

**BOARD MEMBERS**

Jim Graw, Chairman  
Arnold L. Martin, III, Vice-Chairman  
John H. Culbreth, Sr.  
Al Gilbert  
Brian Haren

**STAFF**

Peter A. Frisina, Director of Community Services  
Dennis Dutton, Zoning Administrator  
Chanelle Blaine, Planning and Zoning Coordinator

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**AGENDA**  
**FAYETTE COUNTY PLANNING COMMISSION MEETING**  
**140 STONEWALL AVENUE WEST**  
**MARCH 17, 2016**  
**7:00 pm**

**\*Please turn off or turn to mute all electronic devices during the Planning Commission Meetings\***

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1. Consideration of the Minutes of the Meeting held on March 3, 2016.

**NEW BUSINESS**

2. Consideration of a Variance request (V/A 010-16) for proposed Flowers Field Subdivision, Scarbrough Group, Inc., Owner, and Donna Black, Brent Holdings, LLC, Agent, from the Fayette County Subdivision Regulations, Section 104-597. (3). Contiguous Areas for Residential Development. This variance is to reduce the contiguous area for Lots 2, 5, 9, and 11. This property is located in Land Lot 76, of the 7<sup>th</sup> District, fronts on Flowers Road, and is zoned R-70.
3. Discussion of A-R Deer Processing and Wedding /Event Facility.

**THE FAYETTE COUNTY PLANNING COMMISSION** met on March 3, 2016 at 7:00 P.M. in the Fayette County Administrative Complex, 140 Stonewall Avenue West, Fayetteville, Georgia.

**MEMBERS PRESENT:** Arnold L. Martin, III, Vice-Chairman  
John H. Culbreth, Sr.  
Al Gilbert  
Brian Haren

**MEMBERS ABSENT:** Jim Graw, Chairman

**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:**

Vice-Chairman Arnold Martin called the Planning Commission Meeting to order. Vice-Chairman Martin introduced the Commission Members and Staff.

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**1. Consideration of the Minutes of the Meeting held on February 18, 2016.**

Al Gilbert made a motion to approve the minutes. John Culbreth seconded the motion. The motion passed 4-0. Chairman Graw was absent.

**2. Consideration of Petition No. 1253-16, Trademark Quality Homes, Owner, and Moore Bass Consulting Inc., 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.**

Vice-Chairman Martin stated that the applicant sent in a letter requesting that the Petition be tabled to April 7, 2016 due to lack of a full board. He asked the Planning Commission if they received that letter and had time to review.

Planning Commission replied yes they received the letter.

Vice-Chairman Martin asked for motion to table the petition to April 7, 2016.

John Culbreth made a motion to table Petition 1253-16 to April 7, 2016. Brian Haren seconded the motion. The motion passed 4-0. Chairman Graw was absent from the meeting.

**3. Consideration of Petition No. 1254-16, Gary and Kaora Sloan, Owner, and Mark Whitley, Agent, request to rezone 1.50 acres from A-R to O-I to develop an Office**

**Building. This property is located in Land Lot 7 of the 6<sup>th</sup> District and fronts on S.R. 74 South.**

Vice-Chairman Martin reiterated the procedures to public hearings for the rezoning of property. He stated that since the Planning Commission does not have a full board they have the opportunity to table their petition.

Mark Whitley, representing Gary Sloan, said he would like to move forward. He stated that the property is actually 7.7 acres, and his client would like to cut out 1.5 acres to build an office building to house his business. He stated that Mr. Sloan has an inspection business and would like to build his own house on the remaining acres. He showed the Planning Commission a copy of the proposed building. He said that the building will have a residential character. He added that there may be issues with staff recommendations on the building but he would be happy to discuss. He said that those requirements may be from the overlay district requirements. He stated that he would be happy to answer any questions. He added that the owner Gary Sloan and the contractor Mike Ford would also be happy to answer any of the Planning Commissions questions.

Vice-Chairman Martin asked if there were any opponents to the petition. Hearing no opposition he closed the public hearing portion of the meeting, and brought the petition before the Planning Commission to discuss.

Al Gilbert stated that the Planning Commission has spent two (2) years changing the land-use plan in that area. He said that there were a lot of estate homes in that area and people were selling their property. He added that the Planning Commission thought the area was a good location for office buildings because of its close proximity to the hospital.

