



CALL TO ORDER

Roll Call

PLEDGE OF ALLEGIANCE

PUBLIC HEARING

R-21-02 Rezone: Dwight and Carolyn Wall, applicants, Dwight Wall and Lisa Owen, property owners, seek to rezone 0.548 acre fronting 264.07 feet on the northwest side of Price Street 351 feet southwest of Atlanta Highway (Map/Parcel ST02/066) (361 and 365 Price Street) from SR-1 (Suburban Residential-1) to SR-2 (Suburban Residential-2). Proposed Use: Division of property into two residential lots.

V-21-04 Variance: Dwight and Carolyn Wall, applicants, Dwight Wall and Lisa Owen, property owners, seek a variance to the Statham Unified Development Code, Section 2-205, "SR-2, Suburban Residential 2 District" to reduce the minimum lot width from 80 feet to 58.86 feet and to reduce the minimum heated floor area per dwelling unit from 1400 square feet to the size of the two existing structures on the lot (approximately 900 square feet) for 0.548 acre fronting 264.07 feet on the northwest side of Price Street 351 feet southwest of Atlanta Highway (Map/Parcel ST02/066) (361 and 365 Price Street). Proposed zoning: SR-2 (Suburban Residential-2). Proposed Use: Division of property into two residential lots.

PUBLIC HEARING

O-21-04 UDC Text Amendment: First reading. An Ordinance Amending the Unified Development Code of the City of Statham, Georgia, adopted June 30, 2020, to amend Article 15, "Subdivision of Land," Section 15-103, "Definitions," to amend the definitions of "major subdivision" and "minor subdivision;" to amend Section 15-301, "Preliminary Plat – When Required," to require that any major subdivision (i.e., more than five lots) require a preliminary plat; and to amend Section 15-602, "Process for review and approval of a final plat," to require City Council review and approval of a final plat for any major subdivision, and for other purposes.

DISCUSSION ITEMS

- 1. FY18 Final Financial Statement: Sponsored by Mayor Piper and City Accountant.** To approve the final FY18 Audit. (Not included in agenda packet) Copies of the FY18 Financial Statements were provided to Mayor and all council members March 31, 2021. The FY18 Financial Statements are available for public download on the City's website.

- 2. Georgia Interlocal Risk Management Agency (GIRMA): Sponsored by Accountant.** To approve the Mayor to sign an agreement with GIRMA for the new year's coverage of general liability, cyber, property, automobile and officials E&O with a \$25,000 deductible per occurrence. The policy begins May 1, 2021 through May 1, 2022. The cost is \$75,402, an increase of 6% from last year. After speaking with two additional insurance providers for cost estimates, the City Accountant recommends continuing coverage with GIRMA at this time.
- 3. Livestock in Residential Areas: Sponsored by Councilmember Crawley.** To discuss an ordinance amendment to permit certain livestock in residential zoning districts SR-1, SR-2 and UR to be raised on the property, and allow the sale of livestock, and livestock products. Livestock is defined in the City of Statham Unified Development Code Article II, Division III "Use Definitions" as cattle, horses, pigs, sheep, goats, llamas, emus, ostriches, donkeys and mules, goats, sheep, chickens, ducks, geese and other fowl, rabbits, minks, foxes and other fur or hide-bearing animals customarily bred or raised in captivity, whether owned or kept for pleasure, utility or sale.
- 4. Blue Line Solutions Speed Detection Devices: Sponsored by Mayor Piper.** To discuss adding LIDAR speed detection devices in school zones to calculate speed. They are 100% accurate determining exactly which vehicle it is capturing, and in stationary cameras, a LIDAR (laser) beam is aimed into a single lane and vehicles drive through it, and captures several hundred data points determining the speed as the vehicle travels through the beam. Speed studies have been conducted and determined a speeding problem in Statham's school zone does exist. A 30-day warning period will be given to the public upon implementation, and after the period ends, citations may be issued automatically after the driver has been given multiple sign warnings. In most all cases, a reduction in speed in school zones decreases during the 30-day warning period. There will be no cost to the City to add these devices.
- 5. O-21-05, An Ordinance Reducing the Speed on Broad Street: Sponsored by Councilmember Crawley.** First reading. An Ordinance to amend the City of Statham List of Roads to reduce the speed limit on Broad Street from the intersection of Dooley Town Road to Eighth Street to 25 miles per hour.
- 6. Statham Spring Clean-Up: Sponsored by Councilmember McCormic.** To discuss having a clean-up day scheduled in Statham. The Barrow County Great American Clean Up is scheduled for May 22, 2021 from 8:00 a.m. – 2:00 p.m. at 82 Maynard Street in Winder, and is available for all Barrow County residents.
- 7. Alleys: Sponsored by Councilmember McCormic.** To discuss cleaning up alleyways in the City, and to discuss deeding certain alleys to property owners whose properties border certain alleys.
- 8. Public Works Building: Sponsored by Councilmember McCormic.** To discuss the future of the public works building located at 330 Jefferson Street.

9. Welcome Packets to New Residents: Sponsored by Councilmember McCormic.

10. Four Wheelers on Public Streets: Sponsored by Councilmember Crawley.

CITIZEN INPUT

MINUTE APPROVAL

1. March 16, 2021 Regular Meeting Minutes

ADJOURN

**CITY OF STATHAM, GA
ZONING ADMINISTRATOR'S STAFF REPORT**

TO: Honorable Mayor and City Council, City of Statham

DATE: March 29, 2021

SUBJECT: **R-21-02:** Rezoning From SR-1, Suburban Residential 1 District to SR-2, Suburban Residential 2

COMPANION APP: V-21-04: reduce minimum lot width and minimum heated floor area per dwelling unit

PUBLIC HEARING: April 8, 2021 @ 6:30 p.m. (Mayor and City Council)

VOTING SESSION: April 20, 2021 @ 7:00 p.m. (Mayor and City Council)

APPLICANT: Dwight and Carolyn Wall

OWNER(S): Dwight Wall and Lisa Owen

LOCATION: Fronting 264.07 feet on the northwest side of Price Street 351 feet southwest of Atlanta Highway (361 and 365 Price Street)

PARCEL #: ST02/066

ACREAGE: 0.548

EXISTING LAND USE: Single-family dwelling and manufactured home

SURROUNDING LAND USE/ZONING:

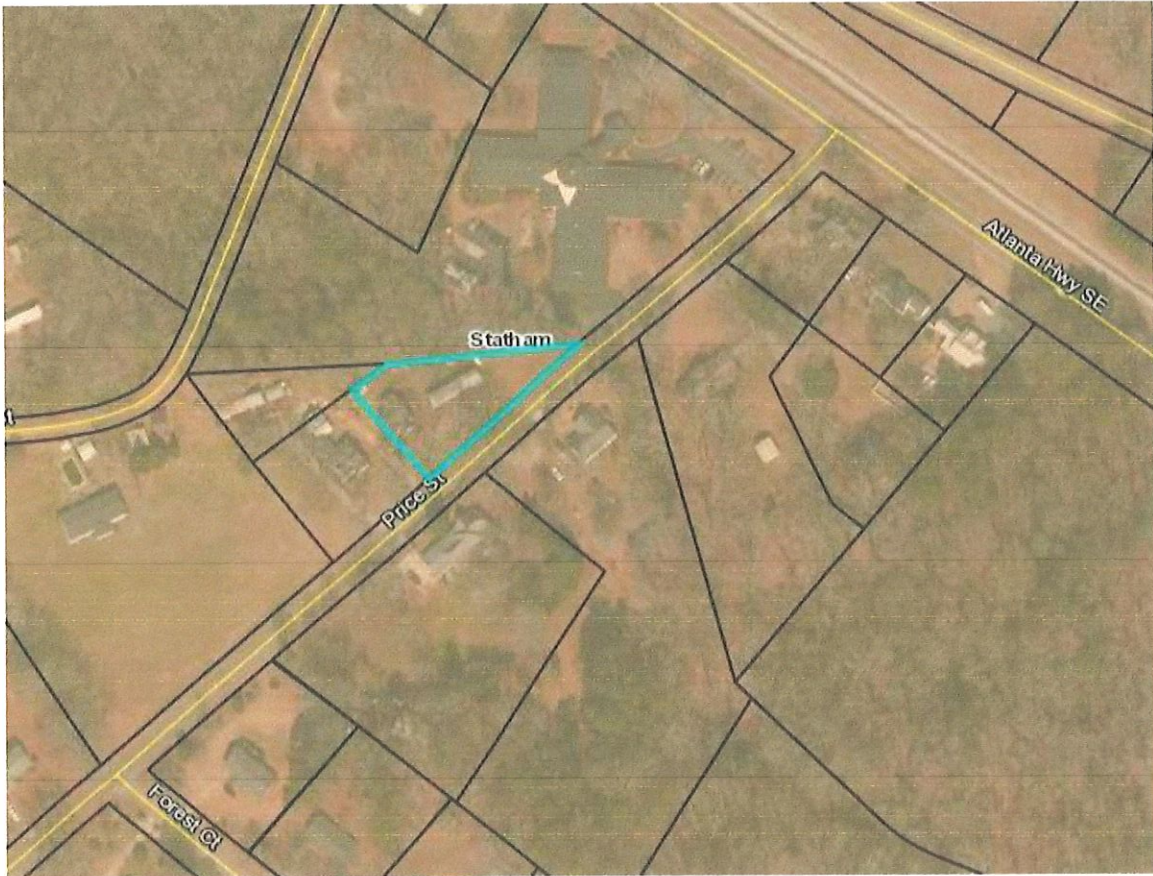
NORTH: Institutional residential living, O-I (Office-Institutional)

EAST: Single-family dwelling, SR-1 (Suburban Residential – 1)

SOUTH: Single-family dwelling, SR-1 (Suburban Residential – 1) (across Price St.)

WEST: Institutional residential living, O-I (Office-Institutional)

RECOMMENDATION: Approval



Tax Map/Aerial Photo of Property

SUMMARY OF REQUEST

The applicant seeks to divide the subject property into two lots because it has two dwellings on it already, one stick-built home and a manufactured home. Planning staff has suggested a rezoning and a variance to make the two proposed lots conform to the zoning ordinance as much as possible, and to authorize the requested lot division, as opposed to trying to make the manufactured home a legal use.

The applicant has also filed a companion application for a variance to the SR-2 dimensional requirements so that the required 80 foot minimum lot width required for SR-2 can be reduced to 58.86-wide lot (as shown on the survey) and also to lower the minimum floor area for the dwellings from 1400 square feet to approximately 900 square feet.

If rezoned and if the variance is granted, both lots will be a conforming lot size (minimum 12,500 square foot lot size). The variance will allow one of the lots to be less than the required minimum width.

The manufactured home on the site is grandfathered (i.e., a legal nonconforming use). If the rezoning and variance are approved, the applicant will file for a minor subdivision plat approval.

STANDARDS GOVERNING EXERCISE OF ZONING POWER
(Sec. 13-210 Statham UDC)

Note: The City Council may adopt the findings and determinations of staff as written (provided below), or it may modify them. The council may cite one or more of these in their own determinations, as it determines appropriate. The council may modify the language provided here, as necessary, in articulating its own findings. Or, the council can reject these findings and make its own determinations and findings for one or more of the criteria provided below. Council does not need to address each and every criterion, but only those that are relevant to support its own determination.

(a) Is the proposed use consistent with the stated purpose of the zoning district that is being requested?

Finding: The applicant seeks to subdivide the existing lot into two tracts because there are two dwellings on it (one of which is a manufactured home). Division into two lot would be consistent with the requested SR-2 zoning district since both lots would meet the minimum lot size (***supports request***). One of the two lots will not be consistent with the SR-2 zoning district because it will fail to meet the minimum lot width of the SR-2 zoning district; however, a variance has been requested (***meets criteria if a variance is granted***).

(b) Is the proposed use suitable in view of the zoning and development of adjacent and nearby property?

Finding: The use will not change if this rezoning request is granted, and nothing on the ground will change. Therefore, the request is considered suitable in view of the zoning and development of adjacent and nearby property (***supports request***). The zoning does not make the manufactured home a permitted use, but it is “grandfathered” (a legal nonconforming use).

(c) Will the proposed use not adversely affect the existing use or usability of adjacent or nearby property?

Finding: Rezoning to SR-2 will not adversely affect the existing use or usability of adjacent or nearby property because the use will not change and nothing on the ground will change as a result of the zoning (just the addition of a lot line between the two structures which will generally not be visible (***supports request***)).

(d) Is the proposed use compatible with the goals, objectives, purpose and intent of the comprehensive plan?

Finding: No finding; not applicable.

(e) Are there substantial reasons why the property cannot or should not be used as currently zoned?

Finding: Maintaining the SR-1 zoning on the lot will continue to prevent the applicant from dividing the lot so that each of the homes on the lot can be on its own lot of record. So long as the property remains SR-1, the lot cannot be further divided. **(supports request)**. One alternative would be for the owner to remove the manufactured home.

(f) Will the proposed use not cause an excessive or burdensome use of public facilities or services, including but not limited to streets, schools, water or sewer utilities, and police or fire protection?

Finding: No additional impacts will occur on streets or other public facilities and services beyond those generated now from the site **(supports request)**.

(g) Is the proposed use supported by new or changing conditions not anticipated by the comprehensive plan or reflected in the existing zoning on the property or surrounding properties?

Finding: Not applicable/no finding.

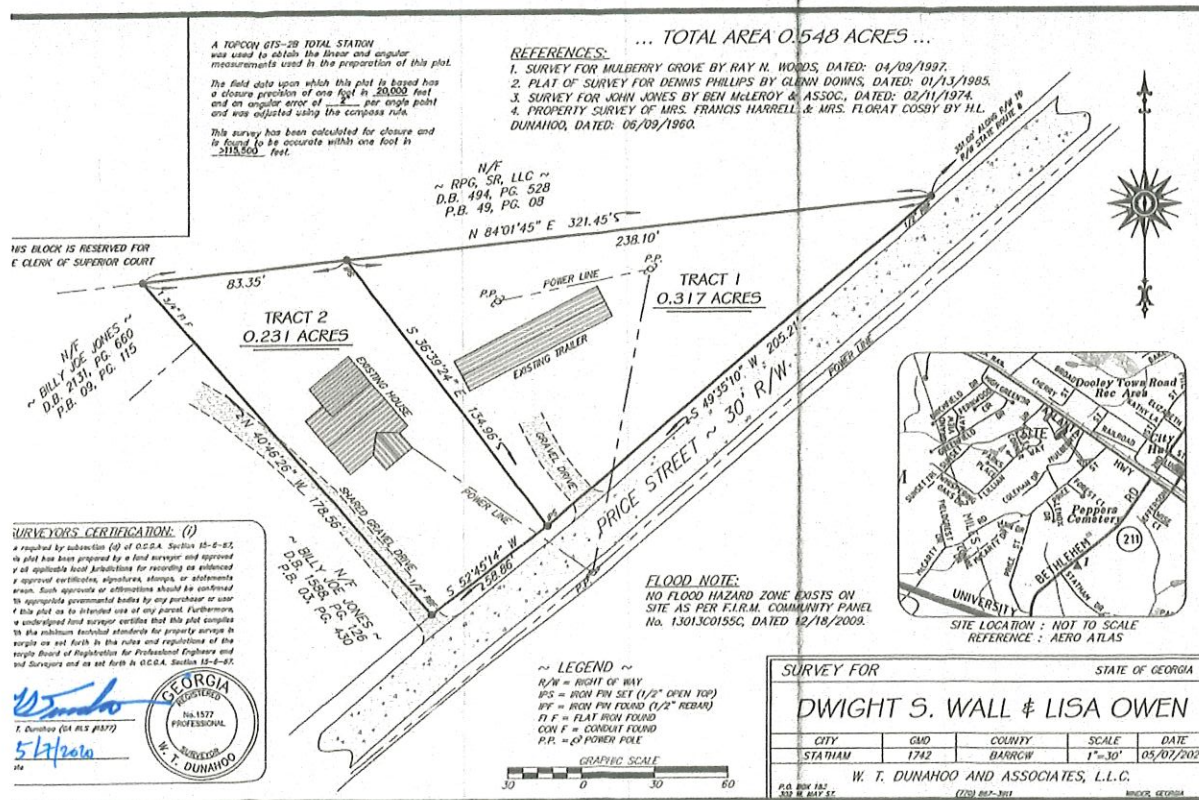
(h) Does the proposed use reflect a reasonable balance between the promotion of the public health, safety, morality, or general welfare and the right to unrestricted use of property?

