



# City of Hogansville City Council

## Public Hearing & Regular Meeting Agenda

**Monday, October 3, 2022**

**Meeting will be held at Hogansville City Hall,  
111 High Street, Hogansville, GA 30230**

Mayor: <b>Jake Ayers</b>	2025	Interim City Manager: <b>Lisa E. Kelly</b>
Council Post 1: <b>Michael Taylor, Jr</b>	2025	City Attorney: <b>Alex Dixon</b>
Council Post 2: <b>Matthew Morgan</b>	2025	Chief of Police: <b>Jeffrey Sheppard</b>
Council Post 3: <b>Mandy Neese*</b>	2023	
Council Post 4: <b>Mark Ayers</b>	2023	
Council Post 5: <b>Toni Striblin</b>	2023	* Mayor Pro-Tem

### **Public Hearing (1)– 7:00 pm**

- Public Hearing to Hear Citizen Comments on Adoption of the Millage Rate

### **Public Hearing (2) – Immediately Following Public Hearing (1)**

- Public Hearing to Hear Citizen Comments on Rezoning of 816 Askew Ave from R1-Residential to RD-Rural Development

### **Regular Meeting – Immediately Following Public Hearing (2)**

1. Call to Order – Mayor Jake Ayers
2. Invocation & Pledge

### **Consent Agenda**

All items listed under the Consent Agenda are considered to be routine in nature and will be approved by one blanket motion.

1. Approval of Agenda: Regular Meeting October 3, 2022
2. Approval of Minutes: Work Session Meeting September 19, 2022
3. Approval of Minutes: Public Hearing & Regular Meeting September 19, 2022

### **Presentations**

#### **New Business**

1. Resolution - SCADA Upgrade Bid Award
2. Millage Rate Adoption
3. Ordinance – 1<sup>st</sup> Reading - Rezoning – 816 Askew Ave from R1-Residential to RD-Rural Development

#### **Executive Session**

1. Personnel Exemption

#### **Interim City Manager's Report**

#### **Council Member Reports**

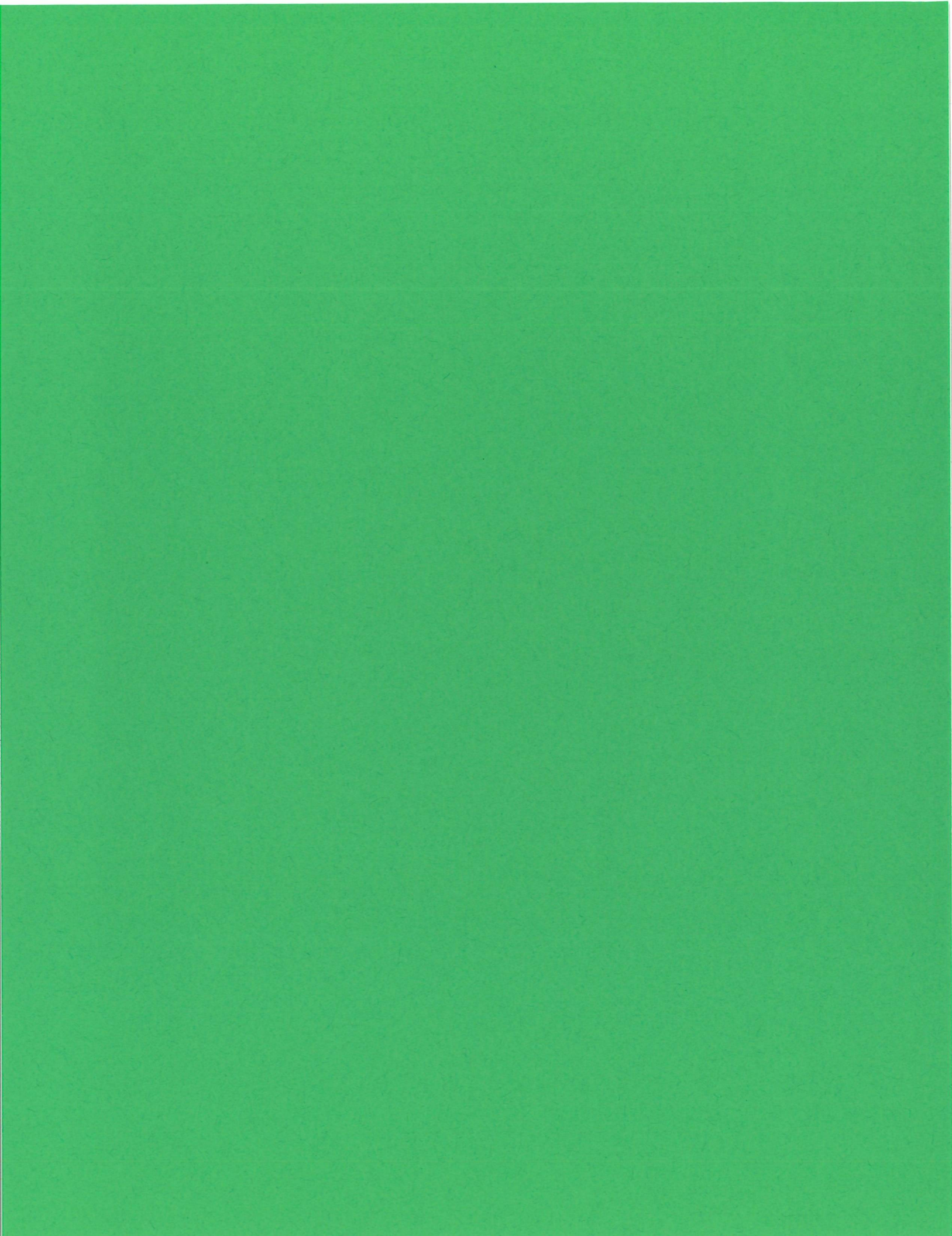
1. Council Member Taylor
2. Council Member Morgan
3. Council Member Neese
4. Council Member Ayers
5. Council Member Striblin

