

THE FAYETTE COUNTY PLANNING COMMISSION met on February 4, 2016 at 7:00 P.M. in the Fayette County Administrative Complex, 140 Stonewall Avenue West, Fayetteville, Georgia.

MEMBERS PRESENT: Jim Graw, Chairman
Al Gilbert
Brian Haren

MEMBERS ABSENT: Arnold L. Martin, III, Vice-Chairman
John H. Culbreth, Sr.

STAFF PRESENT: Pete Frisina, Director Community Services
Dennis Dutton, Zoning Administrator
Chanelle Blaine, Planning and Zoning Coordinator
Patrick Stough, County Attorney

Welcome and Call to Order:

Chairman Graw called the Planning Commission Meeting to order. Chairman Graw introduced the Commission Members and Staff. He stated a quorum of the Planning Commission were present and explained that any motion made needed three (3) affirmative votes to pass. Chairman Graw said there is less than a full board present tonight and the petitioner has the right to ask to be tabled to the next meeting.

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1. Consideration of the Minutes of the Meeting held on January 7, 2016.

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

2. Consideration of a Minor Subdivision Plat for Betty J. Adams Estate. The property will consist of two residential lots zoned R-70, is located in Land Lot 75 of the 7th District and fronts on Ellison and Sun Road.

Jim Fulton, Broker with Caldwell Banker Realty of Peachtree City spoke on behalf of the Betty J. Adams Estate. He requested that the 17 acres be subdivided into two (2) tracts. He said tract one (1) will consist of 10 acres and tract two (2) will consist of seven (7) acres and the house. He then told the Planning Commission that he would be happy to answer any questions they may have for him.

Chairman Graw told the public that this property has already been rezoned and that this is not a public hearing. He asked the public if anyone wanted to speak to the technical aspects of the property. No one commented so Chairman Graw brought it back to the Planning Commission.

Al Gilbert made a motion to approve the Minor Subdivision Plat for Betty J. Adams Estate. Brian Haren seconded the motion. The motion passed 3-0. Arnold Martin and John Culbreth were both absent.

3. **Consideration of a Minor Subdivision Plat for Jeff Longino. The property will consist of one residential lots zoned A-R, is located in Land Lot 246 of the 4th District and fronts on Hills Bridge Road.**

Jeff Longino, Owner requested to subdivide the property to create one (1) lot to build a house. He asked the Planning Commission if they had any questions for him.

Chairman Graw asked the public if anyone would like to speak to the technical aspects of the property. No one commented so Chairman Graw brought it back before the Planning Commission.

Chairman Graw made a motion to approve the Minor Subdivision Plat for Jeff Longino. Brian Haren seconded the motion. The motion passed 3-0. Arnold Martin and John Culbreth were both absent.

4. **Consideration of a Final Plat for Doyle Lindsey Estate. The property will consist of two residential lots zoned R-70, is located in Land Lot 227 of the 5th District and fronts on New Hope and Kenwood Road.**

Chairman Graw asked if anyone would like to speak to that. No one replied. Chairman Graw stated that he passes the property frequently and knows it very well. He then said the property was discussed a few months back. He informed the public that the property had to go before the Zoning Board of Appeals to obtain a variance and they received it within the 180 day stipulation. He then asked if they're any further discussion.

Al Gilbert made a motion to approve the Minor Subdivision Plat for Doyle Lindsey Estate. Brian Haren then seconded the motion. The motion passed 3-0. Arnold Martin and John Culbreth were both absent.

PUBLIC HEARING

5. **Consideration of Petition No. 1253-16, Trademark Quality Homes, Inc., Owner, and Rod Wright, Agent, request to rezone 26.90 acres from A-R to R-50 to develop a Single-Family Residential Subdivision. This property is located in Land Lot 59 of the 7th District and fronts on Ebenezer Road.**

Chairman Graw told Rod Wright that he had the right to table the petition since there were only three (3) members present. Rod Wright chose to continue with the hearing.

Rod Wright requested the approval to rezone the property off of Ebenezer Road from A-R to R-50. He said that there will be a small street in the subdivision and that no wetlands or streams will be impacted. He stated that the property abuts R-40 one (1) acre zoning. He added that he

would answer any questions they might have for them.

Chairman Graw asked if anyone would like to speak in favor of the petition.

Larry Dove, Fayette County resident, asked the Planning Commission to look at the character of the County and where we want to put more houses and where we want to keep that rural character of the County. He stated that the County has just done a survey called Fayette Visioning and there was no place in the study that said we want more residential density in parts of Fayette County. He asked that the property continue to be zoned A-R.

Chairman Graw asked if anyone else would like to speak in opposition. Hearing none he brought it back before the Planning Commission.

Rod Wright asked to rebut. He then stated that he has done nice looking neighborhoods for the County. He stated that property is in the Land Use Plan for one (1) acre zoning and that R-40 abuts it.

