

CITY COUNCIL
JEFF REESE, MAYOR
GIL MCDUGAL, MAYOR PRO-TEM
DANNY CARTER
SHIRLEY MARCHMAN
LESLIE MCPHERSON

City of Villa Rica



CITY MANAGER: TOM BARBER
CITY CLERK: ALISA DOYAL
CITY ATTORNEY: C. DAVID MECKLIN

571 W BANKHEAD HWY
VILLA RICA, GA. 30180
770.459.7000 | VILLARICA.ORG

MAYOR & COUNCIL MONTHLY MEETING AGENDA

Holt-Bishop Justice Center, Municipal Courtroom, 101 Main Street

January 8, 2019 | 6:00 PM

Meeting Call to Order (Mayor Jeff Reese)

Invocation (Councilman Danny Carter)

Pledge of Allegiance (Mayor Jeff Reese)

Ceremonial Presentations (Mayor & Council)

- Recognition of Janet Chumley - Graduate of Georgia Academy for Economic Development
- Oath of Office: Carl Peabody, Reappointment to Downtown Development Authority

A. State of the City Address by Mayor Jeff Reese

Adoption of the Agenda (Mayor Jeff Reese)

Public Comment (We ask that you sign in for Public Comment before the meeting begins. Please state your Name and Address for the record and limit your comments to three minutes)

Council Updates (Subjects of General Interest and Concern)

B. Governing Body (Mayor Jeff Reese)

1. Approval of Minutes:
 1. Meeting Minutes of December 11, 2018.

C. Community Development (Bobby Elliott, Director)

1. Alcoholic Beverage License Request for Double Dip, LLC dba Jefferson's
2. Alcohol Beverage License Request for Dhaheen Corp, LLC d/b/a Villa Rica Food Mart
3. VA-01-18: Variance to Reduce Side Setback Requirements at 113 Legacy Drive
4. VA-02-18: Variance to Reduce Required Parking for a Kennel

5. Rear Loading Garbage Truck Purchase

D. Economic Development (Janet Chumley, Main Street Manager)

1. Main Street Advisory Board reappointments
2. Downtown Development Authority Appointments
3. 2019 The MILL Amphitheater Rental agreement (revised)

E. Public Works (Pete Zorbanos, Director)

1. Plant Drain Station Pump Replacement at West Plant (Dean Zeigler, WWTP Manager)

F. City Manager (Tom Barber)

1. ESE Networks

G. City Manager's Report (Tom Barber)

Adjournment

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CITY COUNCIL MONTHLY MEETING MINUTES

Holt-Bishop Justice Center, Municipal Courtroom, 101 Main Street
Tuesday, December 11, 2018 | 6:00 pm

Meeting Call to Order (Mayor Jeff Reese)

Mayor Jeff Reese called the meeting to order at 6:00 pm. Present: Mayor Jeff Reese, Mayor Pro Tem Gil McDougal, and Councilmembers Danny Carter, Shirley Marchman and Leslie McPherson.

Invocation (Councilwoman Shirley Marchman)

Councilwoman Shirley Marchman gave the invocation.

Pledge of Allegiance (Mayor Jeff Reese)

Mayor Jeff Reese led the Pledge of Allegiance.

Ceremonial Presentations (Mayor & Council)

- The Georgia Association of Chiefs of Police Certificate of Appreciation was presented to Chris Baxter from Carrollton Police Chief Joel Richards and Chief Michael Mansour.
- Chief Michael Mansour recognized the recent promotions in the police department: Hunter Etheridge to Lieutenant, Michelle Moore to Sergeant, and Jacob Brown to Corporal.
- City Manager Tom Barber and Mayor Jeff Reese recognized Stephanie Rooks for receiving the Advanced Certification in Human Resource Management.
- Oath of Office – Historic Preservation Commission by Mayor Jeff Reese to new members: Ken Norton, One Year Term and Alan White, Two Year Term.
- Oath of Office – Historic Preservation Commission by Mayor Jeff Reese to members who were reappointed: Larry Cohrs, One Year Term and Dr. Nancy Mims, Three Year Term.

Adoption of Agenda (Mayor Jeff Reese)

Councilwoman Shirley Marchman requested the agenda be amended to add Executive Session to discuss a personnel matter. City Attorney David Mecklin stated the reason for Executive Session would be to discuss or deliberate upon the appointment, employment, compensation, hiring, disciplinary action or dismissal, or periodic evaluation or rating of a public officer or employee as provided in Georgia Code section 50-14-3(b)(2). Councilwoman Leslie McPherson made the motion to approve the agenda with the amendment.

RESULT:	ADOPTED (UNANIMOUS)
MOVER:	Leslie McPherson, Councilwoman
SECONDER:	Gil McDougal, Councilman
AYES:	McPherson, McDougal, Carter, Marchman

Public Comment (We ask that you sign in for Public Comment before the meeting begins. Please state your Name and Address for the record and limit your comments to three minutes)

Two citizens came forward to make a public comment.

Council Updates (Subjects of General Interest and Concern)

No updates from the Council.

A. Governing Body (Mayor Jeff Reese)

1. Approval of Minutes: Meeting Minutes of November 27, 2018

Councilwoman Leslie McPherson made the motion to approve the Meeting Minutes of November 27, 2018.

RESULT:	ADOPTED (UNANIMOUS)
MOVER:	Leslie McPherson, Councilwoman
SECONDER:	Shirley Marchman, Councilwoman
AYES:	McPherson, Marchman, Carter, McDougal

B. Community Development (Bobby Elliott, Director)

1. CU-02-18: 15001 Veterans Memorial Highway and Florence Circle (Lenise Lyons)

Councilman Gil McDougal made the motion to approve the Conditional Use Permit with the conditions from Planning & Zoning and staff and the addendum conditions except #2.

RESULT:	ADOPTED (UNANIMOUS)
MOVER:	Gil McDougal, Councilman
SECONDER:	Shirley Marchman, Councilwoman
AYES:	McDougal, Marchman, Carter, McPherson

2. CU-03-18: 101 Three West Parkway, Suite E (Lenise Lyons)

Councilman Gil McDougal made the motion to approve the Conditional Use Permit with the conditions for a church at 101 Three West Parkway, Suite E, from Rodney Johnson.

RESULT:	ADOPTED (UNANIMOUS)
MOVER:	Gil McDougal, Councilman
SECONDER:	Danny Carter, Councilman
AYES:	McDougal, Carter, Marchman, McPherson

3. RA-06-18: Planned Development Concept Plan – Avemore Village (Lenise Lyons)

Councilman Danny Carter made the motion to approve with conditions the Planned Development Concept Plan application from Winchester Real Estate Investment, LLC for property located 55 and 63 Goldworth Road.

RESULT:	ADOPTED (UNANIMOUS)
MOVER:	Danny Carter, Councilman
SECONDER:	Leslie McPherson, Councilwoman
AYES:	Carter, McPherson, Marchman, McDougal

4. 2018-19 Street Resurfacing List (Discussion) (Bobby Elliott)

Councilwoman Leslie McPherson made the motion to move forward with the bidding process on the 2018-2019 Street Resurfacing List.

RESULT: **ADOPTED (UNANIMOUS)**
MOVER: Leslie McPherson, Councilwoman
SECONDER: Danny Carter, Councilman
AYES: McPherson, Carter, Marchman, McDougal

C. Finance (Sarah Hefty, CFO)

1. 2019 Budget Amendments

Councilman Gil McDougal made the motion to adopt the ordinance to approve an amendment to the budget for the fiscal year 2019 for the City pursuant to Section 2-71 of the City Charter.

RESULT: **ADOPTED (UNANIMOUS)**
MOVER: Gil McDougal, Councilman
SECONDER: Danny Carter, Councilman
AYES: McDougal, Carter, Marchman, McPherson

2. Credit Card Fees

The Council discussed the credit card fees and the possibility of passing the fees to the customers. Discussion only.

D. Economic Development (Janet Chumley, Main Street Manager)

1. 2018 Update Main Street Advisory Board Bylaws

Councilman Gil McDougal made the motion to approve the updated Bylaws for the Main Street Advisory Board.

RESULT: **ADOPTED (UNANIMOUS)**
MOVER: Gil McDougal, Councilman
SECONDER: Danny Carter, Councilman
AYES: McDougal, Carter, Marchman, McPherson

2. 2019 Rental Agreement for the MILL Amphitheater

Councilman Gil McDougal made the motion to table the updated MILL Amphitheater Rental Agreement for 2019 to the January 8th Council Meeting.

RESULT: **ADOPTED (UNANIMOUS)**
MOVER: Gil McDougal, Councilman
SECONDER: Danny Carter, Councilman
AYES: McDougal, Carter, Marchman, McPherson

3. Downtown Development Authority Appointments

Councilwoman Leslie McPherson made the motion to reappoint Carl Peabody and Ryan Clark with full terms expiring 4/1/22, and defer to the January meeting to wait on the Downtown Development Authority on the third appointment.

RESULT: **TABLED (VOTE: 3-2)**
MOVER: Leslie McPherson, Councilwoman
SECONDER: Danny Carter, Councilman
AYES: McPherson, Carter, Marchman, McDougal

E. Public Works (Pete Zorbanos, Director)

1. Purchase of Budgeted Mowing Equipment for Grounds Maintenance Crews (Charles Davis)
Councilman Gil McDougal made the motion to approve the purchase of the budgeted mowing equipment for \$64,194.72.

RESULT: **ADOPTED (UNANIMOUS)**
MOVER: Gil McDougal, Councilman
SECONDER: Danny Carter , Councilman
AYES: McDougal, Carter, Marchman, McPherson

2. Purchase of Two Budgeted 20-Foot Landscape Trailers for Grounds Maintenance (Charles Davis)
Councilman Gil McDougal made the motion to approve the purchase of the budgeted equipment for \$7,412.00.

RESULT: **ADOPTED (UNANIMOUS)**
MOVER: Gil McDougal, Councilman
SECONDER: Leslie McPherson, Councilwoman
AYES: McDougal, McPherson, Carter, Marchman

F. Police Department (Michael Mansour, Chief)

1. Watchguard Body Camera(s) with Home Chargers and Car Kit(s)
Councilman Gil McDougal made the motion to approve the purchase of the remaining body camera(s) and equipment at the cost of \$18,400.00.

RESULT: **ADOPTED (UNANIMOUS)**
MOVER: Gil McDougal, Councilman
SECONDER: Shirley Marchman, Councilwoman
AYES: McDougal, Marchman, Carter, McPherson

G. Executive Session (David Mecklin, City Attorney)

Councilman Gil McDougal made the motion to go into Executive Session, seconded by Councilman Danny Carter. Vote: 4/0. Motion approved.

The Council reconvene to regular session at 8:46 pm by a motion made from Councilman Danny Carter, seconded by Councilwoman Shirley Marchman. Vote: 4/0. Motion approved.

City Attorney David Mecklin reported there was no action taken in Executive Session.

Adjournment

Councilwoman Danny Carter made the motion to adjourn, seconded by Councilwoman Leslie McPherson, Vote: 4/0. Motion approved.

Jeff Reese, Mayor

Alisa Doyal City Clerk



CITY OF VILLA RICA

City Council Packet

SUBJECT: Wine, Malt Beverages, and Distilled Spirits Pouring License for Double Dip, LLC, dba Jefferson's of Villa Rica

CITY COUNCIL AGENDA DATE: January 8, 2019

DATE: January 3, 2019

PREPARED BY: Bobby C. Elliott, P.E.

FISCAL IMPACT: None

ANNUAL –

CAPITAL –

OTHER –

FUNDING SOURCE: N/A

PURPOSE: To allow applicant to pour wine, malt beverages, and distilled spirits at Double Dip, LLC dba Jefferson's of Villa Rica, 750 W. Bankhead Hwy., Villa Rica, Georgia.

BACKGROUND: The applicant has complied with the Ordinance with regard to the legal notification requirements, and has successfully passed the background check conducted by the Villa Rica Police Department. Also, there are no location restrictions that would hinder the issuance of the license.

STAFF RECOMMENDATION: Approval

IMPACT: None

MOTION: It is my recommendation that we approve the alcoholic beverage application for Double Dip, LLC dba Jefferson's of Villa Rica located at 750 W. Bankhead Hwy.



CITY OF VILLA RICA

City Council Packet

SUBJECT: Wine, Malt Beverages, and Distilled Spirits Pouring License for Double Dip, LLC, dba Jefferson's of Villa Rica

CITY COUNCIL AGENDA DATE: January 8, 2019

DATE: January 3, 2019

PREPARED BY: Bobby C. Elliott, P.E.

FISCAL IMPACT: None

ANNUAL –

CAPITAL –

OTHER –

FUNDING SOURCE: N/A

PURPOSE: To allow applicant to pour wine, malt beverages, and distilled spirits at Double Dip, LLC dba Jefferson's of Villa Rica, 750 W. Bankhead Hwy., Villa Rica, Georgia.

BACKGROUND: The applicant has complied with the Ordinance with regard to the legal notification requirements, and has successfully passed the background check conducted by the Villa Rica Police Department. Also, there are no location restrictions that would hinder the issuance of the license.

STAFF RECOMMENDATION: Approval

IMPACT: None

MOTION: It is my recommendation that we approve the alcoholic beverage application for Double Dip, LLC dba Jefferson's of Villa Rica located at 750 W. Bankhead Hwy.



Public Hearing Date

City Council: January 8, 2019

Request: Alcoholic Beverage License

Project Description: Wine, Malt Beverages, and Distilled Spirits Pouring License for Double Dip, LLC
d/b/a/ Jefferson's of Villa Rica

Applicant: Double Dip, LLC
b/b/a/ Jefferson's
Licensee: David Carulla
214 Ward Circle, Suite 1200
Brentwood, Tennessee 37027

Location: 750 W. Bankhead Hwy., Land Lot 157, 6th District, Carroll County; Ward 5

Parcel Number(s): V07-011-0008

Current Zoning: GC (Commercial)

Current Land Use: Restaurant

Location and Zoning Requirements:

The Alcohol Beverage Ordinance regulates location and zoning statues of the property proposed for serving alcohol as follows:

Sec. 3-46. Zoning Restriction

No retail license shall be granted under this chapter unless the premises to be licensed are, at the time the application is approved by the mayor and council, located under the planning and zoning ordinance of the city in a non-residential zoning district subject to the specific limitation of the respective districts.

The subject property is zoned GC (General Commercial).

Sec. 4-70. Proximity Restrictions:

No premises shall be licensed under this chapter whose location is within the following distances:

- (1) *For the sale of any wine or malt beverage, within 300 feet of any church building, school building, school grounds, or college campus.***

Compliance: Yes

- (2) *For the sale of any distilled spirits, within 300 feet of any church building and within 600 feet of any school building, educational building, school grounds, or college campus.***

Compliance: Yes

- (3) *For the sale of any distilled spirits, wine, malt beverage, within 300 feet of an alcoholic treatment center owned and operated by the State of Georgia or any county or municipal government therein.***

Compliance: Yes

(4) For the sale of any alcoholic beverage for consumption on the premises, within 300 feet of any housing authority property.

Compliance: **Yes**

(5) No consumption-on-the-premises license shall be issued for any place of business which is located within 200 feet of a private single-family or two-family dwelling.

Compliance: **Yes**

Sec. 4-29 Investigation; Hearing:

In accordance to the City of Villa Rica Alcohol Beverage Ordinance, the Villa Rica Police Department (VRPD) investigated the applicant's background. As a result of the investigation, the VRPD revealed no conviction or records against the applicant's good moral character and fitness for a license.

Staff Comments:

The applicant has complied with the Ordinance with regard to the legal notification requirements, and has successfully passed the background check conducted by the Villa Rica Police Department. Also, there are no location restrictions that would hinder the issuance of the license.

Recommendation:

Planning Staff recommends **Approval** of the request by Double Dip, LLC, David Carulla, for Wine, Malt Beverages and Distilled Spirits Pouring License at 750 W. Bankhead Highway.

Public Response:

The applicant has posted a sign on the premises as well as a notice in the Times-Georgian, notifying the public of the application to obtain an alcoholic beverage license at the location.

Bobby C. Elliott, P.E.
Director of Community Development

Attachments:

1. Application
2. Public Notice of Sworn Statement
3. Affidavit of Publication
4. Commercial Lease

#7

CITY OF VILLA RICA

**Application for Original Alcoholic Beverage License
Public Notice (Sign) Sworn Statement**

I (we) Double Dip LLC

Individual, corporation or partnership applying for license. If corporation or partnership, also list owned licensee.

Applicant(s) for an Alcoholic Beverage License in the City of Villa Rica, do solemnly swear, subject to criminal penalties for false swearing that I (we) have posted a notice (sign) at:

750 W Bankhead Hwy
Street Address

Which complies with all requirements of Chapter 3, of the Alcoholic Beverage Ordinance of the City of Villa Rica.

David Carulla

Applicant(s) Signature (FULL NAME IN INK)

I hereby certify that David Carulla signed his or her
Applicant

name to the foregoing statement after stating to me that he/she knew and understood all statements made therein, and, under oath actually administered by me, has sworn that said statement is true.

This 9 day of November 2018.

[Signature]

Notary Public

EMILY PERRY
NOTARY PUBLIC
Carroll County
State of Georgia
My Comm. Expires July 25, 2020

PUBLIC NOTICE!

