City of Hogansville

City Council

Public Hearing & Regular Meeting Agenda

Monday May 18, 2026 – 7:00 pm

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

Mayor: ***Jake Ayers***	*2029*	City Manager: ***Lisa E. Kelly***	
Council Post 1: ***Michael Taylor, Jr***	*2029*	Assistant City Manager: **Oasis Nichols**	
Council Post 2: **Jason Baswell**	*2029*	City Attorney: ***Alex Dixon***	
Council Post 3: ***Mandy Neese ****	*2027*	Chief of Police: ***Jeffrey Sheppard***	
Council Post 4: ***Mark Ayers***	*2027*	City Clerk: ***LeAnn Lehigh***	
Council Post 5: ***Kandis Strickland***	*2027*	* Mayor Pro-Tem	

PUBLIC HEARING 1 – 7:00 pm

Public Hearing to Hear Citizen Comments on the Rezoning of Parcel No. 0023001016 – Weaver Tract (52.72 acres) from Estate Single-Family Residential (ES-R) to Corridor Mixed Use (CR-MX).

PUBLIC HEARING 2 – Immediately Following

Public Hearing to Hear Citizen Comments on the proposed UDO Amendments Regarding Administrative Variances

REGULAR MEETING – Immediately Following Public Hearings

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 May 18, 2026
2. Approval of Minutes: Work Session Meeting May 4, 2026
3. Approval of Minutes: Regular Meeting May 4, 2026

PRESENTATION

1. Employee Recognition – Anthony McCants – 5 Year Anniversary

CITIZEN APPEARANCE

1. Gage Bailey to Discuss Tips to Safeguard Against Data Centers

OLD BUSINESS

1. Ordinance – 2nd Reading & Adoption – Rezoning – Parcel No. 0023001016 – Weaver Tract

NEW BUSINESS

1. Ordinance – 1st Reading – UDO Amendments Regarding Administrative Variances

CITY MANAGER'S REPORT

ASSISTANT CITY MANAGER'S REPORT

CHIEF OF POLICE REPORT

COUNCIL MEMBER REPORTS

1. Council Member Taylor
2. Council Member Baswell
3. Council Member Neese
4. Council Member Ayers
5. Council Member Strickland

MAYOR'S REPORT

EXECUTIVE SESSION

1. Litigation Exemption
2. Real Estate Exemption

ADJOURN

Upcoming Dates & Events

- ***May 19, 2026 – 6:30 pm | Historic Preservation Commission Meeting at Hogansville City Hall***
- ***May 21, 2026 – 6:00 pm | Planning & Zoning Commission Meeting at Hogansville City Hall***
- ***May 25, 2026 – City Offices Closed for Memorial Day Holiday***
- ***May 25, 2026 – American Legion Post 152 Annual Memorial Day Service at Calvin Hipp Park***
- ***June 1, 2026 – 7:00 pm | Regular Meeting of the Mayor and Council at Hogansville City Hall***

The Royal Theater Happenings

- ***Friday, May 29, 2026 – 7:00 pm |MOVIE: Back to the Future the Movie***
- ***Saturday, May 30, 2026 – 7:00 pm |MOVIE: Ghost the Movie***

Purchase tickets online 1937royaltheater.org or call the box office 706-955-4870

HOGANSVILLE
GEORGIA

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

Work Session Meeting
May 4, 2026

Call to Order: Mayor Jake Ayers called the Work Session to order at 6:01 pm. Present were Mayor Ayers, Council Member Michael Taylor, Council Member Jason Baswell, Council Member Mandy Neese, Council Member Mark Ayers, and Council Member Kandis Strickland. Also present were City Manager Lisa Kelly, Assistant City Manager Oasis Nichols, City Clerk LeAnn Lehigh, City Attorney Alex Dixon, and Assistant Police Chief James Vincent. Police Chief Jeff Sheppard was not present at the Work Session Meeting.