Brian Haren asked if there was enough space for parking requirements.

Pete Frisina replied that Office Institutional is a one (1) acre minimal lot size. He said that this is 1.5 acres and they will have to meet the parking requirements.

Brian Haren said he doesn't have an issue.

John Culbreth asked staff if there were any other precedent setting lots out there similar to this. He stated that he wasn't familiar with this area.

Pete Frisina stated staff provided a map of the property in their packages at the last Planning Commission Meeting. He said that the property is south of intersection of Redwine Road and S.R. 74 and north of the intersection of S.R. 74 and S.R. 85. He reiterated that it is in an area designated for Office Institutional zoning according to the land use plan. He added that this is the first rezoning to come in since the change has been made.

Vice-Chairman Martin asked if there were any problems with the parking.

Mark Whitley said that they feel they can meet the requirements for parking and landscaping.

Pete Frisina said that they would have to meet our parking requirements based on square footage. He said that the Planning Commission is seeing the parking in the front of the building (according to the picture presented by Mark Whitley), and the overlay district requirements call for no more than 50% in the front. He added that they will need to redesign that.

Brian Haren asked Mark Whitley if he was giving himself enough space for parking.

Mark Whitley said that they feel as though they have enough parking.

Brian Haren asked if there were any conditions for the petition.

Vice-Chairman Martin and Al Gilbert replied no.

Brian Haren made a motion to recommend approval of Petition 1254-16. Al Gilbert seconded the motion. The motion passed 4-0. Chairman Graw was absent from the meeting.

**4. Consideration of Petition No. 1255-16, Morris E. Lewis Jr., Owner, request to rezone 2.15 acres from A-R to R-70 to develop a Single-Family Residential Subdivision. This property is located in Land Lot(s) 224 & 225 of the 13<sup>th</sup> District and front on Wagon Wheel Trail.**

Vice-Chairman Martin stated that the Planning Commission does not have a full board and the petitioner has the opportunity to table for another time.

Morris Lewis said that he would like to move forward. He stated that he resides next door to the property. He said that he promised to build his wife a house and the land came on the market at a good price. He added that in order for him to build her the house she wanted he would need to sell a portion of the land. He said that a family friend would be buying that piece of land from him to absorb some of the cost of construction for his new house. He said he would be happy to answer any questions from the board.

Vice-Chairman Martin asked if there was anyone in opposition of the petition. Hearing no opposition he closed the public hearing portion of the meeting, and brought the petition before the Planning Commission to discuss.

Brian Haren asked Morris Lewis if he owned the entire parcel that the lot is being subdivided out of.

Morris Lewis replied yes sir.

Brian Haren asked if he was going to sell off a portion or most of what is left over.

Morris Lewis replied that he is only selling two (2) acres of land and the remaining will be his.

Al Gilbert asked about the condition on the property.

Brian Haren replied that it was a quit-claim deed for right-of-way.

Al Gilbert asked Morris Lewis if seen the recommended condition.

Morris Lewis replied no.

Pete Frisina replied that it's the dedication of right-of way.

Brian Haren read the condition:

The owner/developer shall provide, at no cost to Fayette County, a quit-claim deed for 30 feet of right-of-way as measured from the centerline of Wagon Wheel Trail prior to the approval of the Final Plat and said dedication area shall be shown on the Final Plat.

Morris Lewis said he has no problems with complying with the condition. He said that he believes when W.D. Gray (surveyor) did the plat he indicated the dedication of right-of-way on it.

Vice-Chairman Martin asked if there were any other questions for Morris Lewis.

Al Gilbert made a motion to recommend approval of Petition 1255-16 with one (1) condition. John Culbreth seconded the motion. The motion passed 4-0. Chairman Graw was absent from the meeting.

## **OLD BUSINESS**

### **5. Discussion of the SR 74 and SR 85 intersection.**

Pete Frisina passed out to the Planning Commission a map showing the land-use and a press release of the proposed Starrs Mill Historic Overlay District. He said the press release will go over the basics and talk about the Starrs Mill Overlay District Zone and goals. He added that he would produce a link on their website where people can go and view the map, verbiage, color palate, and our phone number so they can call the department for more information. He asked the Planning Commission if they were okay with it. He also asked if the Planning Commission if they received the verbiage sent to them via email regarding the fencing portion of the overlay district. He passed out pictures of plastic fences to the Planning Commission.

