

PUTNAM COUNTY BOARD OF COMMISSIONERS



117 Putnam Drive, Suite A ♦ Eatonton, GA 31024

Agenda

Friday, October 6, 2023 ♦ 10:00 AM

Putnam County Administration Building – Room 203

Opening

1. Welcome - Call to Order
2. Approval of Agenda
3. Invocation - Pastor Jonathon Dawson, Lakepoint Community Church
4. Pledge of Allegiance (Staff)

Regular Business Meeting

5. Public Comments
6. Consent Agenda
 - a. Approval of Minutes - September 19, 2023 Regular Meeting (staff-CC)
 - b. Approval of 2023 Alcohol License-Great Waters Clubhouse (staff-CC)
 - c. Authorization for Chairman to sign ACCG Interlocal Risk Management Agency Safety Discount Verification Form (staff-HR)
 - d. Authorization for Chairman to sign ACCG Group Self-Insurance Workers' Compensation Fund Safety Discount Verification Form (staff-HR)
7. Approval of Lease Agreement for Convenience Center - Wards Chapel - Holt Spivey (staff-Finance)
8. Request by Bradley T. Swicegood for Variance on Anchor Point Drive (staff-P&D/CC)
9. Appeal of Short Term Vacation Rental License denial by Kerri Grant/Pier 6 LLC (staff-CC)
Requested to Postpone

Reports/Announcements

10. County Manager Report
11. County Attorney Report
12. Commissioner Announcements

Executive Session

13. Enter Executive Session as allowed by O.C.G.A. 50-14-4 for Personnel, Litigation, or Real Estate
14. Reopen meeting following Executive Session
15. Authorize Chairman to sign Affidavit concerning the subject matter of the closed portion of the meeting
16. Action, if any, resulting from the Executive Session

Closing

17. Adjournment

The Board of Commissioners reserves the right to continue the meeting to another time and place in the event the number of people in attendance at the meeting, including the Board of Commissioners, staff, and members of the public exceeds the legal limits. The meeting cannot be closed to the public except by a majority vote of a quorum present for the meeting. The board can vote to go into an executive session on a legally exempt matter during a public meeting even if not advertised or listed on the agenda. Individuals with disabilities who require certain accommodations in order to allow them to observe and/or participate in this meeting, or who have questions regarding the accessibility of the meeting or the facilities are required to contact the ADA Compliance Officer, at least three business days in advance of the meeting at 706-485-2776 to allow the County to make reasonable accommodations for those persons.

File Attachments for Item:

6. Consent Agenda

- a. Approval of Minutes - September 19, 2023 Regular Meeting (staff-CC)
- b. Approval of 2023 Alcohol License-Great Waters Clubhouse (staff-CC)
- c. Authorization for Chairman to sign ACCG Interlocal Risk Management Agency Safety Discount Verification Form (staff-HR)
- d. Authorization for Chairman to sign ACCG Group Self-Insurance Workers' Compensation Fund Safety Discount Verification Form (staff-HR)

PUTNAM COUNTY BOARD OF COMMISSIONERS



117 Putnam Drive, Suite A ♦ Eatonton, GA 31024

Minutes

Tuesday, September 19, 2023 ♦ 6:00 PM

Putnam County Administration Building – Room 203

The Putnam County Board of Commissioners met on Tuesday, September 19, 2023 at approximately 6:00 PM in the Putnam County Administration Building, 117 Putnam Drive, Room 203, Eatonton, Georgia.

PRESENT

Vice Chairman Daniel Brown
Commissioner Gary McElhenney
Commissioner Jeff Wooten

STAFF PRESENT

County Attorney Barry Fleming
County Manager Paul Van Haute
County Clerk Lynn Butterworth
Deputy County Clerk Donna Todd

Opening

1. Welcome - Call to Order

Vice Chairman Brown called the meeting to order at approximately 6:03 p.m.
(Copy of agenda made a part of the minutes on minute book page _____.)

2. Approval of Agenda

Motion to approve the Agenda.

Motion made by Commissioner Wooten, Seconded by Commissioner McElhenney.

Voting Yea: Commissioner McElhenney, Commissioner Brown, Commissioner Wooten

3. Invocation - Pastor James Smith

Pastor James Smith, from Wesley Chapel United Methodist Church, gave the invocation.

4. Pledge of Allegiance

Commissioner Wooten led the Pledge of Allegiance.

5. Special Presentation - Gatewood Baseball Proclamation

The commissioners presented a proclamation to the 2023 Gatewood Gators Varsity Baseball Team congratulating them on winning the GIAA AA State Championship.

(Copy of proclamation made a part of the minutes on minute book page _____.)

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September 19, 2023		

Regular Business Meeting

6. Public Comments

Mr. Charles Gray commented that the new short term rental ordinance is solid but could be improved by having an enforcement policy and procedure.

Mr. William Vargo requested a policy change regarding campaign signs which provides placement clarification, suggesting the policy specify allowed placement at a minimum distance from the road instead of out of the county right-of-way.

Mr. Mike DePetrillo commented that he thought the short term rental ordinance vote was tonight. He further commented that he hoped there were no changes to the application and that the number of short term rentals has not increased.

Dr. Steve Hersey commented that the 2024 budget and mill rate were passed without commissioner representation from District 3 and the failure to meet the rollback rate created a tax increase for the people whose property values were reassessed.

Mr. Jake Simmons reported that there are problems with mud running into his driveway on Sunnyland Drive and has reported it to the city with no results. He would like the situation remedied.

Mr. James Schreiber requested a list of candidates for the District 3 Commissioner seat. County Manager Van Haute stated that the Eatonton Messenger will publish a qualified list of candidates.

7. Consent Agenda

- a. Approval of Minutes - September 1, 2023 Regular Meeting (staff-CC)
- b. Approval of Minutes - September 1, 2023 Executive Session (staff-CC)
- c. Authorization for Vice-Chairman to sign letter of support for Oconee Valley Healthcare (BS)
- d. Authorization for Chairman to sign GDOT FY2025 Section 5311 Program Grant Application (staff-Transit)

Motion to approve the Consent Agenda.

Motion made by Commissioner McElhenney, Seconded by Commissioner Brown.

Voting Yea: Commissioner McElhenney, Commissioner Brown, Commissioner Wooten
(Copies of letter and grant application made a part of the minutes on minute book pages _____ to _____.)

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- 8. Approval of Lease Agreements for Convenience Centers
 - a. Brown's Chapel - Marie Lewis & Holt Spivey
 - b. Glades - Charles Pinkerton
 - c. Rabbit Skip - Billy Resseau
 - d. Wards Chapel - Holt Spivey

County Manager Van Haute explained that the lease agreements for the county Convenience Centers are up for renewal.

Motion to approve the Lease Agreements for Convenience Centers (Brown’s Chapel, Glades, Rabbit Skip, and Wards Chapel)

Motion made by Commissioner McElhenney, Seconded by Commissioner Wooten.

Voting Yea: Commissioner McElhenney, Commissioner Brown, Commissioner Wooten.
(Copy of lease agreements made a part of the minutes on minute book pages _____ to _____.)

- 9. Authorization for staff to schedule a Public Hearing on proposed changes to the Putnam County Code of Ordinances - Chapters 28 (Development Regulations), 32 (Fire Protection and Prevention), and 66 (Zoning) (staff-CA)

Dr. Steve Hersey stated that a Public Hearing should not be held until a representative for District 3 is seated.

Motion to authorize staff to schedule a Public Hearing on proposed changes to the Putnam County Code of Ordinances – Chapters 28 (Development Regulations), 32 (Fire Protection and Prevention), and 66 (Zoning).

Motion made by Commissioner Wooten, Seconded by Commissioner McElhenney.

Voting Yea: Commissioner McElhenney, Commissioner Brown, Commissioner Wooten
(Copy of proposed changes made a part of the minutes on minute book pages _____ to _____.)

- 10. Authorize the payment of \$500,000 to the Defined Benefit pension plan and authorize the Vice Chairman to sign the Resolution reducing the county's unfunded pension liability (staff-CM)

Motion to authorize the payment of \$500,000 to the Defined Benefit pension plan and authorize the Vice Chairman to sign the Resolution reducing the county’s unfunded pension liability.

Motion made by Commissioner McElhenney, Seconded by Commissioner Wooten.

Voting Yea: Commissioner McElhenney, Commissioner Brown, Commissioner Wooten
(Copy of resolution made a part of the minutes on minute book page _____.)

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Reports/Announcements

11. County Manager Report

County Manager Van Haute reported the following:

- Eatonton Police Department and Chief of Police are working with us concerning acts of criminal trespass at the newly constructed Fire/Coroner/EMS building. The incident was caught on security cameras.
- A minor, with outstanding charges in Baldwin County, was apprehended with five weapons at Jimmy Davis Park. There was minor damage to the property. The City has been helpful in trying to provide additional security.

12. County Attorney Report

No report.

13. Commissioner Announcements

Commissioner McElhenney: none

Commissioner Wooten: commented that he was appreciative of all that everyone does and believes we have good people working for us; also advised that one of the recycle center lessors chose to build his home next to the recycle center after it was already operating.

