



**PAULDING COUNTY BOARD OF COMMISSIONERS
BOARD MEETING MINUTES
August 24, 2021**

Watson Government Complex
Second Floor – Board of Commissioners Meeting Room

CALL TO ORDER: David L. Carmichael, Chairman

**INVOCATION
& PLEDGE:** Commissioner Kaecher, Post II

PRESENT: David L. Carmichael, Chairman; Keith Dunn, Post I; Sandy Kaecher, Post II; Chuck Hart, Post III; Brian Stover, Post IV; Jayson Phillips, County Attorney; Frank Baker, County Administrator; Rebecca Merideth, County Clerk

MINUTES:

1. Adopt the August 10, 2021 Work Session Minutes and the August 10, 2021 Board Meeting Minutes:

Chuck Hart made a motion to adopt the August 10, 2021 Work Session Minutes and the August 10, 2021 Board Meeting Minutes, seconded by Brian Stover. Voting Yea: Chairman Carmichael, Post I Keith Dunn, Post II Sandy Kaecher, Post III Chuck Hart, Post IV Brian Stover.

ANNOUNCEMENTS: None

INVITED GUESTS: None

BID AWARDS: None

REPORTS FROM COMMITTEES & DEPARTMENTS: None

PUBLIC PARTICIPATION ON AGENDA ITEMS:

Lynn Geier stated that she is very passionate about training dogs, specifically dogs that save lives. Ms. Geier stated that she is willing to abide by any stipulations that will allow her to do her job. The dogs that she trains are not vicious dogs, she trains working dogs. Ms. Geier asked for approval to be able to continue her work.

CONSENT AGENDA: Brian Stover made a motion to approve the following consent agenda items:

2. *Enter into a Development Agreement with GA PAULDING UNICO 120, LLC, in the amount of \$25,000.00 for participation in mitigation to address off-site traffic concerns. (Post 1)*
(On File in the Transportation Department)
3. *Adopt Ordinance 21-06 Adopting Amendments to the Outdoor Burning Ordinance.*
(See Attachment "A")
4. *Authorize the Chairman to execute deeds for the transfer of County property along Seven Hills Connector to the Industrial Building Authority, said property identified as Tracts I, IV & V for a total of 18.8 acres. (Post 4)* (See Attachment "B")

Seconded by Keith Dunn. Voting Yea: Chairman Carmichael, Post I Keith Dunn, Post II Sandy Kaecher, Post III Chuck Hart, Post IV Brian Stover.

OLD BUSINESS: None

NEW BUSINESS:

5. *Resolution 21-23 accepting the donation of the New Hope Memorial Flight 242 Monument:*
Chairman Carmichael made a motion to adopt Resolution 21-23 accepting the donation of the New Hope Memorial Flight 242 Monument. Seconded by Brian Stover. Voting Yea: Chairman Carmichael, Post II Sandy Kaecher, Post III Chuck Hart, Post IV Brian Stover. Abstaining Post I Keith Dunn. (See Attachment "C")

6. *Development Agreement between AMH Development, LLC and Paulding County for sharing the cost of a 12-inch water main along a portion of the right-of-way of Dallas-Acworth Highway. (Post 4):* Brian Stover made a motion to enter into a Development Agreement between AMH Development, LLC and Paulding County for sharing the cost of a 12-inch water main along a portion of the right-of-way of Dallas-Acworth Highway seconded by Sandy Kaecher. Voting Yea: Chairman Carmichael, Post I Keith Dunn, Post II Sandy Kaecher, Post III Chuck Hart, Post IV Brian Stover. (On file in the County Clerk's Office)

7. *Purchase of Kubota membranes in the amount of \$615,284.00 for the replacement of existing membranes at the County's wastewater treatment plants.* Chuck Hart made a motion to approve the purchase of Kubota membranes in the amount of \$615,284.00 for the replacement of existing membranes at the County's wastewater treatment plants seconded by Sandy Kaecher. Voting Yea: Chairman Carmichael, Post I Keith Dunn, Post II Sandy Kaecher, Post III Chuck Hart, Post IV Brian Stover.