1) UDO Updates – Administrative Variances

An introductory discussion was held regarding proposed updates to the Unified Development Ordinance (UDO), which had previously been reviewed by the Planning and Zoning Board. The proposed amendments would allow administrative variances for minor issues, such as setbacks, building height, and parking spaces, to be handled at the staff level in an effort to reduce the workload of the Planning and Zoning Commission. Staff noted that administrative variances would not be permitted in industrial zoning districts, for major subdivisions, or in cases that would bypass zoning conditions previously approved by the Council. Applicants would still be required to demonstrate compliance with standard variance criteria, and staff decisions would be reported to both the Planning and Zoning Commission and the Council through a monthly report. In addition, staff explained that a loophole allowing major subdivisions to utilize "context-sensitive dimensions" to bypass requirements would be closed through the amendments; this revision was added following the initial Planning and Zoning review. The public hearing for the proposed UDO amendments was scheduled for May 18, 2026.

2) Agreement – Parkway Right-of-Way Acquisition

Staff reported that the City is acquiring a 0.2-acre parcel from Speedway located at Interstate Highway 54 and Blue Creek Technology Parkway. The acquisition is necessary to construct a dedicated turn lane from the southbound I-85 exit ramp onto the parkway, which is considered critical for truck traffic access. Amazon will fund the full purchase price of $325,000, with the property to be titled in the name of the City. Staff noted that all funds will be secured prior to closing. Upon completion of construction, the acquired parcel will become part of the parkway and be dedicated to the City. Staff also stated that the agreement was reached quickly, helping to avoid delays to the I-85/Highway 54 interchange project.

3) Discussion Regarding Extending Moratorium

Staff reported that the Data Center Working Group has completed the fourth draft of the proposed UDO amendments related to heavy industrial zoning and data center regulations. Because the existing moratorium expired on May 3, 2026, an extension is needed to allow time for the review and approval process. Staff outlined the proposed schedule, which includes a Planning and Zoning meeting on May 21, 2026, a first reading before the City Council on June 15, 2026, and a second reading and potential adoption on July 6, 2026. A 90-day extension of the moratorium was recommended to provide an adequate buffer, although staff estimated the process could be completed in approximately 64 days. Staff noted that the Council would be asked to consider approval of the 90-day moratorium extension during the regular meeting on May 4, 2026.

4) Discussion of Property Donation – Pristine Realty

Staff reported that Miss Green of Christine Realty has offered to donate a property to the City. The structure is currently a shell building with a full basement and no existing amenities, and the City already owns the adjacent lot. Discussion on potential future uses can be held in later meetings. Staff noted that redevelopment and cleanup of the corner would represent a significant improvement to the entrance into town. The Council expressed no objections to accepting the property donation and indicated that formal action would be taken during the regular meeting.

5) Discussion of Purchase – Patriotic Flags & Banners for Downtown

Staff presented a proposal to celebrate the U.S.'s 250th birthday through the purchase of two 10x15 flags for the Royal Theater towers and 29 decorative banners for the downtown poles. The banners are high-quality vinyl, reusable, and include a three-year warranty, with the estimated total cost being approximately $3,021.98 plus shipping. Staff advised that funds are available within the "Christmas decorations" budget line item and that the order would be placed promptly, with plans to seek contributions from other entities at a later date. The banners are intended to be displayed from the July 5th celebration through Labor Day. A not-to-exceed amount of $3,500 will be requested from the Council to cover all related expenses. During discussion, Council members expressed support for using a variety of banner designs arranged in a structured pattern throughout downtown. This item is on the Regular Meeting agenda tonight for Council action.

ADDITIONAL DISCUSSION

New Police Vehicle Graphics

Asst. Chief Vincent presented a proposed new graphics package for Police Department vehicles, noting that the current white graphics with blue lettering have been in use for nearly 10 years. Officers selected the updated design, which features a darker blue color scheme with a silver reflective outline, the department patch displayed on the side, and enhanced rear patchwork for increased visibility. Staff explained that, for cost efficiency, the new graphics would only be applied to newly purchased vehicles. Two new patrol vehicles are currently ready for installation and could be placed into service within approximately two weeks.