Finding: Since the rezoning and variance if approved will simply facilitate the division of the lot, and not result in a change of use, the rezoning will reflect a reasonable balance between the purposes of the SR-1 zoning district and the unrestricted use of property **(supports request)**.

CONCLUSION AND RECOMMENDATION

The application meets several of the criteria for zoning decisions. Planning staff recommends approval.

R-21-02 Rezoning from SR-1 to SR-2, Price Street



Survey and Proposed Lot Division

**CITY OF STATHAM, GA
ZONING ADMINISTRATOR'S STAFF REPORT**

TO: Honorable Mayor and City Council, City of Statham

DATE: March 29, 2021

SUBJECT: **V-21-04:** Variance to Section 2-205, "SR-2, Suburban Residential 2 District" to reduce the minimum lot width from 80 feet to 58.86 feet and to reduce the minimum heated floor area per dwelling unit from 1400 square feet to the size of the two existing structures on the lot (approximately 900 square feet)

COMPANION APP: R-21-02: Rezoning From SR-1, Suburban Residential 1 District to SR-2, Suburban Residential 2

PUBLIC HEARING: April 8, 2021 @ 6:30 p.m. (Mayor and City Council)

VOTING SESSION: April 20, 2021 @ 7:00 p.m. (Mayor and City Council)

APPLICANT: Dwight and Carolyn Wall

OWNER(S): Dwight Wall and Lisa Owen

LOCATION: Fronting 264.07 feet on the northwest side of Price Street 351 feet southwest of Atlanta Highway (361 and 365 Price Street)

PARCEL #: ST02/066

ACREAGE: 0.548

EXISTING LAND USE: Single-family dwelling and manufactured home

SURROUNDING LAND USE/ZONING:

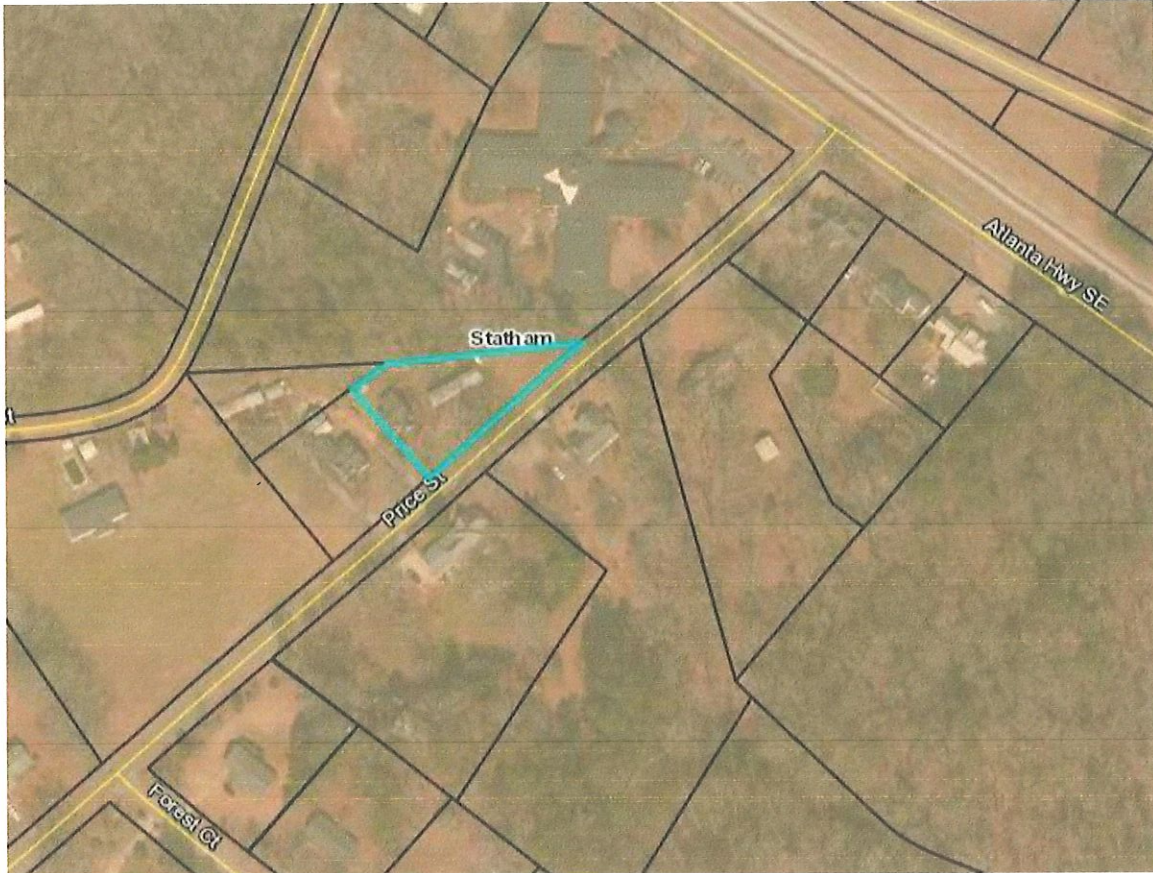
NORTH: Institutional residential living, O-I (Office-Institutional)

EAST: Single-family dwelling, SR-1 (Suburban Residential – 1)

SOUTH: Single-family dwelling, SR-1 (Suburban Residential – 1) (across Price St.)

WEST: Institutional residential living, O-I (Office-Institutional)

RECOMMENDATION: Approval



Tax Map/Aerial Photo of Property

SUMMARY OF REQUEST

The applicant seeks to divide the subject property into two lots because it has two dwellings on it already, one stick-built home and a manufactured home. Planning staff has suggested a rezoning to SR-2 and a variance to make the two proposed lots conform to the zoning ordinance as much as possible, and to authorize the requested lot division, as opposed to trying to make the manufactured home a legal use.

The applicant has filed this application for a variance to the SR-2 dimensional requirements so that the 80 foot minimum lot width required for SR-2 can be reduced to 58.86-wide lot (as shown on the survey) and also to lower the minimum floor area for the dwellings from 1400 square feet to approximately 900 square feet.