#### **Mayor's Report**

#### **Adjourn**

#### **Upcoming Dates & Events**

- October 5, 2022 – 4pm | SPLOST 6 Joint Meeting of LaGrange, Troup County, Hogansville, & West Point at Great Wolf Lodge
- October 11, 2022 | Marching Band Showcase at Callaway High School
- October 12, 2022 – 6pm – 8pm | Homecoming Festival at Callaway High School
- October 13, 2022 – 6pm | Callaway High School Homecoming Parade Downtown Hogansville
- October 14, 2022 – 7:30pm | Callaway High School Homecoming Parade at Callaway Stadium
- October 15 – 16 | Hogansville Hummingbird Festival
- October 17, 2022 – 6pm | Work Session of the Mayor and Council at Hogansville City Hall
- October 17, 2022 – 7pm | Regular Meeting of the Mayor and Council at Hogansville City Hall





**Work Session Meeting**  
**September 19, 2022**

*Meeting held at Hogansville City Hall, 111 High Street, Hogansville GA 30230*

**Call to Order:** Mayor Jake Ayers called the Work Session to order at 6 pm. Present were Mayor Jake Ayers and Council Members Michael Taylor, Jr., Matthew Morgan and Mandy Neese. Also present were Interim City Manager Lisa Kelly, Police Chief Jeff Sheppard, City Attorney Alex Dixon, Utilities Director Andy Jones and Planning & Development Director Lynne Miller. Council Members Mark Ayers and Toni Striblin were absent.

**DISCUSSION ITEMS**

1. Sewer Monitors

Interim City Manager Lisa Kelly explained that city storm drains are spilling into some of the city's wastewater collection lines. This infiltration and inflow action (I and I) is straining and shrinking the City's wastewater system capacity, particularly in areas outside of the City's Community Development Block Grant target areas that have already received CDBG funds for new water and sewer lines.

Ms. Kelly distributed copies of a proposal from Turnipseed Engineers to install and monitor 16 computerized manhole flow level monitors in the western basin of the City's sewerage system, at a price of \$64,000. The proposal includes a map of the proposed test locations. The 16 sewer monitors would be relocated as data is collected and moved to other crucial areas. Turnipseed would install the 16 sewer monitors, but City crews could relocate them.

2. Annex Building

Lisa Kelly noted that the City has budgeted \$100,000 to renovate the annex building, after \$25,000 was spent earlier for a new HVAC system. The priority is to provide court services, she said. Other planned uses for this space include larger City Council meeting space and a visitor center. Ms. Kelly distributed an itemized cost estimate prepared by Striker Contracting. The cost estimate, which totals \$97,018, is based on a design for the converted space by GMC Consultants. The cost estimate includes renovated restrooms as an add alternate. The renovation would need to include a courtroom dias and judge's door. City Council were asked to review the cost estimate and visit the annex building.

**ADJOURNMENT**

With unanimous consent, Mayor Ayers adjourned the meeting at 6:55 pm.

Respectfully submitted,  
  
Lynne Miller, AICP  
Planning & Development Director



**Regular Meeting and Public Hearing**  
**September 19, 2022**

*Meeting held at Hogansville City Hall, 111 High Street, Hogansville GA 30230*

**Public Hearing – 7 pm**

1. Public Hearing to hear citizen comments on the millage rate.

Mayor Jake Ayers opened the public hearing and asked for citizen comments on the City's proposed millage rate. There being no comments, Mayor Ayers then closed the public hearing at 7:05 pm.

**Regular Meeting – 7:05 pm**

**Call to Order, Invocation and Pledge:** Mayor Jake Ayers called the meeting to order at 7:05 pm. Present were Mayor Ayers and Council Members Michael Taylor, Jr., Matthew Morgan and Mandy Neese. Also present were Interim City Manager Lisa Kelly, Police Chief Jeff Sheppard, City Attorney Alex Dixon, Utilities Director Andy Jones and Planning & Development Director Lynne Miller. Council Members Mark Ayers and Toni Striblin were absent. An invocation and pledge of allegiance followed the call to order.

**Consent Agenda**

**Motion:** Matthew Morgan moved that Consent Agenda be approved, including the (1) Regular meeting agenda for 19 September 2022 as presented; (2) Minutes of the regular meeting held 6 September 2022, and (3) Minutes of the work session meeting held 6 September 2022. Mandy Neese seconded the motion.

