

THE FAYETTE COUNTY PLANNING COMMISSION met on October 20, 2016 at 7:00 P.M. in the Fayette County Administrative Complex, 140 Stonewall Avenue West, Fayetteville, Georgia.

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

STAFF PRESENT: Pete Frisina, Director of Community Services
Dennis Dutton, Zoning Administrator
Chanelle Blaine, Planning and Zoning Coordinator

Welcome and Call to Order:

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

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1. Consideration of the Minutes of the Meeting held on October 6, 2016.

Brian Haren made a motion to approve the minutes. Motion seconded by John Culbreth. The motion to approve the minutes was 4-0-1. Al Gilbert abstained.

2. Consideration of Final Plat of Tracts 1 & 2 Rolling Brook. The property will consist of two (2) residential lots. This property is located in Land Lot 251 of the 4th District and fronts on Providence Drive. The property is zoned PUD Retreat.

Chairman Graw stated that this is not a public hearing and they do not take input from the public, but if anyone would like to make input to the technical aspects of the plat they will gladly accept those comments.

Carl Avrit stated that they have been working with Dennis and Pete for the last six (6) months to iron out all the technical difficulties including creating a flag post lot so they wouldn't have anything land locked. He said that he thinks it has passed through every department and they have signed off on it. He added that they don't have anything to add unless the Planning Commission had questions for them. He stated that Jewel Kilgore and her husband are one (1) of the potential buyers for one (1) of the lots, and my wife and I want to purchase the other lot that we are creating out of this PUD.

Chairman Graw asked if anyone else would like to speak to the technical aspect of the plat. Hearing none he brought back to the Planning Commission.

Chairman Graw asked what a PUD Retreat is and when was it established.

Dennis Dutton replied that was approved by the Board of Commissioners and was a zoning development for a Christian retreat for Greg Risina. He stated that Joe still owns most of it and nothing has changed but the two (2) tracks. He said in 1978 the Board of Commissioners approved this type of development as a Christian retreat with offices, and is our first PUD for the County.

Al Gilbert stated that the owner did a lot of family counseling down there.

Arnold Martin asked if this was our only PUD Retreat.

Pete Frisina replied no, that is what Camp Southern Ground is. He stated that there was another one (1) years ago and it was a hunting lodge. He said that the hunting lodge got turned into a subdivision.

Al Gilbert made a motion to approve the Final Plat of Tracts 1 & 2 Rolling Brook. Motion seconded by John Culbreth. The plat was approved by a vote 5-0.

3. Consideration of Final Plat of Benedetti Estates. The property will consist of two (2) residential lots. This property is located in Land Lot 16 of the 9th District and fronts on Lees Lake Road. The property is zoned R-70.

Chairman Graw reads a letter by Silvia Benedetti dated for October 19, 2016:

This is a request to table my application to subdivide into two tracts my property located at 639 Lees Lake Road in Fayetteville. I need additional time on the decision to subdivide and am not ready to seek approval on Thursday, October 29, 2016. I will contact you with further instructions when I make my decision. Thank you for all the help you have given me in this procedure.

Chairman Graw stated that the problem came up with the barn on lot two (2) was built in the setback. He said that she was informed that it would have to go to the ZBA for approval, and at that point she decided to table it. He asked if a motion was needed.

Pete Frisina replied it's not a public hearing and is not advertised. He said we will take care of it when she comes back.

Chairman Graw said if it comes back to us fine and if it doesn't come back to us fine also.

Brian Haren asked if the barn was grandfathered in.

Pete Frisina replied yes, if you leave it alone.

Brian Haren stated that it is only because they want to subdivide the property that the barn will have to be brought into compliance.

Pete Frisina agreed.

Chairman Graw asked if it is approved it would become an illegal lot.

Pete Frisina replied yeah, what we have been trying to do is once something is brought into to us and you want to do something to the property we want everything to be brought into compliance. He stated if it requires you getting a variance, then you have to go ask for a variance. He said that variances are not guaranteed.

4. Consideration of Minor Subdivision Plat for Christ's Church at Whitewater. The property will consist of one (1) lot. This property is located in Land Lot 253 of the 4th District and fronts on Christopher Drive and S.R. 85. The property is zoned A-R.

Chairman Graw asked if anyone would like to speak to the technical aspects of the plat.

Dennis Dutton replied that John Lee with the Konos Academy would like to place his campus there. He stated that Mr. Lee would not be able to attend the meeting tonight. He said that they had discuss this and looking at the ordinance dealing with setbacks and the church property and also if there was going to be a non-residential use of the property. He added in order for them to start their site plans for the campus facility they had to subdivide the lot. He stated that Christ Church cut off 5.50 acres and they will go through a contract for a lease to purchase that property. He said that after that they can submit site plans for construction.