Vice Chairman Brown: spoke about the Butler Baker project, an effort to preserve the legacy of this school that was state-of-the art at the time of its construction in the 1950’s. The building has been purchased by alumni who are working to preserve it. A recent water line break will cost \$7,000 to repair and donations are needed. If anyone would like to donate, please contact Sandra Parham, Secretary, at 706-473-0508. He also commented that Jimmy Davis Park is coming back to life thanks to the hard work of our county, County Manager Van Haute, and Recreation Director Scott Haley.

Executive Session

14. Enter Executive Session as allowed by O.C.G.A. 50-14-4 for Personnel, Litigation, or Real Estate

Executive session not needed.

15. Reopen meeting following Executive Session

Executive session not held.

16. Authorize Chairman to sign Affidavit concerning the subject matter of the closed portion of the meeting

Executive session not held.

17. Action, if any, resulting from the Executive Session

Executive session not held.

Draft Minutes	Page 4 of 5	
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Closing

18. Adjournment

Motion to adjourn the meeting.

Motion made by Commissioner McElhenney, Seconded by Commissioner Wooten.

Voting Yea: Commissioner McElhenney, Commissioner Brown, Commissioner Wooten

Meeting adjourned at approximately 6:51 p.m.

ATTEST:

Lynn Butterworth
County Clerk

Daniel W. Brown
Chairman

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Office of the County Clerk
117 Putnam Drive, Suite A ♦ Eatonton, GA 31024
706-485-5826 (main office) ♦ 706-485-1877 (direct line) ♦ 706-923-2345 (fax)
lbutterworth@putnamcountyga.us ♦ www.putnamcountyga.us

Approval of 2023 Alcohol Licenses

The following alcohol license applications (which are available for review in the County Clerk’s office) have been approved by the Sheriff, Fire Marshal and/or Building Inspector, and Tax Commissioner and are ready for BOC approval:

Individual Name	Business Name	Address	License Type
Timothy Conrad Hong	Great Waters Clubhouse	112 Great Waters Drive	Retail Beer/Wine



COUNTY
[159 COUNTY GOVERNMENTS]

INTERLOCAL RISK MANAGEMENT AGENCY

SAFETY DISCOUNT VERIFICATION FORM

If the organization is a member of the ACCG - IRMA [property & liability] Insurance Program, complete this SAFETY DISCOUNT VERIFICATION FORM and return between August 1, 2023 and September 15, 2023

The appointed ACCG-IRMA Safety Coordinator is Cynthia Miller
(Safety Coordinator is responsible for the Safety Program)
Position Human Resources Director Email: cmiller@putnamcountyga.us

Yes No If there is a change in the safety coordinator, please advise if the previous contact is still affiliated with the county to maintain a current database.

TRAINING REQUIREMENTS

- SAFETY COORDINATORS
 - COMPLETE SAFETY COORDINATOR MODULES I, II, OR III October 4-5, 2016
(COURSE / DATE)
- ANY MEMBER EMPLOYEE
 - ATTEND LGRMS TRAINING COURSE OR WEBINARS May 16, 2023
(COURSE / DATE)

DEPARTMENTAL SAFETY MEETINGS OCT-DEC JAN-MAR APR-JUN JUL-SEP

SAFETY COMMITTEE MEETINGS OCT-DEC JAN-MAR APR-JUN JUL-SEP

SAFETY ACTION PLAN [DUE APRIL 28TH to LGRMS] April 10, 2023
(DATE SUBMITTED)

The members of the Board of Commissioners of Putnam County
(Name of County)
hereby verify that they fully comply with the requirements of the Safety Discount Program.

County Chairman Signature Date
Email accginsurance@accg.org



COUNTY
[159 COUNTY GOVERNMENTS]

GROUP SELF-INSURANCE WORKERS' COMPENSATION FUND

SAFETY DISCOUNT VERIFICATION FORM

If the organization is a member of the ACCG-GSIWCF [workers' comp] Insurance Program, complete this SAFETY DISCOUNT VERIFICATION FORM and return between August 1, 2023 and September 15, 2023

▪ The appointed ACCG-GSIWCF Safety Coordinator is Cynthia Miller
(Safety Coordinator is responsible for the Safety Program)
Position Human Resources Director Email: cmiller@putnamcountygva.us

Yes No If there is a change in the safety coordinator, please advise if the previous contact is still affiliated with the county to maintain a current database.

TRAINING REQUIREMENTS

- SAFETY COORDINATORS
 COMPLETE SAFETY COORDINATOR MODULES I, II, OR III October 4-5, 2016
(COURSE / DATE)
- ANY MEMBER EMPLOYEE
 ATTEND LGRMS TRAINING COURSE OR WEBINARS May 16, 2023
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DEPARTMENTAL SAFETY MEETINGS OCT-DEC JAN-MAR APR-JUN JUL-SEP

SAFETY COMMITTEE MEETINGS OCT-DEC JAN-MAR APR-JUN JUL-SEP

SAFETY ACTION PLAN [DUE APRIL 28TH to LGRMS] April 10, 2023
(DATE SUBMITTED)

The members of the Board of Commissioners of Putnam County
(Name of County)
hereby verify that they fully comply with the requirements of the Safety Discount Program.

County Chairman Signature

Date

Email accginsurance@accg.org

File Attachments for Item:

7. Approval of Lease Agreement for Convenience Center - Wards Chapel - Holt Spivey (staff-Finance)

REVISED LEASE AGREEMENT

LEASE AGREEMENT

This Lease is made this 19th day of September, 2023 by and between Holt Spivey, (Lessor) and Putnam County (Lessee). The property is located at 345 Wards Chapel Road, Eatonton GA, identified as Wards Chapel Recycle Center.

The Lessee shall have the property beginning on the 1st day of October 2023, and ending on the 30th day of September 2024. This is for 1(one) year because of the way the cardboard boxes are being handled. Lessee or Lessor can terminate this contract unilaterally at any time after 30th day of September 2024 with a 60-day written notice. If the Lessor should sell the property, and Lessee does not purchase the property, the Lease shall remain in effect and the purchaser of the property shall be bound by the terms and conditions of this Lease. Rental shall be due upon signing of this Lease in the amount of \$2,500 per year, beginning the 5th of October 2023.

Lessee shall pay any utility bills associated with use of this property. Lessor shall pay any county property taxes on the property.


The property shall be used specifically as a convenience/recycling center only and for no other purpose whatsoever. Property shall not be used for illegal purposes, nor in any manner to create a nuisance or trespass.

Lessor hereby gives Lessee exclusive control of property and shall be under no obligation to inspect property. Lessee accepts property "as is".

This writing contains the entire agreement of the parties involved. This agreement may be modified only by another writing executed by both involved parties.

This agreement shall insure to the benefit of and bind all parties hereto and their heirs, legatees, devisees, administrators, trustees, executors, successors, and assigns.

UNOFFICIAL WITNESS


LESSOR

ADDRESS: 342 Wards Chapel Road
Eatonton, GA 31024

NOTARY PUBLIC

PUTNAM COUNTY CHAIRMAN

LEASE AGREEMENT

This Lease is made this 19th day of September, 2023 by and between Holt Spivey, (Lessor) and Putnam County (Lessee). The property is located at 345 Wards Chaple Road, Eatonton GA, identified as Wards Chapel Recycle Center.

The Lessee shall have the property beginning on the 1st day of October 2023, and ending on the 30th day of September 2024, unless sooner terminated as agreed upon by Lessee and Lessor. Lessee shall have the option to renew the Lease, at the discretion of the Lessor for another one-year period or any portion thereof. If the Lessor should sell the property, and Lessee does not purchase the property, the Lease shall remain in effect and the purchaser of the property shall be bound by the terms and conditions of this Lease. Rental shall be due upon signing of this Lease in the amount of \$2,500 per year, beginning the 5th of October 2023.

Lessee shall pay any utility bills associated with use of this property. Lessor shall pay any county property taxes on the property.

The property shall be used specifically as a convenience/recycling center only and for no other purpose whatsoever. Property shall not be used for illegal purposes, nor in any manner to create a nuisance or trespass.

Lessor hereby gives Lessee exclusive control of property and shall be under no obligation to inspect property. Lessee accepts property "as is".

This writing contains the entire agreement of the parties involved. This agreement may be modified only by another writing executed by both involved parties.

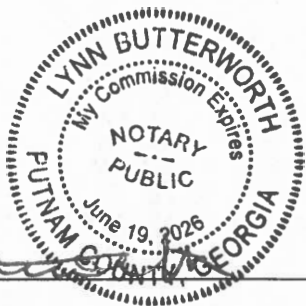
This agreement shall insure to the benefit of and bind all parties hereto and their heirs, legatees, devisees, administrators, trustees, executors, successors, and assigns.

Denna Todd

UNOFFICIAL WITNESS

LESSOR

ADDRESS: 342 Wards Chapel Road
Eatonton, GA 31024



Lynn Butterworth

NOTARY PUBLIC

Dana M. Bowen

PUTNAM COUNTY CHAIRMAN

v.c.e.

