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## **County hears impact fee appeal**

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The Coweta County Commission heard an appeal against the denial of an impact fee waiver at its meeting Tuesday night.

Coweta County Medical Office Investors had requested a waiver of the transportation impact fees on June 12, 2007. On Sept. 25, 2008, the request was denied by the county.

Attorney Mark Oldenburg, representing the owners, appeared before the commissioners Tuesday to explain the request.

The county implemented impact fees for transportation projects on March 21, 2007.

Coweta County Medical Office Investors submitted its initial application on Dec. 1, 2006, Oldenburg said. The land disturbance permit was issued March 29, 2007. The medical building is located in Francis Place, located off Hwy. 34 near the Fayette County Line.

Oldenburg said it was delays in getting the plans approved by the Coweta County Water and Sewer Department (now the Water and Sewerage Authority) that led to the owners having to pay the transportation impact fees. The transportation impact fee for the medical office is more than \$107,000.

"Had these delays not occurred, the owner would have submitted the (building permit) application prior to March 21," Oldenburg said.

He said the county's ordinances require an answer within 21 days of a plan being submitted. The water department did not respond to the initial application until Jan. 11, 41 days after the initial submittal. Excluding weekends and the Christmas holiday, the response was reviewed 26 working days after submittal, Oldenburg said. Additional information was submitted and received by the county on Jan. 24, Oldenburg added. The water department responded on March 12, 33 working days from the date of submission. Plus, "we believe the information" that the water department requested on March 12 instead could have been requested on Jan. 11, Oldenburg said.

The difference in the time a response was supposed to be submitted and the time it actually was submitted more than makes up for the eight days, Oldenburg said.

The county's impact fee ordinance allows a developer to exercise a freezing option for 180 days, said County Administrator Theron Gay, which means the impact rules in place at the time of the freezing option remain for 180 days.

Oldenburg said his clients were not aware of that option.

The board voted to delay action on the request until its Dec. 4 meeting so that the request could be considered by the full board. Commissioner Randolph Collins did not attend Tuesday's meeting.

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