DOUBLE DIP LIC. has
filed an application to
sell alcoholic beverages
on the premises 750 W.
ISOMARHEAD HWY as a
restaurant. A public
hearing on the application will
be held on 11/27/2018 on Tuesday
at 6:30 pm at Holt Bishop Justice
Center, Municipal Court, Room 101 VR

Connect quickly
& surf securely.

FREE WIFI



CITY OF VILLA RICA

City Council Packet

SUBJECT: To allow applicant to sell retail package malt beverages and wine at Shaheen Corp, LLC, d/b/a Villa Rica Food Mart located at 820 Dallas Highway, Villa Rica, GA 30180.

CITY COUNCIL AGENDA DATE: January 8, 2019

DATE: January 3, 2019

PREPARED BY: Bobby C. Elliott, P.E.

FISCAL IMPACT: None
ANNUAL –
CAPITAL –
OTHER –

FUNDING SOURCE: N/A

PURPOSE: To allow applicant to sell retail package malt beverages and wine at Shaheen Corp, LLC, d/b/a Villa Rica Food Mart located at 820 Dallas Highway, Villa Rica, GA 30180.

BACKGROUND: The applicant has complied with the Ordinance with regard to the legal notification requirements, and has successfully passed the background check conducted by the Villa Rica Police Department. Also, there are no location restrictions that would hinder the issuance of the license.

STAFF RECOMMENDATION: Approval

IMPACT: None

MOTION: I make a motion to approve the alcoholic beverage application for Shaheen Corp, LLC, d/b/a Villa Rica Food Mart located at 820 Dallas Highway, Villa Rica, GA 30180.



Public Hearing Date

City Council: January 8, 2019

Request: Alcoholic Beverage License

Project Description: Retail Package Malt Beverages & Wine

Applicant: Shaheen Corp., LLC
d/b/a Villa Rica Food Mart
Licensee: Ans Ajmal
86 Lanier Court
Hiram, GA 30141

Location: 820 Dallas Highway, Land Lot 193, 6th District, Carroll County; Ward 3

Parcel Number(s): V04-011-0005

Current Zoning: GC (Commercial)

Current Land Use: Convenience Store

Location and Zoning Requirements:

The Alcohol Beverage Ordinance regulates location and zoning statues of the property proposed for serving alcohol as follows:

Sec. 3-46. Zoning Restriction

No retail license shall be granted under this chapter unless the premises to be licensed are, at the time the application is approved by the mayor and council, located under the planning and zoning ordinance of the city in a non-residential zoning district subject to the specific limitation of the respective districts.

The subject property is zoned GC (General Commercial).

Sec. 4-70. Proximity Restrictions:

No premises shall be licensed under this chapter whose location is within the following distances:

- (1) For the sale of any wine or malt beverage, within 300 feet of any church building, school building, school grounds, or college campus.*

Compliance: Yes

- (2) For the sale of any distilled spirits, within 300 feet of any church building and within 600 feet of any school building, educational building, school grounds, or college campus.*

Compliance: Yes

- (3) For the sale of any distilled spirits, wine, malt beverage, within 300 feet of an alcoholic treatment center owned and operated by the State of Georgia or any county or municipal government therein.*

Compliance: Yes

- (4) For the sale of any alcoholic beverage for consumption on the premises, within 300 feet of any housing authority property.*

Compliance: **Yes**

(5) No consumption-on-the-premises license shall be issued for any place of business which is located within 200 feet of a private single-family or two-family dwelling.

Compliance: **Yes**

Sec. 4-29 Investigation; Hearing:

In accordance to the City of Villa Rica Alcohol Beverage Ordinance, the Villa Rica Police Department (VRPD) investigated the applicant's background. As a result of the investigation, the VRPD revealed no conviction or records against the applicant's good moral character and fitness for a license.

Staff Comments:

The applicant has complied with the Ordinance with regard to the legal notification requirements, and has successfully passed the background check conducted by the Villa Rica Police Department. Also, there are no location restrictions that would hinder the issuance of the license.

Recommendation:

Planning Staff recommends **Approval** of the request by Shaheen Corp., LLC, Ans Ajmal, for Retail Package Malt Beverages and Wine License at 820 Dallas Highway.

Public Response:

The applicant has posted a sign on the premises as well as a notice in the Times-Georgian, notifying the public of the application to obtain an alcoholic beverage license at the location.

Bobby C. Elliott
Director of Community Development

Attachments:

1. Application
2. Public Notice of Sworn Statement
3. Affidavit of Publication
4. Commercial Lease

AFFP

11-82282 PUBLIC NOTICE A.S.

Vicki Sharpton
NOTARY PUBLIC
Carroll County, GEORGIA
My Commission Expires
September 25, 2020

Affidavit of Publication

STATE OF GEORGIA }
COUNTY OF CARROLL } SS

Marvin Enderle, being duly sworn, says:

That he is the publisher of the Times-Georgian, a daily newspaper of general circulation, printed and published in Carrollton, Carroll County, Georgia; that the publication, a copy of which is attached hereto, was published in the said newspaper on the following dates:

November 01, 2018

11-12513

PUBLIC NOTICE

City of Villa Rica

Application for Original Alcoholic Beverage License

Public Notice Sworn Statement

I Shaheen Corp LLC/ Ans Ajmal

Applicants for an Alcoholic Beverage License in the City of Villa Rica, do solemnly swear, subject to criminal penalties for false swearing that I have posted a notice at 820 Dallas Highway, Villa Rica, GA 30180.

Which complies with all requirements of Chapter 3, of the Alcoholic Beverage Ordinance of the City of Villa Rica.

Publisher's Fee: \$ 20.00

That said newspaper was regularly issued and circulated on those dates.

SIGNED:



Subscribed to and sworn to me this 1st day of November 2018.



Notary Public, Carroll County, Georgia

40085530 40312513

LIAQUAT ALI
820 DALLAS HWY
VILLA RICA, GA 30180



CITY OF VILLA RICA

City Council Packet

SUBJECT: VA-01-18: Variance to Reduce Side Setback Requirements at 113 Legacy Drive

APPLICANT: Jody Willis, 2273 Carrollton Villa Rica Highway, Villa Rica, GA 30180

CITY COUNCIL AGENDA DATE: January 8, 2019

DATE: December 26, 2018

PREPARED BY: Bobby C. Elliott, P.E.

FISCAL IMPACT:

ANNUAL –

CAPITAL –

OTHER –

FUNDING SOURCE: N/A

PURPOSE: The applicant has requested a variance to reduce the north side setback from 20 feet to 16 feet for the construction of a single-family home. The applicant has begun construction of the home inside the required side yard setback.

BACKGROUND: The applicant failed to locate the property corners on the specified lot when performing the layout of the foundation of the single-family home thus encroaching in the setback approximately 4 feet as shown on the site survey enclosed in the packet.

The applicant filed for a variance in December due to an error where the house was constructed in the side yard setback. Variances are typically granted for exceptional circumstances such as topography, lot shape, or size. In this case, the lot meets the requirements and is conventionally shaped. The building permit application approved by staff proposed that the house would be built within the appropriate boundaries. The applicant continued work without confirming the boundaries and setbacks for the property on the ground. Because of this, the house was built in the side yard setback, as shown on the survey.

STAFF RECOMMENDATION: Staff recommends Denial of the variance request as the hardship is self-imposed, and not due to exceptional circumstances. In researching our Unified Development Code, there are no specifications listed on any possible fine schedule for encroachment in setbacks.

IMPACT: N/A

MOTION:



Planning & Zoning

Community Development Department

VA-01-18

Council Ward: 5

City Council Member: Danny Carter

City Council: January 8, 2019

Request: Variance to reduce the north side yard setback from 20 feet to 16 feet for the construction of a single family home.



Applicant: Jody Willis
2273 Carrollton VR Hwy
Villa Rica, GA 30180

Acres: 0.55+/-
Current Land Use: Residential
Zoning: R-20 (Single Family Residential)

Parcel Number(s): V06 0060303

Location: 113 Legacy Drive, Villa Rica, GA, in Land Lot 129 of the 6th District in Carroll County.

Section 3.04.B – Zoning Districts; R-20 – Single Family Residential:

Minimum Setbacks:
Front – 30 feet
Rear – 25 feet
Side – 20 feet

Project Description:

The applicant is requesting a variance to reduce the north side yard setback from 20 feet to 16 feet for complete the construction of a single family home. The applicant has begun construction of the home in the required side yard setback.

Variance Review Standards:

The Code of the City of Villa Rica, Unified Development Code Section 2.03.J requires all variance applications to be reviewed based upon the following matters:

a. *Granting the variance will not substantially conflict with any City adopted plans or policies, or the purposes or intent as set forth in this code;*

Granting this variance conflicts with the R-20 single family residential lot requirements, as well as, the final plat for the Legacy Lake subdivision.

b. *There are exceptional conditions creating an undue hardship, applicable only to the property involved, or the intended use thereof, which do not generally apply to the other land areas or uses within the zone district;*

There are no exceptional conditions creating an undue hardship that are applicable to this property. The property was platted in accordance with the R-20 zoning district standards. The applicant received permits to begin construction of the single family residential dwelling in October 2018. The approved site plan depicted the house being constructed met the requirements of the zoning district and Legacy Lake final plat. In December 2018, Staff informed the applicant that no further inspections could be made on the property until a licensed survey was submitted and the setbacks were verified on the ground. The applicant submitted the survey to Staff confirming that the home was constructed in the side yard setback. Thus, the hardship is self-imposed due to an error by the applicant.

c. *The applicant cannot derive a reasonable use of the property without approval of a variance;*

The applicant is able to derive reasonable use of their property without approval of the variance. The subject property is a part of the Legacy Lake subdivision and can be used for single family residential purposes.

d. *Granting the variance will not generally set a precedent for other applications (which would indicate that a text amendment to this code should be proposed and considered);*

Granting this variance will set a precedent for future variances in the City. There are no exceptional circumstances affecting the property. The applicant submitted a site plan with the building permit application that indicated the house would be built in the appropriate manner, meeting all required setbacks and standards. Because the site plan met requirements, Staff approved the building permits for the property. Had the site plan reflected encroachment into the setbacks, Staff would not have approved the permits until they were revised. The applicant was advised by Staff several times to verify the boundaries of the lot and the required setbacks before any remaining inspections were to be completed. Thus, if the variance is granted, it would be because of the applicant's own error as opposed to a legitimate hardship.

e. *Granting the variance will not be detrimental to any adjacent properties or the area;*

Granting the variance will most likely not be detrimental to the adjacent properties or the area.

f. Granting the variance will not be detrimental to public health, safety or welfare;
Granting the variance will not be detrimental to public health, safety, or welfare.

g. In the event the basis or reason for the appeal is due to circumstances or a situation not created by the applicant (e.g., an undersized parcel was created, or a structure whose deficient setbacks were established, or a structure had setbacks which were conforming to requirements prior to the adoption of the current code requirements) the Council may approve a variance applying only 4.b. above.

The criteria listed here does not apply to this property or situation.

Staff Comments:

The applicant filed a variance application in December due to an error where the house was constructed in the side yard setback. Variances are typically granted for exceptional circumstances, such as topography, lot shape, or size. In this case, the lot meets the requirements and is conventionally shaped. The building permit application approved by Staff proposed that the house would be built within the appropriate boundaries. The applicant continued work without confirming the boundaries and setbacks for the property on the ground. Because of this, the house was built in the side yard setback, as shown on the survey.

Recommendation:

Staff recommends **DENIAL** of the variance request as the hardship is self-imposed, and not due to exceptional circumstances.

Public Notifications:

As required by *Article 2, Section 2.01* in the Code of the City of Villa Rica, the public has been notified in *Times-Georgian* on December 21, 2018; a sign has been posted on the subject property; and all property owners within 250 feet have received notification via certified mail.

Public Response:

In response to the public notifications, no residents have contacted the City.





Attachments:

1. Application
2. Letter of Intent
3. Site Plan
4. Staff Inspection Notices
5. Building Permits

Office of Community Development



APPLICATION FOR
VARIANCE/APPEAL

☐ APPEAL ☒ VARIANCE

The procedure for requesting a Variance or filing an Appeal is set forth in Section 2.03.J and 2.03.K respectively, of the Unified Development Code (UDC). Generally, the amendment process involves review by the Community Development Manager and City Council.

Please complete the blanks with the requested information. If any of the information or required materials is missing or incomplete, the application will not be processed. Also, please note the required information requested on the back of this page.

Date of Application: 12-13-18

APPLICANT

Applicant Name: Jody Willis (Timber Crest Con.)
Address: 2273 Carrollton Rd Hwy City: Villa Rica State: GA Zip: 30180
Phone: (706) 616-7275 Fax: () Email: Jodywillis@aol.com

Agent Name: _____

Address: _____ City: _____ State: _____ Zip: _____

Phone: () - - Fax: () - - Email: _____

Owner Name (If different from applicant): _____

Address: _____ City: _____ State: _____ Zip: _____

Phone: () - - Fax: () - - Email: _____

(Note: A notarized statement signed by the property owner(s) authorizing the applicant to make this request shall be attached to the application.)

VARIANCE OR APPEAL INFORMATION

Address of Variance or Appeal Location: 113 Legacy Drive Villa Rica

I, Jody Willis, hereby state that all of the above statements and statements contained in the documents submitted with this application are true. I hereby request processing of this application.

Signature of Applicant

Date

12-13-18

VA-01-18



CASE # _____
VARIANCE/APPEAL

Required Materials to Accompany the Application

The Community Development Manager may waive informational requirements upon finding that the information is not required to determine compliance with UDC requirements.

Variance:

- ✓ 1. Copy of deed, lease, option agreement or other evidence of ownership or applicant's interest in the property. If the applicant is not the owner, attach a notarized statement signed by the owner authorizing the applicant to request the amendment.
- ✓ 2. A site plan demonstrating the requested variance, showing the affected property, adjacent property, zoning and existing land use;
- ✓ 3. A statement of why the variance is necessary;
- ✓ 4. A statement as to how the applicant's request satisfies each required finding;
- ✓ 5. A listing of the owners of property within 250 feet of the subject property and the mailing addresses for said owners on file with the County Assessor; and
- ✓ 6. Any other exhibits as may be required by the Community Development Manager.

Appeals from Staff Determinations:

1. Copy of deed, lease, option agreement or other evidence of ownership or applicant's interest in the property. If the applicant is not the owner, attach a notarized statement signed by the owner authorizing the applicant to request the amendment;
2. A statement as to why the applicant believes the Staff's determination is contrary to the intent and requirements of the Code; and
3. Any other exhibits as may be required by the Community Development Manager.

Return Form to:
Planning & Zoning
Office of Community Development
City of Villa Rica
571 West Bankhead
Villa Rica, GA 30180

678.785.1004 (T)
770.459.7003 (F)

For Department Use Only

Case No: _____

Filing Fee: _____

Date Received: _____

Pre-Application Conf: _____

Staff Comments/Findings: _____

Action and Date: _____

Jody Willis
GA LICENSE #RBI003560
2273 Carrollton-Villa Rica Highway
Villa Rica, GA 30180
(770)616-7275
jodywwills@aol.com

December 13, 2018

Planning & Zoning
Office of Community Development
City of Villa Rica
571 West Bankhead
Villa Rica, GA 30180

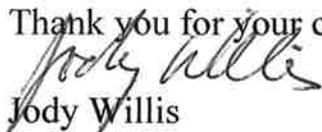
Re: Variance-113 Legacy Drive, Villa Rica, GA 30180

To the City Council,

I am requesting this variance due to a misunderstanding on side line setbacks.

