N00deg11'18"E for a distance of 330.79 feet to a point; thence run N89deg48'42"W for a distance of 1143.17 feet to a point; thence run S06deg54'54"W for a distance of 155.96 feet to a point; thence run S02deg45'10"W for a distance of 287.53 feet to a point; thence run S10deg48'36"E for a distance of 168.61 feet to a point; thence run S21deg18'10"E for a distance of 494.08 feet to a point; thence run S16deg59'22"E for a distance of 87.51 feet to a point; thence run S01deg43'27"E for a distance of 95.79 feet to a point which is on the north Right of Way of Georgia Highway 32, thence run along the north Right of Way of Georgia Highway 32 N61deg43'09"W for a distance of 57.74 feet to a point; thence run N01deg43'27"W for a distance of 60.22 feet to a point; thence run N16deg59'22"W for a distance of 78.93 feet to a point; thence run N21deg18'10"W for a distance of 496.79 feet to a point; thence run N10deg48'36"W for a distance of 179.15 feet to a point; thence run N02deg45'10"E for a distance of 295.29 feet to a point; thence run N06deg54'54"E for a distance of 225.65 feet to a point; thence run N01deg24'20"E for a distance of 243.90 feet to a point; thence run N06deg35'18"E for a distance of 138.80 feet to a point; thence run N13deg17'36"E for a distance of 358.18 feet to a point; thence run N21deg10'35"E for a distance of 187.65 feet to a point; thence run N16deg54'58"E for a distance of 216.91 feet to a point; thence run N02deg08'17"E for a distance of 186.70 feet to a point; thence run S87deg14'18"W for a distance of 35.98 feet to a point; thence run N29deg49'27"W for a distance of 124.74 feet to a point; thence run N37deg07'12"W for a distance of 102.44 feet to a point; thence run N36deg14'57"W for a distance of 115.86 feet to a point; thence run N41deg36'34"W for a distance of 70.29 feet to a point; thence run N64deg08'31"W for a distance of 43.10 feet to a point;

thence run S69deg17'03"W for a distance of 102.88 feet to a point; thence run S56deg05'58"W for a distance of 98.03 feet to a point; thence run N22deg38'01"W for a distance of 242.63 feet to a point; thence run N08deg37'14"W for a distance of 204.71 feet to a point which is on the south Right of Way of Plantation Drive; thence run along the south Right of Way of Plantation Drive around a curve to the right which has an arc of 20.14' and a radius of 300.00 feet, the chord being N66deg49'09"E for a distance of 20.14 feet to a point which is on the endline of Right of Way of Plantation Drive; thence run along the endline of Right of Way of Plantation Drive N21deg15'25"W for a distance of 80.00 feet to a point; thence run N00deg14'16"W for a distance of 134.48 feet to a point; thence run N23deg35'21"W for a distance of 49.92 feet to a point; thence run N60deg01'30"E for a distance of 179.65 feet to a point which is the Point of Beginning.

Said Tract contains 49.297 acres.



LEE COUNTY
Planning Department
Lee County, Georgia
Staff Report

Variance Application Review – Oakland Plantation Partners LLC

Application Name: Variance Application

Date: 7/6/2023

Applicant Name: Lanier Engineering, Inc.

Property Owner: Oakland Plantation Partners LLC

Location: Land Lots 219, 220, 229, and 230 in the 2nd Land District – within the Oakland Parkway Commercial Subdivision (Parcel ID# 017D004)

Parcel Size: 39.316 acres

Requested Action: Variance to allow modified setbacks for multiple lots as follows: 18 feet front setbacks, 10 feet rear setbacks, 18 feet side street setbacks, and 5 feet side setbacks for each lot in the development.

Existing Zoning: R-2

Adjacent Zoning

North: R-1 and R-2

South: R-2, C-1 and C-2

East: R-1, R-2 and AG

West: R-2 and C-2

Application Summary & Staff Recommendation

The applicant is submitting a variance application associated with a project to develop an estimated total of 76 residential lots (inclusive of phases 1 and 2). The proposed 76 lots on the 39+ acre property equates to approximately 2 units per gross area of land. The proposed amount of greenspace to be provided is approximately double the requirement of 25%. Proposed lot sizes range from 0.172 acre to 0.293 acre with the typical lot being 0.200 acres in size (1/5 of an acre). The proposed development requires public water and sewer infrastructure; at present, public sewer capacity availability has not been confirmed. The applicant is requesting modifications to the standard R-2 setbacks for each lot. The R-2 standard front yard setback for single-family and duplex lots in R-2 is 35 feet and the requested modified front yard setback is 18 feet, a reduction of 17 feet (48.5% reduction). The R-2 standard for side and rear setbacks is 10 feet and the requested modified side setback is 5 feet, a reduction of 5 feet (50% reduction). The proposed 18 feet side street setbacks impacts the second street side of corner lots, for which the standard 35 feet front setback would typically apply. **This application meets the minimum requirements for variance approval per Sec. 38-42, 38-43, and 70-90.**

Variance Review Summary

The proposed modified setbacks for residential development lots in this R-2 district are apparently for the purpose of allowing an alternative approach to the design and construction of homes on each lot

relative to the standard setback requirements. There is adequate property size to allow the development to include 76 lots with standard setbacks, though the amount and quality of dedicated greenspace would likely be reduced. The site plan associated with the application makes clear the intent to reserve greenspace both in locations where there are environmental impediments (ephemeral pond with stormwater management function and wetlands) in the northern edge of the property, and also located where resulting greenspace will be usable as a recreational and gathering space in the center of the property. It is also noted that the nearby development zoned R-2 and named the Villas at Oakland Plantation is being constructed with similar lot sizes and modified setbacks.

Staff notes that this case has conditions that are peculiar to the subject property and proposed variances that are similar to properties in the nearby subdivision, and that if granted, the proposed variances from standard R-2 setbacks are not expected to cause substantial detriments to the public interest or impair the purpose or intent of the code of ordinances per Sec. 70-90.