City Banking Situation with Community Bank

Staff updated the Council regarding the City's banking relationship following Anchor Bank's acquisition of Community Bank & Trust. The City has been in communication with representatives of the new bank as well as the FDIC throughout the transition process. Staff advised that the City's deposits are secured by pledged securities, making the standard $250,000 FDIC insurance limit less significant in this situation. Five of the City's nineteen accounts were temporarily flagged for an FDIC claim, resulting in a minor and temporary impact on access to certain funds. To facilitate the release of those funds, the Council will be asked to approve a Resolution designating City Manager Lisa Kelly as the "custodian of funds" at tonight's meeting. Staff stated that daily operations, payroll, and vendor payments are not expected to be affected, and that deposits made on or after May 4, 2026 are fully accessible. Staff also noted that the City Manager will explore additional local banking options moving forward. The Council acknowledged the update and will consider the Resolution at the Regular Meeting.

Mayor Ayers adjourned the Work Session at 6:51 pm.

Respectfully,

LeAnn Lehigh
City Clerk

HOGANSVILLE

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

REGULAR MEETING
May 4, 2026

Call to Order: Mayor Jake Ayers called the Regular Meeting to order at 7:01 pm. Present were Mayor Ayers, Council Member Michael Taylor, Council Member Jason Baswell, Council Member Mandy Neese, Council Member Mark Ayers, and Council Member Kandis Strickland. Also present were City Manager Lisa Kelly, Assistant City Manager Oasis Nichols, City Attorney Alex Dixon, City Clerk LeAnn Lehigh, and Police Chief Jeff Sheppard.

Council Member Taylor gave the invocation, and Mayor Ayers led the Pledge of Allegiance.

CONSENT AGENDA

Motion: Council Member Strickland moved to amend the Consent Agenda, adding Item Number 5 under New Business – Resolution – Designated Custodian for FDIC Insurance Coverage and striking the Presentation for Employee Service Award – Anthony McCants 5 Year Anniversary until the next Regular Council Meeting. The motion was seconded by Council Member Neese.
Motion Carries 5-0

Motion: Council Member Strickland move to approve the Consent Agenda. The motion was seconded by Council Member Neese.
Motion Carries 5-0

PRESENTATION

1. ***Introduction of New Police Chaplain – Preacher Mike***

Chief Sheppard introduced Preacher Mike as the new Chaplain for the Hogansville Police Department.

2. ***Municipal Clerks Week Recognition – LeAnn Lehigh***

City Manager Lisa Kelly recognized LeAnn Lehigh for her role as City Clerk in honor of Municipal Clerks Week.

NEW BUSINESS

1. ***Agreement – Parkway Right-of-Way Acquisition***

Motion: A motion was made by Council Member Neese to approve the agreement with Amazon for the purchase of the strip of land from Speedway needed to complete the Blue Creek Technology Parkway, with Amazon funding the acquisition.. The motion was seconded by Council Member Ayers.
Discussion: None
Motion Carries 5-0

2. ***Consideration of Extending Moratorium***

Motion: A motion was made by Council Member Strickland to extend the Data Center Moratorium for an additional 90 days to allow time for the UDO amendments regarding data centers to be adopted by the Council. The motion was seconded by Council Member Neese.
Discussion: None
Motion Carries 5-0

3. ***Consideration of Property Donation – Pristine Realty***

Motion: A motion was made by Council Member Neese to accept the donation of property at 102 North Highway 29 to the city. The motion was seconded by Council Member Ayers
Discussion: None
Motion Carries 5-0

4. ***Consideration of Purchase – Patriotic Flags & Banners for Downtown***

Motion: A motion was made by Council Member Neese to approve the purchase of two 10x15 flags to be hung vertically from the Royal Theater towers, as well as pole banners for the existing downtown banner holders, with the total cost, including shipping and freight, not-to- exceed $3,500. The motion was seconded by Council Member Ayers.

Discussion: None

Motion Carries 5-0

5. ***Resolution – Designation of Custodian for FDIC Insurance Coverage***

Motion: A motion was made by Council Member Baswell to approve the Resolution that designates City Manager Lisa Kelly as the custodian for Anchor Bank for FDIC Insurance Coverage. The motion was seconded by Council Member Neese.