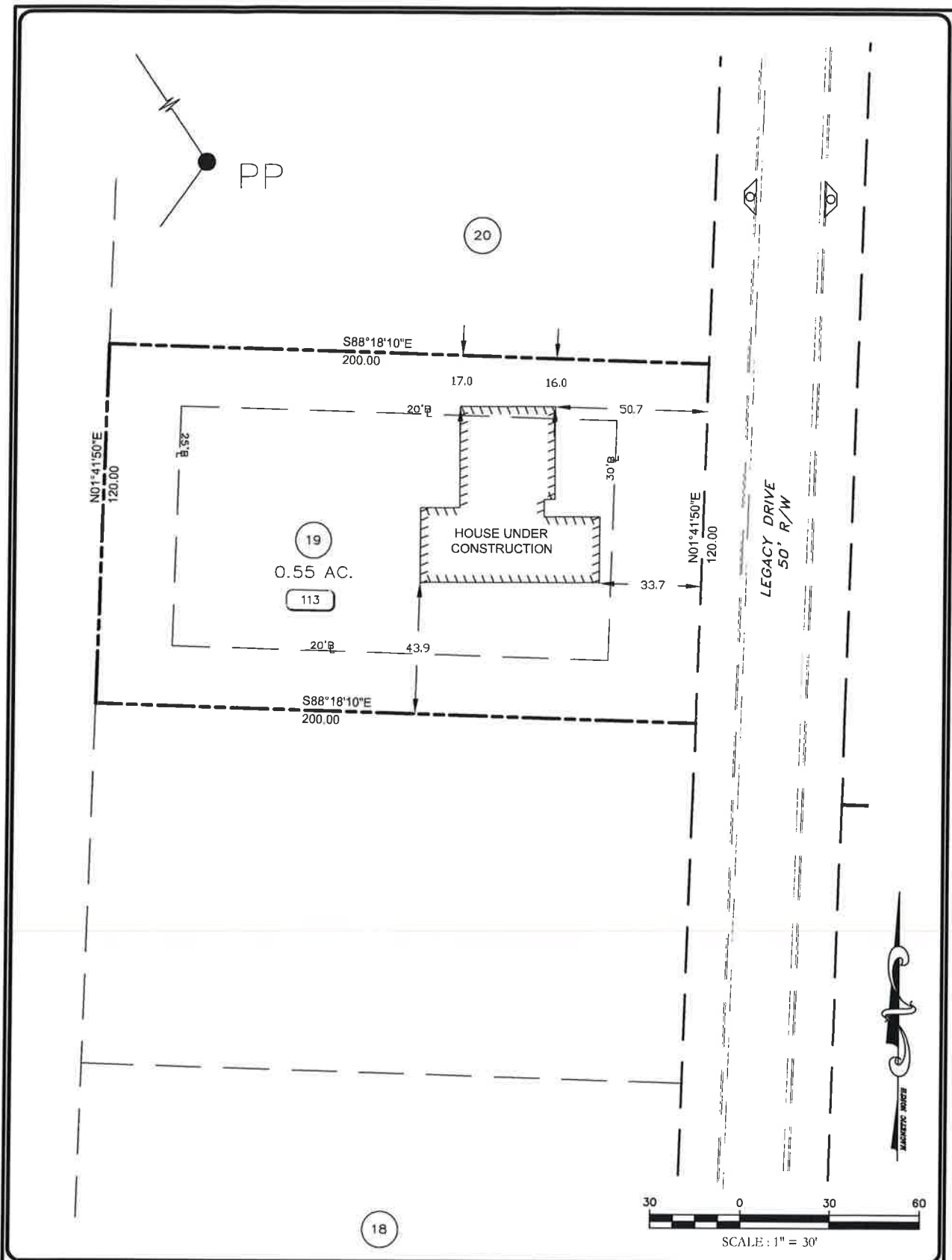
My house sets 16-17 feet from the right side property line.

Thank you for your consideration.



Jody Willis
Timber Crest Construction, LLC

VA-01-18



HRC
HUGHES-RAY COMPANY, INC.
ENGINEERS | SURVEYORS | LANDSCAPE ARCHITECTS
6554 EAST CHURCH STREET
DOUGLASVILLE, GEORGIA 30134
p 770.942.0196
f 770.942.0152
www.HughesRay.com

FOUNDATION SURVEY
FOR
LEGACY LAKE LOT 19
L.L. 129, 6TH DISTRICT,
CITY OF VILLA RICA
CARROLL COUNTY, GEORGIA

GEORGIA
REGISTERED
LAND SURVEYOR
AARON M. MCCULLOUGH
09/04/16

Return Recorded Document to:
C. S. Vaughn, LLC
418 Westview Drive
Villa Rica, GA 30180

WARRANTY DEED

STATE OF GEORGIA

COUNTY OF Carroll

File #: 18186-18

This Indenture made this 21st day of August, 2018 between Hugh E. Preston, III and Leanne C. Preston, of the County of Carroll, State of Georgia, as party or parties of the first part, hereinafter called Grantor, and Timbercrest Construction, LLC, a Georgia Limited Liability Company, as party or parties of the second part, hereinafter called Grantee (the words "Grantor" and "Grantee" to include their respective heirs, successors and assigns where the context requires or permits).

W I T N E S S E T H that: Grantor, for and in consideration of the sum of **TEN AND 00/100'S (\$10.00) Dollars** and other good and valuable considerations in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, has granted, bargained, sold, aliened, conveyed and confirmed, and by these presents does grant, bargain, sell, alien, convey and confirm unto the said Grantee,

ALL THAT TRACT or parcel of property lying and being in Land Lot 129 of the 6th Land District of Carroll County, Georgia and being more particularly described and delineated as LOT 19 of the Legacy Lake Subdivision as shown on that certain plat of survey entitled, "Final Plat, LEGACY LAKE," dated 8/30/2005, as prepared by Vansant-Campbell, and certified by Gil Campbell, GRLS #2445 and recorded in Plat Book 88, Page 23 of the Public Land Records of Carroll County, Georgia. Said plat and the record thereof are incorporated herein for a more accurate and detailed description of the property.

This Deed is given subject to all easements and restrictions of record, if any.

Legacy Lake Membership List 2018

Lot #	Last Name	First Name	Address	City	State	Zip Code	Phone	E-Mail
1	Sinclair	Henry Martha	619 Whitefalls Drive 619 Whitefalls Drive	Columbia Columbia	South Carolina South Carolina	29212 29212		cdpsc3@aol.com cdpsc3@aol.com
2	Shelton	David L. & Lora	106 Legacy Drive 9458 Creekstone Ct	Villa Rica Villa Rica	Georgia Georgia	30180 30180	678-840-5656	
3	Williams	Kevin & Patrice Patrice	112 Legacy Drive 112 Legacy Drive	Villa Rica Villa Rica	Georgia Georgia	30108 30108	770-605-8565 404-405-0794	kevin@fbvcr.com
4	Hamrick	Micah Jody	120 Legacy Drive 120 Legacy Drive	Villa Rica Villa Rica	Georgia Georgia	30180 30180	678-977-0011 770-851-6709	micah.hamrick@gmail.com jody.hamrick@gmail.com
5	Smallwood	Garry Vicki	125 Legacy Drive 125 Legacy Drive	Villa Rica Villa Rica	Georgia Georgia	30180 30180	404-317-2540 404-402-8822	smallwood7@yahoo.com yicsmallwood@yahoo.com
6	Smallwood	Garry Vicki	125 Legacy Drive 125 Legacy Drive	Villa Rica Villa Rica	Georgia Georgia	30180 30180	404-317-2540 404-402-8822	smallwood7@yahoo.com yicsmallwood@yahoo.com
7	Holland	Jason Andrea	148 Legacy Drive 148 Legacy Drive	Villa Rica Villa Rica	Georgia Georgia	30180 30180	770-296-4661 770-296-4588	jholland@tdlantz.com andrea.holland143@gmail.com
8	Preston Volk new owner	Brian April	152 Legacy Drive 152 Legacy Drive	Villa Rica Villa Rica	Georgia Georgia	30180 30180	678-983-2111 678-983-3094	thebrianprestign@gmail.com
9	Baird	Steve Cara	153 Legacy Drive 153 Legacy Drive	Villa Rica Villa Rica	Georgia Georgia	30180 30180	678-787-1138 770-317-1624	steve@jandronconstructioninc.com nursecarabaird@yahoo.com
10	Baird	Steve Cara	153 Legacy Drive 153 Legacy Drive	Villa Rica Villa Rica	Georgia Georgia	30180 30180	678-787-1138 770-317-1624	steve.jrc@gmail.com nursecarabaird@yahoo.com
11	Knight	Anton Corandra	149 Legacy Drive 149 Legacy Drive	Villa Rica Villa Rica	Georgia Georgia	30180 30180	770-875-5057 770-875-5057	antive_2a@yahoo.com antive_2a@yahoo.com
12	R Man Ventures	Jerry Boutwell	2267 Carrollton VR Hwy 145 Legacy Drive	Villa Rica Villa Rica	Georgia Georgia	30180 30180	404-229-1099	jaboutwell@aol.com

VA-01-14

13	Head	Coby Ashley	137 Legacy Drive 137 Legacy Drive	Villa Rica Villa Rica	Georgia Georgia	30180 30180	404-925-0154 coby@pkspaving.com 770-906-8798 ashley@coatsandcordle.com
14	Hendrix	Ferlando Adrianne	133 Legacy Drive 133 Legacy Drive	Villa Rica Villa Rica	Georgia Georgia	30180 30180	770-722-8195 404-450-9223 steadyenancing@gmail.com
15	Ealey	Jeff Ealey Jessica Ealey	129 Legacy Drive 129 Legacy Drive	Villa Rica Villa Rica	Georgia Georgia	30180 30180	770-241-2513 770-910-5958
16	Smallwood	Garry Vicki	125 Legacy Drive 125 Legacy Drive	Villa Rica Villa Rica	Georgia Georgia	30180 30180	404-317-2540 smallwood7@yahoo.com 404-402-8822 vicsmallwood@yahoo.com
17	Preston	Eddie Leanne	121 Legacy Drive 121 Legacy Drive	Villa Rica Villa Rica	Georgia Georgia	30180 30180	770-865-8436 epreston@arbys.com 404-319-1097
18	Preston	Eddie Leanne	121 Legacy Drive 121 Legacy Drive	Villa Rica Villa Rica	Georgia Georgia	30180 30180	770-865-8436 epreston@arbys.com 404-319-1097
19	McCray	Brett Anna	113 Legacy Drive 113 Legacy Drive	Villa Rica Villa Rica	Georgia Georgia	30180 30180	678-776-6681 brettmccray@bellsouth.net 678-882-2453 annamccray@att.net
20	Kusterer	Rob Penny	198 Daniel Road 198 Daniel Road	Villa Rica Villa Rica	Georgia Georgia	30180 30180	512-507-1870 512-507-1871 penny_kusterer@del.com
21	Kusterer	Rob Penny	198 Daniel Road 198 Daniel Road	Villa Rica Villa Rica	Georgia Georgia	30180 30180	512-507-1870 512-507-1871 penny_kusterer@del.com

VANSANT - CAMPBELL

Prepared By



FINAL PLAT
LEGACY LAKE
LAND LOT 129 - 6th DISTRICT
THE CITY OF VILLA RICA
CARROLL COUNTY, GEORGIA
DATE: AUGUST 30, 2005
SCALE: 1" = 100'
S:\04127\FP.DWG

CURVE TABLE

CURVE	LENGTH	RADIUS	CHORD	DIRECTION
C1	226.75	166.25	209.58	S 87° 11' 10" W
C2	210.7	250.0	204.1	S 20° 47' 31" W
C3	310.3	500.0	311.1	S 31° 15' 45" W
C4	61.3	500.0	61.3	S 21° 29' 34" W
C5	43.7	50.0	43.7	S 17° 00' 00" E
C6	43.7	50.0	43.7	N 82° 00' 00" E
C7	210.7	250.0	204.1	N 66° 42' 24" E
C8	210.7	250.0	204.1	S 59° 06' 13" E
C9	47.95	50.0	48.14	S 58° 10' 07" E
C10	32.36	50.0	32.36	N 44° 02' 21" E
C11	68.79	50.0	69.94	N 14° 13' 45" W
C12	74.05	50.0	74.48	S 58° 53' 23" W
C13	210.7	250.0	204.1	S 58° 42' 24" W
C14	39.68	25.0	39.68	N 67° 12' 30" W
C15	222.90	225.0	224.1	N 67° 12' 30" W
C16	322.7	225.0	324.1	N 67° 12' 30" W

- GENERAL NOTES:
1. THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A FIELD CLOSURE OF ONE FOOT IN 61,500 FEET AND HAS A CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 100,000 FEET.
 2. THE BOUNDARY OF THIS PLAT HAS BEEN CALCULATED FOR USING THE COMPASS RULE AND WAS ADJUSTED.
 3. ALL LOT CORNERS ARE MARKED BY 1/2" RE-BARS EXCEPT AS OTHERWISE NOTED ON PLAT.
 4. TOTAL ACRES SUBDIVIDED 21.882± ACRES.
 5. OWNER AND SUBDIVIDER.
 6. NAME: KARYN DEAN, KARYN PROPERTIES, LLC.
 7. ADDRESS: 120 S. WILSON STREET, VILLA RICA, GA 30180. PHONE: (678) 214-2000.
 8. MINIMUM LOT SIZE - 24,000 SF OR AS NOTED.
 9. ZONED - R-20.
 10. LOT TOTAL - 21 LOTS.
 11. ALL DRAINAGE EASEMENTS TO CONFORM TO ACTUAL LOCATION OF DRAINAGE STRUCTURES AND TRENCHES.
 12. SIDEWALK SHALL BE CONSTRUCTED ON NORTH SIDE OF STREET PER CITY OF VILLA RICA STANDARDS.
 13. REMOVAL SEPTIC SYSTEMS.

OWNERS ACKNOWLEDGEMENT:

THE OWNER OF THE LAND SHOWN ON THIS PLAT AND WHOSE NAME IS SUBSCRIBED FROM AN ACTUAL SURVEY OF THE PROPERTY SHOWN HEREON, HEREBY CERTIFIES THAT THIS PLAT IS TRUE AND CORRECTLY REPRESENTS THE ACTUAL SURVEY OF THE PROPERTY SHOWN HEREON, AND THAT THE PLAT COMPLETES A TOTAL OF 21 LOTS.

STATE OF GEORGIA - COUNTY OF CARROLL

SUBDIVIDER: DATE: OWNER: DATE: CITY CLERK OF VILLA RICA: DATE: CHAIRMAN PLANNING COMMISSION: DATE:

NOTES:

1. ALL SINGLE-FAMILY STRUCTURES SHALL HAVE FRONT YARDS OF 100 FEET.

2. ALL SINGLE-FAMILY STRUCTURES SHALL HAVE FRONT YARDS OF 100 FEET.

3. THE DEVELOPER SHALL ESTABLISH COVENANTS AND A HOMEOWNERS ASSOCIATION TO MAINTAIN THE COMMON/OPEN SPACE AREA.

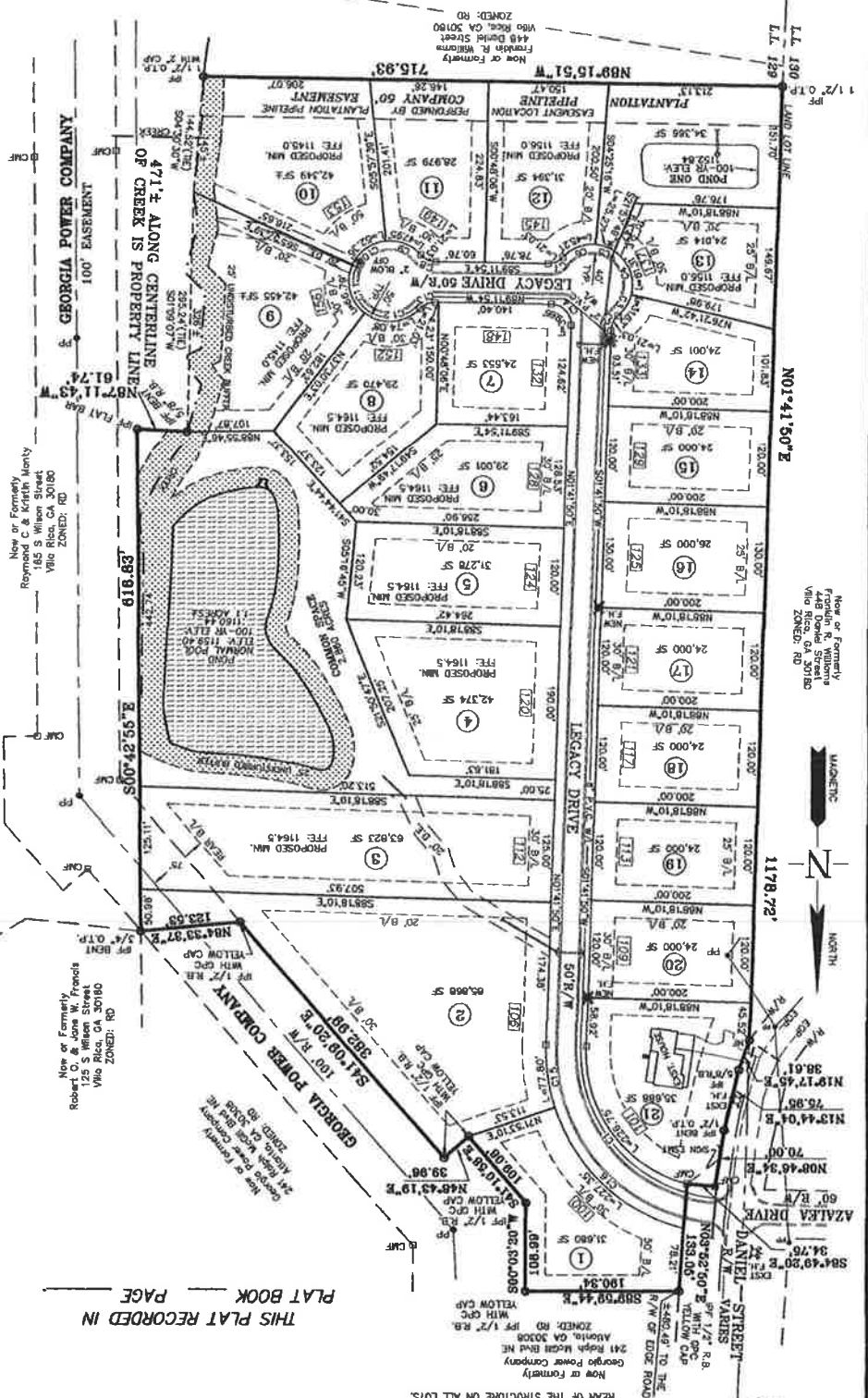
4. THE DEVELOPMENT SHALL BE A MINIMUM OF 21 LOTS.