1. Per Sec. 38-43: Each application for a variance or an appeal shall be filed, in writing, with the manager of development services; and the application shall contain at least the following information:
 - Identification of property concerned by street address or legal description;
 - A statement identifying the legal interest of the applicant;
 - A statement identifying the specific provision of this chapter having the variance or appeal being sought;
 - A statement identifying the special conditions and circumstances that should qualify for a variance or appeal; and
 - A statement identifying any special conditions, methods, design procedures, and/or construction procedures being submitted as the proposed alternative to this chapter.

-All of the required variance requirements have been met per Sec. 38-42, 38-43 and 70-90.



LEE COUNTY
CITY OF LEESBURG
CITY OF SMITHVILLE

VARIANCE APPLICATION

OWNER: OAKLAND PLANTATION PARTNERS, LLC
ADDRESS: 3199 PALMYRA ROAD, ALBANY, GA 31707
DAYTIME PHONE #: 883-5100 EMAIL: BCARR@SAFEAIRE.COM
ADDRESS OR LOCATION OF PROPERTY: OAKLAND PARKWAY

In order that the general health, safety and welfare of the citizens may be preserved, and substantial justice maintained, I (We) the undersigned request in connection with the property hereinafter described:

Present Zoning R-2 Present Use of Property: VACANT

219.220.229.230 Land Lot Number 2ND Land District 39.316 # of Acres

Reasons for requesting variance:
REQUEST VARIANCE TO THE LEE COUNTY ORDINANCE TO ALLOW 18'
FRONT, 10' REAR, 18' SIDE STREET, 5' SIDE SET BACKS FOR EACH
OF THE LOTS IN THE DEVELOPMENT.

ALSO ATTACH: (1 copy of each) Plat of property, including vicinity map
 Legal description Containing Metes and Bounds

I hereby certify that I am the owner and/or legal agent of the owner, in fee simple of the above-described property.

WITNESS Buch Allback

OWNER [Signature]

DATE: 6/6/23

DATE: 6-6-2023

Application Fee: 150.00 Date Paid: 6/7/2023 Received by: _____

In my absence, I authorize the person named below to act as the applicant in the pursuit of action for the application.

Applicant Name: LANIER ENGINEERING, INC.

Address: 1504 W THIRD AVENUE, ALBANY, GA 31707

Phone #: 229-438-0522 Email: TLANIER@LANIER-ENGINEERING.COM

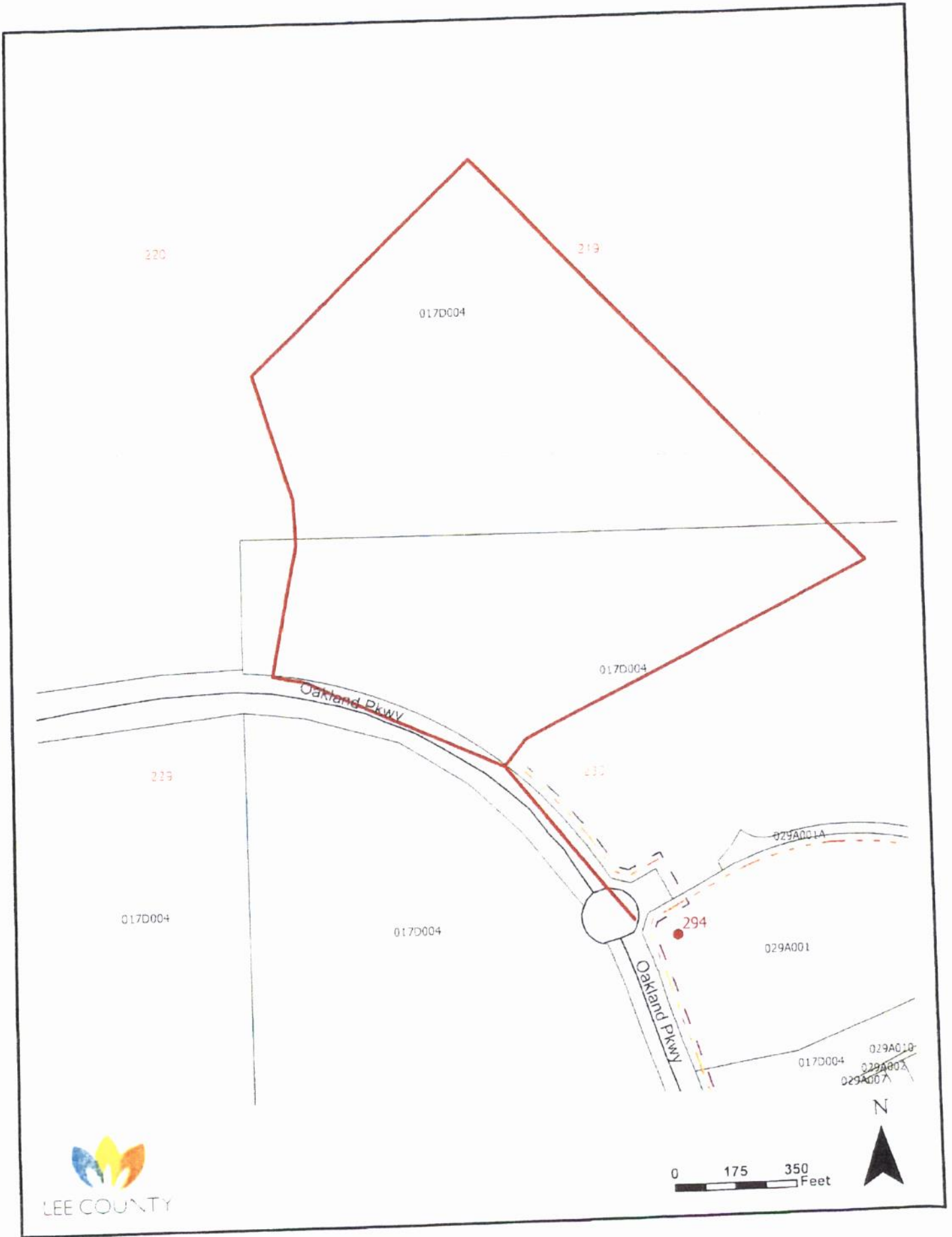
Legal Description
Whisperwood (A Private Community)
General Development