File Attachments for Item:

8. Request by Bradley T. Swicegood for Variance on Anchor Point Drive (staff-P&D/CC)



PUTNAM COUNTY PLANNING & DEVELOPMENT

117 Putnam Drive, Suite B ♦ Eatonton, GA 31024
Tel: 706-485-2776 ♦ 706-485-0552 fax ♦ www.putnamcountyga.com

Swicewood lives at 268 Anchor Point Drive, a lake lot in an R-2 zoning district. He also owns a vacant lot on the opposite side of the street. He submitted a building permit application to construct an accessory building on the vacant lot, which is also in the R-2 zoning district, with no intention to build a principal dwelling unit due to the location of the utility easement and topography of the proposed lot. However, according to *Sec. 66-132(a)(1)b*, *No accessory structure shall be constructed upon a lot until the construction of the principal building has commenced. If the principal building has not been completed within 12 months of the issuance of a building permit, then the accessory use shall be continued only with express permission of the director of the planning and development department based upon unusual circumstances or hardship. Under no circumstances shall the accessory structure or use continue for more than 24 months if the principal structure/use has not been completed.* Therefore, his building permit was denied.

Mr. Bradley Swicegood is requesting a use variance to build the standalone accessory building as the principal structure in an R-2 zoning district identified as Map 053, Parcel 033001. In accordance to Sec. 66-158(b)(2)... The board of commissioners is authorized to grant a density variance or a use variance to permit a density or use in a district where otherwise prohibited.

The Anchor Pointe Subdivision was established in the early 1990s when there were no development regulations. As depicted on the recorded plats, the lake side of the parent parcel was subdivided into long, narrow lots, where all the dwelling units are located. These lots allow very little room for improvement, including accessory structures. However, the off-lake property on the opposite side of the road has remained undeveloped as the terrain and utility easement make the lots undesirable and unbuildable for residential use. Due to the unique conditions associated with the proposed property, staff recommends approval of a use variance to erect accessory structures, subject to the following conditions: 1) Parcel 053 033001 shall not be subdivided, and 2) Accessory structures allowed on the parcel shall be limited to one 24 x 40' pole barn and one 8 x 40' shipping container, and shall be sited in accordance with applicable development regulations.

Staff recommendation is for approval of a use variance at Map and Parcel No. 053 033001, District 4] with the following conditions:

- 1. Parcel 053 033001 shall not be subdivided.**
- 2. Accessory structures allowed on the parcel shall be limited to one 24 x 40' pole barn and one 8 x 40' shipping container, and shall be sited in accordance with applicable development regulations.**

To the Board of Commissioners,

My name is Bradley Swicegood and I own 6 acres of residential land on Anchor Pointe Drive. I want to build a 24X40 Pole Barn for personal storage and 8X40 shipping container.

The property is undesirable for building a residential home due to a transmission line that runs through the property. The transmission lines take 150 right of way into the property which is displayed on my recorded plat.

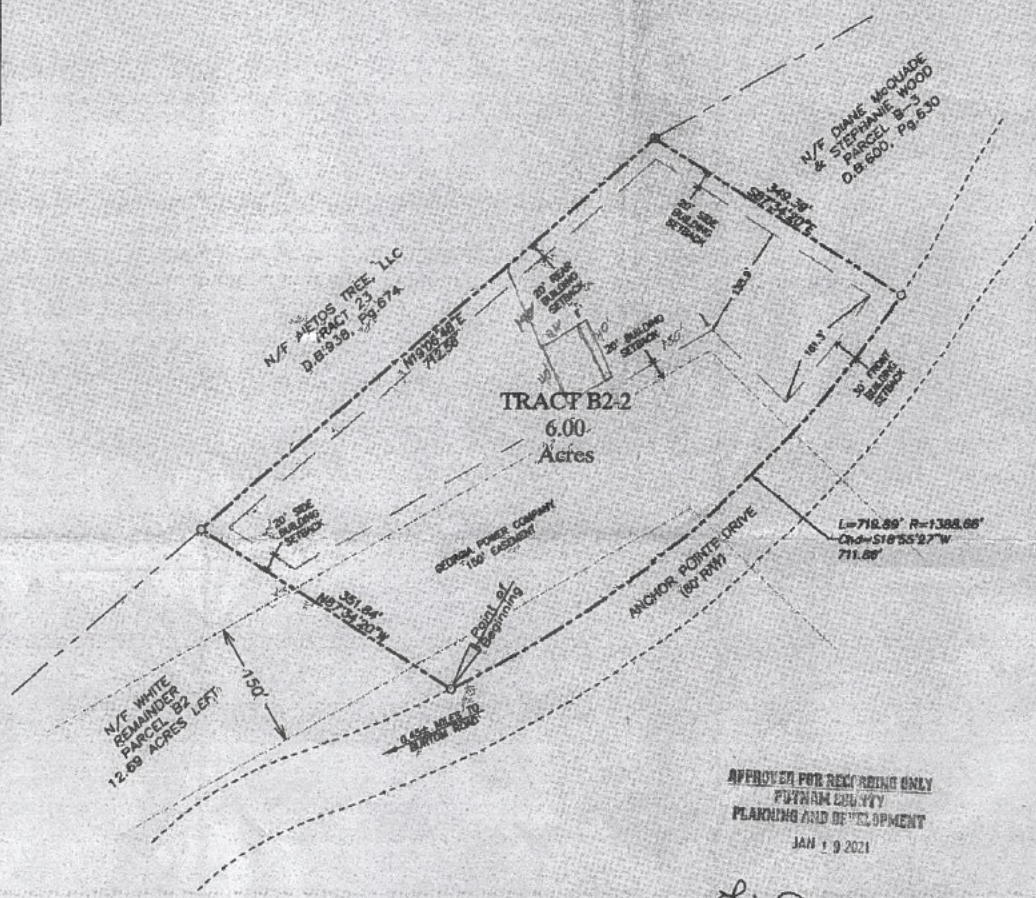
There are no homes on this side of Anchor Pointe, from Burtom Road to the cul-de-sac on Anchor Pointe Drive.



Bradley T. Swicegood
268 Anchor Pointe Drive
Eatonton, GA 31024



eFiled & eRecorded
DATE: 1/21/2021
TIME: 12:00 PM
PLAT BOOK: 00037
PAGE: 00052
RECORDING FEES: \$10.00
PARTICIPANT ID: 4490757542
CLERK: Trevor J. Addison
Putnam County, GA



LEGEND:
○ - 1/2" IRON PIN SET (IPS)
● - 1.5" IRON PIPE FOUND (IPF)
- - - RIGHT OF WAY LINE
- - - PROPERTY LINE

REFERENCES:
D.B. 409, PG. 317
D.B. 400, PG. 233
P.B. 29, PG. 187
CLERK OF SUPERIOR COURT
PUTNAM COUNTY, GEORGIA

APPROVED FOR RECORDING ONLY
PUTNAM COUNTY
PLANNING AND DEVELOPMENT
JAN 19 2021

Lisa Jackson

RCUD 2023 SEP 18



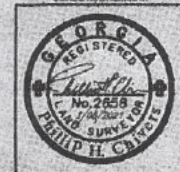
NOTES:

- 1) The surveyor whose seal is hereto attached has not made an independent search for unrecorded easements, encumbrances, restrictive covenants, easements, utility easements, or any other facts that an accurate and current title search may disclose. Matters of this are accepted.
- 2) The surveyor whose seal is hereto attached does not certify that all easements and encumbrances have been shown, nor does the surveyor assume any liability for any such easements or encumbrances, either dedicated or implied, which may affect this property.
- 3) The fieldwork was performed immediately prior to and/or concurrent with the date on this plat.
- 4) The boundary information is shown as taken from the records at the time of survey.

SURVEYOR CERTIFICATION:

As required by subsection (a) of O.C.G.A. Section 15-6-67, this plat has been prepared, set by a land surveyor and approved by all applicable local jurisdictions for recording as evidenced by approval certificates, signatures, stamps, or statements hereon. Such approvals or affirmations should be confirmed with the appropriate governmental bodies by any purchaser or user of this plat as to intended use of any parcel. Furthermore, the undersigned land surveyor certifies that this plat complies with the minimum technical standards for property surveys in Georgia as set forth in the rules and regulations of the Georgia Board of Registration for Professional Engineers and Land Surveyors and as set forth in O.C.G.A. Section 15-6-67.

Equipment Used
Linear: GeoMax Z600i90
Angular: GeoMax Z600i90
cas@earthlink.com



THE FIELD DATA UPON WHICH THIS MAP OR PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 58,741 ± FEET AND AN ANGULAR ERROR OF 3.6 SECONDS PER ANGLE POINT, AND WAS ADJUSTED USING THE COMPASS RULE. THIS MAP OR PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 603,981 ± FEET.

Property Division Survey

For: **Katherine White**

Anchor Points Drive - Parcels B2-2 located in the 3rd Land District, lying in the 314th C. M. District Putnam County, Georgia

Scale: 1" = 100' Date: November 18, 2020

Ogletree & Chivers
Land Surveyors
683 Dunlap Rd. Suite B
Milledgeville, GA 31061 478-453-3694 7645 82-2

7945_B2-2



PUTNAM COUNTY PLANNING & DEVELOPMENT
117 Plant Drive, Suite B-0 Enterprise, GA 31024
Tel: 706-485-7760 706-485-2152 fax 0 www.putnamcd.org

Has applicant made \$250 or more campaign contributions to a local government official within two years immediately preceding the filing of this application? Yes No If yes, please complete contribution affidavit.

If the business of the applicant or owner, or the applicant or owner individually, have made contributions or gifts having a total value of over \$250 or more to any elected official in Putnam County within two (2) years preceding the date of this application, the following must be completed:

Name of Recipient	Date	Contribution Amount	Description of Gift	Value of Gift

Name of Business: _____

Business Ownership Interest: _____ Property Ownership Interest: _____

I hereby depose and say that all statements herein are true, correct, and complete to the best of my knowledge and belief.