If rezoned and if the variance is granted, both lots will be a conforming lot size (minimum 12,500 square foot lot size). The variance will allow one of the lots to be less than the required minimum width.

The manufactured home on the site is grandfathered (i.e., a legal nonconforming use). If the rezoning and variance are approved, the applicant will file for a minor subdivision plat approval.

VARIANCE CRITERIA

One or more of the following conditions must exist, and findings made to that effect, in order to justify approval of a variance per Sec. 14-104 of the Statham Unified Development Code:

Note: The City Council may adopt the findings and determinations of staff as written (provided below), or it may modify them. The council may cite one or more of these in its own determinations, as it determines appropriate. Council may modify the language provided here, as necessary, in articulating its own findings. Or, the council can reject these findings and make its own determinations and findings for one or more of the criteria provided below. Council does not need to address each and every criterion, but only those that are relevant to support its own determination.

- (a) ***There are extraordinary, exceptional, or peculiar conditions pertaining to the particular piece of property in question, because of its size, shape, topography or other physical condition that are not applicable to other lands or structures in the same district; and that such conditions cause unnecessary hardship, practical difficulty or adversely affect the reasonable use or usability of property as currently zoned and regulated***

Staff finding: The extraordinary condition is not one that is listed in the criterion (***does not meet criterion***), but rather, that there are two dwellings on one lot. The two dwellings are allowed to continue being occupied, but cannot be separately owned unless the property is divided, and in order to divide the land, a variance is needed to the minimum lot width.

- (b) ***The requested variance will be in harmony with the purpose and intent of this UDC and will not be injurious to the neighborhood or to the general welfare***

Staff finding: The use will not change if this variance is granted, and nothing on the ground will change. Therefore, the request is considered to be in harmony with the purpose and intent of the unified development code (***meets criterion/ supports request***). There will be no injury to the neighborhood or the general welfare if the variance request is granted. No additional impacts will occur on streets or other public facilities and services beyond those generated now from the site (***meets criterion/ supports request***).

- (c) ***The special circumstances are not the result of the actions of the applicant***

Staff finding: Unknown; no finding made.

- (d) ***The variance requested is the minimum variance that will make possible the proposed use of the land, building, or structure in the use district proposed***

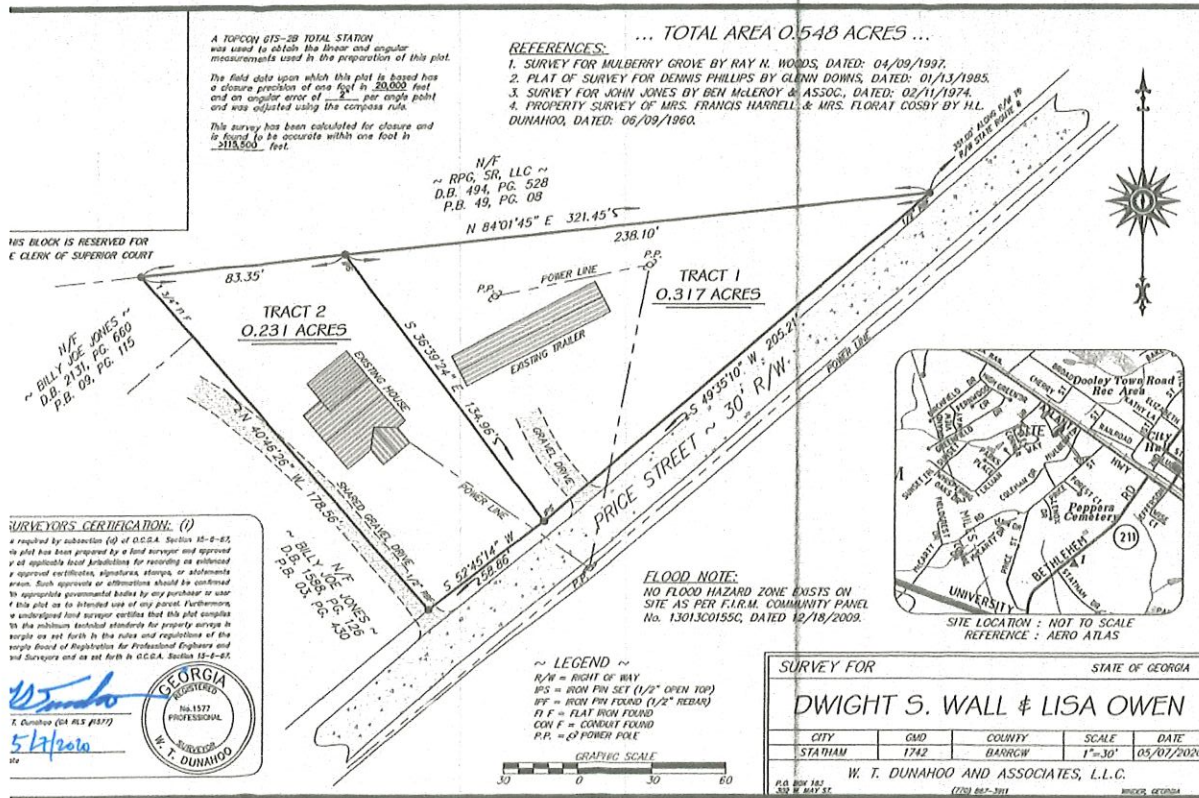
Staff finding: Staff has determined the most appropriate path to allow for the subdivision of property which is a combination of rezoning to SR-2 (to allow the lot size of 12,500 square feet) and a variance so that one of the lots does not have to meet the minimum lot width of 80 feet required for the SR-2 zoning district. This combination of rezoning and variance is considered the minimum necessary to allow the subdivision of property into two lots as requested by the applicant (***meets criterion/ supports request***).

CONCLUSION AND RECOMMENDATION

The application meets two of the criteria for variances. Planning staff therefore recommends approval.

Note: This variance request is only appropriate if the subject property is first rezoned to SR-2, Suburban Residential – 2. The request for rezoning must therefore be voted on and approved for the variance request to be considered.

V-21-04, SR-2 Dimensional Requirements, Price Street



Survey and Proposed Lot Division

CITY OF STATHAM
STATE OF GEORGIA

AN ORDINANCE AMENDING THE UNIFIED DEVELOPMENT CODE OF THE CITY OF STATHAM, GEORGIA, ADOPTED JUNE 30, 2020, ARTICLE 15, "SUBDIVISION OF LAND," TO AMEND SECTION 15-102, "AUTHORITY OF ZONING ADMINISTRATOR" TO REVISE APPROVAL AUTHORITY REGARDING OF FINAL PLATS; TO AMEND SECTION 15-103, "DEFINITIONS," THE DEFINITIONS OF "MAJOR SUBDIVISION" AND "MINOR SUBDIVISION;" TO AMEND SECTION 15-504, "ADDITIONAL PLAT DATA REQUIRED LOCALLY" TO REVISE THE LANGUAGE OF SIGNATURE BLOCKS; TO AMEND SECTION 15-301, "PRELIMINARY PLAT - WHEN REQUIRED" TO REQUIRE THAT ANY MAJOR SUBDIVISION REQUIRE SUBMISSION AND APPROVAL OF A PRELIMINARY PLAT; TO AMEND SECTION 15-602, "PROCESS FOR REVIEW AND APPROVAL OF A FINAL PLAT," PARAGRAPH "(D)" "ACTION" TO REQUIRE CITY COUNCIL REVIEW AND APPROVAL OF A FINAL PLAT FOR ANY MAJOR SUBDIVISION; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE FOR SEVERABILITY; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, The Statham Unified Development Code as adopted authorizes the zoning administrator to review and administratively approve all final plats; and

WHEREAS, The Statham Unified Development Code as adopted does not require a preliminary plat for a subdivision unless it involves a new street, the widening of an existing roadway, or the dedication of a public improvement; and

WHEREAS, The City of Statham desires to amend the text of the Unified Development Code to require a preliminary plat for any subdivision with more than five lots and to require City Council review and approval of final plats for major subdivisions; and

WHEREAS, Notice of public hearing was published in a newspaper of general circulation within the City of Statham as required by the zoning procedures law and the Statham unified development code for text amendments; and

WHEREAS, The City Council conducted a public hearing on this matter;

Now, therefore, IT IS ORDAINED by the City Council of the City of Statham that the Statham Unified Development Code, adopted June 30, 2020, is hereby amended in the following respects:

Section 1.