8. *Resolution 21-24 confirming Executive Session for the purposes of Real Estate.* Keith Dunn made a motion to adopt Resolution 21-24 confirming Executive Session for the purposes of Real Estate seconded by Brian Stover. Voting Yea: Chairman Carmichael, Post I Keith Dunn, Post II Sandy Kaecher, Post III Chuck Hart, Post IV Brian Stover. (See Attachment "D")

ITEMS FROM THE 2:00 PM PLANNING AND ZONING COMMISSION:

9. **2021-12-Z:** Chuck Hart made a motion to approve with five (5) stipulations application by **TOM RHODES, PAULDING III LAND PARTNERS, LLC**, requesting to rezone one (1) acre from R-2 (Suburban Residential) to B-1 (General Business) to operate a medical office or retail space. Property is located in Land Lot 531; District 2; Section 3; property address is 238 Bill Carruth Parkway. Post 3 seconded by Sandy Kaecher. Voting Yea: Chairman Carmichael, Post I Keith Dunn, Post II Sandy Kaecher, Post III Chuck Hart, Post IV Brian Stover.

RECOMMENDATION BY THE PLANNING COMMISSION: APPROVAL (5-0-1)

1. Owner/Developer agrees access to the development shall be determined during the plan review process.
2. Owner/Developer agrees to the construction only of one access along Bill Carruth Parkway (similar to the location as shown on the site plan for rezoning case 2020-02-Z).
3. Owner/Developer acknowledges that this development is in the mandatory Coppermine Sewer Service Basin.
4. Owner/Developer acknowledges that sewer availability is not expressly implied as a result of zoning.
5. Owner/Developer acknowledges Paulding County Water System does not guarantee water service above an elevation of 1130 MSL.

10. **2021-15-Z:** Sandy Kaecher made a motion to approve application by **JOHN C. POPE**, requesting to rezone 2.69 acres from A-1 (Agricultural) to R-2 (Suburban Residential) to bring property into zoning compliances and build a single-family home. Property is located in land Lot 1158; District 2; Section 3; and located on the south side of Marshall Fuller Rd., west of McGuire Rd. Post 2 seconded by Brian Stover. Voting Yea: Chairman Carmichael, Post I Keith Dunn, Post II Sandy Kaecher, Post III Chuck Hart, Post IV Brian Stover.

RECOMMENDATION BY THE PLANNING COMMISSION: APPROVAL (5-0-1)

11. **2021-17-Z:** Keith Dunn made a motion to approve with twelve (12) stipulations application by **PERIMETER CONSTRUCTION GROUP, LLC-MOORE INGRAM, JOHNSON & STEELE, LLP- J. KEVIN MOORE**, requesting to rezone a combined two parcels approximately 68.28 acres from R-2 (Suburban Residential) & A-1 (Agricultural) to LDQRD (Low Density Quality Residential Development) for the development of a maximum of 126 single-family residential units. Property is located in Land Lots 174 and 175; District 2; Section 3; on the northerly side of old Griffin Road and northerly

intersection of Southshore Lane and Northshore Crossing; southwesterly of terminus of Briar Patch Path and westerly of terminus of Tobe McGarity Road. Post I, Seconded by Brian Stover. Voting Yea: Chairman Carmichael, Post I Keith Dunn, Post II Sandy Kaecher, Post III Chuck Hart, Post IV Brian Stover.

RECOMMENDATION BY THE PLANNING COMMISSION: APPROVAL (5-0-1)

1. Owner/Developer shall submit detailed landscaping plans prepared by a registered design professional for entrances, amenity, and required buffer areas for review/approval by the Planning and Zoning Division during the Plan Review Process.
2. Owner/Developer acknowledges all required landscape buffers, amenity areas, detention area lots, lift station lots, easements, parking areas, and buildings may not be accounted for as greenspace areas.
3. Owner/Developer acknowledges that this development is in the mandatory Coppermine Sewer Service Basin.
4. Owner/Developer acknowledges that sewer availability is not expressly implied as a result of zoning.
5. Owner/Developer acknowledges Paulding County Water System does not guarantee water service above an elevation of 1130 MSL.
6. Owner/Developer agrees access to the development shall be determined during the plan review process.
7. Owner/Developer shall be responsible for incorporating horizontal traffic calming practices within the development, if required by PCDOT. All practices shall be approved by the Paulding County Department of Transportation and designed in accordance with the Institute of Transportation Engineers (ITE) Manual for Traffic Calming.
8. Owner/Developer agrees to enter into a development agreement with PCDOT for off-site roadway improvements making a voluntary contribution of \$650/lot which equates to \$81,900 for 126 proposed lots to accommodate development traffic along Old Griffin Road.
9. Owner/Developer agrees to expand the required 25 ft. perimeter buffer to 50 ft. along the common property line with the Bennett property and install an 8ft. black, vinyl chain-linked fence.
10. Owner/Developer agrees to construct an eight foot (8ft.) privacy fence along the common property line for lots 1 and 2 of the Brightwater subdivision and the amenities are of the proposed development.
11. Owner/Developer shall abide by the 16 voluntary stipulations set forth in the August 23, 2021 stipulation letter from attorney Kevin Moore, to the extent such stipulations do not conflict with the Paulding County Code.
12. Owner/Developer agrees to perform a predevelopment sedimentation study of the Brightwater subdivision lake and to provide the same to the Brightwater HOA.
- 12. 2021-18-Z:** Keith Dunn made a motion to approve with ten (10) stipulations application by **ELITE ENGINEERING, LLC – JONATHAN JONES**, requesting to rezone 54.37 acres of R-2 (Suburban Residential) to LDQRD (Low Density Quality Residential Development) for the development of 133 single-family residential lot subdivision. Property is located in Land Lot 245; District 2; Section 3; south of 628 Mt. Tabor Church Road. Post 1. Seconded by Sandy Kaecher. Voting Yea: Chairman Carmichael, Post I Keith Dunn, Post II Sandy Kaecher, Post III Chuck Hart, Post IV Brian Stover.