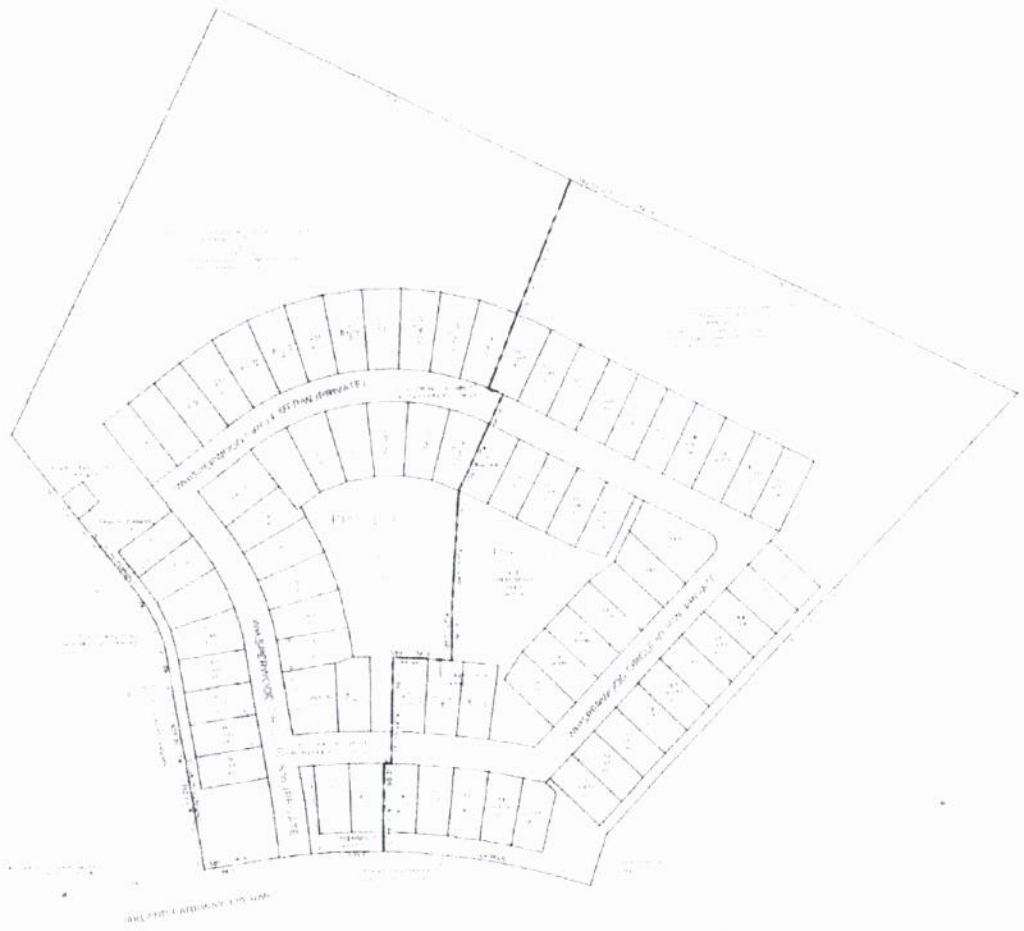
All that tract or parcel of land lying and being in Land Lots 219, 220, 229, 230, Second Land District, Lee County, Georgia and being more particularly described as follows:

Commence at the western most corner of Lot 16A Oakland Parkway Commercial Subdivision as recorded in Plat Cabinet F, Page 374 and follow a curve on the north right-of-way (120' R/W) for Oakland Parkway to the left which has a radius of 1300.66 feet and an arc of 575.93 feet, the chord being N 58 degrees 20 minutes 35 seconds W for a distance of 571.24 feet to a point which is the Point of Beginning.

From the Point of Beginning continue along said right-of-way along the curve which has a radius of 1300.66 feet and an arc of 628.93 feet, with the chord being N 84 degrees 52 minutes 52 seconds W for a distance of 622.82 feet; thence go S 81 degrees 15 minutes 58 seconds W for a distance of 94.50 feet; thence go N 08 degrees 39 minutes 37 seconds W for a distance of 392.04 feet; thence go around a curve to the left which has a radius of 270.00 feet and an arc of 131.92 feet, the chord being N 22 degrees 39 minutes 28 seconds W for a distance of 130.62 feet; thence go N 36 degrees 39 minutes 19 seconds W for a distance of 375.25 feet; thence go N 27 degrees 05 minutes 38 seconds E for a distance of 877.30 feet; thence go S 62 degrees 54 minutes 22 seconds E for a distance of 1634.14 feet; thence go S 44 degrees 20 minutes 32 seconds W for a distance of 1108.60 feet; thence go S 18 degrees 58 minutes 45 seconds W for a distance of 99.70 feet to a point on the north right-of-way (120' R/W) of Oakland Parkway which is the Point of Beginning.

Said tract contains 39.316 acres.





GENERAL DEVELOPMENT PLAN
 WHISPERWOOD (A PRIVATE COMMUNITY)
 LANTIER ENGINEERING, INC.

STATE OF GEORGIA

COUNTY OF LEE

AN ORDINANCE TO AMEND CHAPTER 70 OF THE CODE OF ORDINANCES OF LEE COUNTY (THE LEE COUNTY ZONING CODE) SO AS TO AMEND DEFINITIONS; AMEND GENERAL CONDITIONS RELATING TO ZONING APPLICATIONS; AMEND REQUIREMENTS FOR PUBLIC HEARINGS AND NOTICES FOR ZONING APPLICATIONS FOR THE PLANNING COMMISSION AND THE BOARD OF COMMISSIONERS; TO PROVIDE FOR ADVERTISEMENTS OF PUBLIC HEARINGS; TO PROVIDE FOR THE CONTENT OF SUCH PUBLIC NOTICES; TO PROVIDE FOR APPEALS OF ZONING DECISIONS; TO PROVIDE FOR APPEALS OF DECISIONS OF THE BOARD OF COMMISSIONERS GRANTING OR DENYING STAND-ALONE APPLICATIONS FOR VARIANCES AND APPLICATIONS FOR CONDITIONAL USE PERMITS; TO PROVIDE FOR OTHER MATTERS RELATING TO SUCH APPEALS; TO PROVIDE FOR THE APPLICABILITY OF THE COUNTY ZONING CODE; TO PROVIDE FOR RESOLUTION OF CONFLICTS BETWEEN THE COUNTY ZONING CODE AND THE STATE ZONING PROCEDURES ACT; TO PROVIDE FOR REPEAL OF CONFLICTING ORDINANCES, TO PROVIDE FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES

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 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) 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, 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.