Article 15, "Subdivision of Land," Section 15-102, "Authority of zoning administrator," paragraph (a) is amended to read as follows:

"Sec. 15-102. Authority of zoning administrator.

- (a) In accordance with the provisions of this article, the zoning administrator shall have final authority with regard to the review and approval, conditional approval, or disapproval of ~~preliminary plats, final plats~~ **for minor subdivisions**, lot combination plats, boundary line adjustments, ~~dedication plats~~ and condominium plans; provided, however, the zoning administrator does not have authority to accept any public improvements on behalf of the Statham City Council. Public streets **and any other public improvement to be dedicated to the city** shall only be accepted by the Statham City Council, following procedures for public dedications specified in this article.”

Section 2.

Article 15, “Subdivision of Land,” Section 15-103, “Definitions,” the definitions of “Major Subdivision” and “Minor Subdivision” are amended to read as follows:

“Major subdivision: The division of a tract of land into any number of lots, which requires the construction of a new street or the widening of an existing roadway **or the construction and dedication of a public improvement, as defined**, ~~the provision of stormwater drainage facilities (other than driveway culverts), or the construction or improvement of public utilities;~~ or the division of land into more than five lots, regardless of whether public improvements **construction of a new street or the widening of an existing roadway or the construction and dedication of a public improvement, as defined, is** are involved.”

“Minor subdivision: The division of a tract of land into five or less lots which does not require public improvements, as defined **involve construction of a new street or the widening of an existing roadway, or the construction and dedication of a public improvement, as defined.**”

Section 3.

Article 15, “Subdivision of Land,” Section 15-301, “Preliminary Plat – When Required,” is amended to read as follows:

“Sec. 15-301. Preliminary plat – when required.

Any **major** subdivision ~~involving the dedication of a public street or public land, any subdivision involving a new private street, and any subdivision requiring a public improvement as defined,~~ shall require the submission and approval by the Statham City Council of a preliminary plat.”

Section 4.

Article 15, “Subdivision of Land,” Section 15-504, “Additional plat data required locally,” paragraphs “(b)” and “(c)” are amended as follows:

- (b) Certificate of approval and signature block. **For final plats for minor subdivisions, the following certification of approval and signature block shall be provided on the plat:**

“Pursuant to the Unified Development Code of the City of Statham and all requirements of approval having been fulfilled, this **minor subdivision** final plat was given final approval by the zoning administrator and it is entitled to be recorded in the Clerk’s Office, Barrow County Superior Court.”

Signature, Zoning Administrator

Date

For final plats for major subdivisions, the following certification of approval and signature block shall be provided on the plat:

“Pursuant to the Unified Development Code of the City of Statham and all requirements of approval having been fulfilled, this major subdivision final plat was given final approval by the zoning administrator and the Statham City Council and it is entitled to be recorded in the Clerk’s Office, Barrow County Superior Court.”

Signature, Zoning Administrator

Date

Signature, Mayor

Date”

- (c) Certificate of dedication. If the subdivision involves the dedication of land or streets **or other improvement** to the public, the following certification shall be provided on the plat:

The owner dedicates to the public for use forever the street right of way(s) and/or other public dedications **or public improvement** shown on this plat, as follows:

Street right of way(s): ___ linear feet and ___ acres.

Other: ___ acres.

A dedication is not final until acceptance of the warranty deed by resolution of the Statham City Council.

Owner

Signed, sealed and delivered
in the presence of:

Witness

Notary Public”

Section 5.

Article 15, “Subdivision of Land,” Section 15-602, “Process for review and approval of a final plat,” paragraph “(d)” “action” is amended as follows:

- (d) Action. **When the zoning administrator has determined that a final plat of a minor subdivision is in compliance with the requirements of this UDC, it shall be approved by the zoning administrator.** When the zoning administrator has determined that the a final subdivision plat **of a major subdivision** is in compliance with the approved preliminary plat for the **major** subdivision (if applicable) and the requirements of this UDC and consistent with the comprehensive plan, it shall be approved **scheduled for consideration and action by the Statham City Council. If the City Council determines that the final subdivision plat of a major subdivision is in compliance with the approved preliminary plat for the major subdivision and the requirements of this UDC and consistent with the comprehensive plan, it shall be approved.** The owner shall be responsible for compliance with all codes, regulations, and zoning requirements and for the satisfaction of all the noted and written comments. If it is determined that the final plat is not in compliance with the requirements of this UDC, the zoning administrator shall disapprove the final plat. **In the case of a final plat for a minor subdivision, A**action must be taken by the zoning administrator to approve, conditionally approve, or disapprove the **minor** final plat application within no more than 45 days from receipt of a completed application. **In the case of a final plat for a major subdivision, action must be taken by the City Council to approve, conditionally approve, or disapprove the major final plat application within no more than 65 days from receipt of a completed application.”**

Section 6.

All ordinances, or parts of ordinances in conflict herewith are hereby repealed.

Section 7.

If any portion of this ordinance shall be held to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect or impair the remaining portions unless it clearly appears that such other parts are wholly and necessarily dependent upon the part held to be invalid or unconstitutional.

Section 8.

The effective date of this ordinance shall be upon its adoption by the Statham City Council.

SO ORDAINED, this ____ day of _____, 2021.

Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM

City Attorney

Georgia Interlocal Risk Management Agency

RENEWAL TERMS FOR 2021-2022

CITY OF STATHAM

Contribution Summary

<u>Line of Coverage</u>	<u>Annual Contribution</u>
General Liability	\$8,496
Law Enforcement Liability – Before Credit	\$12,726
<i>Law Enforcement Initiative Credit Amount</i>	\$0
Law Enforcement Liability – After Credit	\$12,726
Public Officials Liability	\$9,133
Automobile Liability	\$22,803
Automobile Physical Damage	\$6,710
Property – Buildings & Contents	\$13,089
Mobile Equipment	\$418
Police Animal Mortality	\$0
Crime / Fidelity	\$445
Boiler & Machinery	\$1,061
Uninsured Motorist	\$521
Sub Total	\$75,402
Less Renewal Credit	\$0
Total	\$75,402

Disclaimer:

These terms are not to be construed as an exact or complete analysis of the coverage agreement, nor as a legal evidence of coverage. The provisions of the actual coverage document will prevail.

MAYOR
Joe Piper

CITY CLERK
Sandra Bennett



CITY COUNCIL
Betty Lyle
Tammy Crawley
Dwight McCormic
Hattie Thrasher
Gary Venable

Sec. 3-014. Backyard chickens in residential zoning district.

Chickens shall be authorized to be raised as an accessory use to a dwelling only in residential zoning districts where permitted (see Table 2-1), subject to compliance with the provisions of this section.

