



BOARD OF COMMISSIONERS

Greg Dunn, Chairman
Linda Wells, Vice Chair
Herb Frady
Peter Pfeifer



STAFF

Christine Venice, County Admin.
Dennis Davenport, Attorney
Carol Chandler, Executive Asst.
Peggy Butler, Executive Assistant
Karen Morley, Chief Deputy Clerk



MEETING LOCATION

Administrative Complex
Commission Meeting Room
140 Stonewall Avenue
Fayetteville, GA



MEETING TIMES

1st Wednesday each month at
3:30 p.m.
2nd and 4th Thursday each month
at 7:00 p.m



COMMISSION OFFICE

Administrative Complex
Suite 100
140 Stonewall Avenue
Fayetteville, GA 30214
Phone: 770.460.5730 Ext. 5400
Fax: 770.460.9412

Web Site:

www.fayettecountyga.gov
e-mail [contact:
administration@fayettecountyga.gov](mailto:contact:administration@fayettecountyga.gov)

The Agenda of Actions

BOARD OF COMMISSIONERS

February 23, 2006

7:00 P.M.

Chairman Dunn called the meeting to order, offered the Invocation and led the Pledge to the Flag.

PUBLIC HEARING:

- A. Consideration of Petition No. RP-037-06, Ernest King, Owner/Agent, request to subdivide Lot 1 of Grooms Point consisting of 4.436 acres into two (2) single-family dwelling lots. This property is located in Land Lot 189 of the 4th District, fronts on Grooms Circle, and is zoned R-40. The Planning Commission recommended denial 4-1. Staff indicated that the revised final plat complies with all technical requirements.

ON MOTION MADE BY COMMISSIONER PFEIFER, SECONDED BY COMMISSIONER WELLS TO DENY PETITION NO. RP-037-06. THE MOTION CARRIED 4-0.

- B. Consideration of Petition No. 1164-06, Barbara J. Johnson, Owner, and Ed Johnson, Agent, request to rezone 27.644 acres from A-R to R-50 to develop a proposed subdivision consisting of 22 single-family dwelling lots. This property is located in land Lot 255 of the 13th District and fronts on Hill Road. The Planning Commission recommended denial of R-50 and approval of R-70 (4-1). Staff recommended denial of R-50 and approval of a two (2) acre zoning district.

ON MOTION MADE BY COMMISSIONER WELLS, SECONDED BY COMMISSIONER PFEIFER TO DENY PETITION NO. 1164-06 FOR R-50 BUT TO APPROVE PETITION NO. 1164-06 FOR R-75 ZONING. THE MOTION CARRIED 4-0.

- C. Consideration of Petition No. 1165-06, Fayette Center Pointe, LLC, Owners, and Joel Ogletree, Agent, request to rezone 5.045 acres from A-R to O-I to develop a Church. This property is located in Land Lot 58 of the 7th District and fronts on S.R. 54 West and Flat Creek Trail. The Planning Commission recommended approval subject to three (3) conditions, two (2) staff conditions and one (1) proposed by the applicant. Staff recommended approval subject to two (2) conditions.

ON MOTION MADE BY CHAIRMAN DUNN, SECONDED BY COMMISSIONER WELLS TO ACCEPT THE WITHDRAWAL REQUEST RECEIVED BY THE BOARD OF COMMISSIONER FROM THE APPLICANT FOR PETITION NO. 1165-06. THE MOTION CARRIED 4-0.

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- D. Consideration of Petition No. 1166-06, Colleen M. And Jerry O. Jones, Owners, and Jerry Jones, Owner, request to rezone 6.850 acres from A-R to R-70 to be added to Bellfair Walk Preserve Subdivision. This property is located in Land Lot 229 of the 4th District and is landlocked property off McBride Road. The Planning Commission recommended approval subject to two (2) conditions, one (1) staff condition and one (1) proposed by the applicant. Staff recommended approval subject to one (1) condition.

ON MOTION MADE BY COMMISSIONER PFEIFER, SECONDED BY COMMISSIONER WELLS TO APPROVE PETITION NO. 1166-06 TO REZONE 6.850 ACRES FROM A-R TO R-70 TO BE ADDED TO BELLFAIR WALK PRESERVE SUBDIVISION WITH TWO CONDITIONS AND AMEND THE SECOND CONDITION TO MAINTAIN THE NUMBER OF HOUSES AT 32 FOR THE SUBDIVISION. THE MOTION CARRIED 4-0.