5. SIDEWALK SHALL BE INSTALLED ON ONE SIDE OF STREET AS SHOWN.

6. STRUCTURES SHALL BE BUILT ON SITE. NO MOBILE OR MANUFACTURED HOMES ARE PERMITTED.

7. THE DEVELOPER SHALL INSTALL UNDERGROUND UTILITIES AND STREETS.

8. 500' SHALL BE PLACED IN THE FRONT, SIDES AND 20' IF BEYOND THE REAR OF THE STRUCTURE ON ALL LOTS.



LEGEND

R/W - RIGHT OF WAY
N/P - NON PIN FOUND
C.P. - CHAINED TOP PEG
R.O.P. - RAILROAD PIN PLACED
R.O.P. - RAILROAD PIN FOUND
R/W - RIGHT OF WAY
N/P - NON PIN FOUND
C.P. - CHAINED TOP PEG
R.O.P. - RAILROAD PIN PLACED
R.O.P. - RAILROAD PIN FOUND

GRAPHIC SCALE

1 inch = 100 feet

LEGACY LAKE

1178.72'

0'

120.00'

(18)

200.00'

N88°18'10"W

25' B/L

24,000 SF

(19)

200.00'

N88°18'10"W

113

120.00'

8" P.V.C. W/L — S01°41'50"W

Y DRIVE

N01°41'50"

125.00'

30' B/L

112

25.00'

S88

SITE SOIL PROPERTIES	
SOIL UNIT	PERCENT GRAVEL
Abell	3-6
Alcory	0-1
Apying	2-6
Batholom	3-5

0-1	0-1
0-2	0-2

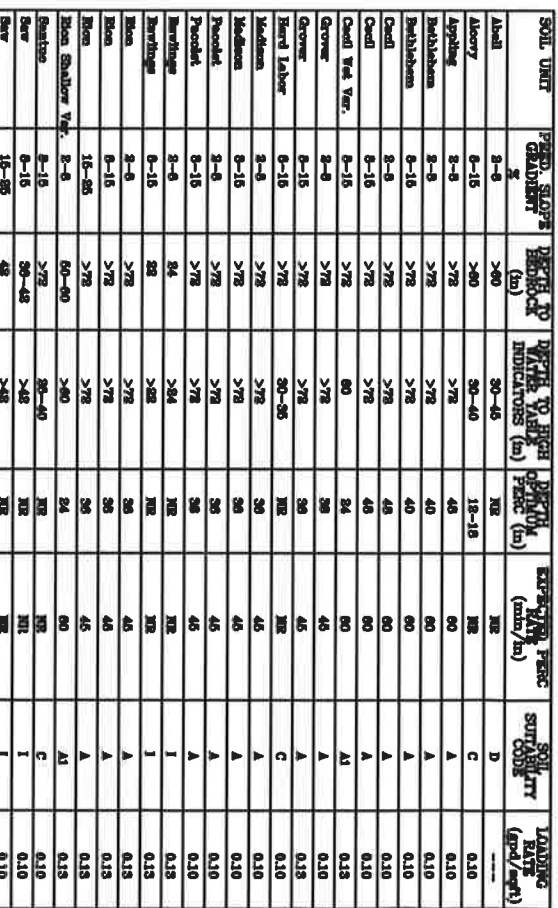
	1978	1979	1980	1981
Cordell	8-16	>78	>78	A
Cordell	8-16	>78	80	A
Cordell	8-16	>78	80	A1
Crowns	8-8	>78	80	A
	8-16	>78	80	A1

Hard Labor	6-1
Medium	3-4

8-1	8-1
-----	-----

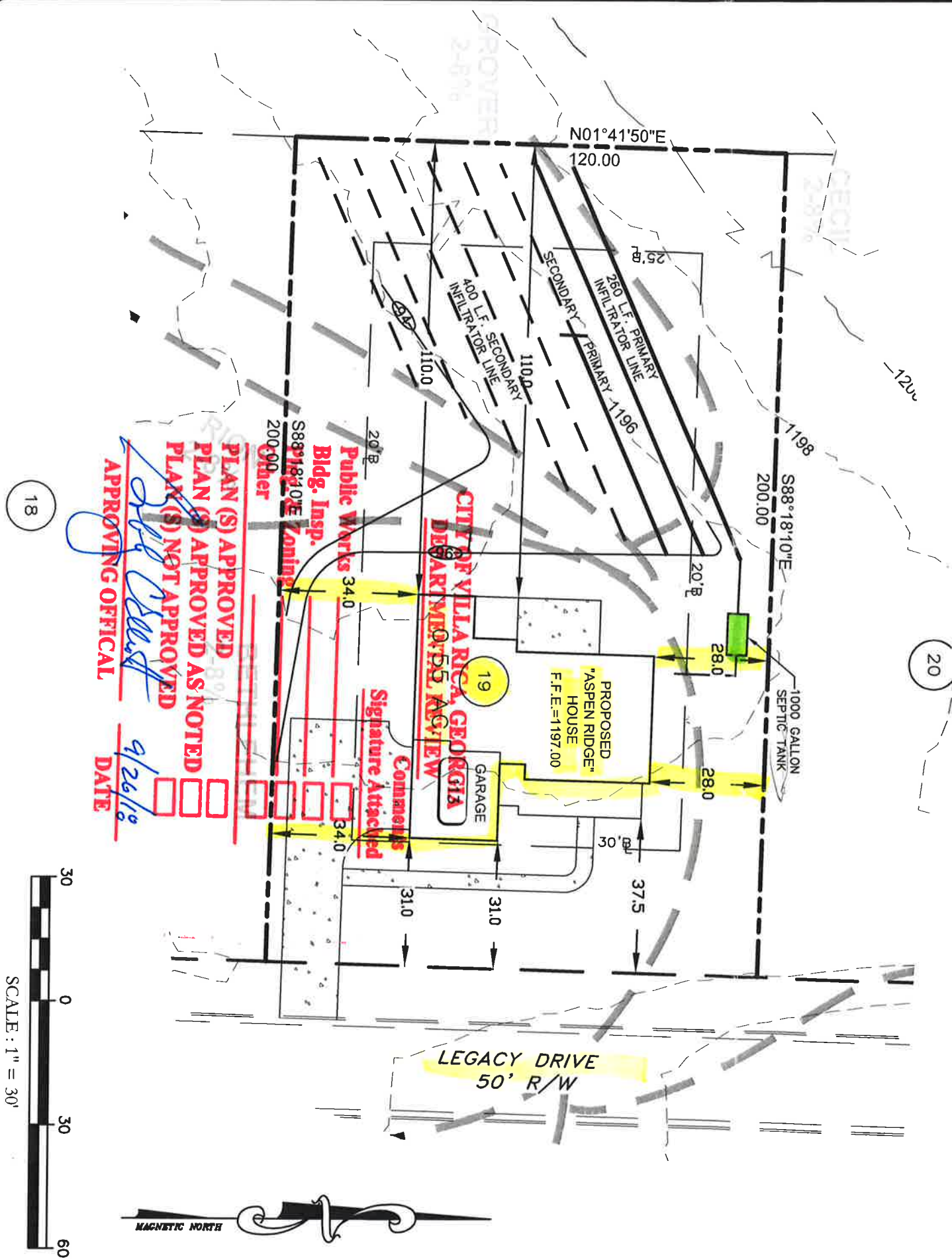
Product	8-1
---------	-----

Parties	0-1
---------	-----



Tallapoosa	2-6
------------	-----

Wellbore	W-16	>72	>72	36	45	A	0.18
Tullapooam	16-85	>72	>72	36	45	A	0.18
Tullapooam R. V.	8-18	48-64	>80	84	60	A1	0.15
Wickham	8-16	>72	>72	36	60	A	0.10
Wickham Wd. V.	8-8	>72	65	24	60	A1	0.10



LOCATION P

KE LOT

DISTRICT,

A RICA

ITY, GEORGI



ISTRICT,
-A RICA



Peggy Allen

From: Peggy Allen
Sent: Tuesday, December 4, 2018 9:57 AM
To: 'Jodywillis@aol.com'
Cc: Bobby Elliott
Subject: Building setback issue

Good morning Jody,

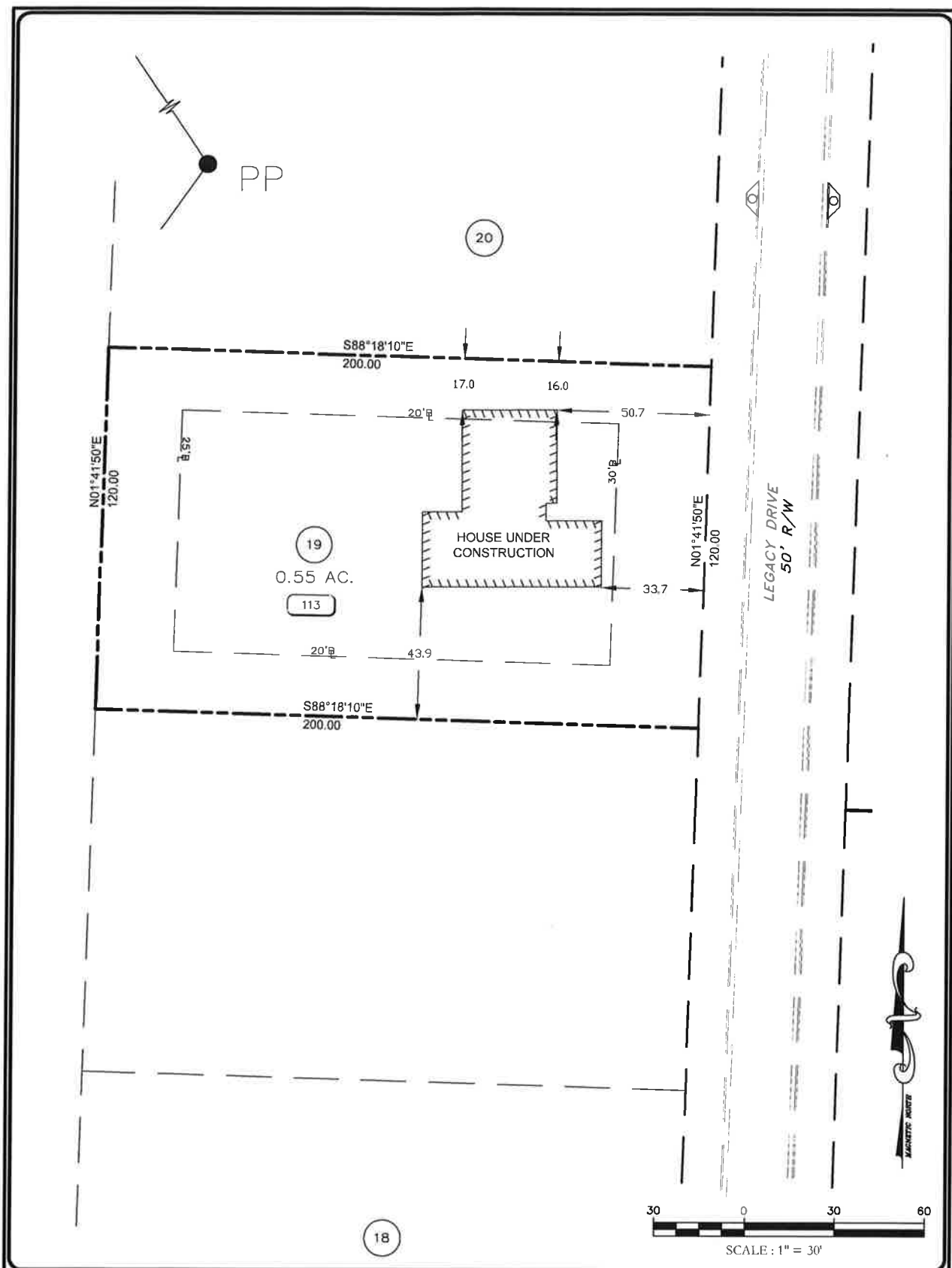
It has come to our attention that the required setbacks has not been met for Lot 19 Legacy Lake, 113 Legacy Drive. We need to request that a professional land surveyor go out and stake the property lines so it can be properly inspected.

The minimum side setbacks from the property line is 20 ft, and your site plans shows the structure would be 28 ft; therefore, we will need to verify the accurate setback of the building by a surveyor to see what corrections will need to be made.

At this time, no other inspections will be done on the structure until this discrepancy, if any, is corrected.

Thank you for your attention to this matter.
Please contact us with any questions you may have.

Peggy L. Allen



HUGHES-RAY COMPANY, INC.
ENGINEERS | SURVEYORS | LANDSCAPE ARCHITECTS
6554 EAST CHURCH STREET
DOUGLASVILLE, GEORGIA 30134
p 770.942.0196
f 770.942.0152
www.HughesRay.com

FOUNDATION SURVEY
FOR
LEGACY LAKE LOT 19

L.L. 129, 6TH DISTRICT,
CITY OF VILLA RICA
CARROLL COUNTY, GEORGIA



	City of Villa Rica 571 W. Bankhead Hwy., Villa Rica, GA 30180 (770) 459-7000 Fax (770) 459-7003	Single Family Dwelling
		18VR-BLD000218

For Inspections: (678) 840-1018

Date Issued: 10/23/2018 Job Site Address: 113 Legacy Drive, Villa Rica, GA 30180 Category: Residential New Permit Type: Single Family Dwelling Valuation: \$277,121.25	Property Owner: Timbercrest Construction LLC Mailing Address: 2273 Carrollton Villa Rica Highway Villa Rica, GA 30180 Phone: (770) 616-7275 Email: jodywillis@aol.com
---	---

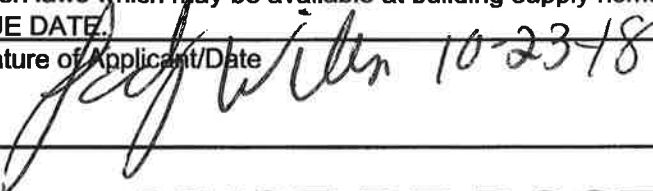
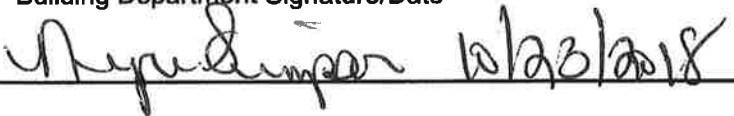
Description of Work: New Construction

Subdivision: Legacy Lake Parcel ID: V06 0060303 Filing: Lot: 19 Block: Total Sq Ft:	Required Setbacks: <table border="1"> <tr> <td></td> <td></td> <td></td> <td></td> </tr> </table> Actual Setbacks: <table border="1"> <tr> <td></td> <td></td> <td></td> <td></td> </tr> </table>								

Contractors: Primary Timber Crest Construction, (770) 616-7275	<table> <tr> <th>Fee Items</th> <th>Amount</th> </tr> <tr> <td>Residential Building Permit</td> <td>\$994.00</td> </tr> <tr> <td>Other Permit Fee</td> <td>\$10.00</td> </tr> <tr> <td>Plan Review</td> <td>\$497.00</td> </tr> <tr> <td>Total:</td> <td>\$1,501.00</td> </tr> </table>	Fee Items	Amount	Residential Building Permit	\$994.00	Other Permit Fee	\$10.00	Plan Review	\$497.00	Total:	\$1,501.00
Fee Items	Amount										
Residential Building Permit	\$994.00										
Other Permit Fee	\$10.00										
Plan Review	\$497.00										
Total:	\$1,501.00										

NOTICE

The issuance of this permit authorizes improvements of the real property designated herein which improvements may subject such property to mechanic's and materialmen's liens pursuant to Part 3 of Article 8 of Chapter 14 of Title 44 of the Official Code of Georgia Annotated. In order to protect any interest in such property and to avoid encumbrances thereon, the owner or any person with an interest in such property should consider contacting an attorney or purchasing a consumer's guide to the lien laws which may be available at building supply home centers. ALL PERMITS ARE VALID FOR SIX MONTHS FROM ISSUE DATE.

Signature of Applicant/Date  10-23-18	Building Department Signature/Date  10/23/2018
---	---

MUST BE POSTED ON JOB SITE

NOTICE OF INSPECTION

CITY OF VILLA RICA, GEORGIA
INSPECTION LINE: 678-840-1018

PL 000478 151

HC NO Permit
HV 000180

BC 000445 218

EC 000444 214

Date 12/07/19

Time _____

TO: J.L.B. Construction

LOCATION 113 Legacy Dr.

A FR/ Roughs

INSPECTION WAS MADE AT THE ABOVE LOCATION

AND WORK WAS FOUND TO BE:

☐ APPROVED

☐ APPROVED AS NOTED

☒ NOT APPROVED

☐ THE FOLLOWING CORRECTIONS WILL BE REQUIRED BEFORE APPROVAL CAN BE MADE: MAKE CORRECTIONS AND CALL THIS OFFICE FOR RE-INSPECTION.

☐ CALL _____

☐ RE-INSPECTION FEE REQUIRED

☐ AND IS IN VIOLATION OF CODES AND ORDINANCES OF VILLA RICA. YOU ARE HEREBY ORDERED TO CEASE WORK AT ONCE. FAILURE TO DO SO WILL RESULT IN LEGAL ACTION.

