



# City of Powder Springs

City of Powder Springs  
4426 Marietta Street  
Powder Springs, GA 30127

## Meeting Minutes - Final Council Work Session

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Wednesday, March 29, 2023

5:00 PM

Ford Center Reception Hall  
4181 Atlanta Street, Building 2  
Powder Springs, GA 30127

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### Location Information:

**Onsite: Ford Center Reception Hall, 4181 Atlanta St., Powder Springs, GA 30127**

**Join Zoom Meeting - <https://us06web.zoom.us/j/89823445715>**

**Meeting ID: 898 2344 5715 Dial: 1-929-205-6099**

**Special Called City Council Meeting will be called to order at 6PM. Onsite and via same Zoom Link. Following the Adjournment the Special Called, Work Session will reconvene onsite and via same Zoom Link.**

### Call to Order

Mayor Thurman called the meeting to order at 5:00 pm. Council Members Dawkins, Green, Lust and Wisdom were present on site. Council Member Bordelon was absent. Also present on site were City Attorney Julie Livingston, City Manager Pam Conner, and City Clerk Kelly Axt.

Staff in attendance: Bill Tanks, Lane Cadwell, Travis Landrum, Dwayne Eberhart, Tamara Newkirt, Travis Sims, Eric Myers, Shaun Meyer, John Brown and Tina Garver.

### Mayor's Comments

Mayor Thurman shared that the recent retreat to Brasstown Valley was very successful and gave thanks to the Staff and the City Manager Pam Conner.

### Work Session Matters

#### [RPT 23-033](#)

#### REPORT - EMPLOYEE DISCOUNTS

Pam Conner, City Manager, asked for feedback in extending employee discounts to City rental facilities. Mrs. Conner provided examples of other cities providing employee discounts.

The Council body stated that it would be a good idea but it would be a matter of how much of a discount.

[RPT 23-034](#) REPORT - PS PARK RIBBON CUTTING

Attachments: [Ceremony Draft](#)

Travis Landrum, Parks and Recreation Director, asked for feedback on available dates for the ribbon cutting of the large pavilion at the Powder Springs Park.

The Mayor and Council body asked if the thought was to have the ribbon cutting on the weekend or weekday; is the ribbon cutting open to the public; and will there be refreshments provided. Mr. Landrum replied that it would probably get the best impact on attendance from Mayor and Council during a week day; the idea is to have the ribbon cutting open to the public to provide a view of the amenities; and there will be light refreshments available based on the budget.

[RES0  
23-095](#)

A RESOLUTION APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH JAT CONSULTING SERVICES IN AN AMOUNT OF UP TO \$4,000 PER MONTH TO PROVIDE PROFESSIONAL SERVICES REQUIRED BY THE FINANCE DEPARTMENT; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Attachments: [RESOLUTION 2023 - 095 JAT Consulting](#)

Pam Conner, City Manager, discussed that JAT would provide local government financial services on an as needed basis until the position in finance is successfully filled .

The Council body asked what is the fee; and if the City were to find a suitable employee would there be a conflict in getting out of the contract before the one year contract is up. Mrs. Conner replied that it would cost around \$4,000 a month; and no there wouldn't be a conflict because the contract would terminate the earlier of the year or should the City hire someone.

[RPT 23-036](#) Report - Relating to a modification of a previously approved variance PZ 23-003 (Brooks Lane)

Pam Conner, City Manager, asked for feedback on the previously approved accessory structure off Brooks Ln and Glenn Rd. Mrs. Conner added that during the permitting process a second stream was discovered on the other side of structure.

The Mayor asked Staff if they are comfortable with the variance.

Mrs. Conner replied that she would recommend the variance for the already approved accessory structure to be within the 75 foot buffer, and it doesn't violate the State 50 foot buffer requirement.

[RPT 23-037](#) Report - Penalties for Non Permitted Actions Requiring Variances

Pam Conner, City Manager, asked for feedback about a number of variance requests that have already taken action.

The Mayor and Council body stated that there should be some consequences for those residents that build without getting a permit, however the City has to make the public aware that these permits exist ahead of time.