Variiances: 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. .

(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.

(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, 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 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, a 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.

(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: _____

STATE OF GEORGIA

COUNTY OF LEE

AN ORDINANCE TO AMEND SECTION 70-6 OF THE CODE OF ORDINANCES OF LEE COUNTY RELATING TO DEFINITIONS UNDER THE LEE COUNTY ZONING CODE SO AS TO REVISE THE DEFINITION OF "HOME OCCUPATION RESIDENTIAL"; TO PROVIDE FOR HOME OCCUPATIONS TO BE CONSIDERED AS INCLUDING ARTICLES PRODUCED OR SERVICES OFFERED WHICH ARE SOLD OR OFFERED FOR SALE AT OR FROM THE HOME OCCUPATION PREMISES; TO DELETE THE LIMITATION ON PERSONS WHO MAY BE EMPLOYED BY HOME OCCUPATIONS AT THE LOCATION OF THE HOME OCCUPATION; TO PROVIDE FOR THE PARKING OF MOTOR VEHICLES OF CUSTOMERS AT THE LOCATION OF THE HOME OCCUPATION DURING THE TIME THAT THE HOME OCCUPATION IS CONDUCTING BUSINESS; TO PROVIDE FOR REPEAL OF CONFLICTING ORDINANCES; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES

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

(5) 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.

(6) 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.

(7) 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.

(8) 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: _____

STATE OF GEORGIA

COUNTY OF LEE

AN ORDINANCE TO AMEND CHAPTER 70, ARTICLE III, SECTION 70-94 OF THE CODE OF ORDINANCES OF LEE COUNTY RELATING TO GREENSPACE, SO AS TO ESTABLISH THE PROCESS TO DETERMINE UNBUILDABLE LAND AND UNDEVELOPABLE LAND; TO PROVIDE THE APPLICABLE PROCESS TO DETERMINE THE AMOUNT OF BUILDABLE LAND FOR PURPOSES OF DETERMINING THE TOTAL AMOUNT OF ACREAGE TO BE SET ASIDE AS GREENSPACE; TO PROVIDE THE PERCENTAGE OF THE REMAINING DEVELOPABLE LAND TO BE SERVED AS GREENSPACE WHERE THE SUBDIVISION IS TO HAVE COUNTY-PROVIDED WATER AND SEWER SYSTEMS, WHERE THE SUBDIVISION IS TO HAVE WELLS AND SEPTIC TANKS, AND WHERE THE SUBDIVISION IS TO HAVE COUNTY-PROVIDED WATER AND SEPTIC TANKS; TO PROVIDE FOR AN EFFECTIVE DATE; TO PROVIDE FOR REPEAL OF CONFLICTING ORDINANCES; AND FOR OTHER PURPOSES

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%) 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 greenspace 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).

(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: _____

INTERGOVERNMENTAL AGREEMENT

THE INTERGOVERNMENTAL AGREEMENT is made this ____ day of _____,
2023 between the Secretary of State of the State of Georgia and the
_____ (hereinafter "County").

WHEREAS O.C.G.A § 21-2-300 requires that the equipment used for casting and counting votes in county, state, and federal elections be the same in each county in the state of Georgia and shall be provided to each county by the state, as determined by the Secretary of State.

WHEREAS the Secretary of State is providing each county with new Uninterrupted Power Supply units (hereafter UPS units) for use with the statewide voting system;

WHEREAS the Secretary of State wishes to store UPS units awaiting deployment and replaced UPS units awaiting recycling in various counties around the state during the statewide deployment;

NOW THEREFORE, in consideration of the mutual promises contained herein, the Secretary of State and the County agree that the Secretary of State shall be authorized to store UPS units at the County elections office or other designated county facility free of cost and pursuant to the terms and conditions below;

1. Scope of Agreement.

Pursuant to O.C.G.A. § 21-2-300 the Secretary of State is storing the UPS units to be used by the counties for the statewide voting system.

2. Storage of the Voting System Components.

2.1 The County agrees to store and secure the UPS units in their facility in the same manner as required by State Election Board rule 183-1-12.01 and the rules and regulations promulgated thereto, and to follow instructions provided by the Secretary of State for the security, storage and use of voting system components. The County agrees to indemnify the Secretary of State for any loss or destruction of the UPS units caused by the County's failure to follow these procedures or any other negligent or willful acts; provided, however, that the county shall not bear any risk of loss for any damage or destruction of equipment stored in their facility that is caused by a natural disaster or act of God or negligence by employees of the Secretary of State.

2.2 The Secretary of State shall be responsible for the transportation and placement of the UPS units at a location mutually agreed upon by the county and the Secretary of State.

3. Access to UPS units.

- 3.1 The Secretary of State shall have full access to the designated space where the UPS units are stored, and its personnel shall have the full and unrestricted access to the designated space containing the UPS units upon reasonable notice given to the county for the purpose of storing, inspecting, or removing said units.
- 3.2 The county shall limit access to the UPS units to personnel authorized only by the Secretary of State's office. In the event the county must allow access to the facility where the UPS units are stored to an outside party it will first get permission from the Secretary of State's office before doing so.

4. Responsibility for Care and Maintenance.

- 4.1 The County shall be responsible for the proper care and secure storage of the UPS units stored pursuant to this Agreement and all the terms contained therein. The Secretary of State and the County shall each be independently responsible for carrying out its official responsibilities at its own sole cost, risk, expense, and responsibility with respect to activities under or related to this Agreement.