Discussion: None

Motion Carries 5-0

EXECUTIVE SESSION

1. ***Litigation***
2. ***Real Estate Exemption***

Council Member Taylor made a motion to move into Executive Session at 7:45 pm under the Litigation & Real Estate Exemptions. The motion was seconded by Council Member Neese.

Motion Carries 5-0

The Regular Meeting was reconvened at 8:48pm.

ADJOURNMENT

On a motion made by Council Member Strickland and duly seconded, Mayor Ayers adjourned the meeting at 8:48 pm.

Respectfully,

LeAnn Lehigh
City Clerk

Entry #: 54 - Gage Bailey **Status:** Submitted **Submitted:** 5/12/2026 11:58 AM

If you would like to request to be placed on the City Council Agenda, please fill out the form below and submit.

Request must be made no later than 12:00 pm the Wednesday prior to the meeting if you would like to be placed on the next meeting agenda.

Name

Gage Bailey

Phone

(706) 668-7988

Meeting date for which you wish to appear

5/18/2026

Question/Issue you wish to discuss:

Tips to safeguard against data centers

Please describe in detail:

I have some tips for the city council to include in the working draft of ordinances to better protect citizens from future data center projects. These come from feedback that I recently shared.

Have you previously discussed this with the City Manager?

No

If yes, when?

Have you previously discussed this with the Mayor or a member of Council?

Yes

What was the response from such discussion(s)?

I have discussed ordinance ideas before with at least two members of city council, and I was told that all our feedback was being taken into consideration.

Why was the above response not adequate?

I would like to share these tips to all of city council at one time so that work on the ordinances can continue in a productive manner.

What is the resolution you seek?

I want the council to incorporate these tips/feedback into the ordinances so that Hogansville can be secured from as many of the negative effects of data centers as possible.

It is the intention of this process to resolve the question/issue without the necessity of an appearance at a Council meeting. I understand that such appearance requires the approval of the Mayor and that the appearance is limited to five (5) minutes.

CITY COUNCIL
Mayor Jake Ayers
Michael Taylor, Jr., Post 1
Jason Baswell, Post 2
Mandy Neese, Post 3
Mark Ayers, Post 4
Kandis Strickland, Post 5

HOGANSVILLE
GEORGIA

City Manager – Lisa Kelly
Assistant City Manager- Oasis Nichols
City Clerk – LeAnn Lehigh
City Attorney – Alex Dixon
111 High St
Hogansville GA 30230-1196
706-637-8629 | cityofhogansville.org

COUNCIL ACTION FORM

MEETING DATE: May 18, 2026 **SUBMITTED BY:** Dhayna Portillo

AGENDA TITLE: Public Hearing and Second Reading –Rezoning and Map Amendment for Parcel No. 0023001016

CLASSIFICATION (City Attorney must approve all ordinances, resolutions, and contracts as to form)

☐ Ordinance (No. _____) ☐ Contract ☐ Information Only ☐ Public Hearing

☐ Resolution (No. _____) ☐ Ceremonial X Discussion/Action ☐ Other

BACKGROUND (Includes description, background, and justification)

Property owners David Andres Weaver as Trustee of the Weaver Family 2004 Dynasty Trust and authorized agent LDO Troup, LLC are requesting the rezoning of Parcel No. 0023002026, which is a 56.069-acre tract that is located on East Main Street on the eastern side of I-85.

The applicants are wanting to rezone from Estate Single Family Residential (ES-R) to Corridor Mixed Use (CR-MX) to allow for the development of a commercial mixed-use development. The proposed development would be accessed via East Main Street.

At its regular meeting on March 19, 2026, the Hogansville Planning and Zoning Board voted to recommend approval of the rezoning and map amendment to the City Council.

STAFF RECOMMENDATION (Include possible options for consideration)

Staff recommends that City Council approve the rezoning application from ES-R to CR-MX as recommended by the Hogansville Planning Commission on March 19, 2026 based on the findings in the staff report and current zoning of surrounding parcels.