[RES0  
23-082](#) A RESOLUTION AUTHORIZING THE PURCHASE OF 1500 SANITATION CARTS AT A COST OF \$86,744; AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT TO EFFECTUATE THE PURCHASE; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

**Attachments:** [RESOLUTION 2023 - 082 purchase of 1500 sanitation carts](#)  
[Powder Springs Updated \(1500\) 96g\\_VI Redacted](#)

Dwayne Eberhart, Public Works Director, discussed the purchasing of additional garbage carts and awaiting the second quote to not exceed \$96,500.00.

No discussion was held.

[RES0  
23-083](#) A RESOLUTION APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH C&M TREE SERVICE FOR AN AMOUNT OF \$18,775 TO REMOVE AND TRIM CERTAIN TREES FROM PUBLIC PROPERTY; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

**Attachments:** [Tree Removal Redacted](#)  
[RESOLUTION 2023 - 083 tree removal](#)

Dwayne Eberhart, Public Works Director, discussed the quote in the amount of \$18,77 from C & M Tree Service to cut down and trim trees in the public right-of-way.

The Mayor asked how much of the area does the quote cover; and how far will the contractor cut back those trees. Mr. Eberhart replied that the streets included are Nectar Drive, Francis Drive, Debbie Drive, Pinecrest Road, Buck Road, Hubert Drive, Valley Drive, Pinetree Road, Old Oak Court, Glenbrooke Drive, Hopkins, and Macedonia; and the Staff typically tell the contractor to cut back as far as possible and not leave a nub on the trees.

[RES0  
23-084](#)

A RESOLUTION APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH HYDRO EXCAVATORS IN THE AMOUNT OF \$14,326 TO CLEAN STORM WATER STRUCTURES LOCATED ON RICHARD D. SAILORS PARKWAY; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

**Attachments:** [Stormwater Structure Cleanout Redacted](#)

[RESOLUTION 2023 - 084 Stormwater cleaning ARPA projects](#)

Dwayne Eberhart, Public Works Director, discussed the removal of debris and concrete from the ten catch basins on Richard D. Sailors Parkway and recommended Hydro Excavators quote of \$14,436.00.

Wayne Wright, ARPA Program Manager, explained the use of ARPA funds for competitive bids for the work.

The Council body stated that the storm basins must have a lot of debris in them due to the cost. Mr. Eberhart answered that the catch basins have concrete at the bottom of them and the City doesn't have the equipment to do them.

[RES0  
23-085](#)

A RESOLUTION APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH MAULDIN & JENKINS TO PROVIDE ANNUAL FINANCIAL AUDIT SERVICES; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

**Attachments:** [RESOLUTION 2023 - 085 Mauldin & Jenkins audit](#)

[M & J City of Powder Springs Cost Proposal Redacted](#)

[M & J City of Powder Springs Technical Proposal Redacted](#)

Travis Sims, Finance Director, discussed the only RFP bid for audit service and recommended Mauldin and Jenkins at the current pricing for three years with gradual increases on the last two years of the contract.

No discussion was held.

[RES0  
23-086](#)

A RESOLUTION APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH GEORGIA TECH FOR CERTAIN PROFESSIONAL SERVICES RELATING TO THE MORATORIUM PREVIOUSLY ESTABLISHED BY THE CITY OF POWDER SPRINGS FOR A SUM OF \$17,830; AUTHORIZING THE FINANCE DIRECTOR TO PREPARE NECESSARY BUDGET AMENDMENTS FOR THE TRANSFER AND ALLOCATION OF FUNDS TO PAY FOR SAID PROFESSIONAL SERVICES; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

**Attachments:** [RESOLUTION 2023 - 086 Moratorium studies 3rd phase](#)

Pam Conner, City Manager, stated that the last of the moratorium study by

Georgia Tech will look at the average revenues and expenditures and allocating them to the land uses that are served. Mrs. Conner added that the point of doing this study is to calculate a home value needed to break even with the cost of services.

The Mayor and Council body asked if the pending legislation by the State Representatives have a negative effect on the City's ability to extend the current moratorium; how does the analysis effect rental property; and is there enough time based on the study to change the codes needed based on the recommendations of the study. Mrs. Conner replied that pending State Legislation could effect the City's ability but she does anticipate asking for a partial lift of the moratorium for certain applications in May when it expires; as she understands the study, it is to look at what value is available to break even to prevent certain actions to continue to provide services; and the City would not be able to make changes to codes by the May date.