- (a) Minimum lot size. The minimum lot size for backyard chickens shall be one acre.
- (b) Prohibitions. Roosters and crowing hens are prohibited. No breeding of chickens shall occur on the property. No chicken shall be used or trained for the purpose of fighting for amusement, sport or financial gain. The sale of animal products including, but not limited to meat, eggs, and manure shall be prohibited. No slaughtering of any animal is permitted.
- (c) Maximum number. The number of hens on any residential lot shall be limited to 12.
- (d) Confinement. Hens shall be confined by structure and fence. No free-range chickens are allowed. It is the sole responsibility of chicken keepers to ensure their chickens do not leave their property.
- (e) Enclosures. All chickens shall be maintained in the rear yard only within a covered enclosure, containing an area of not less than 2 square feet per chicken and set back a minimum of 10 feet from all property lines and no less than 25 feet from any residential structure on an adjacent property. The enclosure shall be less than 12 feet in height and shall be impermeable to rodents, wild birds, predators, and dogs and cats. The enclosure shall provide adequate ventilation and shade, and a darkened area for hen sleeping.
- (f) Operation and maintenance. Chickens must be provided with access to feed and clean water at all times. Enclosures and fences must be maintained, kept clean and sanitary and odor-free, and operated in a manner that will not disturb the use or enjoyment of neighboring residents due to noise, odor or other adverse impact. Droppings from chickens and dead chickens must be disposed of in a sanitary manner. Odors from chickens, chicken waste, or other chicken-related substances shall not be perceptible at the property boundaries.
- (g) If a property is found to have more than the allowable number of animals as specified in this section, or if the animals are not cared for or contained in the manner specified in this section, or the animals are creating a nuisance, or if there is any other violation of this section, the property owner or resident shall be issued a citation and be required to remove all of the animals or otherwise comply with the provisions of this section.

Article 2 Zoning Districts and Official Zoning Map

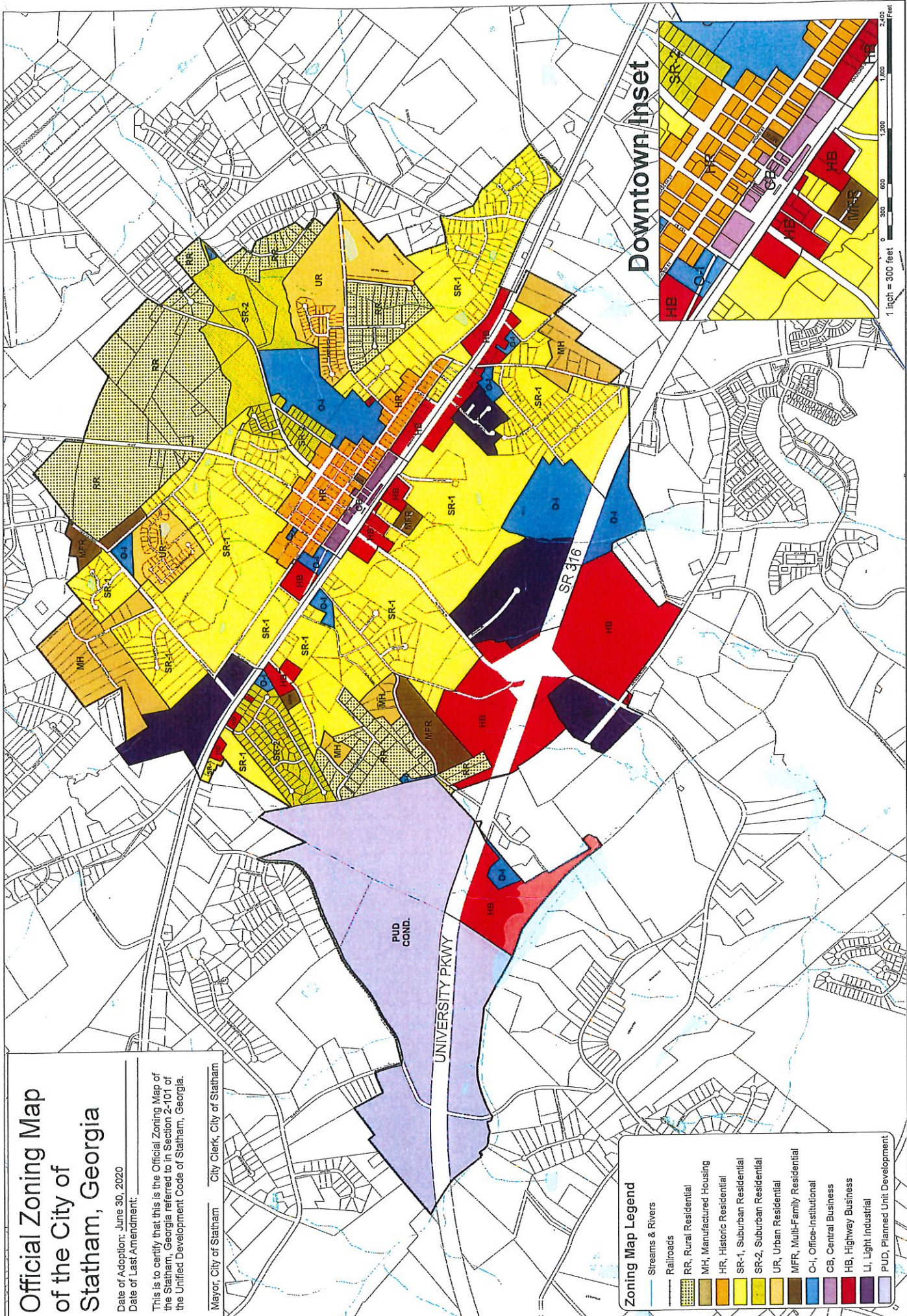
P = Permitted C = Conditional Use X = Prohibited	SEE SEC.	RR	MH	HR	SR- 1	SR- 2	UR	MFR	O-I	CB	HB	LI
Manufacturing, food (including slaughtering and processing of animals)		X	X	X	X	X	X	X	X	X	X	C
Manufacturing, furniture or related product		X	X	X	X	X	X	X	X	X	X	P
Manufacturing, ice		X	X	X	X	X	X	X	X	X	X	P
Manufacturing, leather or allied product		X	X	X	X	X	X	X	X	X	X	P
Manufacturing, machinery		X	X	X	X	X	X	X	X	X	X	P
Manufacturing, nonmetallic mineral products (including ceramics)		X	X	X	X	X	X	X	X	X	X	P
Manufacturing, paint, coating, or adhesive		X	X	X	X	X	X	X	X	X	X	C
Manufacturing, petroleum and coal products (including asphalt plant)		X	X	X	X	X	X	X	X	X	X	C
Manufacturing, pharmaceuticals, medicines, and medical instruments		X	X	X	X	X	X	X	X	X	X	P
Manufacturing, plastic and rubber products		X	X	X	X	X	X	X	X	X	X	P
Manufacturing, primary metal or fabricated metal product		X	X	X	X	X	X	X	X	X	X	P
Manufacturing, signs		X	X	X	X	X	X	X	X	X	P	P
Manufacturing, textiles and textile products, including textile mill		X	X	X	X	X	X	X	X	X	X	C
Manufacturing, transportation equipment (automobiles, boats, trucks, trailers, etc.)		X	X	X	X	X	X	X	X	X	X	P
Manufacturing, wood products (excluding pulp paper, and paperboard mill)		X	X	X	X	X	X	X	X	X	X	P
UTILITY, TEMPORARY AND OTHER USES	SEE SEC.	RR	MH	HR	SR-1	SR-2	UR	MFR	O-I	CB	HB	LI
Aircraft landing area (excludes helicopter pads)	3-003	X	X	X	X	X	X	X	X	X	X	C
Ambulance service		X	X	X	X	X	X	X	X	X	P	P
Animal shelter (quasi-public or private)	3-005	X	X	X	X	X	X	X	X	X	P	P
Conservation area		P	P	P	P	P	P	P	P	P	P	P
Community recreation, in conjunction with a residential subdivision or development	3-054	P	P	P	P	P	P	P	X	X	X	X
Small wireless facility	3-061	P	P	P	P	P	P	P	P	P	P	P
Power plant, private		X	X	X	X	X	X	X	X	X	X	P
Temporary use or structure approved by the zoning administrator		P	P	P	P	P	P	P	P	P	P	P
Utility substation		P	P	P	P	P	P	P	P	P	P	P
Wireless telecommunication facility or equipment (cell tower, antenna, installation) (excluding small wireless facilities)	3-074	X	X	X	X	X	X	X	X	X	C	C
AGRICULTURAL USES	SEE SEC.	RR	MH	HR	SR-1	SR-2	UR	MFR	O-I	CB	HB	LI
Animal quarters (for livestock)		C	C	X	X	X	X	X	X	X	X	X
Backyard chickens	3-014	P	P	X	X	X	X	X	X	X	X	X
Crop production		P	P	P	X	X	X	X	X	X	X	X
Forestry		P	P	P	P	P	P	P	P	P	P	P
Riding stable		C	C	X	X	X	X	X	X	X	P	X
Timber harvesting	3-069	P	P	P	P	P	P	P	P	P	P	P

