

THE FAYETTE COUNTY PLANNING COMMISSION met on August 7, 2014 at 7:00 P.M. in the Fayette County Administrative Complex, 140 Stonewall Avenue West, Fayetteville, Georgia.

MEMBERS PRESENT: Al Gilbert, Chairman
Jim Graw, Vice-Chairman
Brian Haren
Douglas Powell
Bob Simmons

STAFF PRESENT: Pete Frisina, Director of Community Services
Dennis Dutton, Zoning Administrator

Welcome and Call to Order:

Chairman Gilbert called the Planning Commission Meeting to order. Chairman Gilbert introduced the Commission Members and Staff.

1. **Consideration of the Minutes of the Meeting held on November 21, 2013.**

Doug Powell made a motion to approve the minutes. Jim Graw seconded the motion. The motion passed 3-0-2. Brian Haren and Bob Simmons abstained from the vote as they were not present at the meeting.

2. **Consideration of the Minutes of the Meeting held on July 2, 2014.**

Jim Graw made a motion to approve the minutes. Doug Powell seconded the motion. The motion passed 5-0.

3. **Consideration of the Minutes of the Meeting held on July 17, 2014.**

Doug Powell made a motion to approve the minutes. Chairman Gilbert seconded the motion. The motion passed 4-0-1. Brian Haren abstained from the vote as he was not present at the meeting.

NEW BUSINESS

4. **Consideration of Preliminary Plat of Flowers Field for the Scarbrough Group, Inc. The property will consist of 12 residential lots zoned R-70 and is located in Land Lot 76 and 85 of the 7th District and fronts on Ellison Road.**

Joey Scanlon said the Preliminary Plat contains 12 lots and the property is zoned R-70 and his clients are looking of approval of the Preliminary Plat.

Doug Powell said on page 2, lot 3 on the cul-de-sac has gray blocks on the plat which make it difficult to see the dimension of the road frontage and he wants to make sure it meets the county requirement.

Joey Scanlon said it is 50 feet which meets the county requirement.

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Doug Powell said on lot 4 is a black line and does that line represent a grassed swale.

Joey Scanlon said the black line leads you to text for drainage basin 3 and indicates a headwall and a grassed swale on the plat.

Doug Powell said footnote #4 states a 1.6 acre pond and is that the pond on lots 8 and 9.

Joey Scanlon said that note was left on the plat by mistake because originally he showed a storm water pond but because this is a large lot subdivision where the lots are two (2) acres or greater a storm water pond is not needed now.

Doug Powell asked if there was sufficient Contiguous Area on lots 3, 4, and 9 due to watershed protection area.

Joey Scanlon said lot 3 has the required Contiguous Area and lots 4 and 9 received variances for Contiguous Area from the Planning Commission.

Doug Powell said there is a line that bisects lots 4, 5, and 6 and he is not clear what the line represents.

Joey Scanlon said that line represents the different soil areas on the lots.

Doug Powell said on the second page it states that the tree protection plan is preliminary and will be completed when a landscape architect comes to the site on the 18th of September.

Joey Scanlon said that the date on the plat is incorrect as the landscape architect visited the site on July 18, 2014.

Jim Graw asked if all of the lots meet the Contiguous Area.

Joey Scanlon said all of the lots meet Contiguous Area except the four (4) lots that received variances for Contiguous Area from the planning Commission.

Jim Graw asked where that was noted on the Preliminary Plat.

Joey Scanlon said that was addressed on note #16.

Doug Powell made a motion to approve the Preliminary Plat of Flowers Field Subdivision. Brian Haren seconded the motion. The motion passed 5-0.

5. **Consideration of the Final Plat of Camp Southern Ground for Spotty Merle, LLC and Camp Southern Ground, INC. The property will consist of three (3) lots zoned PUD-PRL and is located in Land Lots 1 and 32 of the 5th District and Land lots 1, 2, and 3 of the 7th District and fronts on Ebenezer Church Road.**

Jason Walls said this is a three (3) parcel final plat that includes Camp Southern Ground and two (2) residential lots. Jason Walls stated that the plat also includes the Camp Southern Ground Parkway.

Pete Frisina asked Jason Walls to update the Planning Commission on the current variance going before the Zoning Board of Appeals.

Jason Walls said the current variance being sought is from the requirement of the private road being deeded to a Property Owners' Association because it creates issues with the non-profit tax requirements for the camp and it is proposed that the camp own and maintain the road.

Doug Powell asked if the cell tower will be relocated.

Drake Bivins said the plans to move the cell tower have been out on hold for the time being due to the cost of moving the tower.

Doug Powell made a motion to approve the Final Plat of Camp Southern Ground Subdivision. Jim Graw seconded the motion. The motion passed 5-0.