Sorry, but as stated in my email, no further

inspections will be made until we receive a licensed survey
marked side setback and letter to verify where it lies

NOTICE OF INSPECTION

B 18VR-Bld 000218

CITY OF VILLA RICA, GEORGIA
INSPECTION LINE: 678-840-1018

P _____

E _____

H _____

Date 12-13-18

Time _____

TO: Gody Willis

LOCATION 113 Legacy Dr. (Lot 19)

A Stop Work Order

INSPECTION WAS MADE AT THE ABOVE LOCATION
AND WORK WAS FOUND TO BE:

☒ APPROVED

☒ APPROVED AS NOTED

☒ NOT APPROVED

☐ THE FOLLOWING CORRECTIONS WILL BE REQUIRED BEFORE APPROVAL CAN BE MADE: MAKE CORRECTIONS
AND CALL THIS OFFICE FOR RE-INSPECTION.

☐ CALL _____

☐ RE-INSPECTION FEE REQUIRED

☒ AND IS IN VIOLATION OF CODES AND ORDINANCES OF VILLA RICA. YOU ARE HEREBY ORDERED TO CEASE WORK
AT ONCE. FAILURE TO DO SO WILL RESULT IN LEGAL ACTION.

Foundation survey shows that the structure encroaches
within the side set back area and is now required to
apply for a variance. Please contact Jenise Lyons our zoning
administrator to apply soon as possible because this process
could take several weeks.



CITY OF VILLA RICA

City Council Packet

SUBJECT: VA-02-18: Variance to Reduce Required Parking for a Kennel

APPLICANT: Chippie's Place, LLC, 14931 Veterans Memorial Hwy, Villa Rica, Georgia 30180

CITY COUNCIL AGENDA DATE: January 8, 2019

DATE: December 26, 2018

PREPARED BY: Bobby C. Elliott, P.E.

FISCAL IMPACT:

ANNUAL –

CAPITAL –

OTHER –

FUNDING SOURCE: N/A

PURPOSE: The applicant is requesting a variance to reduce the amount of required parking spaces. Based on the site plan, the applicant intends to erect an 80' x 50' (12,000 square feet) building. The square footage of building dictates a minimum of 30 parking spaces, and they anticipate having five (5) employees. The total parking requirement, per the Unified Development Code, is 35 spaces.

BACKGROUND: The applicant filed a variance application in December in order to reduce the number of required parking spaces for a kennel business. The Unified Development Code requires that they provide a minimum of 35 parking spaces, based on the square footage of the proposed building and the number of employees. Providing 35 spaces would occupy a significant amount of space on the property that is already affected by exceptional conditions (topography, site features, etc.). Additionally, Staff is of the opinion that the nature of a kennel would not generate vehicular traffic, as patrons would most likely be dropping off or picking their pet. It is not expected that the patrons will be parking for extended periods of time, thus, most of the 35 spaces would likely be unoccupied. On the site plan provided by the applicant, they intend to provide 13 standard spaces and two (2) ADA parking spaces.

STAFF RECOMMENDATION: APPROVAL WITH CONDITIONS

1. A minimum of 13 standard spaces and two (2) ADA spaces must be provided on the property.
2. Parking reduction applies only to the proposed kennel business.

IMPACT: N/A

MOTION:



Planning & Zoning

Community Development Department

VA-02-18

Council Ward: 1

City Council Member: Shirley Marchman

City Council: January 8, 2019

Request: Variance to reduce the required parking requirement for a kennel.



Applicant: Chippie's Place, LLC
P.O. Box 324
Villa Rica, GA 30180

Acres: 3.35+/-
Current Land Use: Undeveloped
Zoning: General Commercial (GC)

Parcel Number(s): 01460250003

Location: 14931 Veterans Memorial Highway, Villa Rica, GA, in Land Lot 146 of the 25th District in Douglas County.

Section 4.03.B.1 – Parking Standards, B. Minimum Parking Requirements:

1. Number of Spaces In all districts, the minimum number of off-street parking spaces shall be provided in accordance with the requirements in Table 4-1 and Table 4-2, at the time any building or structure is erected or structurally altered. Only independently accessible spaces shall be counted towards required parking. Tandem parking spaces shall not be counted.

Uses	Parking Spaces
Kennel	1 per employee + 1 per 400 sq.ft GFA

Project Description:

The applicant is requesting a variance to reduce the amount of required parking spaces. Based on the site plan, the applicant intends to erect an 80' x 50' (12,000 square feet) building. The square footage of building dictates a minimum of 30 parking spaces, and they anticipate having five (5) employees. The total parking requirement, per the Unified Development Code, is 35 spaces.

- a. Granting the variance will not substantially conflict with any City adopted plans or policies, or the purposes or intent as set forth in this code;**

Granting this variance conflicts with the parking standards set forth by Unified Development Code.

- b. There are exceptional conditions creating an undue hardship, applicable only to the property involved, or the intended use thereof, which do not generally apply to the other land areas or uses within the zone district;**

There are exceptional conditions applicable to this property. Per the site plan, there is an AT&T easement running east to west on the southern portion of the property. The Unified Development Code defines an easement as a strip of land for which rights have been granted for a specified use or purpose, including, but not limited to: access, utilities, drainage, conservation, agriculture or other specified activity or impact. Access to the easement cannot be impeded by development. Additionally, the centerline of a creek runs along the southern property line. The easement and creek severely limit the amount of buildable area of the property. Therefore, Staff is of the opinion that there are exceptional conditions creating an undue hardship.

- c. The applicant cannot derive a reasonable use of the property without approval of a variance;**

The applicant is able to derive reasonable use of their property without approval of the variance. The property is zoned General Commercial, which allows a variety of commercial uses.

- d. Granting the variance will not generally set a precedent for other applications (which would indicate that a text amendment to this code should be proposed and considered);**

Granting this variance will not set a precedent for future variances in the City. There are exceptional circumstances that limit the buildable area on the property.

- e. Granting the variance will not be detrimental to any adjacent properties or the area;**

Granting the variance will most likely not be detrimental to the adjacent properties or the area.

f. Granting the variance will not be detrimental to public health, safety or welfare;

Granting the variance will not be detrimental to public health, safety, or welfare.

g. In the event the basis or reason for the appeal is due to circumstances or a situation not created by the applicant (e.g., an undersized parcel was created, or a structure whose deficient setbacks were established, or a structure had setbacks which were conforming to requirements prior to the adoption of the current code requirements) the Council may approve a variance applying only 4.b. above.

There are exceptional conditions for the property not created by the applicant. An easement and creek severely limit the buildable area of the lot.

Staff Comments:

The applicant filed a variance application in December in order to reduce the number of required parking spaces for a kennel business. The Unified Development Code requires that they provide a minimum of 35 parking spaces, based on the square footage of the proposed building and the number of employees. Providing 35 spaces would occupy a significant amount of space on the property that is already affected by exceptional conditions (topography, site features, etc). Additionally, Staff is of the opinion that the nature of a kennel would not generate vehicular traffic, as patrons would most likely be dropping off or picking their pet. It is not expected that the patrons will be parking for extended periods of time, thus, most of the 35 spaces would likely be unoccupied. On the site plan provided by the applicant, they intend to provide 13 standard spaces and two (2) ADA parking spaces.

Recommendation:

Staff recommendation: **APPROVAL WITH CONDITIONS**

1. A minimum of 13 standard spaces and two (2) ADA spaces must be provided on the property.
2. Parking reduction applies only to the proposed kennel business.

Public Notifications:

As required by *Article 2, Section 2.01* in the Code of the City of Villa Rica, the public has been notified in *Times-Georgian* on November 17, 2018; a sign has been posted on the subject property; and all property owners within 250 feet have received notification via certified mail.

Public Response:

In response to the public notifications, residents within the surrounding neighborhoods have not contacted the City at the time of this staff report.

Attachments:

1. Application
2. Letter of Intent
3. Site Plan



APPLICATION FOR
VARIANCE/APPEAL

☐ APPEAL ☒ VARIANCE

The procedure for requesting a Variance or filing an Appeal is set forth in Section 2.03.J and 2.03.K respectively, of the Unified Development Code (UDC). Generally, the amendment process involves review by the Community Development Manager and City Council.

Please complete the blanks with the requested information. If any of the information or required materials is missing or incomplete, the application will not be processed. Also, please note the required information requested on the back of this page.

Date of Application: 12/4/2018

APPLICANT

Applicant Name: Chippie's Place, LLC

Address: P.O. Box 324 City: Villa Rica State: GA Zip: 30180

Phone: (404) 725-6794 Fax: (770) 459-6723 Email: diannefortner@bellsouth.net

Agent Name: Dianne Fortner

Address: 215 W. Bankhead Hwy., Ste A City: Villa Rica State: GA Zip: 30180

Phone: (770) 459-2222 Fax: (770) 459-6723 Email: diannefortner@bellsouth.net

Owner Name (If different from applicant): Fairplay Owl, LLC

Address: 215 W. Bankhead Hwy., Ste A City: Villa Rica State: GA Zip: 30180

Phone: (770) 459-2222 Fax: (770) 459-6723 Email: diannefortner@bellsouth.net

(Note: A notarized statement signed by the property owner(s) authorizing the applicant to make this request shall be attached to the application.)

VARIANCE OR APPEAL INFORMATION

Address of Variance or Appeal Location: 14931 Veterans Memorial Highway, Villa Rica, GA
30180

I, Dianne Fortner, hereby state that all of the above statements and statements contained in the documents submitted with this application are true. I hereby request processing of this application.

Signature of Applicant

Date

11/5/2018

RECEIVED



CASE # _____
VARIANCE/APPEAL

Required Materials to Accompany the Application

The Community Development Manager may waive informational requirements upon finding that the information is not required to determine compliance with UDC requirements.

Variance:

1. Copy of deed, lease, option agreement or other evidence of ownership or applicant's interest in the property. If the applicant is not the owner, attach a notarized statement signed by the owner authorizing the applicant to request the amendment.
2. A site plan demonstrating the requested variance, showing the affected property, adjacent property, zoning and existing land use;
3. A statement of why the variance is necessary;
4. A statement as to how the applicant's request satisfies each required finding;
5. A listing of the owners of property within 250 feet of the subject property and the mailing addresses for said owners on file with the County Assessor; and
6. Any other exhibits as may be required by the Community Development Manager.

Appeals from Staff Determinations:

1. Copy of deed, lease, option agreement or other evidence of ownership or applicant's interest in the property. If the applicant is not the owner, attach a notarized statement signed by the owner authorizing the applicant to request the amendment;
2. A statement as to why the applicant believes the Staff's determination is contrary to the intent and requirements of the Code; and
3. Any other exhibits as may be required by the Community Development Manager.

Return Form to:
Planning & Zoning
Office of Community Development
City of Villa Rica
571 West Bankhead
Villa Rica, GA 30180

678.785.1004 (T)
770.459.7003 (F)

For Department Use Only

Case No: _____

Filing Fee: _____

Date Received: _____

Pre-Application Conf: _____

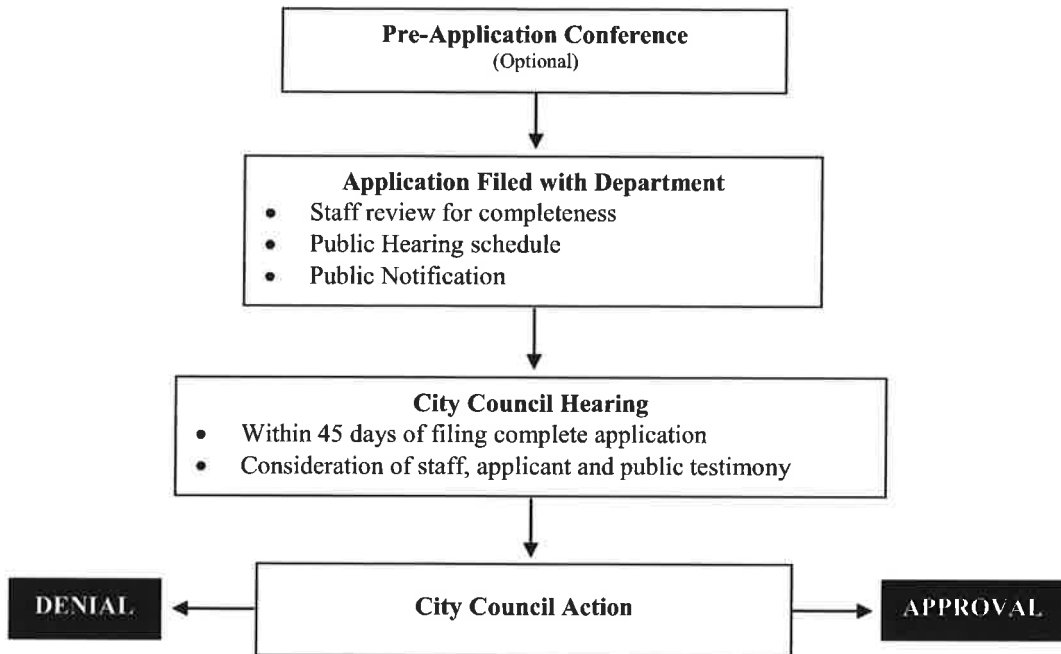
Staff Comments/Findings: _____

Action and Date: _____



CASE # _____
VARIANCE/APPEAL

PROCESS





Overview



Legend

- Parcels
- Roads

Parcel ID 01460250003
Real Key / Acct 23604
Class Code Commercial
Taxing District VILLARICA
Acres 3.34

Owner TAURUS PROPERTY HOLDINGS, LLC
WHITE PLAINS NY 10605
Physical Address 14931 VETERANS MEMORIAL HWY
Assessed Value \$231400

Last 2 Sales			
Date	Price	Reason	Qual
7/5/2017	\$12052	TS	U
3/4/2014	\$26629	TS	U

(Note: Not to be used on legal documents)

Date created: 12/4/2018

Developed by  Schneider
GEOSPATIAL



Overview



Legend

- Parcels
- Roads

Parcel ID 01460250004
Real Key / Acct 13862
Class Code Commercial
Taxing District VILLA RICA
Acres 3.15

Owner TACKETT, ELIZABETH JOYCE & CHARLES
A.
VILLA RICA GA 30180
Physical Address 14941 VETERANS MEMORIAL HWY
Assessed Value \$320100

Last 2 Sales			
Date	Price	Reason	Qual
9/30/2013	0	K	U
6/22/2000	0	E	U

(Note: Not to be used on legal documents)

Date created: 12/4/2018

Developed by Schneider
GEOSPATIAL



Overview



Legend

- Parcels
- Roads

Parcel ID 01460250002
Real Key / Acct 24699
Class Code Commercial
Taxing District VILLARICA
Acres 5.8

Owner BENCHMARK UNITED, INC.
DOUGLASVILLE GA 30135
Physical Address 14921 VETERANS MEMORIAL HWY
Assessed Value \$250500

Last 2 Sales			
Date	Price	Reason	Qual
6/20/2003	\$250000	N	U
8/19/1999	0	E	U

(Note: Not to be used on legal documents)

Date created: 12/4/2018

Developed by Schneider
GEOSPATIAL

CHIPPIE'S PLACE, LLC
215 W. BANKHEAD HWY., STE A
VILLA RICA, GA 30180

3.) The applicant requests a variance to lessen the required parking under a commercial zoning since the proposed use is not a typical or generally perceived commercial use. Only 1,050 square feet of 12,000 square feet (less than 10%) will be dedicated as retail or intake area. There will be no long-term parking for customers since they will be dropping off and picking up their pets (our customers) only. We anticipate we will only need parking for 5 employees and prefer to leave the balance of the area natural – both to save money and to lessen the amount of impervious area on our property.

Thank You,

A handwritten signature in blue ink, appearing to read "Dianne Fortner", with a large, stylized initial "D" that loops around the first part of the name.

Dianne Fortner
Chippie's Place, LLC

Dianne Fortner

From: Microsoft (do not reply) <maccount@microsoft.com>
Sent: Wednesday, November 21, 2018 1:43 AM
To: diannefortner@georgiaalabama.onmicrosoft.com
Subject: Your Microsoft billing statement
Attachments: Office 365.pdf



Your Microsoft billing statement is ready

Organization: Georgia-Alabama Woodlands, Inc.

Domain: georgiaalabama.onmicrosoft.com

Your billing statement is ready for review and is attached to this email.

We email invoices by default, but you can [change how you receive invoices](#) if you want.

Thank you,
The Microsoft Online Services Team

Microsoft respects your privacy. Review our online [Privacy Statement](#).

Additional questions?
Please visit [Customer Support](#) site.
View your [Agreement\(s\)](#).

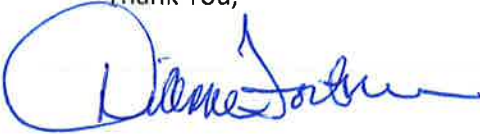
Microsoft Corporation
One Microsoft Way
Redmond, WA 98052 USA

CHIPPIE'S PLACE, LLC
215 W. BANKHEAD HWY., STE A
VILLA RICA, GA 30180

3.) The applicant requests a variance to minimize paving a large percentage of the front portion of the property which will create a hardship to the overall tract. We are trying to create a "kinder and gentler" facility which does not include paving over a large percentage of the tract. We anticipate having larger outdoor play areas for the pets comprised of natural ground cover and greenspace. Additionally, we must deal with an AT&T easement in the rear of the tract which limits our ability to utilize this area.