Bradley J Swiagowl
Owner or Applicant Signature

Courtney J. Andrews
Notary Public

Sworn and subscribed before me this
18 day of September 2023.



RCVD 2023 SEP 18 *Cja*



PUTNAM COUNTY PLANNING & DEVELOPMENT
277 Pulaski Drive, Suite B • Dalton, GA 31021
Tel: 706-423-2776 • 706-423-0552 Fax • www.putnamcountyga.gov

Sec. 66-158. - Board of commissioners, scope of authority.

- (b). *Variances.* The board of commissioners shall hear and decide on applications for variances from the development standards or performance standards of this chapter only on appeal of the decision of the planning and zoning commission.
 - (1). In considering an appeal from the decision of the planning and zoning commission, the board of commissioners may grant a variance only upon making the factual findings identified in section 66-157(c)(1) through (f).
1. Variances may be granted by the planning and zoning commission only upon making all of the following factual findings:
 - (a) There are extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape, or topography;
 - (b) The application of this Chapter to this particular piece of property would create an unnecessary hardship;
 - (c) The identified extraordinary and exceptional conditions and unnecessary hardship in application identified in subsections (a) and (b) were not caused by or the result of acts or omissions of the applicant;
 - (d) The variance proposed is the minimum variance, which makes possible the reasonable use of the property;
 - (e) Such conditions are peculiar to the particular piece of property involved; and
 - (f) Relief, if granted, would not cause substantial detriment to the public good or impair the purposes and intent of this Chapter.
 2. In granting a variance, the planning and zoning commission may attach thereto such conditions regarding the location, character and other features of the proposed building, structure or use as it may deem advisable so that the purpose of this chapter will be served, public safety and welfare secured, and substantial justice done. However, the planning and zoning commission shall not be authorized to grant a density variance or a use variance to permit a density or use in a district in which the density or use is otherwise prohibited. The planning and zoning commission shall not be authorized to grant a variance to development standards set forth in a statement of zoning conditions accompanying a conditional zoning.
 3. No variance may be granted for a reduction in minimum lot size.

File Attachments for Item:

9. Appeal of Short Term Vacation Rental License denial by Kerri Grant/Pier 6 LLC (staff-CC)

Lynn Butterworth

From: Wilson DuBose <WDubose@duboselawgroup.net>
Sent: Wednesday, October 4, 2023 2:33 PM
To: Lynn Butterworth
Cc: Kerri Grant
Subject: Appeal of Kerri Grant - 185 Harmony Bay Drive

Ms. Butterworth - I represent Kerri Grant in connection with her appeal of the denial of her short-term rental permit application for the address above. I was brought into the case yesterday afternoon and received today from Ms. Grant a notice that the Board of Commissioners will hear the appeal on October 6 at 10:00 a.m. In order to provide me with more time to prepare for the hearing, I am writing to request that her appeal be heard during the following regular meeting of the Commission. Please let me know if that can be arranged.

Thank you,
Wilson DuBose

C. Wilson DuBose
DUBOSE LAW GROUP LLC
1511 EATONTON ROAD
SUITE 200
MADISON, GEORGIA 30650
706-342-7900 OFC
706-474-4373 CELL
706-342-0011 FAX
WWW.DUBOSELAWGROUP.NET

PUTNAM COUNTY BOARD OF COMMISSIONERS



[Signature]
SEP 7 2023 PM 4:41

117 Putnam Drive, Suite A ♦ Eatonton, GA 31024
706-485-5826 ♦ 706-923-2345 fax ♦ www.putnamcountyga.us

APPLICATION FOR SHORT TERM VACATION RENTAL LICENSE AND OCCUPATION REGISTRATION

(A separate rental license and application shall be required for each establishment)

Date of Application: 9/2/23 For Calendar Year: 2023-2024

Type of License – please check one: New Renewal

Application Fee per Establishment, \$350.00

Business Name or Applicant Name if Sole Proprietor:

Name PIER 6 LLC / KERRI GRANT & DOUG GRANT

DBA Name (if applicable) _____

Owner on Record of Dwelling Unit for which a license is sought:

Full Legal Name* GRANT FAMILY REVOCABLE TRUST - KERRI GRANT

*(If owner is not a natural person, use a separate sheet to identify all partners, officers and/or directors of any such entity, including personal contact information.)

Address 840 BARN OWL RD

City MARIETTA State GA Zip Code 30068

Phone Number [REDACTED] Email Address: [REDACTED]

Unit to be used as a short term vacation rental:

Address 185 HARMONY BAY DRIVE

City EATONTON State GA Zip Code 31024

Parcel Number LAND LOT 313, GMD 306, LOT 6 Zoning Classification RESIDENTIAL R1R

Location: Lake Oconee Lake Sinclair Non Lake Property

Who to contact if there are questions regarding the application:

Name KERRI GRANT Phone [REDACTED]

Email [REDACTED]

Maximum day or night occupancy* 12

(*this number shall equal two persons per bedroom plus two additional persons per residence, but no rental unit shall have a maximum occupancy greater than 12)

Denied
Emailed 9-11-23

Number of Parking Spaces allotted to the premises: _____

(Site plan indicating designated parking areas must be included with the application. The parking plan shall be sufficient to allow adequate parking for the maximum occupancy of the rental unit. No person occupying a short term vacation rental shall park any vehicle illegally on any street or road, nor park adjacent to any such street in a manner that would prevent or hinder any emergency vehicle from traveling thereupon. No person occupying a short term vacation rental shall park on any other person's property or block any driveway of any other person or property owner without permission to do so. No occupant of a short term vacation rental shall dock or otherwise tie any boat or vessel to the dock of any other property owner without the permission of the property owner. The Sheriff, any Deputy Sheriff, or Code Enforcement Officer may impound any vehicle found parking in such a manner.)

Short Term Vacation Rental Agent:

[This person shall be:

- a. the 24-hour contact individual;
- b. at least 25 years old;
- c. able to be present onsite within one hour of contact]

Full Name KERRI GRANT

Address 840 BARN OWL RD

City MARIETTA State GA Zip Code 30068

Phone Number [REDACTED] Email Address: [REDACTED]

A licensee must immediately notify the County Clerk, or their designee, in writing upon a change of short term vacation rental agent or any change in such agent's contact information within five days of any change in agent or contact information.

I, KERRI GRANT (property owner), solemnly swear, subject to the penalties for false swearing as provided under Georgia Law, all information required in this application and supporting documents for a Short Term Vacation Rental License in Putnam County, Georgia is true and correct to the best of my knowledge and I fully understand that any false information may cause the denial or revocation of said license. I further acknowledge the following: (please initial each bullet point)

- KRG* • I (property owner) have received a copy of the Putnam County Code of Ordinances pertaining to Short Term Vacation Rentals and I have reviewed it and understand the requirements.
- KRG* • I (property owner) agree to use my best efforts to assure that use of the premises by short term vacation rental occupants will not disrupt the neighborhood and will not interfere with the rights of neighboring property owners to the quiet enjoyment of their properties and will abide by all other short term vacation rental regulations and will abide by any all other regulations required by the Putnam County Code of Ordinances.
- KRG* • I (property owner) shall not allow occupants to violate any federal, state, or local law, statute, rule or ordinances, including, but not limited to, sections 29-1 and 32-20 of the Putnam County Code of Ordinances, and shall maintain compliance with all requirements regarding the appointed short term vacation rental agent.
- KRG* • I (property owner) shall not transfer the right to operate under any license issued under the Putnam County Code of Ordinances to any other person or entity by lease, agreement, or any other contract.
- KRG* • I (property owner) understand that I must be in compliance with all applicable requirements under federal, state, and/or county ordinances. Compliance with state and county statute and ordinances shall specifically

include the requirement that the applicant or business of the applicant is not delinquent in the payment of any tax or fee owed the county, including, but not limited to, personal or real property taxes, any occupational taxes, sales and use taxes, or payment for any required permit necessary for operation of applicant's business. For purposes of this section, any tax that has been paid, formally appealed to the proper authorities, or is being paid pursuant to a plan authorized and approved by the appropriate tax or revenue commissioner shall not be deemed delinquent.