- E. Consideration of proposed amendments to the Fayette County Subdivision Regulations regarding Section 5. The Subdivision Plat and Section 6. Minimum Design Standards as presented by the Engineering Department. The Planning Commission will discuss this item at the 2/16/2006 workshop. This item will be placed on the 03/02/2006 Planning Commission public hearing agenda.

CHAIRMAN DUNN REMARKED THAT THIS ITEM WOULD APPEAR ON THE MARCH 2, 2006 PLANNING COMMISSION PUBLIC HEARING AGENDA FOR FURTHER DISCUSSION.

- F. Consideration of proposed amendments to the Fayette County Zoning Ordinance regarding Article VII. Conditional Uses, Exceptions, and Modifications, Section 7-6. Transportation Corridor Overlay Zone, A. S.R. 54 West and S.R. 74 South Overlay Zone, 6. Landscaping Requirements, a. Street Frontage; B. S.R. 85 North Overlay Zone, 6. Landscaping Requirements, a. Street Frontage; and C. General State Route Overlay Zone, 7. Landscaping Requirements, a. Street Frontage as presented by the Engineering Department. The Planning Commission recommended approval 5-0.

ON MOTION MADE BY COMMISSIONER WELLS, SECONDED BY COMMISSIONER FRADY TO APPROVE THE AMENDMENTS TO THE FAYETTE COUNTY ZONING ORDINANCE REGARDING ARTICLE VII. CONDITIONAL USES, EXCEPTIONS, AND MODIFICATIONS, SECTION 7-6. TRANSPORTATION CORRIDOR OVERLAY ZONE, A. S.R. 54 WEST AND S.R. 74 SOUTH OVERLAY ZONE, 6. LANDSCAPING REQUIREMENTS, A. STREET FRONTAGE; B. S.R. 85 NORTH OVERLAY ZONE. 6. LANDSCAPING REQUIREMENTS, A. STREET FRONTAGE; AND C. GENERAL STATE ROUTE OVERLAY ZONE, 7. LANDSCAPING REQUIREMENTS, A. STREET FRONTAGE. THE MOTION CARRIED 4-0.

- G. Consideration of proposed amendments to the Fayette County Zoning Ordinance regarding Article VI. District Use Requirements, Section 6-17. O-I, Office-Institutional District, F. Dimensional Requirements, 7. Height limit, a. as presented by the Planning & Zoning Department. The Planning Commission recommended approval 5-0.

ON MOTION MADE BY COMMISSIONER WELLS, SECONDED BY COMMISSIONER PFEIFER TO APPROVE THE AMENDMENTS TO THE FAYETTE COUNTY ZONING ORDINANCE REGARDING ARTICLE VI. DISTRICT USE REQUIREMENTS, SECTION 6-17. O-I. OFFICE-INSTITUTIONAL DISTRICT, F. DIMENSIONAL REQUIREMENTS, 7. HEIGHT LIMIT, A. THE MOTION CARRIED 4-0.

CONSENT AGENDA: COMMISSIONER FRADY REQUESTED ITEM NO. 1 BE REMOVED FOR FURTHER DISCUSSION. COMMISSIONER WELLS REQUESTED ITEM NO. 10 AND ITEM NO. 13 BE REMOVED FOR FURTHER DISCUSSION. ON MOTION MADE BY COMMISSIONER WELLS, SECONDED BY COMMISSIONER FRADY TO APPROVE CONSENT AGENDA ITEM NOS. 2, 3, 4, 5, 6, 7, 8, 9, 11, 12 AND 14 AS PRESENTED. THE MOTION CARRIED 4-0.

1. Approval of request from the Director of Purchasing Tim Jones to award Bid #535 to Briggs Construction Company for a loader/backhoe for the Water System in the amount of \$47,300 with a \$10,000 trade in allowance making the net bid \$37,300.

ON MOTION MADE BY COMMISSIONER FRADY, SECONDED BY COMMISSIONER WELLS THAT THIS ITEM BE SENT OUT FOR A REBID. THE MOTION CARRIED 4-0.