Al Gilbert asked if they were going to build a gymnasium there and if it was going to be used by a group of home schoolers.

Dennis Dutton replied yes, and it will have a classroom set up where they can interact.

Chairman Graw asked if they had talked about it six (6) to eight (8) months ago.

Al Gilbert replied yes, it hit a snag.

Chairman Graw asked if anyone from the public would like to speak to the technical aspects of the plat. Hearing none he brings it back to the Planning Commission.

Brian Haren made a motion to approve the Final Plat for Christ's Church. Motion seconded by Al Gilbert. The plat was approved by a vote 5-0.

5. Discussion of Septic System / Drain Field Setback.

Pete Frisina stated that septic system / drain field setback is in Section 110-93. He said that State law use to be 10 feet for the septic tank and drain fields and our ordinance followed that same setback. He added that a year or two (2) ago the State changed the rules that the tank had to be 10 feet away, but the drain field can be five (5) feet away. He stated that they have come into a couple of instances where Environmental Health has said we could have gotten a drain field in if we had your setback changed to match the State. He said that this has gone through Environmental Health and meets the State's standards. He added that this is just housekeeping and they just want to follow what the State does.

Chairman Graw asked if this had to go to a public hearing.

Pete Frisina replied yes. He asked if they would like for him to go ahead and advertise for it.

Arnold Martin asked if in the future the State changes it again will we continue to follow suit.

Pete Frisina replied that the State trumps us. He said that it has probably been a year or two (2) when they could have used that five (5) feet.

Arnold Martin asked what happen in those situations.

Pete Frisina replied that it made it much more difficult.

Dennis Dutton stated that we had a variance of five (5) feet for the Subway on S.R. 138.

Pete Frisina replied that it was in the buffer.

6. Discussion of Tourist Accommodations.

Pete Frisina stated that this is still evolving and that he met with the County Attorney, Environmental Health Specialist, and the Marshal's department who oversees the tourist accommodations. He said that he will have to go back in and fix those as well. He added that we will have three (3) ordinances that deal with this the zoning ordinance, the code for tourist accommodations, and the code for hotel/motel excise tax. He stated that in the meeting with Dennis Davenport he suggested creating Bed and Breakfast in the Zoning Ordinance that is dealing with the A-R district which is would fall under a conditional use. He said he also suggested that they create and separate Bed and Breakfast from commercial and office districts away from just being a hotel, because of tourist accommodations of the State it is defined differently than a hotel. He added that part of that definition for a Bed and Breakfast allows for different kitchen facilities than if you were a hotel. He stated that they're not as stringent for a Bed and Breakfast as it is for a hotel, but under the State tourist accommodations the maximum is 20 rooms. He said if you were in a commercial zoning in the County you just change it to that, which is the same thing.

Arnold Martin asked Pete Frisina where things fall in with the new cottage industry where people rent out their homes to these different sites like Airbnb; where they post their homes on the internet for people to come and stay. He stated that he is seeing people instead of renting out their homes long-term; the home is just a continual rental that is turned over and over. He said that technically that is a hotel.

Chairman Graw asked if he was saying people put their house up on the internet and advertised for an extra bedroom. He added that people just advertise to put people up for \$50.

Arnold Martin replied yes, all over the world not just in the United States. He stated that you make much more turning money over continually. He said that this is going to become a trend especially with studios being here. He added that we will have more short-term requirements and needs than

long-term and where does it fall within this.

Pete Frisina stated that about two (2) or so years ago they were dealing with that issue. He said they had a code section written called tourist accommodations, and that is what this refers back to. He added that was an attempt to try and put some regulations for what you just talked about and for bed and breakfasts. He stated when he started to work on this about three (3) months ago he noticed that the ordinances weren't cooperating. He said that he has talked with the County Attorney and that it will need revision because it was not well defined. He added that he is trying to work on all three (3) of these at the same time. He stated that the Hotel/Motel tax has to match up as well. He said he wanted to give them what he has so far from the Zoning Ordinance. He reiterated that the ordinance was an attempt to address that, but now that they see how they did it, it wasn't quite good enough. He added that the ordinance was written because of an issue that they were having with a property in the County. He stated that they needed to have some way to regulate it, and we didn't have the regulations in place; so we had to write it and it's an annual permit. He said that they have no one who has gone through this Article six (6). He added that the property they were having problems with once they put this in place came in and thought about applying, and then decided not to. He stated that he doesn't think they have stop doing it. He said if you are using your home as an Airbnb you should come into us and obtain an annual permit. He added that another problem they are having is people renting their whole house and not renting rooms which is a boarding house. He stated that is a situation that they didn't anticipate as well. He said the Bed and Breakfast Inn is in the A-R district which will be tied to the 10 acre minimum; the Bed and Breakfast Inn has been divorced from the hotel but is now allowed for C-H and O-I districts. He added that only five (5) guest rooms with 10 occupants will be allowed for the Bed and Breakfast Inn A-R. He read the Bed and Breakfast Inn, C-H and O-I:

1. The bed and breakfast inn shall be limited to no more than 20 guest rooms.
2. The operator of the bed and breakfast inn shall be a full-time resident of the structure in which the bed and breakfast inn is housed.
3. These facilities shall meet the requirements of the County Code, Article VI. Tourist Accommodations.