This variance request to lessen the required parking under a commercial zoning since the proposed use is not a typical or generally perceived commercial use. Only 1,050 square feet of 12,000 square feet (less than 10%) will be dedicated as retail or intake area. There will be no long-term parking for customers since they will be dropping off and picking up their pets (our customers) only. We anticipate we will only need parking for 5 employees and prefer to leave the balance of the area natural – to lessen the amount of impervious area on our property.

Thank You,



Dianne Fortner
Chippie's Place, LLC

FILED

2018 OCT 10 PM 2:58

SUPERIOR/STATE COURT
DOUGLAS COUNTY, GA
TAMMY M. HOWARD, CLERK



Doc ID: 011146900002 Type: QCD
Recorded: 10/10/2018 at 02:58:00 PM
Fee Amt: \$45.80 Page 1 of 2
Transfer Tax: \$33.80

Douglas County Georgia
TAMMY M. HOWARD Clerk Superior Court

BK **3636** PG **904-905**

✓ After recording return to:

Harrison Law, LLC
3150 Golf Ridge Blvd., Suite 101
Douglasville, Georgia 30135

QUIT-CLAIM DEED

STATE OF GEORGIA

COUNTY OF DOUGLAS

THIS INDENTURE is made this 24th day of September, 2018, between **ACME REALTY SERVICES, LLC, a Florida limited liability company**, as party of the first part, hereinafter called Grantor, and **FAIRPLAY OWL, LLC, a Georgia limited liability company**, as party of the second part, hereinafter called Grantee (the words "Grantor" and "Grantee" to include their respective heirs, successors and assigns where the context requires or permits).

IN CONSIDERATION OF Ten Dollars (\$10.00) and other valuable consideration in hand paid, the receipt of which is hereby acknowledged, Grantor does hereby remise, release, and forever quitclaim unto Grantee, Grantee's heirs and assigns, all of the rights, title, interest, and equity grantor owns and has, in and to, the following described property:

ALL THAT TRACT or parcel of land lying and being in Land Lot 146 of the 2nd District, 5th Section of Douglas County, Georgia and being more particularly described on the attached Exhibit "A".

Said property being the same property as conveyed in the Sheriff's Tax Deed dated March 4, 2014 being recorded with the Clerk of Superior Court of Douglas County, Georgia in Deed Book 3209, Pages 434-435.

Map and Parcel #01460250003

TO HAVE AND TO HOLD said property, so that neither Grantor, nor the Grantor's heirs, administrators, assigns, nor any other person holding under them, shall have any right title, interest or equity in same.

IN WITNESS WHEREOF, the said Grantor has hereunto set Grantor's hand and seal and delivered these presents the day and year above written.

Jeff Matthews
Witness

James J. Popham, Jr.
ACME REALTY SERVICES, LLC
BY: JAMES T. POPHAM, JR.
ITS: MANAGER/MEMBER



Janice Bass
Notary Public

EXHIBIT "A"

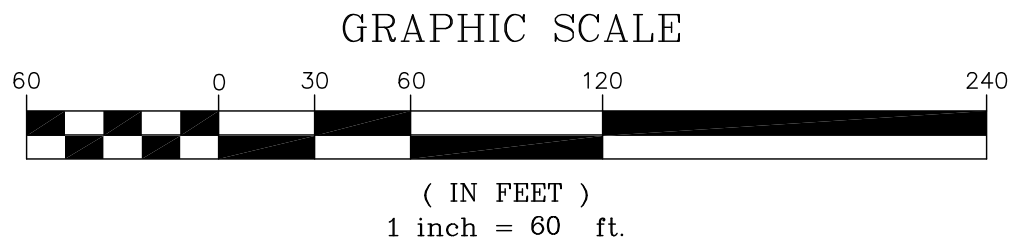
ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 146 OF THE 2ND DISTRICT, 5TH SECTION, DOUGLAS COUNTY, GEORGIA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

TO REACH THE TRUE POINT OF BEGINNING, COMMENCE AT A CONCRETE MONUMENT FOUND AT THE INTERSECTION OF THE EAST RIGHT-OF-WAY OF MIRROR LAKE BOULEVARD AND THE SOUTH RIGHT-OF-WAY OF BANKHEAD HIGHWAY-U.S. 78 (HAVING AN 80 FOOT RIGHT-OF-WAY), RUNNING THENCE NORTH 83 DEGREES 42 MINUTES 38 SECONDS EAST A DISTANCE OF 218.35 FEET TO AN IRON PIN PLACED AND THE TRUE POINT OF BEGINNING. FROM SAID TRUE POINT OF BEGINNING AS THUS ESTABLISHED, RUNNING THENCE ALONG THE SOUTH RIGHT-OF-WAY OF SAID BANKHEAD HIGHWAY-U.S. 78 NORTH 83 DEGREES 42 MINUTES 38 SECONDS EAST A DISTANCE OF 72.21 FEET TO A POINT; RUNNING THENCE ALONG THE SOUTH RIGHT-OF-WAY OF SAID BANKHEAD HIGHWAY-U.S. 78 ALONG AN ARC OF A CURVE TO THE LEFT AN ARC DISTANCE OF 41.83 FEET TO A POINT (SAID ARC BEING SUBTENDED BY A CHORD BEARING NORTH 83 DEGREES 26 MINUTES 25 SECONDS EAST A CHORD DISTANCE OF 41.83 FEET AND HAVING A RADIUS OF 4426.75 FEET); RUNNING THENCE ALONG THE SOUTH RIGHT-OF-WAY OF SAID BANKHEAD HIGHWAY-U.S. 78 NORTH 83 DEGREES 10 MINUTES 09 SECONDS EAST A DISTANCE OF 101.96 FEET TO AN IRON PIN FOUND; RUNNING THENCE SOUTH 00 DEGREES 18 MINUTES 00 SECONDS WEST A DISTANCE OF 671.39 FEET TO AN IRON PIN FOUND; RUNNING THENCE SOUTH 00 DEGREES 18 MINUTES 00 SECONDS WEST A DISTANCE OF 191.33 FEET TO THE CENTERLINE OF A CREEK; RUNNING THENCE ALONG THE CENTERLINE OF SAID CREEK THE FOLLOWING COURSES AND DISTANCES: RUNNING THENCE SOUTH 76 DEGREES 10 MINUTES 07 SECONDS WEST A DISTANCE OF 50.94 FEET TO A POINT; RUNNING THENCE SOUTH 77 DEGREES 54 MINUTES 14 SECONDS WEST A DISTANCE OF 65.82 FEET TO A POINT; RUNNING THENCE NORTH 89 DEGREES 02 MINUTES 31 SECONDS WEST A DISTANCE OF 22.69 FEET TO A POINT; RUNNING THENCE NORTH 70 DEGREES 53 MINUTES 03 SECONDS WEST A DISTANCE OF 19.78 FEET TO A POINT; RUNNING THENCE SOUTH 72 DEGREES 39 MINUTES 31 SECONDS WEST A DISTANCE OF 51.89 FEET TO A POINT; RUNNING THENCE SOUTH 32 DEGREES 51 MINUTES 41 SECONDS WEST A DISTANCE OF 18.39 FEET TO A POINT; LEAVING THE CENTERLINE OF SAID CREEK AND RUNNING THENCE NORTH 00 DEGREES 18 MINUTES 00 SECONDS EAST A DISTANCE OF 18.00 FEET TO AN IRON PIN PLACED; RUNNING THENCE NORTH 00 DEGREES 18 MINUTES 00 SECONDS EAST A DISTANCE OF 678.59 FEET TO AN IRON PIN PLACED AND THE TRUE POINT OF BEGINNING AND BEING MORE PARTICULARLY SHOWN AS "145,533 S.F. 3.34 ACRE" ON THAT CERTAIN PLAT OF SURVEY ENTITLED "SURVEY FOR: VELMA POPHAM ESTATE", DATED FEBRUARY 16, 2004, PREPARED BY TIBBITS LAND SURVEYING, INC. AND BEARING THE CERTIFICATION AND SEAL OF RANDY L. TIBBITS, GEORGIA REGISTERED LAND SURVEYOR NO. 2137.

SCANNED

OCT 19 2018

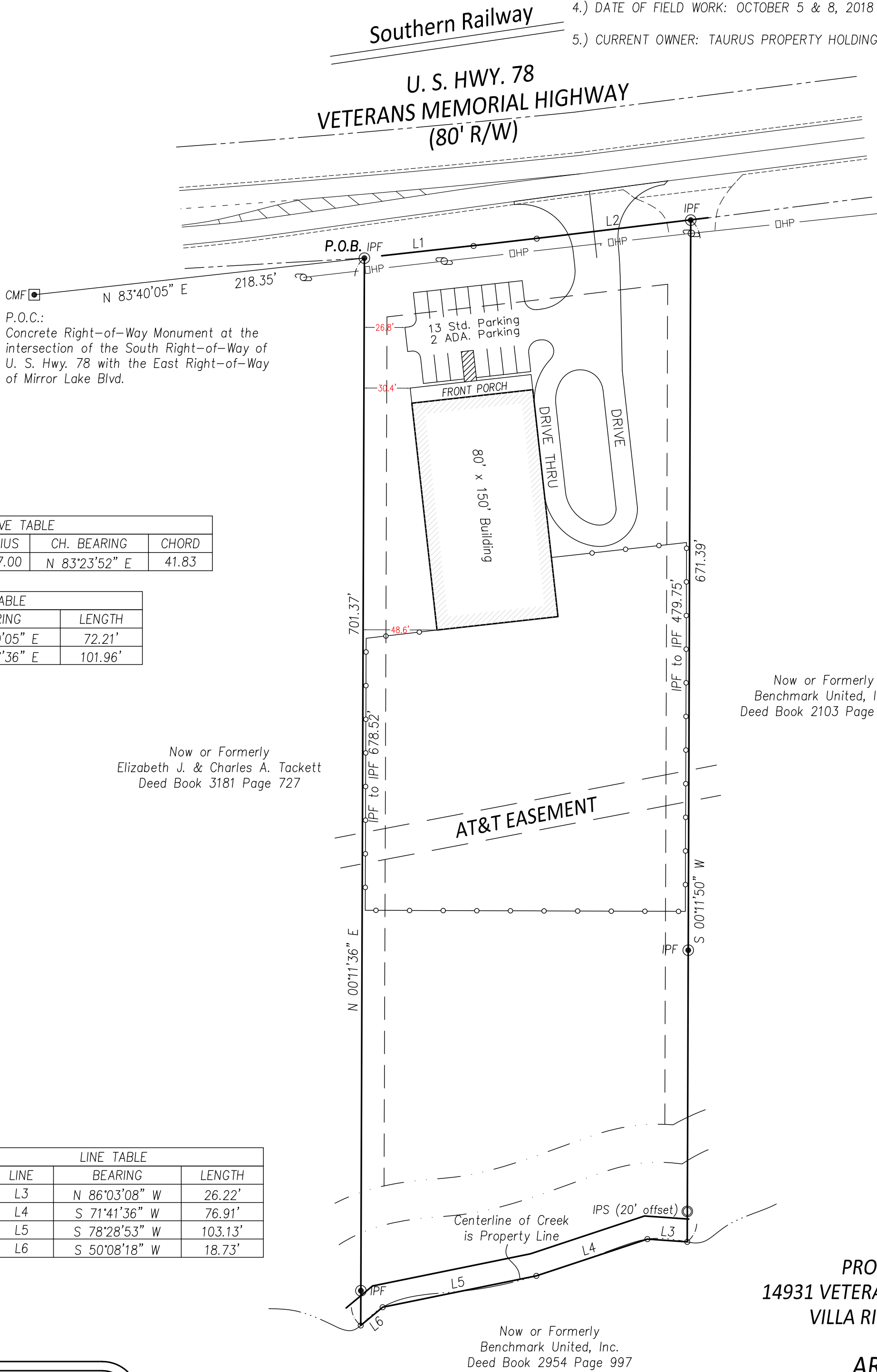
Clarity 1000
Clerk Superior Court
Douglas County, GA



RESERVED FOR THE CLERK OF SUPERIOR COURT

GENERAL NOTES:

- 1.) SURVEY DONE WITHOUT BENEFIT OF A CURRENT TITLE SEARCH OR COMMITMENT. AS SUCH, LAND USE RESTRICTIONS, SETBACKS, ZONING, EASEMENTS, RIGHTS OF WAY OR OTHER TITLE FACTS MAY EXIST THAT ARE NOT SHOWN.
- 2.) SPECIAL FLOOD HAZARDS DO NOT EXIST FOR SUBJECT PROPERTY PER FIRM MAP 13097C0107C, EFFECTIVE DATE AUGUST 18, 2009.
- 3.) UTILITIES SUCH AS ELECTRIC LINES, WATER LINES, GAS LINES, SANITARY SEWER LINES OR WELLS MAY OR MAY NOT EXIST ON SITE AND MAY OR MAY NOT BE SHOWN HEREON.
- 4.) DATE OF FIELD WORK: OCTOBER 5 & 8, 2018
- 5.) CURRENT OWNER: TAURUS PROPERTY HOLDINGS, LLC., VESTING DEED: DEED BOOK 3515 PAGE 55.

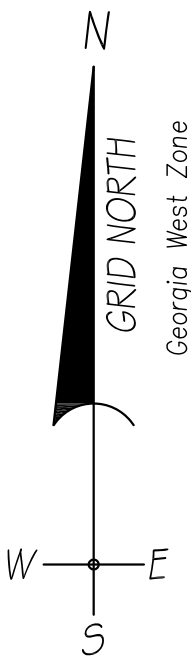


LEGEND	
●	IPF - Iron Pin Found (1/2" Rebar Unless Shown Otherwise)
●	IPF1 - 1/2" Rebar w/ Cap #2935
●	IPS - Iron Pin Set (1/2" Rebar w/ Cap #2935)
■	CMF - Concrete Monument Found
P.O.C.	- Point of Commencement
P.O.B.	- Point of Beginning
LLC	- Land Lot Corner
LLL	- Land Lot Line
R/W	- Right of Way
C/L	- Centerline
OHP	- Overhead Power Line
⊗	Sanitary Sewer Manhole
⊕	Utility Pole
×-×-×	Wire Fence
-○-○-	Chain Link Fence
□-□-□	Wood Fence

CURVE TABLE				
CURVE	LENGTH	RADIUS	CH. BEARING	CHORD
C1	41.83	4427.00	N 83°23'52" E	41.83

LINE TABLE		
LINE	BEARING	LENGTH
L1	N 83°40'05" E	72.21'
L2	N 83°07'36" E	101.96'

LINE TABLE		
LINE	BEARING	LENGTH
L3	N 86°03'08" W	26.22'
L4	S 71°41'36" W	76.91'
L5	S 78°28'53" W	103.13'
L6	S 50°08'18" W	18.73'



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PREPARED BY:

PIONEER LAND SURVEYING

963 WHOOPING CREEK ROAD

CARROLLTON, GEORGIA 30116

PHONE: 770-838-1919

FAX: 888-838-7789

Pioneer Land Surveying is

a DBA for PLSWG, Inc.

www.plswg.net

GEORGIA

REGISTERED

No. 2935

LAND SURVEYOR

LESTER E. BELL

SURVEYOR CERTIFICATION:

This plat is a retracement of an existing parcel or parcels of land and does not subdivide or create a new parcel or make changes to any real property boundaries. The recording information of the documents, maps, plats, or other instruments which created the parcel or parcels are stated hereon. **RECORDATION OF THIS PLAT DOES NOT IMPLY APPROVAL OF ANY LOCAL JURISDICTION, AVAILABILITY OF PERMITS, COMPLIANCE WITH LOCAL REGULATIONS OR REQUIREMENTS, OR SUITABILITY FOR ANY USE OR PURPOSE OF THE LAND.** 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.

Surveyor: Lester E. Bell, LS002935 _____

CLOSURE STATEMENT

The field data upon which this plat is based has a closure precision of one foot in 153,245 feet, and an angular error of 2 sec. per angle point. and was adjusted using the Least Square Method.

This plat has been calculated for closure, and is found to be accurate within one foot in 401,948 feet.

This survey was made using a GEOMAX ZOOM30 Total Station, which reads distances to the nearest 0.007 foot and with direct reading to 5 seconds for angular measurement.

PROPERTY ADDRESS:
14931 VETERANS MEMORIAL HIGHWAY
VILLA RICA, GEORGIA, 30180

AREA SHOWN:
3.35 ACRES

SITE PLAN:

FAIRPLAY OWL, LLC

LAND LOT 146 - 2nd DISTRICT - 5th SECTION
DOUGLAS COUNTY - GEORGIA

DATE: OCTOBER 9, 2018

REVISIONS

FIELD	DRAFTER	PROJECT NO.
JLR	LEB	218231

NOTE: THIS PLAT WAS PREPARED FOR THE EXCLUSIVE USE OF THE PERSON, PERSONS, OR ENTITY NAMED HEREON. THIS FIRM ASSUMES NO LIABILITY TO THE PERSON, PERSONS, OR ENTITY NOT NAMED HEREON, AND ANY USE BY UNNAMED PARTIES WILL DO SO AT THEIR OWN RISK.