- No license issued under the Putnam County Code of Ordinances may be operated or shall have any legal effect at any location other than that for which it is issued.
- All marketing and advertising of the licensed premises shall include the prominent display of the number of the license issued pursuant to the Putnam County Code of Ordinances, and such license number shall be prominently displayed on the licensed premises. All marketing and advertising shall include notification of the maximum occupancy and maximum number of vehicles allowed.
- I (property owner) am responsible for compliance with the provisions of the Putnam County Code of Ordinances and the failure of an agent, representative, or local contact person to comply with these ordinances shall be deemed noncompliance by the owner.
- I (property owner) shall designate a short term vacation rental agent who has access and authority to assume management of the short term vacation rental unit. I, as the licensee, may be designated as the short term vacation rental agent. The name of the property owner and the short term vacation rental agent shall, along with their email addresses and telephone numbers at which the agent may be reached on a 24-hour, seven days a week, basis must be displayed with the short term rental license. The short term vacation rental agent shall be required to respond to the location of the short term rental within one hour after being notified of the existence of a violation of the Putnam County Code of Ordinances, or any disturbance requiring immediate remedy or abatement. A licensee must immediately notify the County Clerk, or their designee, in writing upon a change of short term vacation rental agent or any change in such agent's contact information within five days of any change in agent or contact information.
- A copy of a valid short term rental license shall be posted in a conspicuous location inside the main entrance of the short term rental and shall be presented by the owner, agent, renter, or occupant of the premises when requested by the Sheriff, any Deputy Sheriff, Fire Marshal or official, or Code Enforcement Officer. The contact information for the short term vacation rental license holder and agent, if applicable, must be prominently displayed within the premises at all times.
- I (property owner) must furnish the renter of the property a copy of the Putnam County Code of Ordinances pertaining to Short Term Vacation Rentals and a contract specifying the terms of the rental which will include the maximum number of persons allowed on the premises at any time. Said contract will also specify the maximum number of vehicles allowed on the property at any time during the rental period. Said contract will further prescribe the maximum number of boats or vessels that may be docked or moored on any body of water adjacent to the short term vacation rental unit. The property owner, agent, or occupant of the short term vacation rental, when requested to do so, will present a copy of the rental contract to the Sheriff, any Deputy Sheriff, Fire Marshal or official, or Code Enforcement Officer. A copy of the contract must also be included with the application.
- The presence of more people on the premises of a short term vacation rental than the maximum number specified in the rental contract shall be a violation of the Putnam County Code of Ordinances and the person(s) named in the rental contract shall be subject to being cited for said violation. The Sheriff, any Deputy Sheriff, Fire Marshal or official, or Code Enforcement Officer may order the excess number of persons to vacate the premises and any person refusing to do so shall be subject to arrest and prosecution for Disorderly Conduct as provided for in the Putnam County Code of Ordinances.

- It shall be unlawful for any occupant of a short term vacation rental to make, continue or cause to be made or continued any excessive, unnecessary, or unusually loud noise which disturbs the peace or quiet of anyone in the neighborhood or which causes discomfort or annoyance to any reasonable person of normal sensitiveness. All electronic devices with speakers, including televisions, radios and stereo systems must be operated within the enclosed confines of the primary residence between the hours of 10:00 PM and 9:00 AM. The frequent or continuing barking, or other means of communication by animals that disturbs the comfort or repose of the residents of any residential neighborhood shall not be allowed.
- The minimum age of the person signing the rental agreement shall be 25 and such person shall be responsible for adherence to all regulations in the Putnam County Code of Ordinances by all occupants staying at the short term vacation rental. The person signing the rental agreement shall be required to be present at the short term vacation rental within one hour upon request by the Sheriff, any Deputy Sheriff, Fire Marshal or official, or Code Enforcement Officer during the rental period.
- No vehicles shall be parked on any public or private right of way and all parking shall be consistent with the parking plan submitted with the license application.
- The presence of more vehicles on the premises of a short term vacation rental, or more boats or vessels docked or moored on a body of water adjacent to the premises, than the maximum number specified in the rental contract shall be a violation of the Putnam County Code of Ordinances and the person(s) named in the rental contract shall be subject to being cited for said violation. The Sheriff, any Deputy Sheriff, Fire Marshal or official, or Code Enforcement Officer may order the owners or operators of the excess number of vehicles, boats or vessels to remove them from the property and any person refusing to do may be cited for violating this ordinance. The Sheriff, any Deputy Sheriff, or Code Enforcement Officer may further impound the excess vehicles, boats, or vessels that are not removed upon a request to do so.
- No renter shall go upon any adjacent properties or the common areas of the neighborhood community unless specifically authorized in advance and in writing by the owner of the short term vacation rental property.
- No accessory structures shall be used for any overnight occupancy.
- Any and all pets present on the premises must be leashed or contained at all times.
- The premises may not be utilized for any special event and there shall be no admission charged by the renter for access to the premises.
- No renter shall be allowed to sublet the premises or any rooms during rental.
- No renter shall be allowed to place, site, or occupy any recreational vehicles or campers on the premises during rental.
- All external lighting shall be directed within the parcel and shall not be allowed to impact adjacent properties.
- All garbage and trash must be stored in a trash container or appropriate receptacle and shall not be placed within or adjacent to any private or public right of way for a period of time greater than 48 hours.
- An interconnected and hard-wired smoke detection and notification system, with battery backup, is required and must be operable and in good working order at all times.
- Subject to state law, the use of fireworks is prohibited at all short term vacation rentals.
- No licensee or person occupying a short term vacation rental shall engage in any behavior on the premises of the rental that constitutes a violation of Section 29-1 of the Putnam County Code of Ordinances.

residential property as a short term vacation rental unit.

- The written application for a rental license on file with the Board of Commissioners shall be a permanent record which the license holder must maintain current with correct information at all times. The failure to maintain a current application shall be grounds for revocation of a rental license.
- I (property owner) have a duty to collect a hotel/motel tax and remit same to the County Clerk monthly on or before the 20th day of the month following the month of collection unless all rentals are going through an online platform (VRBO, Airbnb, etc.). Effective July 1, 2021, online platforms will remit your taxes for you.
- I (property owner) herewith tender the sum of \$350.00 as the short term vacation rental license/occupation registration fee. I ask that I be granted a rental license to operate the aforesaid business.

KERI GRANT / DOUGLAS GRANT

Print full name as signed below

[Handwritten signature]

[Handwritten signature]

9/1/23

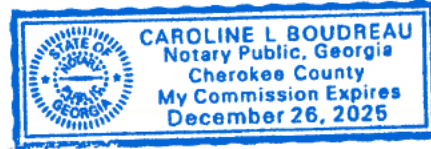
Signature of Owner

Date

Sworn to and subscribed before me

this 5th day of September, 20 23.

[Handwritten signature]
Notary Public (SEAL)



(For Putnam County Office Use Only)

Name of Owner _____

Name of Business (if applicable) _____

Address of Rental Property _____

Payment Received: \$ 350.00 Date 9-3-23 Receipt # 371997

Approval: (please sign appropriate line below)

Fire Marshal _____ Date _____

Tax Commissioner _____ Date _____

County Clerk _____ Date _____

**Leasing Agreement Pier 6 Lake Oconee, LLC
Booking Confirmation**

Dear xxx:

Thank you for choosing our home for your vacation. We are thrilled to host you and hope you have an enjoyable stay.

Your confirmation is as follows:

Check-in date: xxx, xxx xx, 2023

Check-out date: xxx, xxx xx, 2023

Number of adults: 8

Number of children: 8

Pets: No pets allowed

Check in (4 pm EST) Unless otherwise approved

Check out (10 am EST) Unless otherwise approved

Rate: \$xxx.00

Cleaning fee: \$375

State Sales Tax (8%)/County Lodging Tax (8%) NA

Hotel Fee: xxx

TOTAL Payment Paid: \$xxx

Please sign and return the attached rental agreement. Upon receipt of the signed rental agreement, I will provide the key code, address and instructions for entering the property.

Thanks, and have a great vacation!
Kerri Grant, Owner
Pier 6 Lake Oconee, LLC



SHORT TERM RENTAL AGREEMENT

This Short Term Rental Agreement (the "Agreement") is made by and between Pier 6 Lake Oconee, LLC ("Homeowner") and xxx xxx ("Guest/Agent") as of the date last set forth on the signature page of this Agreement. For good and valuable consideration, the sufficiency of which is acknowledged, the parties hereby agree as follows:

1. Property. The property is a 6 Bedroom, 5.5 Bathroom Detached Single Family Lake House with a dock on Lake Oconee in Eatonton Ga. The exact address will be provided after the signed rental agreement has been received. The property is furnished and includes linens, towels, and kitchen utensils/dishes.

2. Rental Party: The rental party shall consist of Guest and the following persons:

3. Maximum Occupancy: The maximum number of guests is limited to **12 persons**.

4. Term of the Lease: The lease begins at 4 p.m. on xxx xx, 2023 (the "Check-in Date") and ends at 10 a.m. on xxx xx, 2023 (the "Checkout Date").

5. Minimum Stay: This property requires a **4 night minimum stay**. Longer minimum stays may be required during holiday periods. [Waived for this event]

6. Rental Rules and Conditions: Guest agrees to abide by the **Rental Rules and Conditions** attached hereto as **Exhibit A**, at all times while at the property and shall cause all members of the rental party and anyone else Guest permits on the property to abide by the following rules at all times while at the property. Occupant is obligated to abide by all of the requirements of the Putnam County ordinances, state and federal law, and such a violation of any of these rules may result in the immediate termination of the agreement and eviction from the premises, as well as potential liability for payment of fines levied.

7. Access: Guest shall allow Homeowner access to the property for purposes of repair and inspection. Homeowner shall exercise this right of access in a reasonable manner.

8. Rental Rate and Fees

a. Deposit: A security deposit of One Thousand Dollars (\$1000.00) is due along with one night fee (\$1,200.00). The remaining balance of the full payment of the rental fees (\$3,975) is due on October 20, 2023. The security deposit and first night can be sent to [REDACTED] via Venmo or Kerri Grant [REDACTED] via Zelle. The security deposit shall be refunded within fourteen (14) days of the Checkout Date provided no deductions are made due to:

- Damage to the property or furnishings;
- Dirt or other mess requiring excessive cleaning; or
- Any other cost incurred by the Homeowner due to the Guest's stay.