Vice-Chairman Martin asked if we would tell the public that calls for more information to come to a meeting that will be more in-depth about the Historic District.

Pete Frisina replied yes that is what we intend to do. He stated that we will not have a public hearing on this until May due to some scheduling conflicts. He said that it gives us an opportunity to have a few workshops to listen to some comments from the public.

Vice-Chairman Martin said he thinks that's a great way of getting the message out there.

Brian Haren asked if staff received guidance from the Board of Commissioners.

Pete Frisina replied no and that the guidance he received previously was enough. He stated that the guidance he got was good and has made those changes. He said he changed the fencing section and added the verbiage about signs having the same characteristics architecturally as the building.

Pete Frisina asked the Planning Commission to look at the map's northeast corner where it is labeled low density residential. He said there is an area up there that he labeled Transportation, Communication, and Utilities that is owned by the Water System. He asked the Planning Commission if they would like to label it Parks.

Vice-Chairman Martin asked if the labeling (Transportation, Communication, and Utilities or Parks) would affect how the land is used.

Pete Frisina replied no because it's owned by the County.

Al Gilbert stated he would be concerned that if they labeled it as a park, and some people may think that it is a park.

Pete Frisina replied that it is a passive park.

Al Gilbert said that it is something that the Board of Commissioners should decide. He asked if the area was recognized as a park already.

Pete Frisina replied that it is not a part of the Parks and Recreation Department but it is owned by the Water System and there is an intake at Starr's Mill. He asked the Planning Commission if they were good with the Transportation, Communication, and Utilities designation.

Planning Commission replied that they were good with the designation being Transportation, Commercial, and Utilities.

Brian Haren asked about using the label Conservation Areas.

Pete Frisina replied Conservation is only used for floodplain areas.

Vice-Chairman asked if we wanted to schedule a meeting for the public to respond to the press release.

Pete Frisina replied that you will have three (3) meetings between now and May. He said that the people can come in between those times to voice their opinion.

Brian Haren asked who owns the piece of property east of Waterfall Way.

Pete Frisina replied the church owns that piece of property. He said that there was a gravel road that goes down that line but he doesn't think it is maintained by the County. He added that it creates a good dividing line for what there trying to create.

Al Gilbert asked if the property south of Waterfall Way and North of S.R. 85 is owned by the County.

Pete Frisina stated that the church owns that property and some of the property north of Waterfall Way. He added that some of the land is owned by other individuals.

Al Gilbert asked if we were going to have a workshop this month.

Pete Frisina replied you will have a workshop in March, a public hearing in April, and another workshop at the end of April.

Vice-Chairman Martin asked if there were any other business that needed to be taken care of tonight. Hearing none he asked for a motion.

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John Culbreth made a motion to adjourn the meeting. Vice-Chairman Martin said the meeting was adjourned at 7:28 pm.

**PLANNING COMMISSION OF  
FAYETTE COUNTY**

**ARNOLD MARTIN, VICE- CHAIRMAN**

**ATTEST:**

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The Scarbrough Group, Inc.  
518 Main Street  
Palmetto, GA 30268  
(678) 429-2903

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February 24, 2016

Fayette County Planning Commission  
c/o Dennis Dutton, Zoning Administrator  
140 Stonewall Avenue  
Fayetteville, GA 30214

RE: Request for Variance, Flowers Field Subdivision

Dear Mr. Dutton,

Please accept this request for a variance to the requirement for a minimum of 0.9 acres of "contiguous buildable area" (CBA) for four lots within Flowers Field subdivision located on Ellison Road in Fayette County. Specifically, the impacted lots are:

Lot 2 with 0.76 acre of CBA  
Lot 5 with 0.897 acre of CBA  
Lot 9 with 0.75 acre of CBA  
Lot 11 with 0.87 acre of CBA

Although the most impacted of the lots is short by 0.15 acre of CBA, the attached exhibits show that all four of the lots easily accommodate a house, pool and detached garage, should a homeowner choose to make those additions.