**Discussion:** None.

**Roll Call Vote:** Taylor (Yea), Morgan (Yea), Neese (Yea).

**Motion Passed:** 3-0.

**Presentation**

1. Hogansville Police Department – Chief Sheppard – Life Saving Awards & Officer Presentation.

Police Chief Jeff Sheppard recognized Hogansville Police Sergeant Richard Milliron and Patrol Officer Conrad Guillot, Troup County Firefighter Sergeant Chase Freeman, EMT Kaitlyn Gates and Paramedic Hailee Roberts for their outstanding efforts on responding to a "person not breathing" call on August 24, 2022. Milliron, Guillot and Freeman responded quickly that day and continuously applied CPR and defibrillator "shocks" to Dennis Huggins until EMS arrived, and then helped place Mr. Huggins into the EMS van. Paramedics Amy Sheppard, Kaitlyn Gates and Hailee Roberts with AMR took over and maintained Mr. Huggins' pulse enroute to the Wellstar West Georgia Emergency Room. Mr. Huggins was transferred to Intensive Care and released a week later. Mr. Sheppard noted that given Hogansville's distance from the hospital, Mr. Huggins had only a 4% chance of survival in this situation and therefore more than "beat the odds" with help from the individuals who worked on him. Mr. Huggins was present at this City Council meeting to thank the individuals who saved his life.

## New Business

### 1. Troup County School System – School Resource Agreement

**Motion:** Mandy Neese moved that City representatives sign the agreement approved by Troup County Board of Education to provide a School Resource Officer to Hogansville Elementary. Matthew Morgan seconded the motion.

**Discussion:** Lisa Kelly reported that the Troup County School Board has voted to place a School Resource Officer in each of its eleven schools. Each agreement calls for a salary of \$51,500 with 3% increase each year. The City would pay, and BOE would reimburse the City, for this salary and increases.

**Roll Call Vote:** Taylor (Yea), Morgan (Yea), Neese (Yea).

**Motion Passed:** 3-0.

### 2. Sewer Monitors

**Motion:** Michael Taylor moved that the City Council engage Turnipseed Engineers to install 16 sewer monitors to determine rainwater infiltration and inflow into the City's sewer system, at a not-to-exceed cost of \$64,000. Mandy Neese seconded the motion.

**Discussion:** Lisa Kelly explained that city storm drains are spilling into some of the city's wastewater collection lines. This infiltration and inflow action (I and I) is straining and shrinking the City's wastewater system capacity, particularly in areas outside the City's Community Development Block Grant target areas, which have already received CDBG funds for new water and sewer lines. Ms. Kelly distributed copies of a proposal from Turnipseed Engineers to install and monitor 16 computerized manhole flow level monitors in the western basin of the City's sewerage system, at a price of \$64,000. The proposal includes a map of the proposed test locations. The 16 test sites would cover a small portion of the western basin. The sewer monitors would therefore be relocated as data are collected. Turnipseed would install the 16 sewer monitors, but City crews could relocate them.

**Roll Call Vote:** Taylor (Yea), Morgan (Yea), Neese (Yea).

**Motion Passed:** 3-0.

### 3. Authorization to Apply for Public Safety and Community Violence Reduction Grant Program

**Motion:** Mandy Neese moved that the City Council authorize the submittal of a Public Safety and Community Violence Reduction grant application to Georgia Office of Planning and Budget.

**Discussion:** Lisa Kelly noted that grant is part of State Fiscal Recovery Funds, with grant applications due November 18, 2022. Cities can apply for up to \$1.5 million, and no match required. The City would be seeking these funds for 24 flock cameras, which are stationary, computerized license plate readers.