[RES0  
23-087](#)

A RESOLUTION APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH CROY ENGINEERING IN THE AMOUNT OF \$57,467.50 TO DEVELOP A TRUCK TRAFFIC ROUTING PLAN; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

**Attachments:** [RESOLUTION 2023 - 087 Truck Route Plan](#)  
[City of Powder Springs Truck Traffic Routing Plan RFP No. 23-005 Croy 2023](#)  
[PS Truck Route M and A\\_rev\\_dbd\\_040323](#)

Pam Conner, City Manager, discussed the RFP for a truck plan with a recommendation for Croy Engineering at a cost of \$57,467.50. Mrs. Conner added that the plan is to have an established truck route to direct truck on the proper access to their destinations.

Bill Tanks, Executive Director, stated that citizens are very disappointed with the current truck traffic in their residential neighborhoods and this truck plan will define the enforcement efforts.

The Council body asked will the truck route be upload to GPS systems; and what if these trucks have deliveries in certain areas.

Mrs. Conner replied that yes route will be uploaded to GPS; and deliveries in certain areas will have exceptions.

[RES0  
23-088](#)

A RESOLUTION APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH S.H. CREEL CONTRACTING LLC IN THE AMOUNT OF \$158,875 TO COMPLETE CERTAIN IMPROVEMENTS WITHIN CITY FACILITIES; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Attachments: [Award Letter - 03-24-23 Redacted](#)  
[RESOLUTION 2023 - 088 CDBG ADA project](#)

Chad Kastner, of Croy Engineering, discussed the renovations of two restrooms at Public Works and door openers across City facilities to make them all ADA compliant. Mr. Kastner added that these improvements will be using CDBG funds of 2022 and 2023.

The Mayor asked will the City upfront the cost and get reimbursed. City Manager Pam Conner replied that the City will upfront the cost and will submit for reimbursement.

[RES0  
23-089](#)

A RESOLUTION APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH WORKSOURCE COBB TO PARTICIPATE IN A SUMMER INTERN PROGRAM; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Attachments: [RESOLUTION 2023 - 089 Worksource Cobb Agreement Summer Intern](#)  
[Company Assessment 1.20.22](#)  
[EmployerRegistration-3.15.2023 Revised Redacted](#)  
[WEXWorksiteDataJobDescription.2021 Redacted](#)  
[Work Experience \(WEX\) Worksite Agreement Redacted](#)

Pamela Johnson, of WorkSource Cobb, provided an overview of the agreement with the City to participate in the summer internship programs for the ages 15-24 where the City would be the host site and WorkSource Cobb would be the employer.

The Mayor and Council body asked could there be restrictions in terms of those that live within the city of Powder Springs; would WorkSource provide transportation; to expand on the liability; what are the hours; how long is the program; and how many total employees can Powder Springs have. Ms. Johnson replied that the only restriction is that applicants would have to live in Cobb County; the interns would have to have their own transportation; if anything happens on the work site it would be the liability of WorkSource Cobb; the hours depend on the work site but the intern can earn up to 40 hours per week; this is an eight week summer program and there is a regular program for out of school youth that runs for sixteen weeks; and there is no maximum to have in Powder Springs.

[RES0  
23-090](#)

A RESOLUTION APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH S.H. CREEL CONTRACTING, LLC IN THE AMOUNT OF \$9,890 TO REPAIR THE WALL LOCATED IN THE SILVER COMET TRAIL LINEAR PARK AROUND THE TREE HOUSE SLIDE AND PLAYGROUND; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

**Attachments:** [RESOLUTION 2023 - 090 Linear Park Wall Repair](#)  
[S.H CREEL 3-28-23 Redacted](#)

Dwayne Eberhart, Public Works Director, discussed the repair of 150 feet of flagstone wall at the Linear Park.

The Mayor and Council body asked is the contractor replacing the wall with the same flagstone; should the contractor have to come back out for repairs will they replace pieces or the whole wall; is there a sealer once the flagstone is placed; and is the flagstone appropriate material to place. Mr. Eberhart replied that the quote is for grey Tennessee flagstone; City Manager Pam Conner added that there is a two year workmanship warranty; John Brown, Deputy Public Works Director, stated that S.H. Creel has commented that they have never had to go back and replace the stone which is why they added the warranty; the contractor will probably come back and only replace the missing stone and not the whole wall; and Staff will ask if there's another product better.