26-___

AN ORDINANCE

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF HOGANSVILLE TO AMEND THE CODE OF THE CITY; TO AMEND THE ZONING MAP AND ORDINANCES OF THE CITY SO AS TO CLASSIFY THE USE ZONE OF REAL ESTATE LOCATED WITHIN THE CITY, CONSISTING OF APPROXIMATELY 56 ACRES, LOCATED OFF OF HIGHWAY 54 AND OWNED BY THE WEAVER FAMILY 2004 DYNASTY TRUST; TO RECLASSIFY SUCH PROPERTY FROM ESTATE SINGLE FAMILY RESIDENTIAL (ES-R) TO CORRIDOR MIXED USE (CR-MX); TO REPEAL CONFLICTING ORDINANCES; TO FIX AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

THE COUNCIL OF THE CITY OF HOGANSVILLE HEREBY ORDAINS:

SECTION 1:

That the zoning map and ordinances of the City of Hogansville be amended so as to classify as Corridor Mixed Use (CR-MX) the following described real estate located within the City of Hogansville, to wit:

> All that tract or parcel of land lying and being located in Land Lot 124, District 11, Troup County, Georgia, and being all of the property conveyed to David Andres Weaver and Christina Weaver Vest, Trustees of the Weaver Family 2004 Dynasty Trust as described in a Corrective Quit-Claim Deed recorded in Deed Book 2205, Page 809 and all of the property conveyed to David Andres Weaver as described in a Warranty Deed recorded in Deed Book 1780, Page 319 and being and being more particularly described in Exhibit "A" attached hereto and incorporated herein by reference.

SECTION 2:

All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

SECTION 3:

Pursuant to Official Code of Georgia Annotated Section 36-66-4(d)(4), this ordinance after adoption by the Council and upon approval by the Mayor, shall become effective upon the date the zoning is approved by the Mayor and Council.

INTRODUCED AND FIRST READING_____

SECOND READING AND ADOPTED/REJECTED_____

SUBMITTED TO MAYOR AND APPROVED/DISAPPROVED_____

BY:_____
Mayor

ATTEST:_____
Clerk

EXHIBIT "A"

Legal Description

All that tract or parcel of land lying and being located in Land Lot 124, District 11, Troup County, Georgia, and being all of the property conveyed to David Andres Weaver and Christina Weaver Vest, Trustees of the Weaver Family 2004 Dynasty Trust as described in a Corrective Quit-Claim Deed recorded in Deed Book 2205, Page 809 and all of the property conveyed to David Andres Weaver as described in a Warranty Deed recorded in Deed Book 1780, Page 319 and being further described as follows:

Beginning at a bent ¾" crimped top pipe found located at county line dividing Troup County and Meriwether County; said point being the common corner of Land Lots 123, 124, 101 and 102 as shown on a plat recorded in Plat Book 8, Page 294, Troup County records, said point being located on the western boundary line of the Joint Development Authority of Meriwether County, the City of Hogansville as recorded in Deed Book 750, Page 623, Meriwether County records, thence leaving said place of beginning and running with said western boundary line, as well as the western boundary line of Meriwether County Industrial Development Authority as recorded in Deed Book 695, Page 206, Meriwether County records, and part of the western boundary line of the Georgia Transmission Corporation as recorded in Deed Book 1054, Page 65, Meriwether County records, South 00°34'35" West, 1583.13 feet in total to a ¾" iron rod found on the northeast corner of the property conveyed to Angela M. Erwin and Henry A. Erwin as described in Deed Book 683, page 737, passing in transit an, illegible capped rebar found, 0.78 feet west of herein described property line, at 178.88' feet and a ½" rebar found in an Oak Tree, 5.01 feet west of herein described property line, at an additional 962.75 feet from the beginning of described course; Thence running with the boundary of said Erwin property, North 89°25'41" West, 459.14 feet to a 1" crimped top pipe found in cairn; Thence, South 00°34'19" West, 709.70 feet to a ¾" open top pipe found; Thence, South 68°36'15" West, 105.64 feet to a 1" crimped top pipe found; Thence, South 09°26'52" East, 102.88 feet to a concrete monument found on the northern right-of-way line of State Route 54; Thence running with said right-of-way line, 296.81 feet along the arc of a curve to the right having a radius of 1770.08 feet and being scribed by a chord bearing North 89°03'26" West, 296.46 feet to a capped rebar found "RLS 3104" at the southeast corner of the property conveyed to PS Investment, LLC as described in Deed Book 1819, Page 670; Thence leaving said northern right-of-way line and running with the boundary of said conveyance, North 00°35'48" East, 856.16 feet to a ¾" open top pipe found; Thence, North 89°13'54" West, 184.95 feet to a concrete monument found; Thence, South 00°34'54" West, 830.19 feet to a nail found on the northern right-of-way line of said State Route 54; Thence running along said right-of-way line, 157.56 feet along the arc of a curve to the right having a radius of 1770.08 feet and being scribed by a chord bearing North 75°39'36" West, 157.51 feet to a concrete monument found; Thence, North 44°16'13" West, 160.43 feet to a concrete monument found on the eastern right-of-way line of Interstate 85; Thence running with said eastern right-of-way line, North 01°19'12" West, 696.81 feet to a concrete monument found; Thence, North 06°33'39" East, 856.10 feet to a concrete monument found; Thence, North 12°10'08" East, 720.59 feet to a 1/2' rebar found on the northern boundary of said Land Lot 124 and the southern property line of the Joint Development Authority of Meriwether County and the City of Hogansville as recorded in Deed Book 1632, Page 463; Thence running with said Land Lot line and boundary line, South 89°26'11" East, 1075.44 feet to the PLACE OF BEGINNING.

Bearing based on Grid North (NAD83) Georgia West Zone.

Said tract contains 56.0687 acres (2,442,353 square feet), more or less, as shown in a survey prepared for Brent Holdings, LLC by POINT TO POINT LAND SURVEYORS, INC. dated April 20, 2026.

Tax Parcel ID Number 0023 001016

26-___

AN ORDINANCE

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF HOGANSVILLE, GEORGIA TO AMEND THE CODE OF THE CITY; TO AMEND THE CODE TO MODIFY CERTAIN PORTIONS OF THE HOGANSVILLE UNIFIED DEVELOPMENT ORDINANCE (THE "UDO"); TO MODIFY SECTIONS 102-B-4-1(2) and 102-B-12-13: TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE SEPARABILITY; TO FIX AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

THE MAYOR AND COUNCIL OF THE CITY OF HOGANSVILLE, GEORGIA HEREBY ORDAIN AS FOLLOWS:

SECTION 1:

That the Code of the City of Hogansville is hereby amended by modifying subsection (2) of Sec. 102-B-4-1 of the Hogansville Uniform Development Ordinance, to delete the current language in such sub-section (2) in its entirety and inserting in lieu thereof the following language, limited solely to sub-section (2) of Sec. 102-B-4-1 of the Code of the City, as follows:

"Sec. 102-B-4-1. Dimensional standards of zoning districts.

(2) Context-sensitive dimensions. Designated dimensional requirements shall not apply to a property where the average space dimension located within 200 feet of the subject property does not comply with the corresponding dimensional requirement of the space dimensions table. In such case, the zoning administrator may adjust the dimensional requirement to a dimension that is no greater than the greatest and no less than the least dimension that is located within 200 feet of the subject property. Properties that are part of a major subdivision are prohibited from utilizing context sensitive adjustments. Context sensitive adjustments shall not be permitted to be utilized to change the requirements of any zoning condition or development agreement that has been approved by the city council."

Except to the extend specifically amended herein, all remaining portions of the current City Code Section 102-B- 4-1, including all sub-sections, shall remain in full force and effect without any modification to such current language.

SECTION 2:

That the Code of the City of Hogansville is hereby amended by modifying Sec. 102-B-12-13 of the Hogansville Uniform Development Ordinance, to delete the current language in such section in its entirety and inserting in lieu thereof the following language,:

"Sec. 102-B-12-13. Administrative variances.