**Roll Call Vote:** Taylor (Yea), Morgan (Yea), Neese (Yea).

**Motion Passed:** 3-0.

## Adjourn

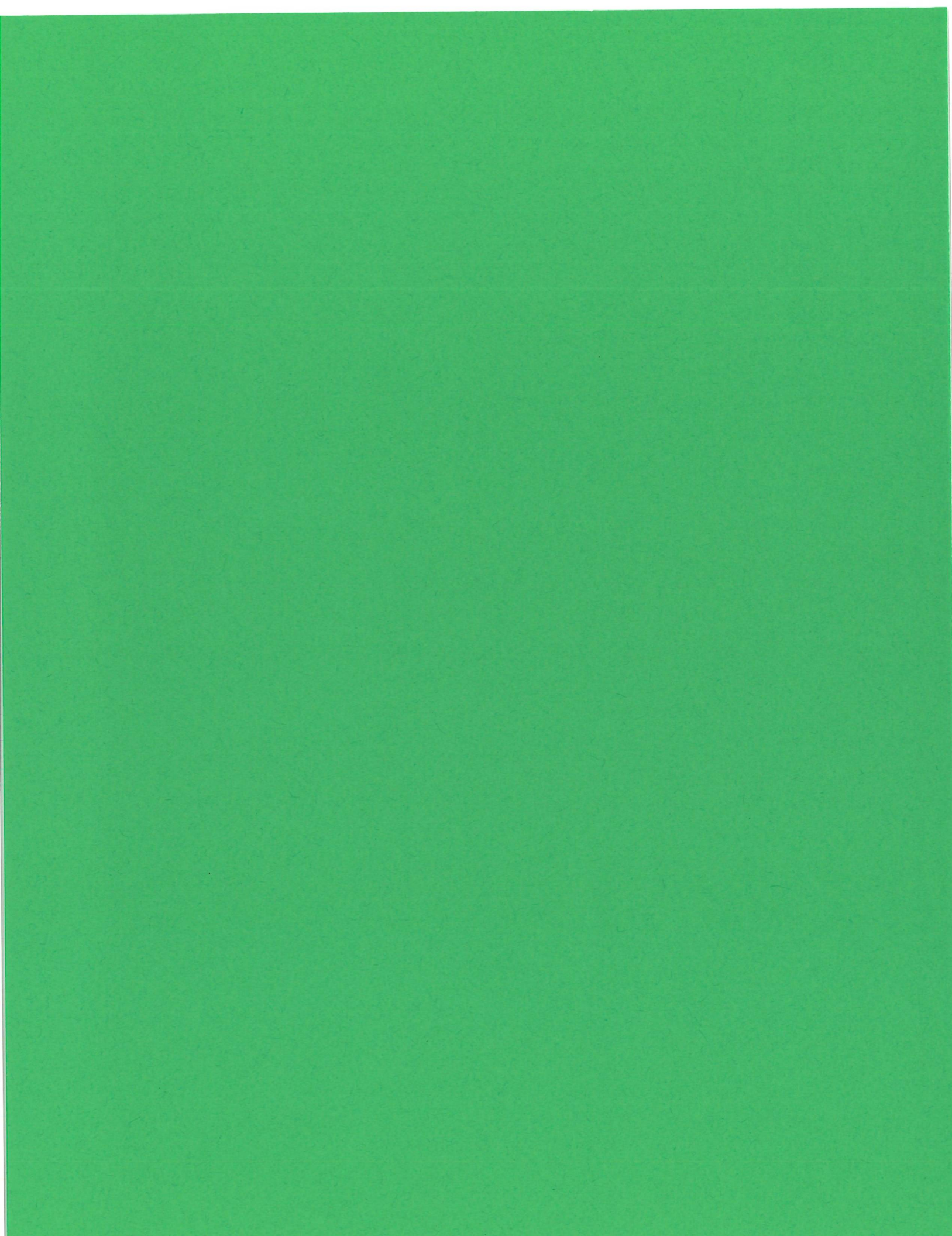
Upon a motion by Mandy Neese and second by Michael Taylor, and with unanimous consent, Mayor Jake Ayers adjourned the meeting at 7:45 pm.

Respectfully submitted,



Lynne Miller, AICP  
Planning & Development Director

September 19, 2022



**RESOLUTION**

WHEREAS bids were received September 2, 2022, by the City of Hogansville for the Upgrade of Existing SCADA, and

WHEREAS the lowest responsible, responsive bidder is Dorsett Controls of Yadkinville, North Carolina in the amount of \$120,900.49, and

WHEREAS Dorsett Controls of Yadkinville, North Carolina appears to have the necessary financial and technical ability to complete the project, and

BE IT THEREFORE resolved the City of Hogansville, Georgia hereby makes contract award of the construction contract to Dorsett Controls of Yadkinville, North Carolina in the amount of \$120,900.49

THIS RESOLUTION was passed by a vote of \_\_\_\_\_ to \_\_\_\_\_ at a meeting of the City on \_\_\_\_\_.

**CITY OF HOGANSVILLE, GEORGIA**

\_\_\_\_\_  
Mayor Jake Ayers

Attest: \_\_\_\_\_  
City Clerk

**NOTICE**

The Hogansville City Council does hereby announce that the millage rate will be set at a meeting to be held at City Hall, 111 High Street, Hogansville, GA 30230 on October 3rd, 2022 at 7:00 pm. Three Public Hearings will be held to hear public comments regarding the mill rate; 7:00 pm on 9/19/22; 10:00 am on 10/03/22; and 7:00 pm on 10/03/22. The final adoption will be during the regular meeting on October 03, 2022.

Pursuant to the requirements of O.C.G.A. Section 48-05-32 the City does hereby publish the following presentation of the current year's tax digest and levy, along with the history of the tax digest and levy for the past five (5) years.

**CURRENT 2022 PROPERTY TAX DIGEST AND 5 YEAR HISTORY OF LEVY**

City of Hogansville		2017	2018	2019	2020	2021	2022
V	Real & Personal	\$ 59,045,903	\$ 58,802,812	\$ 69,886,275	\$ 77,064,367	\$ 76,110,753	\$ 101,801,021
A	Motor Vehicles	\$ 1,165,710	\$ 924,660	\$ 924,660	\$ 848,890	\$ 569,630	\$ 474,380
L	Mobile Homes	-	-	-	-	-	-
U	Timber - 100%	-	-	-	-	327,027	-
E	Heavy Duty Equipment	-	-	-	-	-	-
	Gross Digest	\$ 60,211,613	\$ 59,727,472	\$ 70,810,935	\$ 77,913,257	\$ 77,007,410	\$ 102,275,401
	Less Exemptions	\$ (5,377,724)	\$ (4,914,246)	\$ (2,501,624)	\$ (10,083,563)	\$ (6,704,141)	\$ (9,452,406)
	Net Digest Value	\$ 54,833,889	\$ 54,813,226	\$ 68,309,311	\$ 67,829,694	\$ 70,303,269	\$ 92,822,995

R	MILLAGE RATE	7.950	7.950	7.950	7.950	7.950	7.950
A	(Maintenance & Operation)						

T	TOTAL M&O TAXES LEVIED	\$ 435,929	\$ 435,765	\$ 543,059	\$ 539,246	\$ 558,911	\$ 737,943
A	Net Taxes \$ Increase / (Decrease)	\$ (2,541)	\$ (164)	\$ 107,294	\$ (3,813)	\$ 19,665	\$ 179,032
X	Net Taxes % Increase / (Decrease)	-0.5800%	-0.04%	24.62%	-0.70%	3.65%	32.03%

**NOTICE OF PROPERTY TAX INCREASE**

The City of Hogansville intends to adopt a millage rate which will require an increase in property taxes by 32.03%. All concerned citizens are invited to the Public Hearings on this tax increase to be held at Hogansville City Hall, 111 High Street, Hogansville, Georgia at 7:00 pm on September 19, 2022.