If the premises appear dirty or damaged upon Check-in, the Guest shall inform the Homeowner immediately.

b. Rental Rate: Payment in full of the fees outline in the above attached booking confirmation shall be due by the date specified.

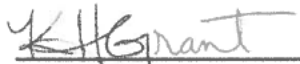
9. Cancellation Policy: If Guest wishes to cancel their reservation, the rental fees and reservation deposit will be refunded as follows:

- 50% refund of rental fees if cancelled thirty (30) days prior to the Check-in Date
- If the reservation was made over thirty (30) days prior to the Check-in Date and a reservation deposit was collected, this deposit will not be refunded in the event of a cancellation.
- Security Deposits and Cleaning Fees are 100% refundable anytime reservation is cancelled before Checking-in to the property.

Exception to Cancellation Policy: The owners understand that cancellations can be outside of the guests control and will, at the owner's discretion, attempt to secure another reservation for the dates of cancellation. If the owners successfully secure a new reservation for the cancelled dates, then the original reservation deposit and/or rental fees will be refunded less any difference in the amount of the original cancelled reservation and the new reservation.

10. Insurance: You have the right to and we encourage all renters to purchase traveler insurance.

The parties agree to the terms of this Short Term Rental Agreement, as evidenced by the signatures set forth below.



Kerri Grant, Homeowner
Pier 6 Lake Oconee, LLC
Date: May 31, 2021
Phone #: [REDACTED]

XXX XXX, Guest
Date: _____
Phone #: _____

Exhibit A

RENTAL RULES AND CONDITIONS

1. **Smoking:** Smoking is **NOT** allowed anywhere inside the house.
2. Individuals other than those in the Guest party set forth above may not stay overnight at the property. Any other person at the property is the sole responsibility of Guest. Guests are not allowed to exceed the occupancy limit agreed to above.
3. **Noise/Quiet Hours:** Guests should not create excessive noise at a level that disturbs neighbors; Code- enforced neighborhood quiet hours are from 10:00p.m. – 8:00a.m.
4. The house is owned by Pier 6 Lake Oconee, LLC. Its owners, members and representatives are not responsible for any accidents, injuries or illnesses that occur while on the premises or its facilities. Pier 6 Lake Oconee, LLC, it's owners, members and representatives are not responsible for the loss of personal belongings or valuables of the guest. By accepting this reservation, it is agreed that all guests are expressly assuming the risk of any harm arising from their use of the premises or others whom they invite to use the premise. Owners do not accept liability for any inconvenience arising from temporary defects or stoppage in water supply, gas, electricity, internet, cable, cell service or plumbing. Owners do not accept liability for any loss or damage caused by weather conditions, natural disasters, acts of God or other reasons beyond our control.
5. No fireworks may be launched from anywhere on the property.
6. Only use appliances for their intended uses.
7. **Pets:** Pets are **NOT** allowed.
8. **Parking:** While we do not limit the number of vehicles allowed to park at the property, we do ask that vehicles and trailers be parked in a manner that does not damage the landscaping. There are adequate parking areas on and around the driveway that can be utilized as opposed to any areas that might cause damage to vegetation or manicured landscaping areas. Any illegally parked cars are subject to towing; applicable fines/towing fees are the sole responsibility of the vehicle owner.
9. **Maintenance:** Owners strive to maintain property in optimum working condition, but appliance and mechanical problems can arise. No refunds will be given for short-term appliances or mechanical failures. Should a mechanical malfunction occur during your stay, please notify Owners immediately in order for prompt action to be taken. Any community power outages would be out of control of the owner and the renter would still be obligated for payment.
10. **Inspection/Cleaning:** The home will be thoroughly inspected (indoors and outdoors) following each and every rental. Should any damage have occurred during the guest's stay, the security deposit will be assessed for the amount of the damages. If excessive damages occur the owners have the right to charge the credit/debit card used to book the reservation for additional damages and to pursue criminal prosecution. Guests are expected to leave the property in the same clean

condition in which it was found. The cleaning fee added to your total cost is for washing all sheets, towels, standard dusting, vacuuming, mopping, cleaning mirrors, and cleaning and disinfecting bathrooms and kitchen following your departure. You will be expected to leave the towels hanging up so they do not mildew and do not leave wet towels on the beds. Owners will provide clean sheets, pillowcases, blankets, towels and washcloths. Guests are required to clean any dirty dishes prior to checkout and ensure no wet towels or washcloths have been tossed onto beds or carpeted areas. Please put them on the laundry room floor or leave them on towel racks.

11. Housekeeping: There is no daily housekeeping service. While linens and bath towels are included in the unit, daily maid service is not included in the rental rate. We do not permit towels or linens to be taken from the property. A Washer and Dryer are included if you need to do laundry during your stay.

12. Garbage: Any garbage must be placed in a garbage bag before being placed in the garbage bins in the garage. Do not place loose garbage in bins!

13. Fishing: The cleaning of fish should be done outside. Scales, heads, fins, etc. should be returned to the water. Do not leave scales in the yard or throw waste in the trash can. Bloodied or soiled clothes or shoes should be removed before walking on carpet. Shoes should be left outside and clothes removed in the basement garage area and placed in trash bags or laundered immediately.

14. Lake/Dock/Rocks: Children must be supervised by an adult at all times when on the property. Being around or swimming in the lake, on the dock, and on or around the rocks presents many dangers. Enjoy all of these features at your own risk. We do provide floatation devices but, we do not have life jackets for every possible size. We recommend bringing properly fitted life jackets for each and every child in your party. The rocks can be very slippery and can also be covered in moss which attracts insects such as mites and ticks. The dock presents another slipping hazard. Do not run on the dock and exercise caution while barefooted on the dock. Just as there are large rocks on the land around the property, there are also large rocks in the water around the dock. Jumping off the dock poses a risk. **Do not dive** head first into the water as conditions are always changing and we cannot guarantee underwater structures have not settled near the dock. There are also rocks underwater on the sides of the dock and in the shallow water between the dock and the shore.

15. Kayaks/SUP: There are currently two (2) kayaks and one (1) Stand Up Paddleboard (SUP) at the property. We welcome our guests to use the kayaks/SUP but ask that they use caution in doing so. This is because some guests might not know how to move the kayaks into the water and operate them safely. If a guest does use the kayaks, they do so at their own risk and will not hold owners liable for any injuries or accidents that occur while using or moving the kayaks/SUP. Guests also agree to only use kayaks/SUP while wearing properly fitting life jackets, either the life jackets provided with the property or guest supplied. Kayaks/SUP should be removed from the water when not in use and secured safely from risk of damage or theft.

16. Fireplace: Please use the gas only fireplace responsibly.

17. Septic: The property is on a septic system. The septic system is very effective; however, it will clog up if improper material is flushed. Do not flush anything other than toilet paper. No feminine

products should be flushed at any time. If it is found that feminine products have been flushed and clog the septic system, you could be charged for damages.

18. Storms: No refunds will be given for storms or inclement weather unless evacuation is ordered by government authorities or the property becomes uninhabitable. We do not provide refunds due to road conditions.

19. Violations/Disturbances: Guests and all other occupants will be required to vacate the property immediately, with complete forfeiture of rental fees for any of the following violations: (a) Use of property for any illegal activity including, but not limited to, the possession, serving or consumption of alcoholic beverages by or to any person less than 21 years of age; (b) consumption or use of illegal substances; (c) loud music and/or disruptive behavior, (d) causing damage to the property or to any neighboring properties; (e) any other acts which may interfere with neighbors' quiet enjoyment of their property. Guest is also required to abide by all of the requirements of the Putnam County ordinances, state and federal law, and any such violation of any of these rules may result in the immediate termination of the agreement and eviction from the premises with complete forfeiture of rental fees, as well as potential liability for payment of fines levied.

20. Choice of Law: This agreement shall be governed by the laws of the state of Georgia. Each of the parties irrevocably consents to the exclusive personal jurisdiction of the federal and state courts located in Georgia, as applicable, for any matter arising out of or relating to this agreement.

21. Force Majeure: A party shall not be liable for any failure of or delay in the performance of this Agreement if the Property becomes uninhabitable or inaccessible due to causes beyond the party's reasonable control, including but not limited to; acts of God, war, strikes or labor disputes, embargoes, government orders or any other force majeure event. If the property becomes uninhabitable or inaccessible prior to the Check-In Date, one hundred percent (100%) of the deposit will be refunded.

22. Successor and Assigns: Guest shall not assign his or her rights under this agreement, or sublet the property, in whole or part, to another party without the prior written consent of the Homeowner. The Homeowner retains the right to assign his or her rights under this agreement to a third party without further notice.

23. Severability: If any provision of this Agreement is held by a court of law to be illegal, invalid, or unenforceable, (a) that provision shall be deemed amended to achieve as nearly as possible the same economic effect as the original provision, and (b) the legality, validity, and enforceability of the remaining provisions of this Agreement shall not be affected or impaired thereby.

24. Attorney's Fees: The prevailing party in any action brought under this agreement shall be entitled to reasonable attorney's fees and costs.

25. Entire Agreement: This Agreement constitutes the entire agreement of the parties and supersedes all prior or contemporaneous oral or written agreements concerning the subject matter.