Chairman Graw asked where we will use the one (1) with the 20 rooms.

Pete Frisina replied C-H and O-I. He stated that it is already allowed there now as a hotel.

Chairman Graw said but we are also going to let them use the 20 rooms for a Bed and Breakfast Inn.

Pete Frisina said that is the State cut off for Bed and Breakfast and it has to do with the kitchen facilities.

Chairman Graw reiterated they could only have five (5) rooms in A-R and 20 rooms in C-H and O-I. He said that 20 rooms seem like an awful lot for a Bed and Breakfast and that it sounds like a hotel.

Pete Frisina replied that is the State regulations.

Arnold Martin asked can you have multiple buildings on one (1) lot or do all the units have to be housed under one (1) building.

Pete Frisina replied that he never thought about multiple buildings. He stated that you usually think of a single building with the guestrooms. He added that he thinks 20 rooms is a lot.

Chairman Graw stated that we don't have to be 20 rooms we can be less than that.

Pete Frisina replied I guess we could. He stated that he gave them what the State says and they can start there.

Chairman Graw asked how many rooms the Holiday Inn on the square has.

Brian Haren stated that he would feel more comfortable cutting it back to 10 rooms for the C-H and O-I, and five (5) for A-R.

Chairman Graw agreed. He stated that they are getting into the hotel/motel with the 20 rooms.

Brian Haren stated that conceptually a Bed and Breakfast is single family residence that is turned over to a business, and if you space in a single family residence for 20 bedrooms you have heck of a McMansion.

Pete Frisina stated that back in the day there could have been some big homes built that were turned into a Bed and Breakfast.

Al Gilbert stated some years ago some people wanted to buy Charles Phillips house and do that. He said that it could well be 20 rooms.

Chairman Graw asked why do we even allow it in C-H and O-I.

Pete Frisina replied that it was a hotel before a Bed and Breakfast was consider a hotel in C-H and O-I.

Chairman Graw asked if we could take Bed and Breakfast out of C-H and O-I and just leave hotel.

Pete Frisina replied I guess we could.

Al Gilbert asked what the County Attorney thought about it.

Pete Frisina replied he didn't say we could take it out. He said that the County Attorney wanted it separated. He asked if you are going to allow a hotel what is the difference.

Chairman Graw asked what the difference is between a hotel and a Bed and Breakfast.

Pete Frisina replied there are some differences in State law on the types of kitchens you can have.

Chairman Graw stated that when he thinks of a Bed and Breakfast he thinks of what that lady brought in to us; a house out in the country where people could stay with five (5) or six (6) rooms that she can convert to guestrooms. He reiterated that a Bed and Breakfast is a small facility, with a family atmosphere, where people are treated individually.

Arnold Martin stated that the Holiday Inn on the square has 60 rooms.

Brian Haren said if you find a nice piece of C-H or O-I and put a Bed and Breakfast there, I could think of worst things to put into C-H and O-I.

Chairman Graw asked about the properties of C-H and O-I on Highway 85.

Brian Haren replied if you can make a go of it than go for it. He reiterated that the concept of 10 room is the most he would want to see in C-H and O-I.

Al Gilbert stated that what you are getting into is the boarding house concept where you had people renting bedrooms in a house and then everybody went down and ate one (1) meal together at a big table.

John Culbreth asked Pete Frisina if someone wanted to build a Bed and Breakfast with 20 rooms and use the State law to get it done can they do that.

Pete Frisina replied that the State is allowing them to have a certain type of kitchen with 20 rooms and we are cutting it back to 10.

Chairman Graw asked with us cutting it back to 10 what does it do to the kitchen facility.

Pete Frisina replied that it will stay that they still would not have to have a commercial kitchen. He stated that you can only serve so many meals under a Bed and Breakfast and you can't serve to people from the outside. He said if you have a hotel you can have a commercial kitchen, bar, restaurant, and much more freedom.

Brian Haren asked are we getting ready to authorized residential construction on C-H and O-I, because the owner has to live on the property.

Pete Frisina replied that it still has to meet all the codes. He stated that we leave that up to the Building Department and the Fire Marshal. He said that it is not uncommon to have commercially zoned property and office zoned property to still have homes on

them.