Times and places of additional public hearings on this tax increase are: 10:00 am and 7:00 pm on October 03, 2022. All meetings will be held in the Council Chamber at Hogansville City Hall, 111 High Street, Hogansville, Georgia 30230.

This tentative increase will result in a millage rate of 7.95 mills. The proposed tax amount for a home with a fair market value of \$140,000 is approximately \$445.00



# REQUEST FOR REZONING

City of Hogansville

This is a written request from Jason and Stacy Miles  
 the legal owner of Property: 816 Askew Avenue, Hogansville,  
 Troup County, Georgia. At this time we are requesting that the said  
 property be rezoned from R1 to  
RD.

The request is made on the behalf of placing a livestock  
 on said property.

Stacy Miles

Signature

8-11-22

DATE

# Facsimile Cover Sheet

DATE SENT:	1 / 1	PAGES:	1 of
TO:	City of Hogansville Lisa Kelly 4813	FROM:	Jason & Stacy Miller
FAX:	(706) 637-4813	FAX:	
PHONE:	(706) 616-7863	PHONE:	
SUBJECT:	Re zoning Application		

Comments:

Please give to appropriate persons for zoning.

Lisa Kelly aware of application being sent.

CONFIDENTIALITY NOTICE: The information in this fax, and any attachment(s), is intended for the sole use of the individual(s) and entity to which it is addressed. This information may be privileged, confidential, and protected from disclosure. If you are not the intended recipient(s) you are hereby notified that you have received this communication in error and that any review, disclosure, dissemination, distribution and/or copying of it, or its contents, is strictly prohibited. If you believe you have received this e-mail message in error please contact the sender immediately and destroy all copies of this communication and any attachments.

2101 E. Newnan Crossing Blvd.

Newnan, GA 30285

2/14  
Fee waived  
from  
8-15-22

REQUEST FOR REZONING APPROVAL APPLICATION  
CITY OF HOGANSVILLE, GEORGIA

ATTACHED PLEASE FIND THE FOLLOWING INFORMATION:

- Materials Necessary for a Rezoning Request
- Application for Rezoning Request
- Authorization by Property Owner
- Property Owner's Disclosure of Campaign Contributions
- Agent's Disclosure of Campaign Contributions
- Property and Financial Disclosure
- Site plan requirements
- Application Deadline Dates

THE FOLLOWING IS A GENERAL DESCRIPTION OF THE PROCEDURES USED FOR THE PROCESSING OF AN APPLICATION FOR A REZONING REQUEST.

BOARD OF ZONING APPEALS

After receipt and acceptance of the zoning petition, Staff reviews the requests and develops a recommendation which is forwarded to the Board of Zoning Appeals for review and recommendation. The Board of Zoning meets on the 2<sup>nd</sup> Wednesday of each month at 4:00 p.m. at City Hall. It is important for the petitioner to attend these meetings to answer questions that may arise from board members. After hearing interested citizens and after reviewing the request, the Board of Zoning Appeals votes to recommend APPROVAL, APPROVAL WITH CONDITIONS, DENIAL, OR TABLING of the request. This recommendation is forwarded to Mayor and Council.

MAYOR AND COUNCIL MEETING

The Mayor and Council will hear a report on the request and determine if the request is reasonable. If the request is deemed to be reasonable, Mayor and Council will place the request on the agenda. Public support in favor or opposition to the request will be received by the Mayor and Council. Mayor and Council will vote on the request.

If you have any questions regarding the application or procedures, please call City Hall.

1706-6037-4389  
Fax

stacykd73@yahoo.com

MATERIALS NECESSARY FOR A REQUEST  
FOR REZONING APPLICATION

CITY OF HOGANSVILLE, GEORGIA

- A. One (1) copy of this application, completed in full.
- B. A written request to Mayor and Council, signed by the owner and dated, explaining the nature of the rezoning request.
- C. Property Owner's Disclosure of Campaign Contributions
- D. Agent's Disclosure of Campaign Contributions.
- E. Authorization by Property Owner
- F. Property and Financial Disclosure
- G. Two (2) copies of site plan.
- H. Full payment of \$250.00 (NON-REFUNDABLE) application fee.

**APPLICANTS REZONING DISCLOSURE STATEMENT**

(O.C.G.A. 36-67A-1 et seq.)

Property/Financial Disclosure

Does any member of the Board of Commissioners; or Planning Commission; or family member of a member of the Board of Commissioners; or Planning Commission have a financial or property interest in the subject property requested for zoning change or in a corporation, partnership, firm, trust, or association which has a property interest in the subject property?

