Public Hearing #6

COUNTY AGENDA REQUEST

Department:	Planning and Zoning	Presenter(s):	Pete Frisina
Meeting Date:	Thursday, May 28, 2015	Type of Request:	Public Hearing

Wording for the Agenda:

Public Hearing of Petition No. 1244-15, ALH DGT Investments, LLC, Owner, and Robert Rolader, Agent, request to rezone 77.45 acres from A- R to C-S to develop a Single-Family Residential Conservation Subdivision with said property being located in Land Lots 223 & 224 of the 4th District and fronting on Bernhard Road. The Applicant has requested to withdraw the rezoning application.

Background/History/Details:

The Applicant has requested to withdraw the rezoning application.

Staff recommends approval of the request to withdraw Rezoning Petition 1244-15.

The Planning Commission recommended approval of the request to withdraw Rezoning Petition 1244-15.

Arnold Martin made a motion to recommend approval of the request to withdraw Petition 1244-15. Brian Haren seconded the motion. The motion passed 3-0. Al Gilbert and Bob Simmons were absent.

What action are you seeking from the Board of Commissioners?

Approval of the Applicant's request to withdraw Rezoning Petition No. 1244-15, ALH DGT Investments, LLC, Owner, and Robert Rolader, Agent, request to rezone 77.45 acres from A- R to C-S to develop a Single-Family Residential Conservation Subdivision with said property being located in Land Lots 223 & 224 of the 4th District and fronting on Bernhard Road.

If this item requires funding, please describe:

Not Applicable.

Has this request been considered within the past two years?	No	If so, when?	
Is Audio-Visual Equipment Required for this Request?*	No	Backup Provided with Request?	Yes

**** All audio-visual material must be submitted to the County Clerk's Office no later than 48 hours prior to the meeting. It is also your department's responsibility to ensure all third-party audio-visual material is submitted at least 48 hours in advance.***

Approved by Finance	Not Applicable	Reviewed by Legal	
Approved by Purchasing	Not Applicable	County Clerk's Approval	Yes
Administrator's Approval			

Staff Notes:

Lot Gather, LLC
270 North Jeff Davis Drive
Fayetteville, GA 30214
(770) 461-0478

April 17, 2015

Mr. Pete Frisina, Planning Director
Fayette County Planning and Zoning Dept
140 Stonewall Ave
Fayetteville, GA 30214

RE: 77.45 acres at 473 Bernhard Rd Zoning Application

Dear Mr. Frisina,

By copy of this letter, we respectfully request to withdraw the application to rezone the property to CS zoning classification.

Sincerely,

Robert F. Rolader,
Agent for AGL DGT Investments, LLC

Cc: Cynthia M. Smith, AGL DGT Investments, LLC

STATE OF GEORGIA
COUNTY OF FAYETTE

RESOLUTION

NO. 1244-15

WHEREAS, ALH DGT Investments, LLC, Owner, and Robert Rolader, Agent, submitted a letter to the Fayette County Planning Commission on April 17, 2015, to withdraw a request to amend the Fayette County Zoning Map pursuant to "The Zoning Ordinance of Fayette County, Georgia, 2010"; and

WHEREAS, said request being as follows: To withdraw the request to rezone 77.45 from A-R to C-S, in the area of Bernhard Road, Land Lot 223 & 224 of the 4th District, for the purpose of developing a Single-Family Residential Conservation Subdivision; and

WHEREAS, the Fayette County Planning Commission having duly convened, and considered said request;

BE IT RESOLVED that the decision of the Fayette County Planning Commission, that said request to withdraw be **APPROVED**.

PLANNING COMMISSION
OF
FAYETTE COUNTY

ATTEST:

~~**AL GILBERT**~~ JAMES E. GRAU
CHAIRMAN

PC SECRETARY

PLANNING COMMISSION RECOMMENDATION

DATE: May 7, 2015

TO: Fayette County Commissioners

The Fayette County Planning Commission recommends that Petition No. 1244-15, the application of ALH DGT Investments, LLC to rezone 77.45 from A-R to C-S, be:

_____ Approved ___✓___ Withdrawn 9-0 _____ Disapproved

_____Tabled until _____

This is forwarded to you for final action.

JIM GRAW, CHAIRMAN

BRIAN HAREN, VICE-CHAIRMAN

ABSENT
AL GILBERT

ARNOLD MARTIN, III

ABSENT
BOB SIMMONS

Remarks:

_____

_____

_____

THE FAYETTE COUNTY PLANNING COMMISSION met on May 7, 2015 at 7:00 P.M. in the Fayette County Administrative Complex, 140 Stonewall Avenue West, Fayetteville, Georgia.

MEMBERS PRESENT: Jim Graw, Chairman
Brian Haren, Vice-Chairman
Arnold L. Martin, III

MEMBERS ABSENT: Al Gilbert
Bob Simmons

STAFF PRESENT: Pete Frisina, Director Community Services

Welcome and Call to Order:

Chairman Graw called the Planning Commission Meeting to order. Chairman Graw introduced the Commission Members and Staff. Chairman Graw said Al Gilbert and Bob Simmons were not present at the meting tonight.

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1. Consideration of the Minutes of the Meeting held on April 2, 2015

Brian Haren made a motion to approve the minutes. Arnold Martin seconded the motion. The motion passed 3-0. Al Gilbert and Bob Simmons were absent.

2. Consideration of the Minutes of the Meeting held on April 16, 2015

Arnold Martin made a motion to approve the minutes. Brian Haren seconded the motion. The motion passed 3-0. Al Gilbert and Bob Simmons were absent.

PUBLIC HEARING

3. **Consideration of Petition No. 1244-15, ALH DGT Investments, LLC, Owner, and Robert Rolader, Agent, request to rezone 77.45 acres from A- R to C-S to develop a Single-Family Residential Conservation Subdivision. This property is located in Land Lots 223 & 224 of the 4th District and fronts on Bernhard Road. The Applicant has requested to withdraw the rezoning application.**

Pete Frisina said the Applicant has requested to withdraw the rezoning application.

Chairman Graw read the letter for the record from the applicant as follows:

> By copy of this letter, we respectfully request to withdraw the application to rezone the property zoning to C-S classification.
>
> Sincerely,
> Robert F. Rolader,
>
> Agent for AGL DGT Investments, LLC

Chairman asked if there was anybody from the public that would like to comment on the request to withdraw. Hearing none he said he will bring it back to the Planning Commission.

Arnold Martin made a motion to recommend approval of the request to withdraw Petition 1244-15. Brian Haren seconded the motion. The motion passed 3-0. Al Gilbert and Bob Simmons were absent.

****

Arnold Martin made a motion to adjourn the meeting. Chairman Graw said the meeting was adjourned at 7:10 pm.

PLANNING COMMISSION
OF
FAYETTE COUNTY

_____
JIM GRAW, CHAIRMAN

ATTEST:

_____