RECOMMENDATION BY THE PLANNING COMMISSION: APPROVAL (5-0-1)

1. Owner/Developer shall submit detailed landscaping plans prepared by a registered design professional for entrances, amenity, and required buffer areas for review/approval by the Planning and Zoning Division during the Plan Review Process.
2. Owner/Developer acknowledges all required landscape buffers, amenity areas, detention area lots, lift station lots, easements, parking areas, and buildings may not be accounted for as greenspace areas.
3. Owner/Developer acknowledges this development is in the mandatory Coppermine Sewer Service Basin.
4. Owner/Developer acknowledges sewer availability is not expressly implied as a result of zoning.
5. Owner/Developer acknowledges Paulding County Water System does not guarantee water service above an elevation of 1130 MSL.
6. Owner/Developer agrees access to the development shall be determined during the plan review process.
7. Owner/Developer shall be responsible for incorporating horizontal traffic calming practices within the development, if required by PCDOT. All practices shall be approved by the Paulding County Department of Transportation and designed in accordance with the Institute of Transportation Engineers (ITE) Manual for Traffic Calming.
8. Owner/Developer agrees to enter into a development agreement with PCDOT for off-site roadway improvements, making a voluntary contribution of \$650/lot which equates to \$86,450 for 133 proposed lots to accommodate development traffic along Mt. Tabor Church Road at Bobo Road and Macland Road.
9. Owner/Developer will provide a 6 ft. wooden privacy fence along the common property line of the Owens' property.
10. Owner/Developer agrees no detention ponds are to discharge upstream from the Owens' property.

13. 2021-19-Z: Sandy Kaecher made a motion to deny application by **RYAN LAWRENCE**, requesting to rezone 8.1 acres from R-2 (Suburban Residential) to B-2 (Highway Business) for commercial use and obtain a special use permit for a parking storage lot. Property is located in Land Lot 779; District 2; Section 3; property address is 2844 Villa Rica Hwy. Post 2. Seconded by Brian Stover. Voting Yea: Chairman Carmichael, Post I Keith Dunn, Post II Sandy Kaecher, Post III Chuck Hart, Post IV Brian Stover.

RECOMMENDATION BY THE PLANNING COMMISSION: APPROVAL (3-1-2)

1. Owner/Developer agrees no billboards will be located on the site.
2. Owner/Developer agrees the site and development shall be subject to the Corridor Overlay District.
3. Owner/Developer agrees to coordinate with the Georgia Department of Transportation (GDOT) on proposed widening of SR 61.
4. Owner/Developer agrees to provide a 6 ft. privacy fence with 6 ft. Leyland cypress trees along the frontage.
5. Owner/Developer agrees to no storage of hazardous materials.
6. Owner/Developer agrees to no commercial vehicle storage.
7. Owner/Developer agrees to provide a natural 25 ft. buffer along the frontage with the hardwood trees.

Commissioner Kaecher explained her reason for denial was because of the road widening project and being unsure of where the entrances will be. Ms. Kaecher stated that she cannot move forward without all of the information.

14. 2021-04-SUP: Sandy Kaecher made a motion to deny application by **RYAN LAWRENCE**, requesting a Special Use Permit to construct and operate a secure parking storage lot for trailers, RVs and boats. Property is located in Land Lot 779; District 2; Section 3; property address is 2844 Villa Rica Hwy. Post 2. Seconded by Brian Stover. Voting Yea: Chairman Carmichael, Post I Keith Dunn, Post II Sandy Kaecher, Post III Chuck Hart, Post IV Brian Stover.