We are happy to provide any additional information that you request. We appreciate your consideration of this matter.

Sincerely,



Dawn Scarbrough  
President

APPLICATION OF UNDUE HARDSHIP UNDER  
THE FAYETTE COUNTY SUBDIVISION REGULATIONS

Sec. 8-510. Legal status.

- (b) Variance or Appeal: In cases of undue hardship under this Ordinance, the property owner may petition the Planning Commission for a Variance or an Appeal from the decision of any of the aforementioned appropriate departments with regard to interpretation, administration, and enforcement. If the Planning Commission does not grant the variance or appeal, the property owner may then appeal to the Board of Commissioners.

Petition No.: \_\_\_\_\_

Name of Petitioner: The Scarbrough Group, Inc.

Address: 518 Main St.

City, State, Zip Code: Palmetto GA 30268

Telephone Number: 678-429-2903

Subdivision Name: Flowers Field

Fronts on: Ellison Road

Land Lot(s): 74

District(s): 7<sup>th</sup>

Zoning District: R70

Date Preliminary Plat Approved by P.C.: 08-07-14

Signature: 

Title: President

Planning Commission Hearing Date: 03-17-16

Request: See attached.

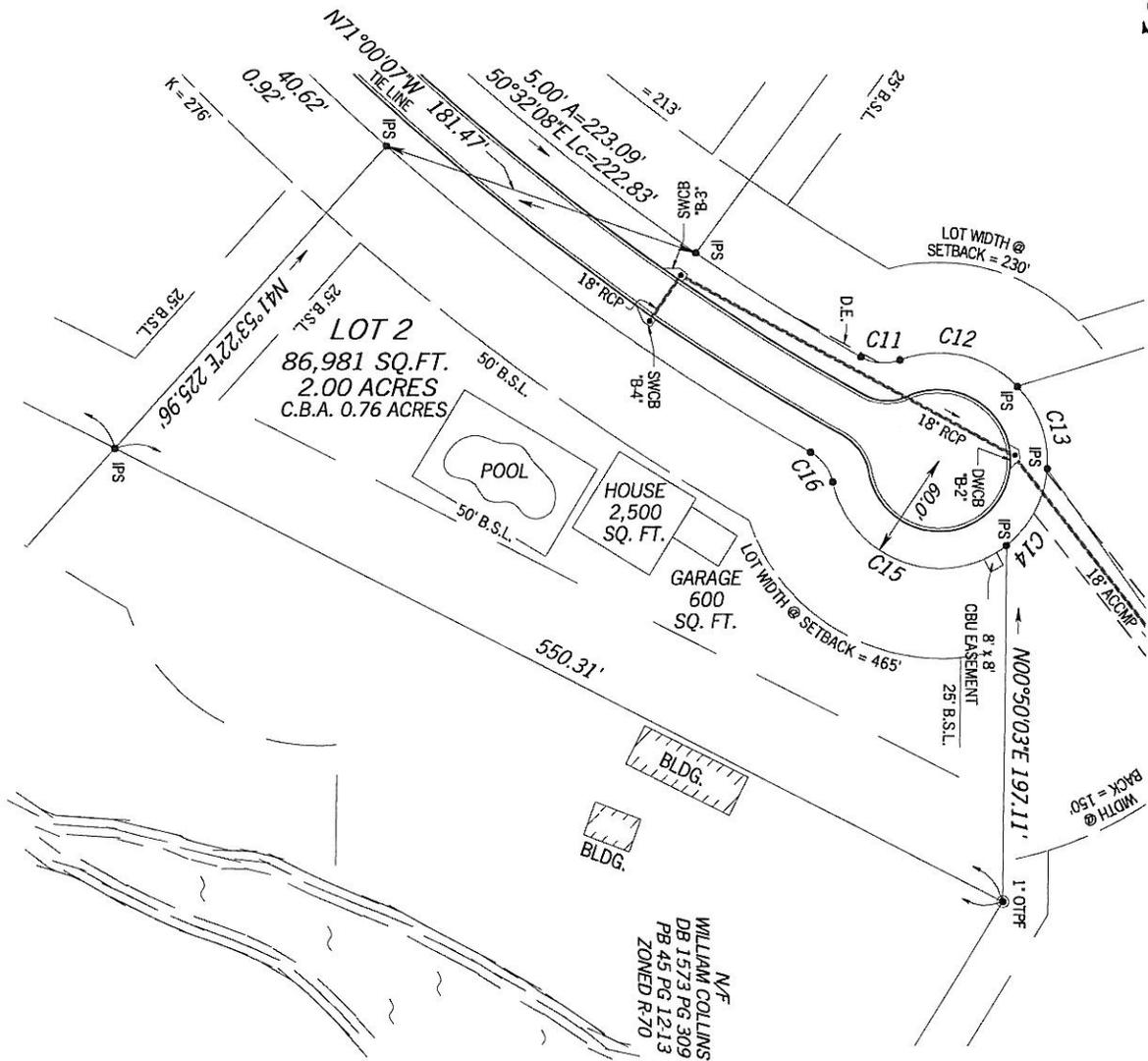
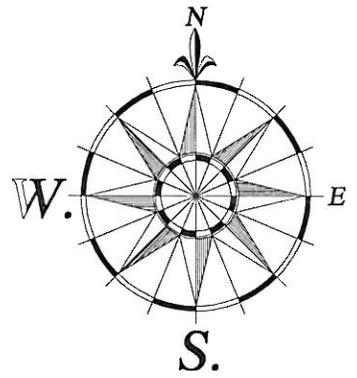
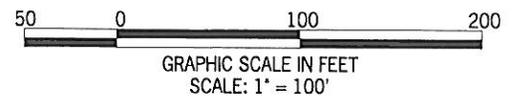