Official Zoning Map of the City of Statham, Georgia

Date of Adoption: June 30, 2020
Date of Last Amendment:

This is to certify that this is the Official Zoning Map of the Statham, Georgia referred to in Section 2-101 of the Unified Development Code of Statham, Georgia.

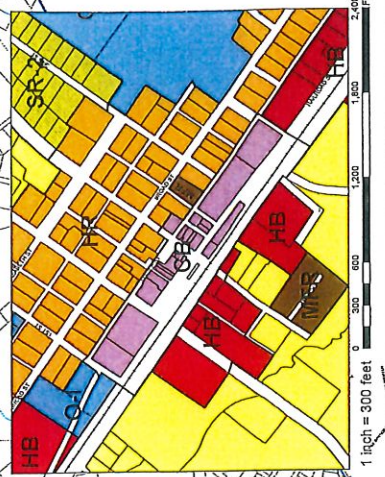
Mayor, City of Statham City Clerk, City of Statham



Zoning Map Legend

- Streams & Rivers
- Railroads
- RR, Rural Residential
- MH, Manufactured Housing
- HR, Historic Residential
- SR-1, Suburban Residential
- SR-2, Suburban Residential
- UR, Urban Residential
- MFR, Multi-Family Residential
- O-I, Office-Institutional
- CB, Central Business
- HB, Highway Business
- LI, Light Industrial
- PUD, Planned Unit Development

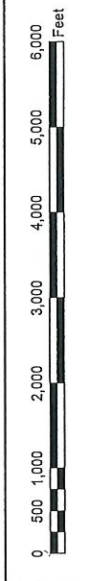
Downtown Inset



1 inch = 300 feet
0 300 600 900 1,200 1,500 1,800 2,100 2,400 Feet



1 inch = 500 feet



City of Statham, GA

Jerry Weitz & Associates, Inc.
 222 North Broad Street, Suite 200
 Statham, Georgia 30282
 Phone: (404) 932-2222
 Email: jerry@jerryweitz.com

O-21-05

CITY OF STATHAM
COUNTY OF BARROW
STATE OF GEORGIA

AN ORDINANCE TO AMEND THE CITY OF STATHAM LIST OF ROADS TO REDUCE THE SPEED LIMIT ON BROAD STREET FROM THE INTERSECTION OF DOOLEY TOWN ROAD TO EIGHTH STREET TO 25 MILES PER HOUR.

WHEREAS, on August 16, 2018, the Mayor and Council of the City of Statham adopted a List of Roadways (“LOR”) with designated speed limits for use in the City of Statham’s state-issued speed detection permit; and

WHEREAS, the LOR states that the speed limit on Broad Street from Dooley Town Road to Eighth Street shall be 35 miles per hour; and

WHEREAS, it is the best interests of the health, safety, and well-being of the citizens of Statham to reduce the speed limit on Broad Street from 35 miles per hour to 25 miles per hour; and

WHEREAS, pursuant to O.C.G.A. § 40-6-183, any reduction in the speed limit of off-system, requires approval by the City Council, approval by the DOT, and amendment to the Speed Detection Device Permit; and

NOW, THEREFORE, the Mayor and Council of the City of Statham do hereby ordain as follows:

- 1) The City of Statham LOR is hereby amended to reduce the speed limit on Broad Street from Dooley Town Road to Eighth Street from 35 miles per hour to 25 miles per hour;
- 2) The Mayor, Chief of Police, and/or their respective designees shall be authorized to complete and sign any and all applications, amendments, or other documents necessary to amend the City of Statham Police Departments Speed Detection Device Permit to allow for the use of radar detection on Broad Street as allowed by law;

3) Upon approval of the reduction in the speed limit to 25 miles per hour, the Mayor, Public Works Director, and/or the Chief of Police shall cause new signage to be posted in accordance with state law.

SO ORDAINED this ____ day of _____, 2020.

Joe Piper, Mayor

ATTEST:

Sandra Bennett, City Clerk

Approved as to form:

Jody Charles Campbell
City Attorney



REGULAR MEETING

MARCH 16, 2021

7:00 P.M.

CALL TO ORDER

Mayor Piper called the meeting to order at 6:30 p.m.

Roll Call

Present: Mayor Piper and Councilmembers Lyle, McCormic, Thrasher, Venable and Crawley.

Also present: Sandra Bennett, City Clerk and Jody Campbell, City Attorney

PLEDGE OF ALLEGIANCE

Mayor Piper led the Pledge of Allegiance, and thanked everyone who has or does serve in the armed forces.

CITIZEN INPUT - None

VOTING ITEMS

1. **O-21-03 No Parking Rules Ordinance:** Second reading. AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF STATHAM GEORGIA, BY REPEALING AND REPLACING ARTICLE I "TRAFFIC AND VEHICLES," CHAPTER 66, SECTION 66-4, BY ESTABLISHING A NEW SECTION 66-4 "NO PARKING RULES;" TO PROVIDE FOR RULES FOR PARKING; TO PROVIDE FOR RULES FOR ANY VEHICLE TO STAND, STOP OR PARK IN SPECIFIC PLACES; TO PROVIDE RULES FOR OVERNIGHT PARKING; TO REPEAL CONFLICTING CODE PROVISIONS, ORDINANCES OR PORTIONS THEREOF IN CONFLICT WITH THE FOREGOING; TO ESTABLISH AND EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Councilmember Venable made a motion to approve O-21-03 No Parking Rules. Councilmember McCormic seconded the motion. Councilmembers Venable, McCormic, Thrasher and Crawley voted in favor of O-21-03, and Councilmember Lyle opposed. The motion passed 4-1.