FILED

2018 OCT 10 PM 2:58

SUPERIOR/STATE COURT
DOUGLAS COUNTY, GA
TAMMY M. HOWARD, CLERK



Doc ID: 011146900002 Type: QCD
Recorded: 10/10/2018 at 02:58:00 PM
Fee Amt: \$45.80 Page 1 of 2
Transfer Tax: \$33.80

Douglas County Georgia
TAMMY M. HOWARD Clerk Superior Court

BK **3636** PG **904-905**

After recording return to:

Harrison Law, LLC
3150 Golf Ridge Blvd., Suite 101
Douglasville, Georgia 30135

QUIT-CLAIM DEED

STATE OF GEORGIA

COUNTY OF DOUGLAS

THIS INDENTURE is made this 24th day of September, 2018, between **ACME REALTY SERVICES, LLC, a Florida limited liability company**, as party of the first part, hereinafter called Grantor, and **FAIRPLAY OWL, LLC, a Georgia limited liability company**, as party of the second part, hereinafter called Grantee (the words "Grantor" and "Grantee" to include their respective heirs, successors and assigns where the context requires or permits).

IN CONSIDERATION OF Ten Dollars (\$10.00) and other valuable consideration in hand paid, the receipt of which is hereby acknowledged, Grantor does hereby remise, release, and forever quitclaim unto Grantee, Grantee's heirs and assigns, all of the rights, title, interest, and equity grantor owns and has, in and to, the following described property:

ALL THAT TRACT or parcel of land lying and being in Land Lot 146 of the 2nd District, 5th Section of Douglas County, Georgia and being more particularly described on the attached Exhibit "A".

Said property being the same property as conveyed in the Sheriff's Tax Deed dated March 4, 2014 being recorded with the Clerk of Superior Court of Douglas County, Georgia in Deed Book 3209, Pages 434-435.

Map and Parcel #01460250003

TO HAVE AND TO HOLD said property, so that neither Grantor, nor the Grantor's heirs, administrators, assigns, nor any other person holding under them, shall have any right title, interest or equity in same.

IN WITNESS WHEREOF, the said Grantor has hereunto set Grantor's hand and seal and delivered these presents the day and year above written.

Jeff Matthews
Witness

James J. Popham, Jr.
ACME REALTY SERVICES, LLC
BY: JAMES T. POPHAM, JR.
ITS: MANAGER/MEMBER



Janice Bass
Notary Public

EXHIBIT "A"

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 146 OF THE 2ND DISTRICT, 5TH SECTION, DOUGLAS COUNTY, GEORGIA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

TO REACH THE TRUE POINT OF BEGINNING, COMMENCE AT A CONCRETE MONUMENT FOUND AT THE INTERSECTION OF THE EAST RIGHT-OF-WAY OF MIRROR LAKE BOULEVARD AND THE SOUTH RIGHT-OF-WAY OF BANKHEAD HIGHWAY-U.S. 78 (HAVING AN 80 FOOT RIGHT-OF-WAY), RUNNING THENCE NORTH 83 DEGREES 42 MINUTES 38 SECONDS EAST A DISTANCE OF 218.35 FEET TO AN IRON PIN PLACED AND THE TRUE POINT OF BEGINNING. FROM SAID TRUE POINT OF BEGINNING AS THUS ESTABLISHED, RUNNING THENCE ALONG THE SOUTH RIGHT-OF-WAY OF SAID BANKHEAD HIGHWAY-U.S. 78 NORTH 83 DEGREES 42 MINUTES 38 SECONDS EAST A DISTANCE OF 72.21 FEET TO A POINT; RUNNING THENCE ALONG THE SOUTH RIGHT-OF-WAY OF SAID BANKHEAD HIGHWAY-U.S. 78 ALONG AN ARC OF A CURVE TO THE LEFT AN ARC DISTANCE OF 41.83 FEET TO A POINT (SAID ARC BEING SUBTENDED BY A CHORD BEARING NORTH 83 DEGREES 26 MINUTES 25 SECONDS EAST A CHORD DISTANCE OF 41.83 FEET AND HAVING A RADIUS OF 4426.75 FEET); RUNNING THENCE ALONG THE SOUTH RIGHT-OF-WAY OF SAID BANKHEAD HIGHWAY-U.S. 78 NORTH 83 DEGREES 10 MINUTES 09 SECONDS EAST A DISTANCE OF 101.96 FEET TO AN IRON PIN FOUND; RUNNING THENCE SOUTH 00 DEGREES 18 MINUTES 00 SECONDS WEST A DISTANCE OF 671.39 FEET TO AN IRON PIN FOUND; RUNNING THENCE SOUTH 00 DEGREES 18 MINUTES 00 SECONDS WEST A DISTANCE OF 191.33 FEET TO THE CENTERLINE OF A CREEK; RUNNING THENCE ALONG THE CENTERLINE OF SAID CREEK THE FOLLOWING COURSES AND DISTANCES: RUNNING THENCE SOUTH 76 DEGREES 10 MINUTES 07 SECONDS WEST A DISTANCE OF 50.94 FEET TO A POINT; RUNNING THENCE SOUTH 77 DEGREES 54 MINUTES 14 SECONDS WEST A DISTANCE OF 65.82 FEET TO A POINT; RUNNING THENCE NORTH 89 DEGREES 02 MINUTES 31 SECONDS WEST A DISTANCE OF 22.69 FEET TO A POINT; RUNNING THENCE NORTH 70 DEGREES 53 MINUTES 03 SECONDS WEST A DISTANCE OF 19.78 FEET TO A POINT; RUNNING THENCE SOUTH 72 DEGREES 39 MINUTES 31 SECONDS WEST A DISTANCE OF 51.89 FEET TO A POINT; RUNNING THENCE SOUTH 32 DEGREES 51 MINUTES 41 SECONDS WEST A DISTANCE OF 18.39 FEET TO A POINT; LEAVING THE CENTERLINE OF SAID CREEK AND RUNNING THENCE NORTH 00 DEGREES 18 MINUTES 00 SECONDS EAST A DISTANCE OF 18.00 FEET TO AN IRON PIN PLACED; RUNNING THENCE NORTH 00 DEGREES 18 MINUTES 00 SECONDS EAST A DISTANCE OF 678.59 FEET TO AN IRON PIN PLACED AND THE TRUE POINT OF BEGINNING AND BEING MORE PARTICULARLY SHOWN AS "145,533 S.F. 3.34 ACRE" ON THAT CERTAIN PLAT OF SURVEY ENTITLED "SURVEY FOR: VELMA POPHAM ESTATE", DATED FEBRUARY 16, 2004, PREPARED BY TIBBITS LAND SURVEYING, INC. AND BEARING THE CERTIFICATION AND SEAL OF RANDY L. TIBBITS, GEORGIA REGISTERED LAND SURVEYOR NO. 2137.

SCANNED

OCT 19 2018

Clarity 10000000
Clerk Superior Court
Douglas County, GA



CITY OF VILLA RICA

City Council Packet

SUBJECT: Rear Loading Garbage Truck Purchase

CITY COUNCIL AGENDA DATE: January 8, 2019

DATE: December 26, 2018

PREPARED BY: Bobby C. Elliott, P.E.

FISCAL IMPACT:

ANNUAL –

CAPITAL – \$133,875.82 (Budgeted funds are available for this purchase)

OTHER –

FUNDING SOURCE: Sanitation/Solid Waste Fund

PURPOSE: The purpose is two-fold: 1.) Using this type vehicle on the Solid Waste routes virtually eliminates back injuries due to the fact that employees do not have to lift items above their waste to load the trucks. Presently, they are lifting items up to a large flatbed truck. Over the past two years we have dealt with 12 workman's comp claims due to injuries in the Solid Waste area; and 2.) This truck will compact trash that eliminates multiple trips to the landfill each day saving time and operation costs. Currently, a loaded flatbed truck can contain as little as ½ ton of waste fully loaded which makes no sense at all having to make multiple trips each day to the landfill. We are spending the better part of each collection day driving back and forth to the landfill.

BACKGROUND: Currently, we have \$160,000.00 earmarked for a second grapple truck. After having our current truck repaired and rebuilt, it makes more sense to keep the current truck in service and divert these funds to a rear loading garbage truck. For the reasoning listed above and the fact that we are changing operations somewhat, this garbage truck is by far the better choice. We received 11 bids on new truck units and 1 demo unit. (See bid tabulation attached to the packet) All bids were analyzed and compared to the bid specifications. It doesn't usually work out this way, but I am recommending the low bid from Peach Truck Center for a 2018 Freightliner M2-106 with a NewWay Cobra 20 YD Body for a total of \$133,875.82. Delivery on this unit is 100-110 days. This amount is under our budgeted fund amount of \$160,000.00.

STAFF RECOMMENDATION: Staff recommends accepting the low bid of \$133,875.82 from Peach State Truck Center as stated above.

IMPACT: This purchase will make out operation safer and much more efficient.

MOTION: I make a motion to accept the low bid from Peach State Truck Center in the amount of \$133,875.82 for a 2018 Freightliner M2-106 with a 20 cubic yard NewWay Cobra Body.

20 Cubic Yard Rear Loading Garbage Truck

Bid Opening Tabulation

December 21, 2018, 2:00 PM

Vendor	Equipment Quoted	Delivery	Price Proposal
Peterbilt of Atlanta, LLC 172 Van Mar Boulevard Jackson, GA 30233	#1- 2018 Peterbilt Model 337 NewWay Cobra 20 YD body	200 Days	\$143,580.00
Peterbilt of Atlanta, LLC 172 Van Mar Boulevard Jackson, GA 30233	#2- 2018 Peterbilt Model 337 Model 2010 McNeilus Rear Loader	200 Days	\$168,580.00
Cherokee Truck Equipment, LLC 550 Discovery Place Mableton, Georgia 30126	#1- 2016 Western Star Demo/Show Truck 2016 Curbtender Quantum 20 YD Body	1-2 weeks	\$139,585.00
Cherokee Truck Equipment, LLC 550 Discovery Place Mableton, Georgia 30126	#2- 2018 Freightliner M2 2018 Curbtender Fury 20 YD	1-2 Weeks	\$148,445.00
Carolina Environmental Systems, Inc. 500 Lee Industrial Blvd. Austell, GA 30168	2020 Kenworth T370 Heil PT1000 20 YD Body	240 Days	\$142,451.00
Rush Truck Center 2500 Button Gwinnett Atlanta, GA 30340	#A – 2018 International 7400 Heil PT 1000 20 YD Body	60-75 Days	\$138,695.00
Rush Truck Center 2500 Button Gwinnett Atlanta, GA 30340	#B - 2018 International HV Model NewWay Cobra 20 YD Body	280 Days	\$138,339.00

Vendor	Equipment Quoted	Delivery	Price Proposal
Rush Truck Center 2500 Button Gwinnett Atlanta, GA 30340	#C- 2018 International HV Model Heil PT 1000 20 YD Body	180 Days	\$142,345.00
Rush Truck Center 2500 Button Gwinnett Atlanta, GA 30340	#D- 2018 International HV Model Curbtender Quantum 20 YD Body	210 Days	\$148,364.00
Peach State Truck Center 6535 Crescent Drive Norcross, GA 30071	#1 – 2018 Freightliner M2-106 Heil PT 1000 20 YD Body	180-210 Days	\$139,654.00
Peach State Truck Center 6535 Crescent Drive Norcross, GA 30071	#2 - 2018 Freightliner M2-106 NewWay Cobra 20 YD Body	100-110 Days	\$133,875.82
Peach State Truck Center 6535 Crescent Drive Norcross, GA 30071	#3- 2018 Freightliner M2-106 Curbtender Quantum XL 20, 20 YD Body	210-240 Days	\$145,438.00



Agenda Item: _____

CITY OF VILLA RICA

City Council Meeting Agenda Item Cover Sheet

SUBJECT: Main Street Advisory Board reappointments
AGENDA DATE: 01/08/2019

DATE PREPARED: 12/18/2018
PREPARED BY: Janet Chumley

AMOUNT: n/a
FUNDING SOURCE: n/a

GL ACCOUNT #: n/a
BUDGETED ITEM? n/a

PURPOSE: The seven-member Main Street Advisory Board is appointed by the City Council and works to promote and create a thriving central business district in Downtown Villa Rica and along primary entrance corridors into the central downtown business district. Term: 2 years | Members: 7

BACKGROUND: The Main Street Advisory Board currently has four board members whose terms expired 12/31/2018 Melissa Garrett, Ronda McCullors, Stephanie Warmoth and Carolene Cox.

STAFF RECOMMENDATION: At the regular meeting of the Main Street Advisory Board in December of 2018, the board unanimously voted to reappoint Melissa Garrett, Ronda McCullors, Stephanie Warmoth and Carolene Cox to another term.

MOTION: I make a motion to reappoint Melissa Garrett, Ronda McCullors, Stephanie Warmoth and Carolene Cox all to full terms expiring 12/31/2020.

Board Roster Form:

Contact Information		Term		Board Representation
Name:	Matthew Momtahan	Beginning	End	Business Owner
Email:	MattMomtahan@gmail.com	1/1/2017	12/31/2020	Resident
Phone :	770-656-2013			Position Held
Address:	263 August Woods Drive			Chair - Economic Vitality
	Villa Rica, GA 30180			
		Actively Participated	☐	Signed Commitment Letter
Name:	Michael Young	Beginning	End	Board Representation
Email:	young5410@comcast.net	1/1/2017	12/31/2020	Resident
Phone :	678-787-0398			Position Held
Address:	9634 Coastal Pointe Drive			Vice-President
	Villa Rica, Georgia 30180			
		Actively Participated	☐	Signed Commitment Letter
Name:	Carl R. Peabody	Beginning	End	Board Representation
Email:	carl@carlpeabodycpa.com	1/1/2017	12/31/2020	Business Owner
Phone :	770-317-2825			Position Held
Address:	105 North Ave.			Treasurer
	Villa Rica GA 30180			
		Actively Participated	☐	Signed Commitment Letter
Name:	Melissa Garrett	Beginning	End	Board Representation
Email:	melisgarrett00@gmail.com	1/1/2016	12/31/2018	Business Owner
Phone :	404-406-4780			Position Held
Address:	129 Main St,			Secretary
	Villa Rica, GA 30180			
		Actively Participated	☐	Signed Commitment Letter
Name:	Stephanie Warmoth	Beginning	End	Board Representation
Email:	stephaniewarmoth@yahoo.com	1/1/2016	12/31/2018	Business Owner

Phone :	770-595-2295	Postion Held		Committees
Address:	2010 - B West Montgomery Street Villa Rica, GA 30180	Committee Member		Design
		Actively Participated		Signed Commitment Letter
Name:	Ronda McCullors	Beginning	End	Board Representation
Email:	ronda.mccullors@gmail.com	1/1/2016	12/31/2018	Resident
Phone :	678-839-9130	Postion Held		Committees
Address:	401 N. Lost Lake Cove Villa Rica, GA 30180	Committee Member		Chair - Promotions
		Actively Participated		Signed Commitment Letter
Name:	Carolene Cox	Beginning	End	Board Representation
Email:	caroleneb@2sew4uembroidery.com	1/1/2016	12/31/2018	Business owner
Phone :	678-952-6500	Postion Held		Committees
Address:		Committee Member		Promotions
				Organization
		Actively Participated		Signed Commitment Letter



Agenda Item: _____

CITY OF VILLA RICA

City Council Meeting Agenda Item Cover Sheet

SUBJECT: Downtown Development Authority Appointments
AGENDA DATE: 1/8/2019

DATE PREPARED: 12/18/2018
PREPARED BY: Janet Chumley

AMOUNT: n/a
GL ACCOUNT #: n/a
FUNDING SOURCE: n/a
BUDGETED ITEM? n/a

PURPOSE: The seven-member Downtown Development Authority is appointed by the City Council and oversees the revitalization and redevelopment of the central business district. They are responsible to help develop and promote the public good and general welfare, trade, commerce, industry and employment opportunities in downtown. Members must either own a business in downtown or have an economic interest in the downtown. Term: 4 years | Members: 7

BACKGROUND: The terms of three members of the DDA have expired: Carl R. Peabody on 04/01/2018, Ryan Clark on 04/01/2018 and Charlene M. Gilmore on 05/13/2018. Charlene Gilmore does not seek reappointment. Bryan White has resigned his seat and Ryan Clark seat expired 12/31/2018.

The DDA sub-committee held interviews with the five applicants on Friday, December 14th. At the DDA meeting held Tuesday, December 17th the sub-committee recommended the appointment of Matthew Momtahan to a six-month term ending 7/12/2019 and the appointment of Michael Young to a full term expiring 5/13/2022. The DDA board unanimously voted in favor of the sub-committee's decision.

Please note: The City Council voted in the December 11, 2018 meeting to reappoint Carl R. Peabody and Ryan Clark both to full terms ending 4/1/2022.

STAFF RECOMMENDATION: Staff recommends appointing Matthew Momtahan to a six-month term expiring 04/01/22 and adding Michael Young to a full term expiring 5/13/2022.