PUBLIC HEARING

- 6. Consideration of Petition No. T-019-14, Skyway Towers, Owner, and PM&A, Agent, request a reduction of the requirements of Sec. 110-105. Standards for Telecommunications Antennas and Towers to develop a 185 foot Monopole Telecommunication Tower. The request is to reduce the 1,000 foot setback from an adjacent municipality to 114 feet. This property is the site of Fayette Self Storage located in Land Lot 168 of the 5th District and fronts on New Hope Road and SR 85 North.**

Chairman Gilbert said we would not read the procedures because there is no public left at the meeting and to simplify this request, the Planning Commission heard this petition some weeks ago, we approved it and it went before the Board of Commissioners but because the Fayetteville City Council had not responded the Board of Commissioners turned it down. He added we now have a letter from the City Council. He said I believe the Planning Commission voted for the petition 5 to 0.

Doug Powell said the vote was 4 to 1 because he voted against the petition but we now have a letter from the city saying they have no objections.

Chairman Gilbert asked if there was anyone from the public that would like to speak, seeing none he asked if there were any questions for the applicant.

Doug Powell said the request has not changed except now there is a letter.

Jim Graw said he wanted ask for the record if any changes have been made since the last request.

Kiersten Lurer said no changes have been made to the request.

Jim Graw said you now have a letter from the Mayor of Fayetteville that says they have no objection to the tower is that correct.

Kiersten Lurer said yes, that was correct.

Jim Graw made a motion to recommend approval of petition T-019-14. Brian Haren seconded the motion. The motion passed 5-0.

Jim Graw asked when the Commission approved the 1,000 foot setback for cell towers from another municipality, did they ask the cities to reciprocate.

Pete Frisina said his understanding was a letter was sent by the County Administrator to each of the cities asking them to reciprocate.

Jim Graw asked if any of the cities reciprocated.

Pete Frisina said not to his knowledge.

Jim Graw said so the only entity with the 1,000 foot setback is the County.

Pete Frisina said as far as he knows that is correct.

- 7. Consideration of Petition No. 1237-14, Kathy S. James, Owner, and Randy Boyd, Agent, request to rezone 1.05 acres from A-R to R-45 for a Single-Family Residential lot. This property is located in Land Lot 17 of the 9th District and fronts on SR 92 North.**

Randy Boyd said he was an engineer and registered land surveyor and was in business in this county for 30 years until the great recent housing recession. He said he had not been before this body for about five (5) years and he welcomes the two (2) new members. He said this property is owned by Kathy James and he would like to give the Planning Commission a picture of the family to pass around. He added that the subject property is on SR 92 North and is a nonconforming lot created in 1978 prior to the current zoning ordinance that was adopted in the November of 1980. He stated that an old house exists on the property and the applicant wants to build a larger house on the property and remove the old house. He said we are asking for an R-45 zoning to reduce the setbacks that are required by the A-R zoning district which is 100 feet on the front, 75 feet on the rear and 50 feet on the sides which takes up a large amount of a one (1) acre lot. He said R-45 requires 60 feet on the front, 30 feet on the rear and 20 feet on the sides with a minimum house size of 1,800 square feet. He said the request meets the land use plan and he thanks Dennis Dutton and Pete Frisina for working with us on this rezoning.

Doug Powell said he would read the following recommended condition for the record:

That the owner/developer shall execute one (1) of the two (2) options below:

- a. Remove the nonconforming single-family residence within 180 days from the effective date of this rezoning; or
- b. If the owner/developer chooses to retain the single-family residence, variances from the Zoning Board of Appeals, to reduce the square footage requirement and allow the encroachment into the front yard setback, shall be obtained from the Zoning Board of Appeals within 180 days from the effective date of this rezoning. If the variances are denied, the owner/developer agrees to take all necessary action consistent with the direction of the Zoning Board of Appeals.

Randy Boyd said the applicant agrees to the condition and will probably choose option a.

Chairman Gilbert said the main reason for the rezoning is to reduce the setbacks.

Randy Boyd that is the main reason for the rezoning because the house could be built but the building area is very limited with the A-R setbacks.

Doug Powell asked about the note on the concept plan about dedicating right-of-way to the state and don't we normally put that as a condition of rezoning.

Pete Frisina said we don't acquire right-of-way on a state route that is a GDOT function and the applicant is willing to give right-of-way to the state if they want it.

Randy Boyd said there would still be one (1) acre left with the right-of-way dedication.

Al Gilbert made a motion to recommend approval of Petition 1237-14 with one (1) condition. Brian Haren seconded the motion. The motion passed 4-1. Doug Powell voted against the motion because it is R-45 surrounded by A-R and R-70 and it sets precedence.

Doug Powell made a motion to adjourn the meeting.

Chairman Gilbert said so moved.

Chairman Gilbert said the meeting was adjourned at 8:10 pm.

PLANNING COMMISSION OF
FAYETTE COUNTY

ATTEST:


AI GILBERT, CHAIRMAN