NO

If so, describe the nature and extent of such interest: \_\_\_\_\_

\_\_\_\_\_

Campaign Contribution Disclosure

Has the applicant made, with two (2) years immediately preceding the filing of this application for rezoning, campaign contributions aggregating \$250 or more, or made gifts having a combined value of \$250 or more to a member or members of the Board of Commissioners or Planning Commission?

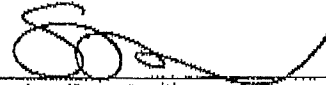
NONE

If so, give the name of the member(s) to whom the campaign contribution or gifts were made, the dollar amount of each campaign contribution, and an enumeration and description of each gift:

\_\_\_\_\_

\_\_\_\_\_

I certify that the foregoing information is true and correct, this 11 day of August, 2022.



Applicant's Signature.

APPLICATION FOR REZONING  
HOGANSVILLE, GEORGIA

Application Number \_\_\_\_\_ Application Date 8.11.22

\*\*\*\*\*

Property Owner Jason and Stacy Miles  
Address 816 Ashew Avenue  
City, State, Zip: Hogansville Ga 30230  
Telephone: 706-616-7863

\*\*\*\*\*  
\*\*\*\*\*

Authorized Agent \_\_\_\_\_  
Address \_\_\_\_\_  
City, State, Zip: \_\_\_\_\_  
Telephone: \_\_\_\_\_

\*\*\*\*\*  
\*\*\*\*\*

Property Address 816 Ashew Avenue  
City, State, Zip: Hogansville Ga 30230  
Tax Parcel Number 0212D000022, 0212D000022A

Nearest Road Intersection Ashew / Lincoln

Current Zoning Residential 1

Proposed Zoning RD (RURAL)

Current Use private / residential

Proposed Use private / rural

\*\*\*\*\*  
\*\*\*\*\*

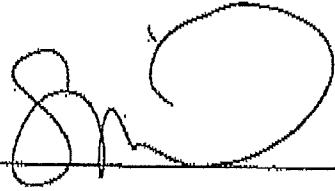
If rezoned, when will proposed use start? ASAP

Size of Property 11.6 (8.6, 3.0) Acres or ( ) Square Feet

Is Subject Property Vacant? NO

Do you request annexation of the subject property? NO

I hereby attest that the information I have provided in this application is true and accurate to the best of my knowledge. I also agree to cooperate with the City of Hogansville, in responding promptly to any reasonable request for additional information that may arise during the review process.

  
\_\_\_\_\_

Signature of Owner or Authorized Agent

8-11-22  
\_\_\_\_\_

Date

AUTHORIZED BY PROPERTY OWNER

CITY OF HOGANSVILLE, GEORGIA

\*\*\*\*\*  
\*\*\*\*\*

I swear that I am the owner of the property located at (property address) 816 Ashew  
Avenue Hogansville Ga 30230

which is subject matter of the attached application, as shown in the records of the Troup  
County, GEORGIA.



I authorize the person named below to act as applicant in the pursuit of the rezoning of this  
property.

Name of Applicant or Agent N/A

Address \_\_\_\_\_

City, State, Zip Code: \_\_\_\_\_

Telephone #: \_\_\_\_\_



Name of Applicant: Dason and Stacy Miles  
 Subject Property: 816 Ashew Avenue Hogansville Ga 30230  
 Council Member: \_\_\_\_\_

\*  
**CITY OF HOGANSVILLE, GEORGIA**

\*\*\*\*\*

Pursuit to Section 36-67A-1 et seq. of the Georgia Code Annotated, adopted by the Georgia General Assembly, effective July 1, 1986, the following disclosure is mandatory. When any applicant for rezoning action has been, within two years immediately preceding the filing of that applicant's application for the rezoning action, campaign contributions aggregating \$250.00 or more to a local government official, it shall be the duty of the applicant and the agent representing the applicant to file a disclosure report with the governing authority of the respective local government.

Any applicant for rezoning action knowingly failing to make a disclosure as required by Code Section 36-67A-1 et seq. shall be guilty of a misdemeanor.

\*\*\*\*\*

A. Name of local government official to whom the campaign contribution or gift was made:

n/A

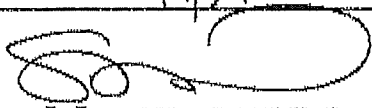
B. The dollar amount of each campaign contribution made by the applicant to the local government official during the two years immediately preceding the filing of the application for the rezoning action and the date of each such contribution:

Amount: \$ n/A

Date of Contribution: \_\_\_\_\_

C. Enumeration and description of each gift having a value of \$250.00 or more made by the application to the local government official during the two years immediately preceding the filing of this application for rezoning.

n/A

Signature of Owner:   
 Date: 8/11/22

Subject Property: 816 Ashew Avenue Hogansville Case# \_\_\_\_\_  
 Name: Jason and Stacy Miles Phone: 706-616-7863  
 Address: 816 Ashew Avenue Hogansville Ga 30230

PROPOSERS/OPPONENTS  
 DISCLOSURE OF CAMPAIGN CONTRIBUTIONS  
 CITY OF HOGANSVILLE, GEORGIA

\*\*\*\*\*

Pursuit to Section 36-67A-1 et seq. of the Georgia Code Annotated, adopted by the Georgia General Assembly, effective July 1, 1986, the following disclosure is mandatory. When any applicant for rezoning action has been, within two years immediately preceding the filing of that applicant's application for the rezoning action, campaign contributions aggregating \$250.00 or more to a local government official, it shall be the duty of the applicant and the agent representing the applicant to file a disclosure report with the governing authority of the respective local government.