Chairman Graw brought it back before the Planning Commission for discussion. He stated that he has looked at the zoning proximity map and that there is a lot of A-R property in the area and R-70 property. He added that there was a small patch of R-40 property among the R-70 and A-R zoning. He said that he doesn't feel comfortable with an R-50 zoning in the area. He understood that eventually people will want to sell their large tracts of A-R property for subdivisions, but he feels that rezoning the property to R-50 will set a precedent. He stated that right across the road there is plenty of R-70 property. He then stated that R-70 property has a two (2) acre minimum and R-50 property has a one (1) acre minimum. He added that the minimum size house for an R-70 lot is 1,500 square feet and for an R-50 lot the minimum square footage for a house is 2,100 square feet.

Chairman Graw made a motion to recommend approval of Petition 1253-16 as R-70. Brian Haren seconded the motion.

Al Gilbert addressed Larry Dove's comments. He stated that the Planning Commission must adhere to the Land Use Plan. He said that he doesn't have a problem with the R-50 zoning because the value of the homes in the area will be greater than that of an R-70 zoning. Al Gilbert then called on Rod Wright to voice his opinion.

Rod Wright stated that if the property was zoned R-70 the infrastructure would not be feasible for him to carry out. He added that reason why he chose R-50 was because of the side setback lines. He said that he would be willing to put homes with higher square footages in the subdivision. He added that could be a condition the Planning Commission could set.

Al Gilbert stated that the Planning Commission can't put a condition on the square footage of a home. He added that the County is not concerned about his cost. He told Rod Wright that he believes he has said what the Planning Commission needed to hear.

Chairman Graw asked if there was any discussion for the motion to recommend approval of Petition 1253-16 as R-70.

Pete Frisina told the Planning Commission that there are three (3) conditions based on the R-50 zoning. He stated that the main condition was the dedication of 10 feet of right-of-way. He added that he doesn't know how the other two (2) conditions would be effected because the conditions are based on R-50 zoning and not R-70 zoning.

Chairman Graw then made a motion to recommend approval of Petition 1253-16 as R-70 with three (3) conditions.

Pete Frisina interjected saying that he doesn't know if condition three (3) would apply because they're moving to a different zoning district. He advised Chairman Graw to go with conditions one (1) and two (2) if he is changing to R-70 zoning.

Chairman Graw read the conditions one (1) and two (2):

1. The owner/developer shall provide, at no cost to Fayette County, a quit-claim deed for 50 feet of right-of-way as measured from the centerline of Ebenezer Road prior to the approval of the Final Plats and said dedication area shall be shown on the Final Plats.
2. That the owner/developer provides an Ingress-Egress Easement, described in metes and bounds with a minimum width of 20 feet, to the property owner of Tract 2. Said Ingress-Egress Easement shall be recorded with the Clerk of Superior Court.

Chairman Graw then made a motion to recommend approval of Petition 1253-16 as R-70 with two (2) conditions. Brian Haren seconded the motion. He asked for Rod Wright to comment to the change in request.

Patrick Stough informed the Planning Commission that the petitioner cannot make any recommendations because the vote is closed.

Chairman Graw stated that the vote is now back before the Planning Commission and no one from the public can speak in favor or against it.

Al Gilbert stated that the only reason why he asked Rod Wright to come back up was because the zoning request was changed, and he felt that he had a right to comment.

Chairman Graw called for the vote. The vote was 2(Chairman Graw and Brian Haren)-1(Al Gilbert). Arnold Martin and John Culbreth were both absent.

Al Gilbert made a motion to recommend approval of Petition 1253-16 as R-50.

Pete Frisina stated that you cannot condition a house size. He said that there was another one (1) acre zoning district with a larger zoning size.

Al Gilbert asked what the square footage for the home is.

Pete Frisina replied 2,500.

Al Gilbert made a motion to recommend approval of Petition 1253-16 as R-50. The motion died for lack of a second.

Pete Frisina stated that he doesn't know if the Planning Commission wants to consider R-55 zoning. He said that R-55 has a larger house with a one (1) acre minimum, side yard setback is 25 feet and rear setback is 50 feet. He added that the interior setback for the subdivision would be 50 feet and on Ebenezer would be 100 feet. He stated that it's pretty similar to R-50 except for the setbacks.

Charmain Graw said Brian Haren suggested that they table the Petition.

Al Gilbert made a motion to table Petition 1253-16 to February 18, 2016. Brian Haren seconded the motion. The motion passed 3-0. Arnold Martin and John Culbreth were both absent.

Al Gilbert made a motion to adjourn the meeting. Chairman Graw said the meeting was adjourned at 7:39 pm.

ATTEST:



PLANNING COMMISSION OF
FAYETTE COUNTY



JIM GRAW, CHAIRMAN