5. Miscellaneous.

- 5.1 The County will comply with all laws, rules, and policies applicable to its activities under this Agreement.

6. Entire Agreement.

- 6.1 This Agreement contains the entire agreement between the parties regarding its subject matter and supersedes all other prior and contemporaneous agreements and understandings between the parties. This Agreement may not be amended or modified except in writing by mutual agreement of the parties.

In witness whereof, the parties have caused their hand and seal as follows, or have otherwise indicated their acceptance of this Agreement, as provided above:

OFFICE OF THE SECRETARY OF STATE

Name: _____
 Title: _____

Name: _____
 Title: _____



MEMORANDUM

LEE COUNTY BOARD OF COMMISSIONERS

TO: Honorable Board of County Commissioners
SUBJECT: County Updates

Agricultural/ Recreation 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 began 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: ¼ 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
 - Define the location of the road
 - Grade and place compacted crushed stone GAB/recycled asphalt on 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
 - **First Meeting:** June 14, 2021
 - **Second Meeting:** November 15, 2021
 - **Third Meeting:** January 11, 2022
 - Staff is working with a local engineering firm to develop a plan

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 – Hwy 82
- Artesian City Federal Credit Union
- DeSoto Silicon Ranch Phase II & III
- Ledo Self Storage 2
- Woodgrain Millwork expansion - Hwy 82
- Seven Brew - Hwy 82
- Whistle Wash - Hwy 82
- Mavis Tire – Hwy 19
- Three (3) Proposed Package Stores –Hwy 19 & Hwy 82
- Boaters World – Ridezilla – Hwy 19
- Eliano’s Coffee – Hwy 19
- Drake Properties – Downtown Leesburg restaurant
- Southern Hills Orchards – New York road Ag Office space
- Forrester Crossing Phase 1- New Office Building
- Forrester Crossing Commercial Subdivision Phase 2 – Hwy 19
- New Jerusalem Grove Baptist Church – Smithville
- New Little Caesar’s location – US 82
- El-Maya Restaurant renovation and expansion – US 19
- Tidal Wave – Ledo Road
- Georgia Electric Associates New Office – Veterinary Way
- Giovingo Properties Sanitary sewer expansion – US 82
- Flint Ventures Commercial Subdivision – US 19

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
 - Also mapping greenspace, stormwater holding ponds, Haz Mit lots, etc.
- Goal: To have an internet map in ArcGIS Online where utility workers can view utility maps on a tablet in the field.

LMIG Funds

- **FY2024**
 - Letter received from GDOT July 5, 2023
 - Funds Received from GDOT: \$690,908.06
 - Total, with 30% match from Lee County: **\$898,180.48**
 - Application due February 1, 2024
- **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.
- July 2023: Closed out project with GDOT

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 Period: October 1, 2019 - September 30, 2025
- Ballot amount: \$20,825,603.00
 - Current collection: \$17,325,016 as of May 2023 (83%)
 - Avg. monthly collection: \$393,750.37
 - Projected to collect ballot amount by February 2024

SPLOST VIII

- Possible Ballot Year: November 2024
- LC Departments have submitted their request for SPLOST projects to be included on the next ballot
- Staff will bring the BOC a proposal to consider at the August 8, 2023 meeting

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 Period: April 1, 2019 - March 31, 2024
- Ballot amount: \$16, 995,017.00
 - Current Collection: \$14, 806,719.95 as of May 2023 (87%)
 - Avg. monthly collection: \$300,000.00
 - Projected to collect ballot amount by February 2024

TSPLOST II

- Joint meeting held Tuesday, June 21, 2022 at 5:00pm
- Voters approved continuation of TSPLOST II in November 2022
- Collection Period: 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
- Working with GDOT and DARTS on intersection improvements at Ledo Road/Westover Road & Capstone intersection.

RFPs and RFQs

Open

Elections and Registration Office Renovation

- Approved by BOC at April 11, 2023 meeting
- Pre-Bid Meeting: July 6, 2023
- Bid Opening: July 20, 2023
 - No bids received
- Bid to be republished
- Bid Opening: TBA
- Results projected to be brought to the Board on September 12, 2023

Recently Awarded

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

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

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



MEMORANDUM LEE COUNTY BOARD OF COMMISSIONERS

TO: Honorable Board of County Commissioners
SUBJECT: Road Projects
MEETING DATE: Tuesday, July 25, 2023

MOTION/RECOMMENDATION

Discussion of the LMIG 2024 application and potential road projects.

BACKGROUND

This month, the Georgia Department of Transportation will begin accepting applications for the FY 2024 LMIG Program. The county's formula amount for 2024 is \$690,908.06, plus our 30% local match of \$207,272.42 comes to a total of \$898,180.48 to put towards various road projects. This is an increase of \$82,528.29 from FY2023. **All electronic LMIG applications must be received no later than February 1, 2024.**

The estimated cost to resurface a road is \$230,000.00 per mile and the estimated cost to pave a road is \$1.25 million per mile.

There is currently approximately **\$3,525,633.20** available in TSPLOST funds and also approximately **\$2,423,171.00** available in SPLOST VII funds.

ATTACHMENTS

List of Potential Projects
List of Completed Projects

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 | 1.57 | 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 | 65/85 | S.R. 195 | Pryor Road | 3.84 | 20 | 1 | Level and Resurface | \$ | 862,499.04 | 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 | 65 | 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 | 0.78 | 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 | \$ | 1,230,861.27 | Some Cracking and Settling of Road Makes Ride Rough |
| Fussell Road | 76 | U.S. 82 | Palmyra Road | 2.22 | 20 | 3 | Level and Resurface | \$ | 510,976.18 | 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 | \$ | ????? | 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 | --- | Leeburg |
| Century Road | --- | Should do Pinewood First |
| Mayhew Road | --- | |
| Smithville Road | --- | Link to Good |
| Chokee Road | --- | |
| Pinewood 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
- # Mayhew Road
- # Oakland Road
- # Fussell Road
- # Oakland Parkway
- # Ledo Road