Any applicant for rezoning action knowingly failing to make a disclosure as required by Code Section 36-67A-1 et seq. shall be guilty of a misdemeanor.

\*\*\*\*\*

A. Name of local government official to whom the campaign contribution or gift was made:  
N/A

B. The dollar amount of each campaign contribution made by the applicant to the local government official during the two years immediately preceding the filing of the application for the rezoning action and the date of each such contribution:

Amount: \$ N/A

Date of Contribution: \_\_\_\_\_

C. Enumeration and description of each gift having a value of \$250.00 or more made by the application to the local government official during the two years immediately preceding the filing of this application for rezoning:

N/A

Signature of Owner [Signature]  
 Date: 8.11.22

\$250.00 application fee waived per Lisa Kell

SITE PLAN REQUIREMENTS

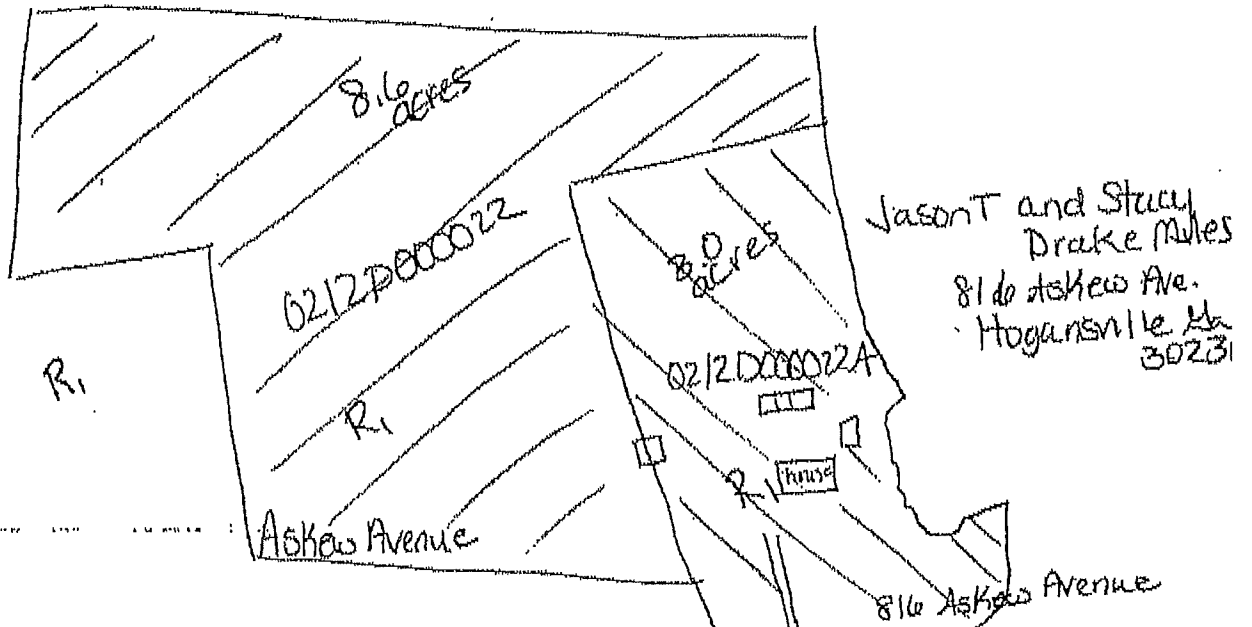
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Site Plans shall contain the following information:

1. Property owner and address
2. Street address of subject property
3. Total property acreage
4. Tax Map and Lot Number
5. Date prepared, Map Scale and North Arrow
6. Location of all property lines on neighboring properties and streets or alleys located 50 feet from subject property.
7. Boundaries of all current zoning districts on the subject properties and all neighboring properties shown on the map. Each zoning district must be labeled.
8. Special markings (shading, cross hatching, or heavy outline) to identify the areas intended to be rezoned.
9. The general location of all existing structures or buildings on the subject property.

THE SKETCH PLAN DOES NOT HAVE TO BE DRAWN TO EXACT SCALE OR PREPARED BY A PROFESSIONAL, BUT IT MUST BE NEAT AND PREPARED IN INK.

\*\*\*\*\*



## BOARD OF ZONING APPEALS

### Sec. Established.

The board of zoning appeals shall consist of five (5) members, who shall be appointed by the mayor and council for a term of four (4) years, and who may be removed from office at any time by the mayor and council with or without cause. Appointment of the members shall be such that the terms of no more than two (2) members expire concurrently. The establishment of terms required by the modification of the number of members on the board shall be filled for the unexpired term, in the same manner of the initial appointment. Members shall serve without pay but may be reimbursed for any expenses incurred while representing the board.

### Sec. Jurisdiction; decisions.

- (a) Each of the five (5) members appointed to the board of zoning appeals shall be residents and citizens of the city and shall so remain as residents during the tenure of their service on the board of zoning appeals.
- (b) On all appeals, applications and other matters brought before the board of zoning appeals, said board shall inform in writing all parties involved of its decision.