MOTION: I make a motion to appoint Matthew Momtahan to a six-month term expiring on 7/12/2019 and appoint Michael Young to a full term expiring 5/13/2022.



Agenda Item: _____

CITY OF VILLA RICA

City Council Meeting Agenda Item Cover Sheet

SUBJECT: 2019 The MILL Amphitheater Rental agreement (revised)
AGENDA DATE: 01/8/2019

DATE PREPARED: 12/18/2018
PREPARED BY: Janet Chumley

AMOUNT: N/A
GL ACCOUNT #: N/A
FUNDING SOURCE: N/A
BUDGETED ITEM: N/A

PURPOSE: To provide updated rules and an updated rental agreement for The MILL Amphitheater for 2019.

BACKGROUND: The seven-member Main Street Advisory Board voted to unanimously approve the rental agreement in the November 2018 board meeting. At the December Main Street Advisory Board meeting, the verbiage for the agreement was revised and we confirmed the number of attendees that would require security. The original rental agreement was created by Parks and Recreation staff.

Changes/updates are highlighted in red. Updated verbiage for no weapons added. Also, the amount of people at 200 is correct for requiring security.

STAFF RECOMMENDATION: Staff recommends the updated MILL Amphitheater rental agreement voted on by the Main Street Advisory Board be approved by City Council.

IMPACT: The updated MILL Amphitheater rental agreement will more accurately reflect the community's understanding of the rules and regulations to rent The MILL Amphitheater.

MOTION: I move that we accept the updated MILL Amphitheater rental agreement for 2019.

City of Villa Rica Main Street

Lease Agreement for use of THE MILL Amphitheater

This lease agreement made and entered into on _____, by and between the
DATE OF AGREEMENT
City of Villa Rica Main St. office herein referred to as "Lessor" and

PERSON Representing _____, for the purpose
COMPANY/GROUP
of _____, herein referred to as "Lessee", agrees to the following
EVENT/SCHEDULED USE
terms and conditions of this Lease Agreement as stated in this Contract.

Lessee will pay a security deposit of \$200.00 unless otherwise stated, upon signing lease agreement, returnable upon inspection and approval by the Main Street Manager or their designee after the end of the rental. **PRICE DOES NOT INCLUDE SETUP OF TENTS, TABLES, CHAIRS, ETC.**

THE MILL amphitheater (CAPACITY 1200) \$300/4 hours max + \$200 Security Deposit
(security deposit is returned after event if no issues)

Concession Stand (not stocked)	\$100	_____
Tents (10 x 10) (45 tents total)	\$25	_____
Chairs	\$1.00 each	_____
Tables	\$5.00 each	_____
Tables (8')	\$5 each	_____
Tables (6')	\$5 each	_____
Tables (60" round)	\$5 each	_____

Additional Rental Costs

\$ _____

Due two weeks prior to event date

Personnel Fees:

Maintenance Supervisor

\$30 per hour (4 hr. minimum) (large event requires 2 staff minimum)

Maintenance Technician

\$25 per hour (4 hr. minimum)

Security

*TBD based upon type of event (over 200 people requires security)

Prices are subject to change without notice

Date(s) of Facility Use: _____ Time(s) of Use: _____

\$200 Security Deposit Paid: _____ Date Paid: _____ Method of Payment (no credit card): _____

\$300 Rental Fee Paid: _____ Date Paid: _____ Method of Payment (credit card – call GDP): _____

Rental Fee Due by (date) _____ **Paid Rental Receipt #:** _____

Lessee Mailing Address: _____

Lessee Phone Numbers: (Hm) _____ (Wrk) _____ (Cell) _____ (Fax) _____

By their signature below, USER WILL INDEMNIFY owner of the property, the City of Villa Rica staff, customers and invitees and save them harmless from and against any and all claims, damages, actions, liability and expense in connection with loss of life, personal injury, and/or damage to property arising from or out of occupancy or use of the premises, or any part thereof, or any part of the City of Villa Rica property, or occasional wholly or in part by an act of omission of user, its agents, members or affiliates.

Lessee

Date

Staff Person

Date

Lessee agrees, by their signature, to abide by this lease agreement including all rules-Pages 2 & 3)

THE MILL Amphitheater RULES AND REGULATIONS

- Prior to the acceptance of a lease for certain facilities, a statement of the activities planned or use intended, including a projected number of participants, adults present, a list or schedule of events must be presented in writing to Main St office.
- Signs and banners promoting the event shall be approved in writing by the Main Street office in advance and must be in accordance with all City of Villa Rica sign ordinances. Signs and banners shall be removed immediately following the event.
- LED signage application must be submitted to the Main Street Office for approval in order to promote event on THE MILL's marquee.
- Keys to facilities are issued once the deposit and rental fee is paid. Control of city-owned keys is the responsibility of the Lessee as signed on pg. 1. Keys shall be returned within two business days of the rental, or deposit will not be returned.
- Before a Lessee may obtain a lease agreement for any portion of the park facility, a **\$200 security deposit** must be received to protect the City of Villa Rica and its facilities against any damages that may occur. Once this deposit is received, **event will be placed on calendar**.
- Prior to any advertising for the event a rental fee (**\$300**) must be paid no later than **two weeks prior** to scheduled event.
- This \$200 security deposit will be returned to the Lessee after the facility is inspected and deemed clean and acceptable. If the facility does not meet inspection criteria, the Main Street office will retain the full deposit, even if the repair or cleaning of the facility does not require the full amount.
- Refunds available **ONLY** if cancellation is made **two weeks** before the rental date. Booking of facilities followed by a pattern of cancellations may result in loss of rental privileges for a period determined by the Main Street office.
- The Main Street Office reserves the right to cancel events or activities due to severe weather or when use may cause unnecessary damage to the facility. If the Main Street Office cancels the event due to severe weather or unforeseen emergencies, Lessee will be refunded any fees for that date or additional dates, *if applicable*.
- Parking at THE MILL Amphitheater is limited (130 spaces), and rental of this facility does not necessarily imply that parking will be available adjacent to this venue for all event-goers.
- Lessee/activity sponsors are liable for personal injury to participants and/or spectators. The Lessee must sign the **Hold Harmless Agreement**, and if deemed necessary, may be required to produce a liability insurance policy for participants and spectators, naming the City of Villa Rica as an additional insured.
- In case of an emergency, Lessee should call 911 for assistance.
- **10:00 pm** sound ordinance shall be adhered to, and facility will be closed no later than **11:00 pm**.
- Stage lighting shall be turned off at the conclusion of the event. Failure to do so will result in loss of deposit.
- The City of Villa Rica and the Main Street office as administrators of the facilities under their care are not responsible for the loss or theft of any personal items left by Lessees.
- The use of radios, amplified sound devices, musical instruments, etc. are strictly limited to volumes audible to the immediate area or amenity leased.
- The use of profanity, racial or personal slurs or other socially unacceptable behavior is prohibited.
- In certain instances, Lessor may require the presence of a staff member or an off-duty Villa Rica Police Department Officer at a function presented by Lessee. Salary for such staff person or for a Villa Rica officer will be paid by Lessee in addition to the cost of the lease agreement and security deposit and at an amount to be determined at lease signing.
- The use of pyrotechnics, candles, portable stoves, grills, sterno-type warmers, or other fire producing devices or materials are strictly prohibited on The MILL Amphitheater property without written permission from the Main Street office.
- Lessee is responsible for all permits as required by law or ordinance for business, tents, food vending, etc. All concessions are subject to Department of Health regulations relative to food service.
- Entrance fees (*gate fees*) are subject to approval by the Main Street Office and shall be for the immediate area only. Admission fees shall not be charged to general park users without prior written permission of the Main Street office.
- At Management's discretion, a \$300 damage deposit may be required for social events. If all rules and regulations are followed and there are no damages to the facility, the \$300 will be returned to you by check within 14 days of the event.

APPENDIX A

ALLOWED:

- Food and non-alcoholic beverages
- Small coolers (6-drink capacity)
- Flameless candles
- Lawn chairs (low profile)
- Blankets (please be courteous of space)
- Purses, bags and backpacks: *May be subject to search by security personnel prior to entering The MILL Amphitheater.*

PROHIBITED:

- Smoking is not permitted at The MILL Amphitheater-there is designated smoking areas, look for “Smoking Area” signs. Violation of this policy may result in expulsion from The MILL Amphitheater. Smoking is strictly prohibited in all seating areas including the pit and lawn areas. This includes electronic/vapor cigarettes.
- Illegal drugs/substances
- No alcoholic beverages can be brought in
- No PETS of any kind (only registered working animals are permitted)
- Tents or staking
- Umbrellas
- Glass containers
- ~~No weapons of any kind~~ ***No weapons of any kind except as may be permitted by the general laws of the State of Georgia***
- No skateboards

GUEST CONDUCT:

- Guests are expected to behave respectfully and in accordance with venue policy, state and local laws. Any guest that is acting in a manner that venue management deems unsafe can be subject to eviction. If a guest violates a state or local law they will be subject to any tickets or punishment deemed necessary by local law enforcement.

EVENT LISTINGS:

- A complete list of events can be found on www.downtownvillarica.com
- Villa Rica Main Street and The MILL Amphitheater Facebook pages.

LAWN SEATING:

- The lawn is always first come, first serve. There are no assigned seats on the lawn, unless reserved seating is available.

X

Signature of Lessee agrees, by their signature to rules and regulations

Date

Provide copy of driver's license.

Restroom Lock Box Code:



Agenda Item: _____

CITY OF VILLA RICA

City Council Meeting Agenda Item Cover Sheet

SUBJECT: Plant Drain Station Pump Replacement at West Plant
AGENDA DATE: 1-8-2019

DATE PREPARED: 12-18-2018
PREPARED BY: Dean Zeigler, WWTP Manager

AMOUNT: \$14,430
GL ACCOUNT #: 5054330522220
FUNDING SOURCE: Wastewater Operating Budget
BUDGETED ITEM? Yes

PURPOSE: To have a new pump purchased and installed in the Plant Drain Station at the West Water Pollution Control Plant (WPCP)

BACKGROUND: One of the original Vaugh pumps for the plant drain station went down at the West WPCP. It was pulled and evaluated. The pump tested bad and was sent out for a repair quote. The price quote to repair the pump was \$13,855.

STAFF RECOMMENDATION: To replace the damaged 60 HP Vaughn pump at the West WPCP, with a more efficient 35 HP HOMA for a price not to exceed \$14,430.

IMPACT: With one of the pumps currently out we have no redundancy at our plant drain station. A second pump needs to be in service to satisfy the Environmental Protection Division's (EPD) redundancy expectations and to prevent us from having any spills should the remaining 9-year-old pump go down.

MOTION: I make the motion to authorize the purchase of a Homa 35 HP pump from Pro Pump Solutions, Inc. for a price not to exceed \$14,430.000.

Pro Pump Solutions, Inc.

343 Phillips Drive
Cleveland, GA 30528

QUOTE

DATE **12/3/2018**

QUOTE # **180013**

JOB # _____

TO: **Dean Zeigler Villa Rica WWTP**

LOCATION/JOB: **185 Barber Industrial Ct Villa Rica GA 30180**

CONTACT: **Dean Zeigler**

PHONE: **404-548-9444**

EMAIL: **dzeigler@villarica.org**

MODEL: **0** SN: **0**

SCOPE OF WORK: **Replacement for 60HP Vaughn Chopper 6"**

QTY	DESCRIPTION	EACH	PRICE
	Option A		
1	HOMA AMS 644/270-34.5HP F/C 6" Four Pole 60FT Power and Sensor Cable, Motor thermal & Seal Fail Sensor, SS Handle		\$12,955.00
	Option B (FM Rated)		
1	HOMA AMS 644/270-34.5HP F/C 6" Four Pole FM (Explosion Proof) 60FT Power and Sensor Cable, Motor thermal & Seal Fail Sensor, SS Handle		\$14,395.00

Estimated Lead time 4 weeks ARO

Pro Pump Solutions, Inc. honors all standard manufactures warranty on parts. Please note: the scope of work represents the complete description of all work to be performed. Any additional service work required to complete the job and not covered in the scope of work, will be quoted and must be approved before completion.

Pickup, Delivery, Destination and/or Installation fee may not be covered in this quote.

Any equipment/pump(s) left over 90 days must be picked up if not in process of repairing.

THANK YOU FOR YOUR BUSINESS!

LEGAL DISCLAIMER: This document is intended to be used by the business, individual or entity named on the document. This document, and the complete contents of such, are strictly confidential, privileged and proprietary between Pro Pump Solutions, Inc. and the business, government agency, individual or association that it is issued to, in whole or in part. It is strictly forbidden



**Xylem Water Solutions USA, Inc.
Flygt Products**

December 12, 2018

90 Horizon Drive
Suwanee, GA 30024
Tel (770) 932-4320
Fax (770) 932-4321

CITY OF VILLA RICA
571 W BANKHEAD
VILLA RICA GA 30180

Quote # 2018-ATL-1185
Re: Villa Rica Vaughan Replacementw 3171

Xylem Water Solutions USA, Inc. is pleased to offer the following equipment for this project.

This proposal is based on information provided to Xylem Waters Solutions as of: 12/11/2018

If more recent drawings or specifications are available, Xylen Water Solutions U.S.A, Inc., reserves the right to submit a revised proposal on the new data.

If this prosal is accepted and you would like to use it as your purchase order, please complete the Customer Acceptance in this in this quote and fax / email copies of all pages back to me.

Assumptions made in provicing this quote:

1. None

If none is listed, no assumptions were made, this quote is based only on information received.

All quoted items to follow.

Pumps

Qty	Part Number	Description
1	3171.185-0326	Flygt Model NP-3171.185 6" volute Submersible pump equipped with a 460 Volt / 3 phase / 60 Hz 25 HP 1750 RPM motor, 435 impeller, 1 x 50 Ft. length of SUBCAB 4G25+S(2x0,5) submersible cable, FLS leakage detector, volute is prepared for Flush Valve

service

Qty	Part Number	Description
1	drill volute	align and drill volute for Vaughan bracket

Total Project Price \$ 17,002.95

Terms & Conditions





Fax: 770-467-0301

Date: 27-Nov-18

Dean Zeigler
City of Villa Rica
571 West Bankhead Hwy
Villa Rica, GA 30180
United States of America

Ph: 678-840-1418

Page 1 of 2

AGREEMENT

THIS AGREEMENT is entered into as the 1st day of January, 2019, by and between ESE Networks, LLC (hereinafter "ESE"), Georgia limited liability company, whose address is 1523 Old Valdosta Rd., Ray City, GA 31645, and The City of Villa Rica, with its principal office at 571 West Bankhead Highway Villa Rica, GA 30180.

NOW, THEREFORE, in consideration of the mutual promises and obligations contained herein, the parties hereto agree as follows:

1. SCOPE OF PROFESSIONAL SERVICES

- a. ESE will provide a fully supported platform/website with an embedded protected internet network channel (video player) to The City of Villa Rica, including but not limited to, 24/7 tech support, unlimited virtual training, storage cost (bandwidth cost), and when deemed necessary by both parties, on-site trainings/tech support.

2. TERM OF PERFORMANCE AND TERMINATION

- a. The term of this agreement shall commence on the 1st of January, 2019, and shall continue until December 31, 2019.
- b. This agreement shall be automatically renewed as of the 1st of January each following year unless written notification to cease agreement is received 30 days in advance.
 - i. This agreement may be terminated by either of the parties; however, the party seeking to terminate must give written notice of its intention to do so to the other party at least thirty (30) Days prior to the effective date of termination.

3. FEE AND PAYMENT SCHEDULE

- a. ESE shall submit an invoice on a monthly basis. The invoices shall be sent to The City of Villa Rica at:

City of Villa Rica
Attn: Tom Barber
571 W. Bankhead Hwy
Villa Rica, GA 30180
- b. The City of Villa Rica shall pay ESE Payment for services monthly in the amount of \$300 per month.

c. Payments will be made to ESE Holdings, LLC at:

ESE Holdings

Attn: Todd Woodruff

1523 Old Valdosta Rd. Ray City,

GA 31645 229.686.7621

todd@esenetworks.com

4. GOVERNING LAW

- a. This agreement shall be governed by and interpreted in accordance with the laws of the State of Georgia.

5. TERMINATION

- a. This agreement may be terminated by either of the parties; however, the party seeking to terminate must give written notice of its intention to do so to the other party at least thirty (30) Days prior to the effective date of termination.

6. ENTIRE AGREEMENT

- a. This agreement sets forth the entire understanding between the parties relating to the limited subject matter contained herein and supersedes all prior oral and written understandings, arrangements and agreements between the parties thereto.
- b. This agreement may not be modified or altered except in writing by an instrument duly executed by authorized officers of both parties.

7. NOTICES

- a. Except as provided in Section 1, any notice required to be giving by one to the other shall be in writing, deposited in the United States Mail, hand delivered, or emailed to proper address. Written notices shall be deemed to have been given when received by the party to whom it is mailed or delivered.

INWITNESS WHEREOF, the parties hereto have caused this Agreement to be duly executed by their duly authorized officers the day and year set forth below.

SIGNATURES

The City of Villa Rica

ESE Holdings, LLC

By: _____

By: _____

Name: _____

Name: Todd Woodruff

Title: _____

Title: COO

Phone: _____

Email: _____