| Completed Roads as of May 2023 - TSPLOST | | | | | | | | | | | | | | |
|--|-------------------------|---|----------------|-------------------|--|-------------------------|---------------|--|--------------|------------|-----------------------------|------------------------|----------------|--|
| Street Name | Length | Width | # of driveways | Phone taken | Notes | Resurfacing Information | District | Status | Pre-Bid Date | Bid Date | Awarded to | Total Cost | Funding Source | |
| New York Road Phase 1 | 4.8 miles | | | Yes | New York Road, with widening 1.5 feet new paving and 0.5 feet for repair of existing edge on each side from Gray Mesa Road to Phoenix Road (approximately 4.8 miles) | | 1- Roland | Callout to fix a patch and strip with RPM road sign 2021 | 9/15/2020 | 10/6/2020 | Oxford Construction Company | \$884,500.00 | LMIS & TSPLOST | |
| New York Road | approximately 4.8 miles | | | Yes | New York Road (2014233), with widening 1.5 feet new paving and 0.5 feet for repair of existing edge on each side from Laramie Road to Gray Mesa Road (approximately 4.8 miles) | | 1- Roland | Completed January 2020 | 10/1/2019 | 10/23/2019 | Oxford Construction Company | \$818,430.00 | LMIS & TSPLOST | |
| Gravel Street | 0.33 miles | 30 ft. | 0 | | Resurfaced | | 1- Roland | Completed July 2022 | 8/24/2022 | 4/7/2022 | Oxford Construction Company | \$40,074.46 | LMIS | |
| Old Martin Road | 1.0484 miles | 20 ft. | 7 | | Resurfaced | | 1- Roland | Completed July 2022 | 8/24/2022 | 4/7/2022 | Oxford Construction Company | \$202,154.46 | LMIS | |
| Fox Power Road | 2.43 miles | | | | Resurfaced | | 1- Roland | Completed July 2022 | 8/24/2022 | 4/7/2021 | Oxford Construction Company | \$50,152.46 | LMIS | |
| Lumpkin Road W | 1.85 miles | | | | Resurfaced | | 1- Roland | Completed May 2021 | 11/26/2020 | 12/23/2020 | Reeves Construction Company | | LMIS | |
| TOTAL | | | | | | | | | | | | \$2,382,098.98 | | |
| Joe Truitt Road | 2037 miles | | | Yes - photos only | Repair/resurface/raise | | 2- Singletary | Completed January 2020 | 10/15/2018 | 10/28/2018 | JM Regal Construction | \$191,280.00 | TSPLOST | |
| Sandy Beach Road | 4905 miles | 20 ft. | 23 | Yes | Resurfacing/retrofit ditches | | 2- Singletary | Completed February 2020 | 10/15/2018 | 10/22/2018 | Reeves Construction Company | \$42,150.00 | TSPLOST | |
| Udlen Road - from State Route 22 W to State Route 1 (Bypass) | 1.407 miles | 22 ft. | 0 | Yes | Resurfaced | | 2- Singletary | Completed February 2020 | N/A | N/A | S&S Construction & Remov | \$23,134.85 | TSPLOST | |
| Udlen Drive's Lane | 1.76 miles | 27ft. | 8 | Yes | Resurfacing/retrofit ditches | | 2- Singletary | Completed 2020 | N/A | N/A | Jane Grace Construction | \$81,847.00 | TSPLOST | |
| Ampton Road | 5.3 miles | | | Yes | Resurfaced | | 2- Singletary | Completed April 2021 | 1/7/2021 | 1/21/2021 | Oxford Construction Company | \$792,400.00 | TSPLOST | |
| Richardson Road | 2.3 miles | | | Yes | Resurfaced | | 2- Singletary | Completed April 2021 | 1/7/2021 | 1/21/2021 | Oxford Construction Company | \$704,984.50 | TSPLOST | |
| Enclosed Road | 1.87 miles | | | Yes | Resurfaced | | 2- Singletary | Completed November 2011 | 9/13/2011 | 4/18/2011 | Oxford Construction Company | \$349,800.00 | TSPLOST | |
| Enclosed Road | | | | Yes | Curbs | | 2- Singletary | Completed October 2011 | 9/13/2011 | 9/13/2011 | Jane Grace Construction | \$68,444.00 | TSPLOST | |
| Centers Road East | 1.00 miles | 20 ft. | 33 | | Resurfaced | | 2- Singletary | Completed July 2021 | 12/4/2021 | 4/7/2021 | Oxford Construction Company | \$69,146.46 | LMIS | |
| Centers Road West | 1.080 miles | 20 ft. | 39 | | Resurfaced | | 2- Singletary | Completed July 2021 | 12/4/2021 | 4/7/2021 | Oxford Construction Company | \$78,251.46 | LMIS | |
| Quail Street | 0.4 miles | | | | Resurfaced | | 2- Singletary | Completed May 2021 | 11/29/2021 | 12/13/2021 | Reeves Construction Company | | LMIS | |
| Northwood Drive | 0.24 miles | | | | Resurfaced | | 2- Singletary | Completed May 2021 | 11/29/2021 | 12/13/2021 | Reeves Construction Company | | LMIS | |
| Wardley Street | 0.88 miles | | | | Resurfaced | | 2- Singletary | Completed May 2021 | 11/29/2021 | 12/13/2021 | Reeves Construction Company | | LMIS | |
| Concord Street | 0.44 miles | | | | Resurfaced | | 2- Singletary | Completed May 2021 | 11/29/2021 | 12/13/2021 | Reeves Construction Company | | LMIS | |
| Belmont Drive | 0.53 miles | | | | Resurfaced | | 2- Singletary | Completed May 2021 | 11/29/2021 | 12/13/2021 | Reeves Construction Company | | LMIS | |