2. Denial of request to amend the Jail Agreement with Peachtree City based upon state law provision.
3. Approval of reappointment of Chuck Watkins, Jack Smith and Mary Shavers for another one-year term on the Fayette County Public Facilities Authority.
4. Approval to initiate the process for paving Snead Road between Old Greenville and Chappell Roads.
5. Approval to submit Pre-Disaster Mitigation Grant Request to FEMA for the acquisition of property.
6. Approval of a budget adjustment increasing the Jail budget by \$5,000 as a result of a donation of funding to purchase Automated External Defibrillators (AED) units.
7. Approval of a budget adjustment for the Library increasing revenue and expenditure accounts by \$2,000 to purchase books for "Books on Loan Program", zero net impact.
8. Ratification of approval to authorize low bidder Bellamy Strickland Chevrolet to repair the engine in Medic 5 ambulance at a cost of \$10,392.68 plus any core charge up to \$1,904.14 with funds to come from the contingency fund.
9. Approval to replace 2002 Ford Crown Victoria #2FAFP71W72X155706 with 101,453 miles driven by the Sheriff's Traffic Enforcement Division.
10. Approval to transfer motor pool vehicle #95014 (1994 Crown Victoria) to the Tax Commissioner's Office.

COMMISSIONER WELLS REQUESTED FURTHER INFORMATION ON THIS ITEM AND IT WAS THE CONSENSUS OF THE BOARD THAT THIS ITEM BE TABLED TO THE MARCH 9, 2006 COMMISSION MEETING.

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11. Approval to replace a 1996 Ford Crown Victoria #2FALP71W2TX199746 with 100,695 miles driven by the public Safety Division.
12. Approval to replace a 1996 Econoline Van #1FTFE24Y5THA15025 with 98,698 miles driven by the Public Safety Division.
13. Approval to replace 2001 Chevrolet Impala Vin #2G1WF52E519274499 with 98,000 miles driven by an investigator in the CID division.

COMMISSIONER WELLS REQUESTED FURTHER INFORMATION ON THIS ITEM AND IT WAS THE CONSENSUS OF THE BOARD THAT THIS ITEM BE TABLED TO THE MARCH 9, 2006 COMMISSION MEETING.

14. Approval of minutes for Board of Commissioners meeting held on January 26, 2006.

PUBLIC COMMENT:

Members of the public are allowed up to five minutes each to address the Board on issues of concern other than those items which are on this evening's agenda.

DENNIS CHASE: Dennis Chase, 290 Crabapple Road, Fayetteville commented on the recent decision by the City of Peachtree City regarding the extension of sewer into the County.

CLAIRE ROGERS: Claire Rogers, 332 Fayette Villa Court, Fayetteville expressed concern with the County's zoning ordinance allowing someone who did not have a rezoning request to come in and discuss their situation with staff and obtain a decision from them and would not require a public hearing.

STAFF REPORTS:

WATER FRANCHISE AGREEMENT WITH THE TOWN OF TYRONE: Attorney Dennis Davenport asked for the Board's consideration in approving the renewal Water Franchise Agreement with the Town of Tyrone for a fifty year term.

ON MOTION MADE BY COMMISSIONER WELLS, SECONDED BY COMMISSIONER FRADY TO AUTHORIZE THE CHAIRMAN TO EXECUTE THE WATER FRANCHISE AGREEMENT WITH THE TOWN OF TYRONE AS PRESENTED. THE MOTION CARRIED 4-0.

EXECUTIVE SESSION: Attorney Dennis Davenport requested an executive session to discuss two legal items.

CHAIRMAN DUNN: Chairman Dunn commented on the recent action taken by the City of Peachtree City to extend sewer into the unincorporated County.

EXECUTIVE SESSION: ON MOTION MADE BY COMMISSIONER WELLS, SECONDED BY COMMISSIONER FRADY TO ADJOURN TO EXECUTIVE SESSION TO DISCUSS TWO LEGAL ITEMS. THE MOTION CARRIED 4-0.

LEGAL: Attorney Dennis Davenport reported to the Board on a legal item.

THE BOARD TOOK NO ACTION ON THIS MATTER.

LEGAL: Attorney Dennis Davenport updated the Board on a legal item.

THE BOARD TOOK NO ACTION ON THIS MATTER.

EXECUTIVE SESSION AFFIDAVIT: ON MOTION MADE BY COMMISSIONER WELLS, SECONDED BY COMMISSIONER FRADY TO AUTHORIZE THE CHAIRMAN TO EXECUTE THE EXECUTIVE SESSION AFFIDAVIT AFFIRMING THAT TWO LEGAL ITEMS WERE DISCUSSED IN EXECUTIVE SESSION. THE MOTION CARRIED 4-0.

There being no further business to come before the Board, Chairman Dunn adjourned the meeting at 9:30 p.m.

Karen Morley, Chief Deputy Clerk