EXHIBIT PREPARED FOR:

# FLOWERS FIELD SUBDIVISION

## LOT #2



LAND LOT: 76  
 DISTRICT: 7TH  
 SECTION: N/A  
 COUNTY: FAYETTE  
 STATE: GEORGIA

SCALE: 1" = 100'  
 CHECKED BY: SDW  
 DRAWN BY: NDW  
 DATE: 2-22-16  
 JOB #: 2015.006



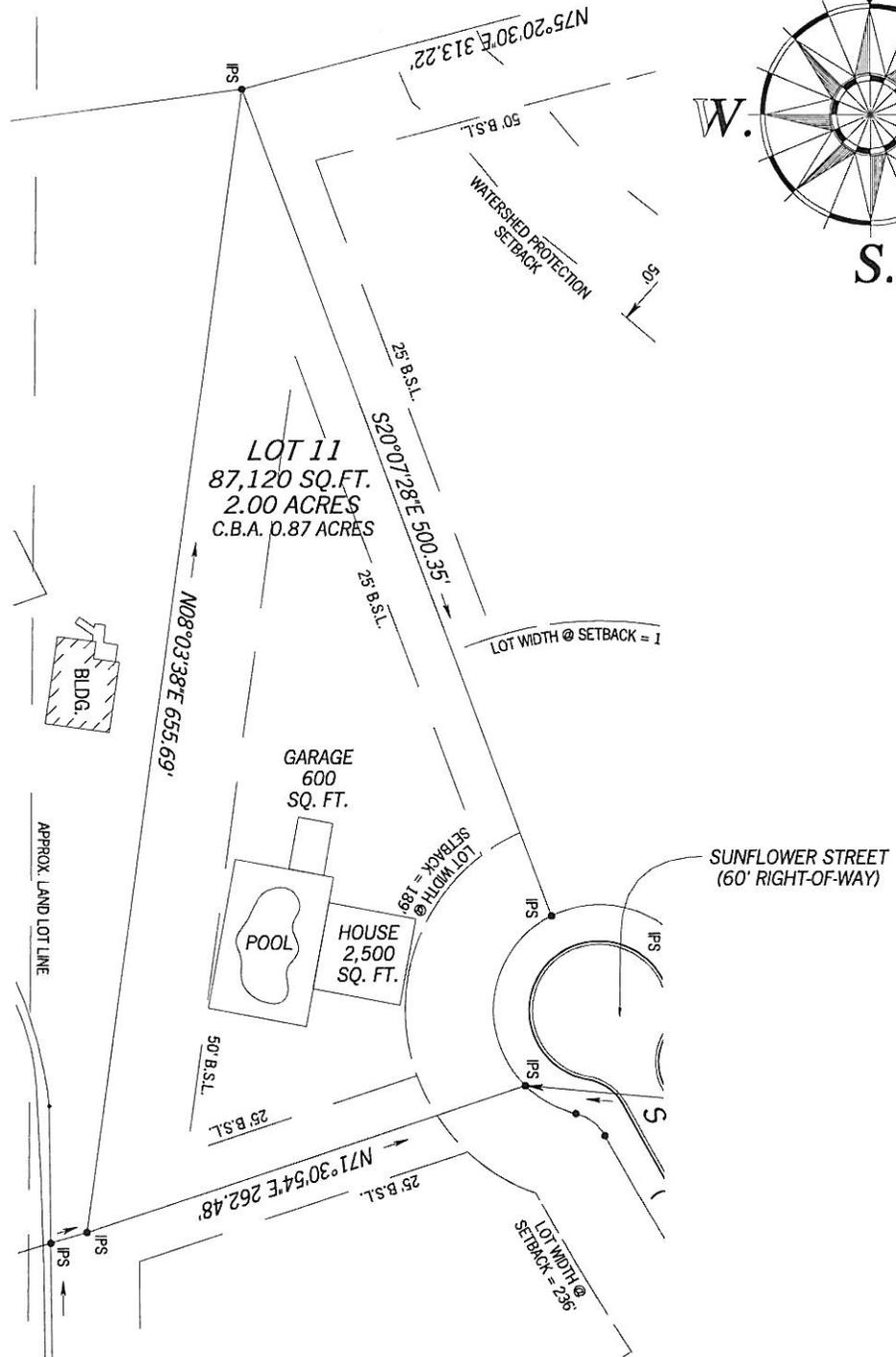
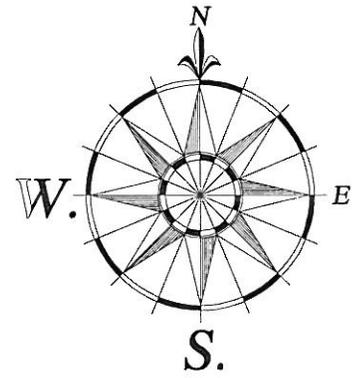
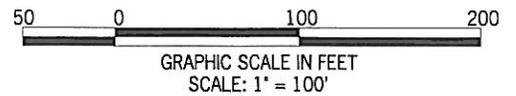


EXHIBIT PREPARED FOR:

# FLOWERS FIELD SUBDIVISION

## LOT #11



LAND LOT: 76  
 DISTRICT: 7TH  
 SECTION: N/A  
 COUNTY: FAYETTE  
 STATE: GEORGIA

SCALE: 1" = 100'  
 CHECKED BY: SDW  
 DRAWN BY: NDW  
 DATE: 2-22-16  
 JOB #: 2015.006

**ZONING ORDINANCE- SECTION 110-3 DEFINITIONS (the following to be added in its entirety to the list of definitions)**

*Deer processing facility* means a facility where deer is processed into various cuts of venison.

**ZONING ORDINANCE- Sec. 110-169. - Conditional use approval. (the following to be added in its entirety to the list of Conditional Uses in A-R)**