| Eden Drive | 0.21 miles | | | | Resurfaced | | 2- Singletary | Completed May 2021 | 11/29/2021 | 12/13/2021 | Reeves Construction Company | | LMIS | |
| Westwood Drive | 0.53 miles | | | | Resurfaced | | 2- Singletary | Completed May 2021 | 11/29/2021 | 12/13/2021 | Reeves Construction Company | | LMIS | |
| Winters Lakes Drive | 0.18 miles | | | | Resurfaced | | 2- Singletary | Completed May 2021 | 11/29/2021 | 12/13/2021 | Reeves Construction Company | | LMIS | |
| TOTAL | | | | | | | | | | | | \$1,406,918.17 | | |
| Carriage Subdivision: Carriage Drive, Alachua Lane, Tulecia Lane, 10201st Road, Quercus Lane, Cuernita Drive, Calico Court and Apache Drive | 1.87 miles | | | | Resurfaced with over 2.0 inches of topping with 4.5mm aggregate | | 2- Matthe | Completed September 2020 | 1/11/2020 | 3/25/2020 | Oxford Construction Company | \$282,201.00 | TSPLOST | |
| Deputy Lane (to DeWitts Lane to W. Perry/Biggs Lane) | 4313 miles | 22 ft. | | Yes | Resurfaced | | 2- Matthe | Completed January 2020 | 10/1/2019 | 10/28/2019 | Reeves Construction Company | \$289,110.00 | LMIS & TSPLOST | |
| W. Jacksonville St. (existing) Lane to West Oaks Court | 7280 miles | 27 ft. | | Yes | Resurfaced | | 2- Matthe | Completed January 2020 | 10/1/2019 | 10/28/2019 | Reeves Construction Company | \$289,110.00 | LMIS & TSPLOST | |
| Palmyra Subdivision: Arroyo Drive, Avenida Lane, Chula Lane, Aspen Drive | 1 mile | | | Yes | Resurfaced | | 2- Matthe | Completed April 2021 | 1/7/2021 | 1/21/2021 | Reeves Construction Company | \$44,507.00 | TSPLOST | |
| Palmyra Subdivision Lane | 1.08 miles | 22 ft. | 24 | | Resurfaced | | 2- Matthe | Completed July 2021 | 12/4/2021 | 4/7/2021 | Oxford Construction Company | \$131,139.46 | LMIS | |
| Stacy Lane | 0.8713 miles | 24 ft. | 17 | | Resurfaced | | 2- Matthe | Completed July 2021 | 12/4/2021 | 4/7/2021 | Oxford Construction Company | \$120,208.46 | LMIS | |
| Fantastico Drive | 0.33 miles | 27 ft. | | | Resurfaced | | 2- Matthe | Completed May 2021 | 11/29/2021 | 12/13/2021 | Reeves Construction Company | | LMIS | |
| Landfills Court | 0.12 miles | 27 ft. | | | Resurfaced | | 2- Matthe | Completed May 2021 | 11/29/2021 | 12/13/2021 | Reeves Construction Company | | LMIS | |
| Landfills Drive | 0.15 miles | 27 ft. | | | Resurfaced | | 2- Matthe | Completed May 2021 | 11/29/2021 | 12/13/2021 | Reeves Construction Company | | LMIS | |
| Starling Drive | 0.18 miles | 27 ft. | | | Resurfaced | | 2- Matthe | Completed May 2021 | 11/29/2021 | 12/13/2021 | Reeves Construction Company | | LMIS | |
| Parter Court | 0.11 miles | 27 ft. | | | Resurfaced | | 2- Matthe | Completed May 2021 | 11/29/2021 | 12/13/2021 | Reeves Construction Company | | LMIS | |
| Winters Lane Drive | 0.86 miles | 27 ft. | | | Resurfaced | | 2- Matthe | Completed May 2021 | 11/29/2021 | 12/13/2021 | Reeves Construction Company | | LMIS | |
| East Oaks Court | 0.12 miles | 27 ft. | | | Resurfaced | | 2- Matthe | Completed May 2021 | 11/29/2021 | 12/13/2021 | Reeves Construction Company | | LMIS | |
| Palmyra Subdivision Court | 0.09 miles | 27 ft. | | | Resurfaced | | 2- Matthe | Completed May 2021 | 11/29/2021 | 12/13/2021 | Reeves Construction Company | | LMIS | |
| TOTAL | | | | | | | | | | | | \$1,448,270.82 | | |
| Taylor Street | 1.941 miles | 24 ft. | 13 | Yes | Recessed ditches ditches and Trench in | | 4- Quarterm | Completed September 2019 | 7/16/2019 | 9/22/2019 | Oxford Construction Company | \$108,000.00 | TSPLOST | |
| Boyer Street | 3.2984 miles | 18 ft. | 13 | Yes | Recessed ditches ditches | | 4- Quarterm | Completed September 2019 | 7/16/2019 | 9/22/2019 | Oxford Construction Company | \$108,000.00 | TSPLOST | |
| 14th St. Road | 2.143 miles | 15 ft. | 4 | Yes | Recessed ditches ditches | | 4- Quarterm | Completed September 2019 | 7/16/2019 | 9/22/2019 | Oxford Construction Company | \$108,000.00 | TSPLOST | |
| Shelton Subdivision: Sheldale Road, Olive Drive, Crest Drive, Cheyenne Street, Cherokee Avenue, Apache Street, Tambora Avenue and Shawnee Street | 2.7 miles | | | Yes | Resurfaced | | 4- Quarterm | Completed July 2021 | 1/7/2021 | 3/1/2021 | Oxford Construction Company | \$478,421.00 | TSPLOST | |
| Phasant Drive Extension | 0.26 miles | 24 ft. | 0 | | Ariseway to connect Hunter's Ridge North Subdivision to Oaks Drive | | 4- Quarterm | Completed | 2/10/2021 | 3/6/2021 | Jane Grace Construction | \$74,000.00 | TSPLOST | |
| Hayley Drive | 1.40 miles | 24 ft. | 33 | | Resurfaced | | 4- Quarterm | Completed September 2020 | 7/16/2019 | 9/22/2019 | Oxford Construction Company | \$288,881.15 | TSPLOST | |