Updated: September 2023



Imagery ©2023 Airbus, Maxar Technologies, Map data ©2023 20 ft

* PARKING PLAN *

- 3 CARS IN GARAGE
- #4 CAR IN PAD IN DRIVE
- #5 CAR IN PAD IN DRIVE
- #6/#7 CAR IN DRIVE



Tri-County EMC

35

P.O. Box 487
Gray, GA 31032
(478) 986-8100 - 1-866-254-8100
www.tri-countyemc.com

GRANT KERRI
840 BARN OWL RD
MARIETTA GA 30068-2477

SERVICE FROM	SERVICE TO	PREVIOUS READING	PRESENT READING	KWH USAGE	RATE	SERVICE ADDRESS
06/08/23	07/08/23	46249	49474	3225	BASIC	HARMONY BAY DR 185

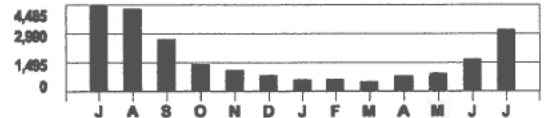
Account [REDACTED] Activity This Period - Normal Bill

ENERGY AND DISTRIBUTION	\$400.55
SALES TAX	\$32.04
TOTAL CURRENT BALANCE DUE 07/27/23	\$432.59
PREVIOUS AMOUNT DUE	\$262.88
THANK YOU FOR YOUR PAYMENT 06/15/23	-\$262.88
TOTAL DUE ON 07/27/23	\$432.59
AFTER 07/27/23 PAY	\$452.61

Allow ample time for delivery before the due date when mailing your payment.
Payment is not avoided by failure to receive bill. Bill is delinquent after due date.
*Rate Schedules Available Upon Request

COMPARISONS	DAYS SERVICE	KWH USED	AVG. KWH/DAY	COST PER DAY
CURRENT BILLING PERIOD	30	3225	108	13.35
PREVIOUS BILLING PERIOD	31	1727	56	7.85
SAME PERIOD LAST YEAR	30	4485	150	18.47

Your Electricity Use Over The Last 13 Months



CheckOut is a fast and convenient way to pay your TCEMC bill while checking out at participating retailers near you. Learn more at www.tri-countyemc.com/checkout.cms.

PLEASE DETACH AND RETURN THIS PORTION WITH PAYMENT

GA00940F



Tri-County EMC
P.O. Box 487
Gray, Georgia 31032

ADDRESS SERVICE REQUESTED

Account #	Due Date	Amount Due
[REDACTED]	07/27/23	\$432.59
Meter #	Cycle	After Due Date Pay
[REDACTED]	2	\$452.61

ENTER AMOUNT PAID _____

PLEASE INDICATE CHANGE OF ADDRESS OR PHONE NUMBER HERE



GRANT KERRI
840 BARN OWL RD
MARIETTA GA 30068-2477

0
879

TRI-COUNTY EMC
PO BOX 487
GRAY GA 31032-0487



0000000000

00000043259

00000045261

1

POLICY DETAILS

FILE A CLAIM

Home

185 Harmony Bay Dr
Policy: [REDACTED]

Address
185 Harmony Bay Dr
Eatonton, GA 31024-2313

Mortgage Lender
SPECIALIZED LOAN SERVICING LLC ITS SUCCESSORS AND/OR ASSIGNS

[EDIT LENDER INFO](#)

FEEDBACK

Coverage



Effective Dates

4/16/23 - 4/16/24

People Covered

Douglas Grant
Primary Named Insured

Policy Coverages

Coverage F - Medical Expense \$5,000 Per Person/Per Occurrence

Dangerous Dog And Exotic Animal Liability \$25,000 Limit

Section I Deductibles \$2,500 Property Deductible
\$2,500 Windstorm Or Hail Deductible

Roof Replacement Cost Coverage For Windstorm And Hail

Personal Property Replacement Cost

Pollutant Cleanup And Removal \$5,000 Limit

Ordinance Or Law 10% Limit

Service Line \$10,000 Service Line Limit
\$500 Service Line Deductible

Water Coverage From An Outside Water Source \$25,000 Limit

Increased Dwelling Limit 20% Percentage Amount Over Coverage A

Fire Department Service Charge \$500 Limit

Fungi Or Bacteria \$57,650 Limit

FEEDBACK

Coverage A - Dwelling

\$1,357,800 Dwelling Limit
119% of Calculated Replacement Cost

Coverage B - Other Structures Unscheduled Structures

\$5,000 Limit

Coverage C - Personal Property

\$814,700 Limit
60% of Dwelling Coverage A

Coverage D - Loss Of Use

\$271,600 Limit
20% of Dwelling Coverage A

FEEDBACK

Premium and Discounts



Documents



This information is provided for your convenience only and is not a declaration of coverage, and it is not proof of insurance. This information displayed is not warranted accurate and may be subject to change or correction. Your agent can answer any questions you may have about this policy.

If you have paid your renewal premium for continued coverage prior to the effective renewal date of your insurance policy, the policy information displayed in My Account will reflect any changes in coverage between your current policy and the renewed policy. Should such changes exist, the policy information displayed will not reflect accurately the current terms of your coverage prior to the effective renewal date.

Quick Links

[Make a Payment](#)



[Communication Preferences](#)


[Request a Change](#)


[FAQs](#)


My Agent

Christine Pulliam

 [Location](#)

 [Website](#)

 [Email](#)

FEEDBACK

Last login: August 12, 2023 at 9:25 a.m.



Verification of Lawful Presence with the United States

By executing this affidavit under oath, as an applicant for a Short Term Rental License, as referenced in O.C.G.A §50-36-1, from the Putnam County Board of Commissioners, the undersigned applicant verifies one of the following with respect to my application for a public benefit: (please only check one)

- 1) I am a United States citizen
- 2) I am a legal permanent resident of the United States
- 3) I am a qualified alien or non-immigrant under the Federal Immigration and Nationality Act with an alien number issued by the Department of Homeland Security or other Federal immigration agency.

My alien number issued by the Department of Homeland Security or other Federal immigration agency is: _____.

The undersigned applicant also hereby verifies that he or she is 18 years of age or older and has provided at least one secure and verifiable document (Driver's License, State Issued ID, or Passport), as required by O.C.G.A §50-36-1 (f) (1), with this affidavit.

The secure and verifiable document provided with this affidavit can best be classified as:

In making the above representation under oath, I understand that any person who knowingly and willfully makes a false, fictitious, or fraudulent statement or representation in an affidavit shall be guilty of a violation of O.C.G.A §16-10-20, and face criminal penalties as allowed by such criminal statute.

Executed in _____ (city), _____ (state)

Signature of Applicant

DOUGLAS GRANT

Printed Name of Applicant

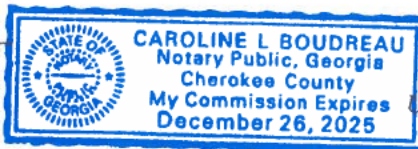
SUBSCRIBED AND SWORN

BEFORE ME ON THIS THE

5th DAY OF September, 2023

NOTARY PUBLIC

My Commission Expires: 12/26/2025



Private Employer Affidavit Pursuant To O.C.G.A. § 36-60-6(d)

By executing this affidavit under oath, the undersigned private employer verifies one of the following with respect to its application for a business license, occupational tax certificate, or other document required to operate a business as referenced in O.C.G.A. § 36-60-6(d):

Section 1. Please check only one:

(A) _____ On January 1st of the below-signed year, the individual, firm, or corporation employed more than ten (10) employees¹.

*** If you select Section 1(A), please fill out Section 2 and then execute below.

(B) On January 1st of the below-signed year, the individual, firm, or corporation employed ten (10) or fewer employees.

*** If you select Section 1(B), please skip Section 2 and execute below.

Section 2.

The employer has registered with and utilizes the federal work authorization program in accordance with the applicable provisions and deadlines established in O.C.G.A. § 36-60-6. The undersigned private employer also attests that its federal work authorization user identification number and date of authorization are as follows:

Name of Private Employer

Federal Work Authorization User Identification Number

Date of Authorization

I hereby declare under penalty of perjury that the foregoing is true and correct.

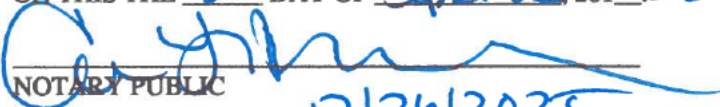
Executed on _____, _____, 20____ in _____ (city), _____ (state).



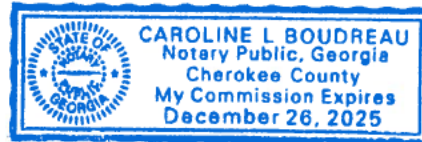
Signature of Authorized Officer or Agent

DOUGLAS GRANT
Printed Name and Title of Authorized Officer or Agent

SUBSCRIBED AND SWORN BEFORE ME
ON THIS THE 5th DAY OF September, 202023



NOTARY PUBLIC
My Commission Expires: 12/26/2025



¹ To determine the number of employees for purposes of this affidavit, a business must count its total number of employees company-wide, regardless of the city, state, or country in which they are based, working at least 35 hours a week.