[RES0](#)  
[23-091](#)

A RESOLUTION APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH DAF CONCRETE TO INSTALL A 6-INCH REINFORCED CONCRETE PAD ON WHICH TO PLACE THE BALER LOCATED AT THE CITY'S RECYCLING DROP OFF CENTER FOR AN AMOUNT OF \$8,400; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

**Attachments:** [RESOLUTION 2023 - 091 Baler Concrete Pad DAF](#)  
[DAF CONCRETE 3-28-23 Redacted](#)

Dwayne Eberhart, Public Works Director, discussed the pouring of 15x28 concrete pad for the baler at the recycling center.

No discussion was held.

[RES0](#)  
[23-092](#)

A RESOLUTION APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH WILSON HEATING AND AIR FOR THE PURCHASE AND INSTALLATION OF A HEATING VENTILATION AND AIR CONDITIONING UNIT FOR THE CULTURAL ARTS CENTER AT A TOTAL COST OF \$12,465; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

**Attachments:** [RESOLUTION 2023 - 092 HVAC at CAC](#)  
[WILSON AIR 3-28-23 Redacted](#)

Dwayne Eberhart, Public Works Director, discussed the replacing of the HVAC at the Cultural Arts Center at a cost \$12,465.00. City Manager Pam Conner this will replace the original HVAC equipment.

No discussion was held.

[RES0  
23-093](#)

A RESOLUTION APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE DEDUCTIVE CHANGE ORDER TO THE AGREEMENT WITH EAST COAST GRADING RELATING TO THE RESURFACING OF CERTAIN ROADS THROUGHOUT THE CITY FOR THE AMOUNT OF \$135,321.26; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

*Attachments:* [RESOLUTION 2023 - 093 Deductive Resurfacing East Coast Change Order No. 1 FINAL Letter to ECG Redacted](#)

Chad Kastner, of Croy Engineering, discussed the closeout of the 2022 resurfacing contract with \$135,321.26 going back into the 2022 SPLOST for future projects.

No discussion was held.

**Recess for Special Called Council Agenda at 6:00pm and Dinner Recess at 6:15pm**

**A motion was made by Council Member - Ward 2 Dawkins, seconded by Council Member - At Large Post 2 Wisdom, that this Recess for the purpose of Special Called Council Agenda at 6pm and Dinner Recess be approved. The motion carried by the following vote:**

**Yes:** 4 - Henry Lust, Doris Dawkins, Dwayne Green, and Patricia Wisdom

**Absent:** 1 - Patrick Bordelon

**Recess was Concluded from Special Called Council Agenda at 6:15pm and Dinner Recess at 6:50pm**

**A motion was made by Council Member - Ward 3 Green, seconded by Council Member - Ward 2 Dawkins, that this that this Recess Conclude from the purpose of Special Called Council Agenda at 6:15pm and Dinner Recess 6:50pm be approved. The motion carried by the following vote:**

**Yes:** 4 - Henry Lust, Doris Dawkins, Dwayne Green, and Patricia Wisdom

**Absent:** 1 - Patrick Bordelon

[ORD 22  
-032](#)

Ordinance - To annex into the City of Powder Springs and Rezone a 59.5 +/- acres tract from R-20, NRC, LRO in the County to Conditional MXU in the City – within Land Lots 717, 718, 764 and 765, 19th District, 2nd Section, Cobb County, Georgia.

First reading: November 21, 2022. Second Reading: December 5, 2022.

TABLED TO: First reading: December 5, 2022 Second Reading: January 3, 2023

MOTION TO TABLED ACTION 12/5/22:



First reading: January 17, 2023 Second Reading: February 6, 2023

**Attachments:** [ORD 22-032. 04032023](#)  
[ORD 22-032. Exhibit A. Legal Description](#)  
[Primary Exhibits. Barrett Pkwy Annexation Redacted](#)  
[Vicinity Map. Barrett Pkwy Annexation](#)  
[Appl Pkgs FINAL for Efilng-SCP Acquisitions, LLC Redacted](#)  
[Executed Motion to Table to 12-05-2022](#)  
[Executed Motion ORD 22-032 to Table to 01-17-2023](#)

Garvis Sams, of Sams, Larkin and Huff, spoke on behalf of applicant South City Partners, and provided an overview of the process thus far and discussed that Cobb County objection status. Also providing details and discussion were Mark Randall and Shaun Rosko to speak on behalf of (South City Partners).