| Pine Ridge Drive | 0.1208 miles | 24 ft. | 27 | | Resurfaced | | 4- Quarterm | Completed July 2021 | 12/4/2021 | 4/7/2021 | Oxford Construction Company | \$27,834.46 | LMIS | |
| Scouted Lane | 0.1701 miles | 24 ft. | 2 | | Resurfaced | | 4- Quarterm | Completed July 2021 | 12/4/2021 | 4/7/2021 | Oxford Construction Company | \$17,110.46 | LMIS | |
| Wilkey Street | 0.8 miles | | | | Resurfaced | | 4- Quarterm | Completed July 2022 | 3/74/2022 | 4/7/2022 | Oxford Construction Company | \$28,000.00 | LMIS | |
| Conrad Street | 0.81 miles | | | | Resurfaced | | 4- Quarterm | Completed May 2023 | 11/29/2022 | 12/13/2022 | Reeves Construction Company | | LMIS | |
| TOTAL | | | | | | | | | | | | \$1,060,690.65 | | |
| Hoover Well Road, South | 1.3 miles | | 20 | Yes | Rising W Well Road from Strick's Dairy Road to the Dougherty County line (approximately 1.3 miles) with approximately 1.5 inches of pavement, and cement, COT standard striping with R, P, M, and no in 30 driveway aprons at approximately 110ft. feet. | | 3- Walls | Completed | 11/12/2020 | 10/12/2020 | JM Regal Construction | \$288,000.00 | LMIS & TSPLOST | |
| Spring Lane | 2027 miles | 22 ft. | 14 | Yes | Drain | | 3- Walls | Completed August 2020 | 10/14/2020 | 11/7/2020 | Oxford Construction Company | \$68,151.00 | LMIS & TSPLOST | |
| Winters Lane | 1873 miles | 20 ft. | 11 | Yes | Equal, tapered ditches | | 3- Walls | Completed August 2020 | 10/14/2020 | 11/7/2020 | Oxford Construction Company | \$68,151.00 | LMIS & TSPLOST | |
| Winters Lane | 2486 miles | 14 ft. | 11 | Yes | Equal, tapered ditches | | 3- Walls | Completed 2020 | N/A | N/A | Reeves Construction Company | \$1,050.33 | TSPLOST | |
| Winters Lane | 207 miles | 17 ft. | 13 | Yes | Resurfaced | | 3- Walls | Completed 2020 | N/A | N/A | Reeves Construction Company | \$11,963.38 | LMIS & TSPLOST | |
| Wooded Lane | 153 miles | 7.5 ft. at entrance and 27 ft. across the | 13 | Yes | Resurfaced | | 3- Walls | Completed July 2022 | 8/24/2022 | 4/7/2022 | Oxford Construction Company | \$409,871.46 | LMIS | |
| Winters Dairy Road | 1.000 miles | 20 ft. | 6 | | Resurfaced | | 3- Walls | Completed July 2022 | 8/24/2022 | 4/7/2022 | Oxford Construction Company | \$11,930.46 | LMIS | |
| Winters Dairy Road | 0.8408 miles | 27 ft. | 4 | | Resurfaced | | 3- Walls | Completed July 2022 | 8/24/2022 | 4/7/2022 | Oxford Construction Company | \$21,806.46 | LMIS | |
| Winters Dairy Road | 0.1008 miles | 14 ft. | 14 | | Resurfaced | | 3- Walls | Completed July 2021 | 8/24/2021 | 4/7/2021 | Oxford Construction Company | \$11,806.46 | LMIS | |
| Winters Dairy Road | 0.0812 miles | 27 ft. | 2 | | Resurfaced | | 3- Walls | Completed July 2021 | 8/24/2021 | 4/7/2021 | Oxford Construction Company | \$11,806.46 | LMIS | |
| Winters Dairy Road | 0.48 miles | 32 ft. | 10 | | Resurfaced | | 3- Walls | Completed July 2021 | 8/24/2021 | 4/7/2021 | Oxford Construction Company | \$20,106.14 | LMIS | |
| Winters Dairy Road | 0.24 miles | 24 ft. | 8 | | Resurfaced | | 3- Walls | Completed May 2021 | 11/29/2021 | 12/13/2021 | Reeves Construction Company | | LMIS | |
| Winters Dairy Road | 0.18 miles | 27 ft. | 3 | | Resurfaced | | 3- Walls | Completed May 2021 | 11/29/2021 | 12/13/2021 | Reeves Construction Company | | LMIS | |
| Winters Dairy Road | 1.81 miles | 20 ft. | 8 | | Resurfaced | | 3- Walls | Completed May 2021 | 11/29/2021 | 12/13/2021 | Reeves Construction Company | | LMIS | |
| Winters Dairy Road | 0.41 miles | 27 ft. | 3 | | Resurfaced | | 3- Walls | Completed May 2021 | 11/29/2021 | 12/13/2021 | Reeves Construction Company | | LMIS | |
| TOTAL | | | | | | | | | | | | \$1,945,486.28 | | |
| Glenn Jordan Road | | | | | Widening, R, P, M, and Signage | | | Completed | 8/24/2021 | 8/24/2021 | Peak Pavement Marking, LLC | \$44,000.00 | TSPLOST | |
| Winters Dairy Road | | | | | Widening, R, P, M, and Signage | | | Completed | 8/24/2021 | 8/24/2021 | Peak Pavement Marking, LLC | Included in cost above | TSPLOST | |
| Winters Lane Road | | | | | Widening, R, P, M, and Signage | | | Completed | 8/24/2021 | 8/24/2021 | Peak Pavement Marking, LLC | Included in cost above | TSPLOST | |
| New York Road | | | | | Widening, R, P, M, and Signage | | | Completed | 8/24/2021 | 8/24/2021 | Peak Pavement Marking, LLC | Included in cost above | TSPLOST | |
| Palmyra Subdivision - Palmyra Subdivision Hwy 81 and Hwy 13 10 and Public Works | N/A | N/A | N/A | Yes | Recessed/Resurfaced | | N/A | Completed 2020 | 1/25/2020 | 1/21/2020 | Jane Grace Construction | \$140,187.00 | TSPLOST | |
| TOTAL | | | | | | | | | | | | \$44,000.00 | | |
| GRAND TOTAL | | | | | | | | | | | | \$8,921 | | |