(1) *Authority.* (a) Applications for authorized administrative variances may be submitted to the zoning administrator, who shall make final decisions on such applications in accordance with this section.

(b) Administrative variances shall not be permitted for the following:

(i) LI and HI zoning districts;

(ii) Major subdivisions; and

(iii) Zoning conditions placed upon properties by the city council through rezonings or development agreements.

(2) *Applications for administrative variances shall be established for the following provisions*

(a) Lot frontage. Reduction not to exceed ten percent less than the required dimension.

(b) Front yard setback or a yard adjacent to a public street. Reduction not to exceed ten feet less than the required dimension.

(c) Side yard setback. Reduction not to exceed five feet less than the required dimension. In no case shall an administrative variance be permitted for a side yard to be created that is less than 5 feet.

(d) Rear yard setback. Reduction not to exceed five feet less than the required dimension.

(e) Building height. Increase not to exceed five feet greater than the required dimension.

(f) Number of parking spaces. Reduction not to exceed ten percent less than the applicable parking standard, excluding accessible parking.

(g) Buffer width. Reduction not to exceed 25 percent less than the required width, provided the intent of the required buffer can be achieved and the buffer is not a condition of zoning.

(3) *Application procedures.*

(a) Form. An application shall be submitted on a form provided by the zoning administrator.

(b) Documentation. The application shall be in such a form and contain such information and documentation as shall be prescribed by the zoning administrator, but shall contain at least the following:

(i) Name and address of the applicant.

(ii) Size of the subject property.

(iii) A statement of the hardship imposed on the applicant by the zoning ordinance and a statement demonstrating why the variance will not be materially detrimental or injurious to other property or improvements in the neighborhood in which the subject property is located.

(iv) Should the zoning administrator determine that a site plan is necessary to adequately review the administrative variance, said plan shall be drawn to scale, showing property lines with dimensions, and any improvements, structures and buildings. Should the zoning administrator determine that a plat is necessary to adequately review the administrative variance, said plat shall be prepared by an architect, engineer, landscape architect or land surveyor whose state registration is current and valid, with the preparer's signature and seal affixed to the plat.

(v) Any other pertinent information as requested by the zoning administrator.

(c) Within 15 business days after an application has been determined to be complete, the zoning administrator shall either grant the administrative variance, grant the administrative variance with conditions, or deny the administrative variance with reasons clearly stated in accordance with the standards set forth in subsection (5) of this section. The zoning administrator may impose such requirements and conditions with respect to the location, construction, maintenance and operation of any use or building, in addition to those expressly set forth in this zoning ordinance, as may be deemed necessary for the protection of adjacent properties or the environment.

(4) *Expiration.* An administrative variance shall automatically expire one calendar year from the date of approval, unless the proposed use or development has begun in utilization of the administrative variance allowance.

(5) *Standards for issuance of administrative variances.* In deciding whether to grant an application for an administrative variance, the zoning administrator shall consider all of the applicable standards provided in subsection 102-B-12-9(8). Approval of

an administrative variance shall require demonstration of a hardship, in compliance with all said criteria.

(6) *Appeals of decisions to the planning commission.* The final decision of the zoning administrator made pursuant to the provisions of this section may be appealed to the planning commission pursuant to section 102-B-12-10. Decisions made by the planning commission shall be final. Appeals of decisions made by the planning commission shall be pursuant to section 102-B-12-11.

(7) *Notifications to the planning commission.* The zoning administrator shall provide a report to the planning commission of approved administrative variances within 30 days of such approvals. The report shall include a summary of each approved administrative variance including information on the requested administrative variance and the final approval and any conditions added to such approval."

SECTION 3:

All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

SECTION 4:

This ordinance, after adoption by the Council and upon approval by the Mayor, shall become effective immediately.

INTRODUCED AND FIRST READING _____

SECOND READING AND ADOPTED/REJECTED _____

SUBMITTED TO MAYOR AND APPROVED/DISAPPROVED _____

BY: _____
Mayor

ATTEST: _____
Clerk