USA
Georgia
 DRIVER'S LICENSE

DL NO. [REDACTED] CLASS C
 DOB [REDACTED] 1976
 EXP [REDACTED] 2025



DOUGLAS MICHAEL GRANT

840 BARN OWL RD
 MARIETTA, GA 30068-2477
 COBB

Restrictions A End NONE
 Iss 01/19/2017

Sex M Eyes BLU
 Hgt 6'-01" Wgt 160 lb

DD | 296410422060044413

GEORGIA
 DRIVER'S LICENSE DL

Governor: *B. Perdue*



4d DL NO. [REDACTED] 3 DOB [REDACTED] 1976
 9 CLASS C 4b EXP [REDACTED] 2028

2 KERRI HULEN
 1 GRANT

8 840 BARN OWL RD
 MARIETTA, GA 30068-2477
 COBB

12 REST A
 9a END NONE
 4a ISS 03/11/2020
 15 SEX F 18 EYES BLU
 16 HGT 5'-08" 17 WGT 145 lb

Commissioner: *Shirley M. Ross*

Lynn Butterworth

From: Lynn Butterworth
Sent: Monday, September 11, 2023 10:22 AM
To: Kerri Grant
Subject: STR Application

I received your application for a short term vacation rental license at 185 Harmony Bay Drive. As you may or may not know, the Board of Commissioners adopted new STR ordinances on Friday, September 1, 2023. These new ordinances prohibit issuing STR licenses for parcels that are designated R-1R zoning. Unfortunately, your property has that zoning, so we will not be able to accept or process your application. I will be glad to refund the \$350.00 fee you paid.

If you have any questions, please let me know.

Lynn Butterworth, MCC
County Clerk/Open Records Officer
lbutterworth@putnamcountyga.us
www.putnamcountyga.us
Putnam County Board of Commissioners
117 Putnam Drive, Suite A
Eatonton, GA 31024
706-485-5826 (Office)
706-485-1877 (Direct Line)
706-923-2345 (Fax)

Lynn Butterworth

From: Kerri Grant [REDACTED]
Sent: Monday, September 11, 2023 11:21 AM
To: Lynn Butterworth
Subject: Re: STR Application

Thank you for letting me know. So can you please explain a bit more to me on that zoning and the ruling? Is that a permanent thing?

This is my mistake because we had a permit when we built the house and then I didn't renew it.

I appreciate all of your information and help.

On Sep 11, 2023, at 10:21 AM, Lynn Butterworth <lbutterworth@putnamcountyga.us> wrote:

I received your application for a short term vacation rental license at 185 Harmony Bay Drive. As you may or may not know, the Board of Commissioners adopted new STR ordinances on Friday, September 1, 2023. These new ordinances prohibit issuing STR licenses for parcels that are designated R-1R zoning. Unfortunately, your property has that zoning, so we will not be able to accept or process your application. I will be glad to refund the \$350.00 fee you paid.

If you have any questions, please let me know.

Lynn Butterworth, MCC
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706-923-2345 (Fax)

Lynn Butterworth

From: Kerri Grant [REDACTED]
Sent: Thursday, September 14, 2023 5:42 PM
To: Lynn Butterworth; Paul Van Haute
Subject: STR Appeal - 185 Harmony Bay Drive
Attachments: Screen Shot 2023-09-14 at 5.18.39 PM.png

Good evening,

I am writing this email to file a written appeal to the new Short Term Rental ordinance under section 22-126.

As Lynn and I just discussed, here is the basis for this appeal:

In April 2021 we purchased our house (185 Harmony Bay Drive). While it is our dream to have a lake house and ultimately our retirement home, we purchased in Putnam County so we could occasionally rent the property. In June 2021 I received an email from Lynn indicating she had received payment for our Short Term Rental Certificate, but had not yet received the application. We had cursory correspondence, and the next day I mailed our completed and notarized application via USPS. I emailed Lynn letting her know it was sent. We heard nothing further about this application and have been operating for the last two years in accordance with the law believing we had a valid permit.

Life gets busy with 4 kids and jobs, and I knew I had properly paid and filed for a certificate. I was not aware that there were next steps in the process, and that I would be issued a physical certificate or that it would need to be renewed, and heard nothing from the County about the need for renewal. Over the last two years, we have been occasionally renting our house and filing and paying for taxes through Airbnb. All of these payments were received and accepted by the County. I firmly believed we had a properly permitted rental property and, as such, complied with all the rules, including paying taxes on all rentals. Additionally, our 2021 payment for the certificate was processed, which further confirmed my expectation that the certificate was issued.

Recently there was discussion with some neighbors about rentals, and it was brought to my attention that I in fact did not actually have a permit. This was a complete and utter shock to me! I emailed Lynn that very day (August 26, 2023) to have her look into it and was informed that your office never received our application and had never issued a permit. At that time Lynn alerted me to the moratorium and advised I keep up with the new ordinance. Once it was filed, we immediately submitted our new fee of \$350 and mailed the completed and notarized application via USPS. Lynn alerted me on Monday (September 11, 2023) that our property now falls in R-1R zoning and we cannot apply.

For the last 2 years we have been operating in accordance with all Putnam County STR regulations and request that our property be grandfathered into the ordinance. We would

like to “renew” our permit that we believed was properly filed in 2021 as we have been operating under the impression we had a valid certificate to rent our property and have fully complied with all requirements of the law. I am happy to provide any additional information required. I am attaching the receipt of payment for the rental certificate in 2021 and can provide Airbnb tax receipts if necessary.

Thank you for your consideration,
Kerri Grant / Pier 6 LLC
185 Harmony Bay Drive
[REDACTED]

Lynn Butterworth

From: Lynn Butterworth
Sent: Friday, September 15, 2023 4:47 PM
To: [REDACTED]
Subject: STR Appeal
Attachments: 2023-09-15 STR Appeal Response-Pier 6 LLC-Kerri Grant.pdf

Good afternoon Kerri,
Please see the attached letter from County Manager Van Haute.

Lynn Butterworth, MCC
County Clerk/Open Records Officer
lbutterworth@putnamcountyga.us
www.putnamcountyga.us
Putnam County Board of Commissioners
117 Putnam Drive, Suite A
Eatonton, GA 31024
706-485-5826 (Office)
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706-923-2345 (Fax)

PUTNAM COUNTY BOARD OF COMMISSIONERS



DISTRICT ONE:
GARY MCELHENNEY

DISTRICT TWO:
DANIEL W. BROWN

CHAIRMAN:
B.W. "BILL" SHARP

DISTRICT THREE:
ALAN FOSTER

DISTRICT FOUR:
JEFFREY G. WOOTEN, SR.

September 15, 2023

Kerri Grant
840 Barn Owl Rd
Marietta, GA 30068

RE : Kerri Grant / Pier 6 LLC
185 Harmony Bay Drive
[REDACTED]
Appeal #09152023-1

After reviewing your appeal and examining your application fee information from 2021, your appeal is hereby denied.
You are not eligible to operate a short-term rental at this location.

A handwritten signature in blue ink, appearing to read "Paul Van Haute".

Paul Van Haute
County Manager
Putnam County, Georgia

Lynn Butterworth

From: Kerri Grant [REDACTED]
Sent: Friday, September 15, 2023 5:05 PM
To: Lynn Butterworth
Subject: Re: STR Appeal

Thank you for the information. So do we have an opportunity to appeal to the Board of Commissioners?

On Fri, Sep 15, 2023 at 4:47 PM Lynn Butterworth <lbutterworth@putnamcountyga.us> wrote:

Good afternoon Kerri,

Please see the attached letter from County Manager Van Haute.

Lynn Butterworth, MCC

County Clerk/Open Records Officer

lbutterworth@putnamcountyga.us

www.putnamcountyga.us

Putnam County Board of Commissioners

117 Putnam Drive, Suite A

Eatonton, GA 31024

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706-923-2345 (Fax)

Lynn Butterworth

From: Lynn Butterworth
Sent: Friday, September 15, 2023 5:10 PM
To: Kerri Grant
Subject: RE: STR Appeal

Yes, you do. The County Manager and I can forward your appeal to the Board of Commissioners. They will consider it within 30 days. I will let you know the date of the scheduled hearing. Their determination will be final.

Lynn

From: Kerri Grant [REDACTED]
Sent: Friday, September 15, 2023 5:05 PM
To: Lynn Butterworth <lbutterworth@putnamcountyga.us>
Subject: Re: STR Appeal

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On Fri, Sep 15, 2023 at 4:47 PM Lynn Butterworth <lbutterworth@putnamcountyga.us> wrote:

Good afternoon Kerri,

Please see the attached letter from County Manager Van Haute.

Lynn Butterworth, MCC

County Clerk/Open Records Officer

lbutterworth@putnamcountyga.us

www.putnamcountyga.us

Putnam County Board of Commissioners

117 Putnam Drive, Suite A

Eatonton, GA 31024

706-485-5826 (Office)

706-485-1877 (Direct Line)

706-923-2345 (Fax)

Lynn Butterworth

From: noreply@salesforce.com on behalf of agency support@pointandpay.com
Sent: Thursday, September 21, 2023 10:44 AM
To: Lynn Butterworth
Subject: Putnam County BOC, GA Echeck refund CASE#01643469

Good morning,

The refund has been processed for Payment ID: 142027679. The customer should see the funds back in their account in 7-10 business days.


Let me know if you have any questions.

Cordially,

Gilmar Torres

Point & Pay Client Services

Phone: 888-891-6064

110 State Street East | Oldsmar, FL 34677 

ref:_00D1U13nb6._5008Z2GBROG:ref