### Sec. Proceedings generally.

The board of zoning appeals shall elect a chairman and a vice chairman from its members who shall each serve for one (1) year or until reelected or until their successors are elected. The board shall appoint a secretary. The board shall adopt rules and bylaws in accordance with the provisions of this chapter. Meetings of the board shall be held at the call of the chairman, and at such other times as the board may determine. The chairman or in his absence, the vice chairman may administer oaths and compel the attendance of witnesses by subpoena. All meetings of the board shall be open to the public.

### Sec. Authority of board.

The board of zoning appeals shall have the authority to perform the functions of the city in the area of planning contemplated by the Constitution and laws of the State of Georgia and shall have the authority conferred by this section, the zoning laws and ordinances of the city and the general laws and Constitution of the State of Georgia. Any action of the board of zoning appeals relating to planning and to zoning other than as relates to zoning appeals as contemplated by this article, shall be in the nature of the city and shall not be binding upon such governing authority.

- (a) Appeals to the board of zoning appeals may be taken by any person aggrieved or by any officer, department, board or bureau of the city affected by any decisions of the building official or other city official based on this chapter. Such appeal shall

be taken within a reasonable time, as provided by the rules of the board, by filing with the building official and with the board of zoning appeals a written notice of appeals specifying the grounds thereof. All papers constituting the record upon which the action appealed from was taken and shall forthwith be transmitted to the board of zoning appeals by the appropriate city official.

- (b) The board of zoning appeals shall fix a reasonable time for the hearing of appeals or other matters referred to it and shall give public notice thereof at least ten (10) days prior to the date of such hearing to the parties in interest and shall decide the same within a reasonable time. At such hearing, any party may appeal in person or by his agent or his attorney.
- (c) In addition thereof, the secretary of the board of zoning appeals shall at least ten (10) days prior to the date fixed for the hearing place on the property for which a variance or conditional use is sought a sign giving notice that a variance is sought for the property upon which the sign is located and shall give a telephone number with the city to call in the event further information is desired.
- (d) A sign giving notice of the proposed conditional use or variance of real estate located within the city, placed upon property proposed for conditional use or variance, shall not be removed by any person from such property until at least twenty-four (24) hours have expired after the scheduled date for the public hearing, or if the public hearing is postponed or rescheduled, not less than twenty-four (24) hours after the rescheduled date of such public hearing, and then such board of zoning appeals or his authorized designee. It shall be unlawful for any person to demolish, tear down, obliterate or remove a sign placed upon a property in the city for the purpose of giving notice of a public hearing on a proposed conditional use or variance by any person other than the secretary of the board of zoning appeals or his authorized designee. Any person who shall violate the provisions of this section shall, upon conviction, be punished by the recorder.

Sec. Stay of proceedings.

An appeal to the board of zoning appeals stays all legal proceedings in furtherance of the action appealed from, unless the building official certifies to the board of zoning appeals, after the notice of appeal shall have been filed with him, that by reason of facts stated in the certificate a stay would, in his opinion, cause imminent peril to life and property. In such case, proceedings shall not be stayed otherwise than by a restraining order granted by court of record on application on notice to the building official and on due cause shown.

Sec. Powers and duties.

As pertains to appeals to the board of zoning appeals authorized by the provisions hereof, the board shall have the following powers and duties:

1. Administrative review. To hear and decide appeals where it is alleged there is error in any order, requirement, decision or determination made by the building official in the enforcement of this chapter.
2. Special exceptions. To hear and decide special exceptions or conditional uses to the terms of this chapter upon which the board of zoning appeals is required to pass under this chapter and
3. Variances. To authorize upon appeal in specific cases such variance from the terms of this chapter as will not be contrary to the public interest where, owing to special conditions, a literal enforcement of the provisions of this chapter will, in an individual case, result in unnecessary hardship, so that the spirit of this chapter shall be observed, public safety and welfare secured and substantial justice done. The existence of a nonconforming use of neighboring land, buildings or structures in the same district or of permitted or nonconforming uses in other districts shall not constitute a basis for the granting of a variance. A variance may be granted in an individual case of unnecessary hardship upon finding by the board of zoning appeals that the following conditions exist:
  - a. There are extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape or topography.
  - b. The application of this chapter to this particular piece of property would create an unnecessary hardship.
  - c. Such conditions are peculiar to the particular piece of property involved and
  - d. Relief, if granted, would not cause substantial detriment to the public good or impair the purposes and intent of this chapter, provided, however, that no variance may be granted for a use of land or building or structure that is prohibited by this chapter.



Overview



Legend

-  Parcels
-  Roads

Parcel ID	0212D000022A	Owner	MILES STACY DRAKE & JASON T	Last 2 Sales			
Class Code	Residential		816 ASKEW AVE	Date	Price	Reason	Qual
Taxing District	18-HOGANSVILLE		HOGANSVILLE, GA 30230	9/14/2020		QC	U
City	HOGANSVILLE	Physical Address	816 ASKEW AVE	7/14/2020		QC	U
Acres	3	Assessed Value	Value \$152900				
		Land Value	Value \$18000				
		Improvement Value	Value \$134900				
		Accessory Value					

(Note: Not to be used on legal documents)

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