- #. *Deer processing facility.* The facility shall only be utilized for deer processing. The facility shall not be utilized for the processing of livestock or other wild game. Allowed in the A-R zoning district.
1. Minimum lot size: five acres;
  2. These facilities shall not be permitted on a lot which accesses a road designated as an internal local road by the county thoroughfare plan and/or the County Engineer;
  3. Sale of the processed venison to the general public shall be prohibited. This provision shall not prohibit the processing of meat in conjunction with the Department of Natural Resources' "Hunters for the Hungry" program;
  4. All deer processing shall take place within an enclosed structure. Said structure shall be at least 100 feet from all property lines and to the side or rear of the principal structure, as applicable. The deer processing facility shall comply with regulations for auxiliary structures (see Sec, 110-169, u.);
  5. The deer processing facility shall have a current Wildlife Storage Permit from the Georgia Department of Natural Resources, Wildlife Resources Division;
  6. The deer processing facility shall have a NPDES Permit, as applicable, from the Environmental Protection Division of the Georgia Department of Natural Resources and said permit shall be filed with the Department of Environmental Management;
  7. All deer processing waste, not being routed to a rendering plant or other vendors, shall be disposed of in compliance with the Guidance Document Disposal of Deer Processing Waste from the Georgia Department of Natural Resources, Environmental Protection Division. Deer processing waste shall be treated as "commercial solid waste" and shall only be disposed of in Municipal Solid Waste Landfills (MSWL). The burial of any deer processing waste is prohibited;
  8. A vehicle drop-off area shall be provided with a circulation pattern permitting vehicles to re-enter the public street in a forward manner. The parking area shall comply with Article VIII. - Off-Street Parking and Service Requirements of the Development Regulations; and
  9. A site plan meeting the full requirements of the Fayette County Development Regulations is not required. A sketch, drawn to scale, on a survey of the lot depicting all buildings utilized for the processing facility, parking area, drop-off area/circulation pattern and any waste containment facilities/structures shall be required. The survey shall also depict FEMA and MNGWPD floodplain and elevations, and watershed protection buffers and setbacks, as applicable. In the event that 5,000 or more square feet of impervious surface is added in conjunction with a deer processing facility, a site plan compliant with stormwater requirements of the Fayette County Development Regulations shall be required. The site will be exempt from the Nonresidential Development Landscape Requirements of the Fayette County Development

Regulations. A site located on a State Route shall comply with the applicable Transportation corridor overlay zone (Sec. 110-173) with the exception of the Architectural standards.

**ZONING ORDINANCE- Sec. 110-169. - Conditional use approval. (the following to be amended in as follows)**

*f. A-R wedding/event facility.* The facility shall be utilized for private and public weddings and events by a third party who provides some form of consideration to the owner or his/her agent. The facility shall not be utilized for concerts, sporting events, or vehicle racing. A horse show, rodeo, carnival, community fair, and/or religious tent meeting shall also be allowed as regulated in this article and this section and the most restrictive conditions shall apply. Allowed in the A-R zoning district.

1. Minimum lot size: fifteen acres.
2. These facilities shall not be permitted on a lot which accesses a road designated as an internal local road by the county thoroughfare plan and/or the county engineer.
3. Facilities which access an unpaved county-maintained road are limited to 12 weddings/events per calendar year. A wedding/event permit from the planning and zoning department is required prior to holding the wedding/event.
4. A minimum 100 foot setback shall separate all buildings and areas utilized for weddings and events from any abutting residential zoning district. Otherwise all buildings and areas utilized for weddings and events shall meet the minimum A-R setbacks.
5. Adequate off-street parking shall be required and a 50-foot setback shall separate parking areas from any abutting residential zoning district. **A prepared surface is not required for the parking areas. However, any parking area with a prepared surface shall comply with Article VIII. - Off-Street Parking and Service Requirements of the Development Regulations and must be depicted on a sketch, drawn to scale on a survey of the lot.**
6. Hours of operation for weddings and events shall be between the hours of 9:00 a.m. and 10:00 p.m. on weekdays and 9:00 a.m. and 11:00 p.m. on weekends. These hours of operation shall not limit the setup and cleanup time before and after the wedding or event.
7. All structures utilized for weddings and events shall meet all applicable building and fire codes.
8. Sanitation facilities shall be approved by the environmental health department.
9. Food service shall meet all state and local requirements.
10. Tourist accommodations shall not be allowed in conjunction with an A-R wedding and event facility.
11. Tents shall require **the county fire marshal approval, as applicable of the county fire marshal.**

12. A site plan meeting the full requirements of the Fayette County Development Regulations is not required. A sketch, drawn to scale on a survey of the lot depicting all existing buildings and specific areas utilized for weddings and events shall be required. The survey shall also depict FEMA and MNGWPD floodplain and elevations, and watershed protection buffers and setbacks as applicable. In the event that 5,000 or more square feet of impervious surface is added in conjunction with a wedding and event facility, a site plan compliant with stormwater requirements of the Fayette County Development Regulations shall be required. The site will be exempt from the Nonresidential Development Landscape Requirements of the Fayette County Development Regulations. A site located on a State Route shall comply with the applicable Transportation corridor overlay zone (Sec. 110-173) with the exception of the Architectural standards.