The Council body asked is the City proceeding in spite of their objection. City Manager Pam Conner replied that the County did issue an objection which would have put the them in arbitration with DCA (Department of Community Affairs) and they were not able to convene the panel, in effect-mitigating the objection by Cobb County.

Related Item PZ 22-034.

[PZ 22--034](#) Rezoning Request. To rezone an approx 59.5 +/- acres tract from R-20, NRC, LRO in the County to Conditional MXU in the City – within Land Lots 717, 718, 764 and 765, 19th District, 2nd Section, Cobb County, Georgia.

**Attachments:** [PZ 22-034. Motion to Approve. 04032023](#)  
[Revised Site Plan. 03212023](#)  
[Revised Stipulations Letter. 03012023. Redacted](#)  
[Myers, Shaun 03-23-2023 Letter Redacted](#)  
[Site plan comparison. Previous vs Current](#)  
[Site Plan and Elevation Exhibits. Barrett Pkwy Annexation](#)  
[Vicinity Map. Barrett Pkwy Annexation](#)  
[Stipulations Letter 01-04-2023 Redacted](#)  
[Trip Generation Memo - 01-12-2023 Redacted](#)  
[Unit size and price ranges Redacted](#)  
[Rezoning + Annexation Applications. Notice of Intent. Application attachments Redacted](#)  
[Executed PZ 2022-034 Motion to Table to February 6, 2023.](#)  
[PZ 22-034 Executed Motion to table to Feb 6, 2023](#)

Shaun Myers, Planning and Zoning Manager, discussed the request to rezone to a mixed used development for the purpose of single family, town home and

multi-family units. Mr. Myers added that the commercial component is roughly 11,000 square feet and features retail on the first floor below the multi-family units and a separate stand alone building.

Staff and Planning and Zoning Commission recommends approval with conditions.

Garvis Sams, of Sams, Larkin and Huff, discussed the developers plan to seek rezoning of several zoning classifications.

The Mayor and Council body asked what are the amenities; what is the access to the development; are the multi-family three story; what part does Traton Homes play in this development; and what is the time frame of this project. The Elected body stressed the importance of quality and the completion of the commercial component. Sean Rosko, of South City Partners replied that the amenities include a club house with fitness center, resort style pool, seating areas with connections to trails; the access to the development are from Macedonia Road; yes those multi-family units are three story. Mr. Sams stated that Traton Homes is constructing the single-family and town homes. Mark Randall of South City Partners, stated that typically the market tells them the time frame but will work on time schedule that makes sense; stated that they understand quality and wouldn't present anything else; and the reason they put the retail inside the building forces them to finish the commercial but the residents has to come first.

Related Item ORD 22-032

[ORD 23  
-003](#)

AN ORDINANCE TO AMEND THE BUDGET FOR FISCAL YEAR 2023 TO ALLOCATE RECEIPTS AND EXPENDITURES FOR VARIOUS DEPARTMENTAL AND CAPITAL BUDGETS; TO REPEAL CONFLICTING ORDINANCES; TO ESTABLISH AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

First Reading: March 20, 2023      Second Reading: April 3, 2023

**Attachments:** [ORDINANCE 2023 - 003 Budget Amendment  
Proposed Budget Amendment 3-20-23 and 4-03-23](#)

Travis Sims, Finance Director, discussed the expenditure cost of \$29,011 that are related to the moratorium.

No discussion was held.

[PZ 23--006](#)

Special Use Request to allow the outdoor storage of food trucks for the purpose of a food truck park and commissary, and outdoor entertainment venue. The property is located at 3980 & 3982 Austell Powder Springs Road, within land

lot 905 of the 19th District, 2nd Section, Cobb County, Georgia.

**Attachments:** [PZ 23-006. Motion to Approve. 04032023](#)  
[Special Use Application. Revised. 3980 3982 APS Rd Redacted](#)  
[Business Plan. 3980 & 3982 Austell Powder Springs Rd](#)  
[PZ 23-006. Motion to TABLE. 04032023](#)

Shaun Myers, Planning and Zoning Manager, introduced the application to allow a food truck park with entertainment and commissary.