2. **O-21-02 City Council Meetings and Agendas Procedure Ordinance:** Second reading. AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF STATHAM GEORGIA, BY REPEALING AND REPLACING ARTICLE II, DIVISION 1, SECTIONS 2-10 AND 2-20, BY ESTABLISHING A NEW SECTION 2-10 "RULES OF PROCEDURE;" TO PROVIDE FOR RULES OF PROCEDURE FOR MEETINGS HELD BY THE CITY COUNCIL; TO PROVIDE CODE OF CONDUCT FOR CITY COUNCIL MEMBERS, CITY STAFF, CITIZENS AND OTHER VISITORS; TO PROVIDE DUTIES AND PRIVILIGES OF CITY COUNCIL MEMBERS; TO PROVIDE FOR CHAIRPERSON DUTIES AND

RESPONSIBILITIES; TO PROVIDE FOR ORDER OF BUSINESS; TO PROVIDE RULES FOR CITIZEN INPUT; TO PROVIDE FOR CONSIDERATION OF ORDINANCES, RESOLUTIONS AND MOTIONS; TO REPEAL CONFLICTING CODE PROVISIONS, ORDINANCES OR PORTIONS THEREOF IN CONFLICT WITH THE FOREGOING; TO ESTABLISH AND EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Councilmember Venable made a motion to approve O-21-02 with conditions of requiring one councilmember only to request an item to be added to the agenda. Councilmember McCormic seconded the motion, but stated he was not in favor. Councilmember Venable voted to approve O-21-02. Councilmembers Thrasher, Lyle, Crawley and McCormic voted no. The motion was denied with a 4-1 vote.

3. **V-21-01:** Abe Consulting, Inc., applicant, Ellington Farms Development Partners, LLC, property owner, seek a variance from the terms of Chapter 3.06, "Conservation Subdivision Overlay District," Sec. 3.06.003, "Requirements" and Chapter 4.01, Standards, Specifications and Improvements," Sec. 4.01.002 "Curb, Gutter, and Drainage Requirements" of the Zoning Ordinance of the City of Statham to waive the requirements for curb and gutter on streets within the proposed Ellington Farms Subdivision (Map/Parcels ST02/020, ST02/021, and ST02/028) (16.696 acres fronting on the south side of Sunset Drive and the northwest and southeast sides of Lillian Way). Current zoning is SR-1, Suburban Residential per the Unified Development Code. Prior zoning under the zoning ordinance governing development at the time was R-1, Single-family Residential District, (Low Density) conservation subdivision overlay district.

Councilmember Venable made a motion to approve V-21-01 with the following conditions: 1) The streets be accepted with no curb and gutter due to their connection on both ends to preexisting public streets, and 2) Bonds required: general maintenance bond for roads and a performance bond for golf cart paths and sidewalks. The paths and sidewalks would be completed with a 75% build out, or two years from start, whichever is later.

Councilmember Crawley seconded the motion.

Councilmembers Venable, Crawley and McCormic voted to approve V-21-01 with the conditions. Councilmembers Lyle and Thrasher voted no. The variance with conditions was approved 3-2.

4. **V-21-02:** Abe Consulting, Inc., applicant, Ellington Farms Development Partners, LLC, property owner, seek a variance from the terms of the Chapter 3.04, "Water Supply Watershed," [Barber Creek] Sections 3.04.003 "Impervious Surface Limitations" and 3.04.004, "Vegetative Buffers," of the Zoning Ordinance of the City of Statham (now Article 4 Statham Unified Development Code) to waive the requirements for stream buffers and impervious surface setbacks within the proposed Ellington Farms Subdivision (Map/Parcels ST02/020, ST02/021, and ST02/028) (16.696 acres fronting on the south side of Sunset Drive and the northwest and southeast sides of Lillian Way). Current zoning is SR-1, Suburban Residential per the Unified Development Code. Prior zoning under the zoning ordinance governing development at the time was R-1, Single-family Residential District, (Low Density) conservation subdivision overlay district.

Councilmember Venable made a motion to approve V-21-02 with the following conditions: 1) prior to final plat approval, the owner/developer's civil engineer will determine a highest water elevation (mean sea level) from flooding within the subdivision boundaries based on existing conditions. Such elevation shall be indicated by note or line on the final plat; 2) The dwellings shall

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be required to be constructed with a finished floor elevation that is a minimum of two (2) feet above the highest water elevation (mean sea level) from flooding shown on the final plat. To obtain a certificate of occupancy, any dwelling in the subdivision will be required to demonstrate that the finished floor elevation complies with this requirement. A note to this effect shall be required on the final plat, and 3) Any lot with a structure that would be required to be elevated per condition number 2 will require a Compaction Certification Letter.

Councilmember Crawley seconded the motion.

Councilmembers Venable, Crawley and McCormic voted to approve V-21-02 with the conditions. Councilmembers Lyle and Thrasher voted no. The variance with conditions was approved 3-2.

5. **V-21-03:** Abe Consulting, Inc., applicant, Ellington Farms Development Partners, LLC, property owner, seek a variance from the terms of Chapter 3.06, "Conservation Subdivision Overlay District," Sec. 3.06.003, "Requirements" of the Zoning Ordinance of the City of Statham to reduce the open space requirement from 33% to that provided on preliminary plat for the proposed Ellington Farms Subdivision (Map/Parcels ST02/020, ST02/021, and ST02/028) (16.696 acres fronting on the south side of Sunset Drive and the northwest and southeast sides of Lillian Way). Current zoning is SR-1, Suburban Residential per the Unified Development Code. Prior zoning under the zoning ordinance governing development at the time was R-1, Single-family Residential District, (Low Density) conservation subdivision overlay district.

A. Councilmember Venable made a motion to approve V-21-03, to include the City will not accept any retention pond or body of water outside of road runoff. Councilmember Crawley seconded the motion. Councilmembers Venable, Crawley and McCormic voted to approve V-21-03. Councilmembers Lyle and Thrasher voted no. The motion was approved 3-2.

6. **Z-21-01 Rezone:** Land Planners, LLC, applicant and property owner, by David Johnson, seeks to rezone 11.60 acres fronting on the north side of Dooley Town Road 655 feet northeast of Atlanta Highway (Map/Parcels ST01/004, ST01/005, and ST01/006) from SR-1, Suburban Residential I District to LI, Light Industrial District. Proposed use: office, storage and repair of equipment, welding and fabrication.

Councilmember Crawley made a motion to approve Z-21-01. Councilmember Thrasher seconded, and the motion passed unanimously.

7. **Bank OZK Accounts:** To authorize the Mayor to update the signers for the following bank accounts: Seized Funds Account, Forfeiture Account and Shop with a Cop Account; to authorize the Mayor to close the Library Account and place the ending balance of \$656 into the General Government Account, and to close the SPLOST (2006) and place the ending balance of \$47,656 into the Government Account as the funds remaining from SPLOST 2006 were budgeted in FY20 for sidewalk and crosswalk repairs, and such repairs have been completed and allocated accordingly.

Councilmember Venable made a motion to table the Bank OZK Accounts transfer and closure. Councilmember McCormic seconded the motion, and the motion passed unanimously.

8. **Proclamation - Month of April as Safe Digging Month:** To authorize the Mayor to sign a proclamation declaring the month of April as "Safe Digging Month," and to help educate the public about the importance and safety of calling Georgia 811 before digging.

Councilmember McCormic made a motion to approve the Mayor to sign the proclamation. Councilmember Crawley seconded the motion, and the motion passed unanimously.

MINUTE APPROVAL

1. March 4, 2021 City Council Work Session Meeting Minutes

Councilmember McCormic made a motion to approve the minutes from the March 4, 2021 City Council Work Session Meeting with the change of councilmembers Thrasher and Lyle’s voting to adjourn the meeting instead of not voting. Councilmember Thrasher seconded the motion, and the motion passed unanimously.

ADJOURN

At 7:24 p.m. Councilmember Crawley made a motion to adjourn the meeting. Councilmember Thrasher seconded, and the motion passed unanimously.

Mayor Joe Piper

Sandra Bennett, City Clerk

Date (seal)

These minutes approved at the April 8, 2021 council meeting.