RECOMMENDATION BY THE PLANNING COMMISSION: APPROVAL (3-1-2)

Commissioner Stover stated that Paulding County is running out of commercial property and parking is not the best use for this land.

15. 2021-20-Z: Chuck Hart made a motion to deny application by **BERNICE LYNN GEIER**, requesting to rezone 7.75 acres from R-2 (Suburban Residential) to A-1 (Agricultural) to lay a 26x52 concrete slab for the purposes of operating canine boarding & training services. Property is located in Land Lots 961 & 962; District 19; Section 2; located at 478 Forkwood Way. Post 3. Seconded by Chairman Carmichael. Voting Yea: Chairman Carmichael, Post I Keith Dunn, Post II Sandy Kaecher, Post III Chuck Hart, Post IV Brian Stover.

RECOMMENDATION BY THE PLANNING COMMISSION: DENIAL (5-0-1)

Commissioner Hart stated that the staff recommended denial and the Planning and Zoning Board also denied this application. Commissioner Hart stated that he had received 15-20 emails, phone calls and letters against this application.

Chairman Carmichael told Ms. Geier that he likes what she is doing.

Commissioner Stover told Ms. Geier that all of the Board members would be willing to help her find the best location to run her business.

16. 2021-21-Z: Chuck Hart made a motion to approve with six (6) stipulations application by **CHRIS COCHRAN**, requesting to rezone 3.55 acres from B-1 (General Business) and PRD (Planned Residential Development) to B-2 (Highway Business) while concurrently seeking a Special Use Permit for the purposes of constructing a self-storage facility. Property is located in Land Lots 537 & 538; District 3; Section 3; property is located on the north side of Seven Hills Connector, east of Prescott Dr. and north of Cedarcrest Blvd. Post 4. Seconded by Sandy Kaecher. Voting Yea: Chairman Carmichael, Post I Keith Dunn, Post II Sandy Kaecher, Post III Chuck Hart. Post IV Brian Stover abstained.

RECOMMENDATION BY THE PLANNING COMMISSION: APPROVAL (5-0-1)

1. Owner/Developer agrees no billboards will be located on the site.
2. Owner/Developer agrees the site and development shall be subject to the Corridor Overlay District.
3. Owner/Developer agrees this rezoning would only allow the proposed self-storage facility as a B-2 (Highway Business) use. All B-1 (General Business) uses would be permitted.
4. Owner/Developer acknowledges that this development is in the mandatory Coppermine Sewer Service Basin.
5. Owner/Developer acknowledges that sewer availability is not expressly implied as a result of zoning.
6. Owner/Developer agrees to no storage of hazardous material.

17. 2021-05-SUP: Sandy Kaecher made a motion to approve application by **CHRIS**

COCHRAN, requesting a Special Use Permit for the purposes of constructing a self-storage facility. Property is located in Land Lots 537 & 538; District 3; Section 3; property is located on the north side of Seven Hills Connector, east of Prescott Dr. and north of Cedarcrest Blvd. Post 4. Seconded by Keith Dunn. Voting Yea: Chairman Carmichael, Post I Keith Dunn, Post II Sandy Kaecher, Post III Chuck Hart. Post IV Brian Stover abstained.

RECOMMENDATION BY THE PLANNING COMMISSION: APPROVAL (5-0-1)

18. 2021-22-Z: Keith Dunn made a motion to approve with six (6) stipulations application by **C S REALTY GROUP, LLC / MOORE INGRAM JOHNSON & STEELE, LLP – J. KEVIN MOORE**, requesting to rezone seven parcels from R-2 (Suburban Residential) to R-2 w/sewer for the development of an 80 lot, detached single-family residential community. Property is located in Land Lot 293; District 19; Section 2; property location is west of Poplar Springs Road and the Paulding County / Cobb County line. Post 1. Seconded by Chuck Hart. Voting Yea: Chairman Carmichael, Post I Keith Dunn, Post II Sandy Kaecher, Post III Chuck Hart, Post IV Brian Stover.