Staff recommends tabling to allow visual and site plans to present to adequately demonstrate applicants plans.

Eugene Idlett, special use applicant, discussed his plan to create an environment to cut associated costs by providing food trucks with parking, storage, water, disposal of trash and grease.

The Mayor and Council body asked what is the total space; how often do you plan to have these types of events; how are you addressing security; is there adequate parking based on the proposal; and how does the alcohol permits work on properties like this with Code. Mr. Idlett replied that the empty lot is almost 2 acres and the building is 4,500 square feet; there have been proposals from the neighboring daycare to sell alcohol until after 6pm; currently doesn't have a plan for the events; would like to hire Powder Springs Police. Mr. Myers answered that there is parking available but it's tough to say if it's adequate because the Staff wouldn't know what type of volume to expect. Community Development Director Tina Garver expanded on the parking because the current code doesn't address food truck parking and there's not a set parking for a food truck park. City Manager Pam Conner stated that a survey would have to be done to address any distance concerns with the nearby daycare.

[PZ 23--007](#) Special Use Request to allow storage of business inventory and raw materials within a portion of a residential accessory structure. The property is located at 3152 Brooks Lane, within land lot 725 of the 19th District, 2nd Section, Cobb County, Georgia.

**Attachments:** [PZ 23-007. Motion to TABLE. 04032023](#)  
[notarized application Redacted](#)

Shaun Myers, Planning and Zoning Manager, stated that Staff recommends approval with conditions. Planning and Zoning Commission tabled the application to address concerns of the neighbors.

Council Member Wisdom presented the list of concerns of the neighbors.

Police Chief Lane Cadwell stated that the police department has received calls to this location but has never been able find large crowds or loud music.

Eric Meyer, Development and Infrastructure Agency Executive Director, stated that he went out to the property the night before and there was no one there.

[PZ 23--008](#)

Variance Request to reduce the side setback for an existing concrete patio pavement extension and to allow an ADA access path to the front driveway to encroach into the side setback. The property is located at 4107 Maple Lane, within land lot 756 of the 19th District, 2nd Section, Cobb County, Georgia.

Attachments: [PZ 23-008. Motion to Approve. 04032023](#)

[Variance Application-4107 Maple Lane Redacted](#)

[Comments in opposition.](#)

Shaun Myers, Planning and Zoning Manager, introduced the variance application to reduce the side setback on the side of their property to allow a concrete rear patio extension.

Staff recommends approval with conditions and Planning and Zoning Commission recommended denial.

Isidro Trujillo, applicant, stated that they placed the concrete extension without knowledge of the permitting process. Mrs. Trujillo is asking to keep some of the concrete pad extension to create a pathway to the rear of the home for ADA accommodations.

Council Woman Wisdom stated that a citizen approached her in opposition of the application, neighbors have complained about noise and a lot of cars.

### **Executive Session was called for the purpose of Litigation.**

A motion was made by Council Member - Ward 2 Dawkins, seconded by Council Member - Ward 3 Green, that this Executive Session for the purpose of Litigation be approved. The motion carried by the following vote:

**Yes:** 4 - Henry Lust, Doris Dawkins, Dwayne Green, and Patricia Wisdom

**Absent:** 1 - Patrick Bordelon

### **Executive Session was concluded from the Litigation.**

A motion was made by Council Member - Ward 2 Dawkins, seconded by Council Member - At Large Post 2 Wisdom, that this Executive Session conclude from the purpose of Litigation be approved. The motion carried by the following vote:

**Yes:** 4 - Henry Lust, Doris Dawkins, Dwayne Green, and Patricia Wisdom

**Absent:** 1 - Patrick Bordelon

### **City Manager and Council Reports**

Council Member Dawkins made no reports.

Council Member Green made no reports.

Council Member Lust stated that he attended Still Elementary School and enjoyed speaking with the students.

Council Member Wisdom wished everyone on Zoom and those in person the best.

### **Recess to Next Scheduled City Council Meeting**

**A motion was made by Council Member - Ward 2 Dawkins, seconded by Council Member - At Large Post 2 Wisdom, that this Recess to April 3, 2023 at 6:30pm be approved. The motion carried by the following vote:**

**Yes:** 4 - Henry Lust, Doris Dawkins, Dwayne Green, and Patricia Wisdom

**Absent:** 1 - Patrick Bordelon