RECOMMENDATION BY THE PLANNING COMMISSION: APPROVAL (5-0-1)

1. Owner/Developer shall submit detailed landscaping plans prepared by a registered design professional for entrances, amenity, and required buffer areas for review/approval by the Planning and Zoning Division during the Plan Review Process.
2. Owner/Developer acknowledges all required landscape buffers, amenity areas, detention area lots, lift station lots, easements, parking areas, and buildings may not be accounted for as greenspace areas.
3. Owner/Developer acknowledges water and sewer service will be provided by Cobb County per the intergovernmental agreement signed October 25th, 2011.
4. Owner/Developer shall be responsible for incorporating horizontal traffic calming practices within the development, if required by PCDOT. All practices shall be approved by the Paulding County Department of Transportation and designed in accordance with the Institute of Transportation Engineers (ITE) Manual for Traffic Calming.
5. Owner/Developer shall abide by the 12 voluntary stipulations set forth in the August 23, 2021 stipulation letter from attorney Kevin Moore, to the extent such stipulations do not conflict with the Paulding County Code.
6. Owner/Developer agree to facilitate a consultation between Brenda Paris and their professional engineer regarding Ms. Paris' lake.

19. 2021-02-LUP: Keith Dunn made a motion to approve with one (1) stipulation application by **CATHY ANDERSON**, requesting a Land Use Permit on 2.81 acres for the use of a 12x24 building to operate a salon. Property is located in Land Lot 557; District 2; Section 3; property address is 353 McCready Drive. Post 1. Seconded by Brian Stover. Voting Yea: Chairman Carmichael, Post I Keith Dunn, Post II Sandy Kaecher, Post III Chuck Hart, Post IV Brian Stover.

RECOMMENDATION BY THE PLANNING COMMISSION: APPROVAL (5-0-1)

1. Owner/Developer agrees approval of this LUP is not transferable to another owner other than the current applicant.

Commissioner Stover reminded Ms. Anderson that a LUP application has to be renewed every two years.

20. 2021-03-LUP: Keith Dunn made a motion to approve with four (4) stipulations application by **JENNIFER & WILLIAM ODOM**, requesting a Land Use Permit renewal for a small cabinet repair shop. Property is located in Land Lot 1033; District 2;

Section 3; property is located northwest of Shipp Circle and McClung Road. Post 1. Seconded by Sandy Kaecher. Voting Yea: Chairman Carmichael, Post I Keith Dunn, Post II Sandy Kaecher, Post III Chuck Hart, Post IV Brian Stover.

RECOMMENDATION BY THE PLANNING COMMISSION: APPROVAL (5-0-1)

1. Owner/Applicant agrees approval of this LUP is not transferable to another owner other than the current property owner/applicant.
2. Owner/Applicant agrees to limit material deliveries to the site to a maximum of two (2) per day with the delivery vehicle being no larger than a double-axle van/box truck. (Tractor trailers are prohibited).
3. Owner/Applicant agrees any outside storage of equipment and/or materials be within a fenced area and screened from view of Shipp Circle and McClung Road.
4. Owner/Applicant agrees to no business sales on-site.

21. ZONING ORDINANCE TEXT AMENDMENT: Chairman Carmichael made a motion to approve a text amendment to the Paulding County Zoning Ordinance (2003-as amended). The amendment is in regards to Article VIII, Sec. D “R-4 Multi-Family Non Fee Simple (Rental) Residential District and Sec. G “R-7 Multi-Family Fee Simple (Non-Rental) Residential District. Seconded by Brian Stover. Voting Yea: Chairman Carmichael, Post I Keith Dunn, Post II Sandy Kaecher, Post III Chuck Hart, Post IV Brian Stover. (See Attachment “E”)

RECOMMENDATION BY THE PLANNING COMMISSION: APPROVAL (5-0-1)

CONCLUSION OF REGULAR BUSINESS

PUBLIC PARTICIPATION ON NON-AGENDA ITEMS: None

EXECUTIVE SESSION: None

Chairman Carmichael asked the Commissioners if they would like to make any announcements or comments.

Commissioner Hart thanked all who came to the meetings today.

Chairman Carmichael stated that he is blessed to live in a place where you can disagree. He then stated that he appreciates all of the citizens for coming to the meeting to speak their opinion and thanked them for being good citizens.

Brian Stover reminded the audience and viewers that Paulding Meadows will be this September and to be aware of the traffic.

Frank Baker gave a reminder for Rides-for-Wishes and stated you can go to Paulding.gov to sign up.

ADJOURNMENT: Brian Stover made a motion to adjourn seconded by Keith Dunn. Voting Yea: Chairman Carmichael, Post I Keith Dunn, Post II Sandy Kaecher, Post III Chuck Hart, Post IV Brian Stover.


Rebecca Merideth, County Clerk


David L. Carmichael, Chairman