Chairman Graw asked if everyone was okay with just 10 rooms and keeping everything else the same.

Planning Commission replied yes.

Brian Haren read Section 110-69 Conditional Use, item two (2):

2. The bed and breakfast inn shall be limited to no more than five guest rooms and no more than 10 occupants.

He asked that it be changed to no more than 10 guest occupants.

Al Gilbert stated that he understood and that the owner has to live there.

Arnold Martin asked if any of this has come up as an issue yet.

Pete Frisina replied that he hasn't heard back from the lady, and has tried to call her and tell her that they are still working on it.

Chairman Graw asked once you make those changes what else do you have to do.

Pete Frisina replied that he still has to get with Mr. Davenport and Environmental Health to change the other ordinances and code sections.

Chairman Graw asked if he would be bringing that back to us.

Pete Frisina replied that they don't make vote on the code sections. He stated that he has to get it all lined up.

Chairman Graw asked if they would have a Public Hearing when that's all done.

Pete Frisina replied yes.

7. Discussion of PUD's.

Pete Frisina stated that Debbie Lowe sent pictures of the building and site plans for the structures.

Debbie Lowe introduced Michael and Judy Howell and Dennis Womack. She stated that they would be a good one (1) to ask questions to because they're very familiar with the Florida site.

Chairman Graw asked where in Florida this is.

Michael Howell replied Sarasota the south part of the County. He stated that it was a former dolomite plant and where the metal building is was the foundation of the plant. He said they had a horse farm there that they renovated to a living facility. He added that the idea that they would like to have. He stated that there was scale house built there too, where they can drive the trucks on and weigh them.

Pete Frisina asked if the structure was a residence now.

Michael Howell replied yes.

Pete Frisina stated that this is a residence and the horse barn was not.

Chairman Graw asked if the tractor trailers are permanently parked there.

Michael Howell replied that they don't stay anywhere very long. He stated that sometimes they are inside the metal building. He said that he also works as a technician on jobs; he started working on job in January at Pinewood and those trailers didn't come back until three (3) weeks ago. He added that they don't have a retail business, people don't show up. He stated they provide a service and he could be in California, Canada, and he has the luxury to come and go.

Al Gilbert asked if he planned to do three (3) of the structures.

Michael Howell replied no. He stated that they are interested in the Sandy Creek property, but they don't need all that land. He said that his wife and I are interested in the house with the six (6) acres and would like to divide the rest of it up into 15 plus acres. He said that they would be divided into four (4) parcels someone may get more than 15 acres. He added that his brother is interested in taking one (1) of those pieces and building a living facility/attached barn where they can keep their equipment at.

Pete Frisina asked do you have other people in the industry that may be interested in being on the same site with similar business.

Michael Howell replied that he can't say if he knows people that want to build something like that. He stated that he does know people that would be interested in that piece of property. He said that it is a great location for a place to live with 15 plus acres, close to the Pinewood Studios, Patchwork Studios across the way, and Tyler Perry Studios is close to town. He added that a lot of people are moving to the north part of town but the traffic is horrible. He stated he has lived in Newnan for over 30 years and is on exit 51 and could save himself a lot of time by moving to this site.

Al Gilbert asked if he just wanted one (1) of those parcels.

Michael Howell replied yes, and that he could find someone who wanted to do something similar but on a smaller scale. He stated that it would just be something

with a barn in the back to keep their gear. He said what they drive is very small like a horse enclosed trailer.

Pete Frisina asked if they pulled it with a dually truck. He asked if it was semi or a tractor trailer truck.

Michael Howell replied that it's a dually and it doesn't cause a lot of traffic.

Arnold Martin stated that his question was going to be about traffic and what type of vehicles will be used and the impact it would have on the roads.

Michael Howell stated that they are just looking for a ranch atmosphere; so when they are not working we are enjoying ourselves and not in a commercial setting.

Arnold Martin asked if the equipment needed to be gated because of its value.

Michael Howell replied that it would be similar to a ranch type gate or an auto gate that probably opens. He stated that why they have the building like it is so everything is locked inside. He said that that the equipment will be out of sight from the road. He added that they plan to build it back in the property where there is already a field clearing and it will be set far enough where it wouldn't be seen from the road.

Pete Frisina asked if someone will want to have agricultural uses on this property.

Michael Howell replied that they would like to, and they have thought of co-opting with some young people for them to sell at the farmers market.

Pete Frisina stated when people have 15 plus acres they usually would like to have agricultural uses.

Michael Howell replied that it wouldn't be commercially only a garden.

Pete Frisina asked about livestock.

Michael Howell replied that he has a horse and cow in Florida.

Pete Frisina asked what kind of zoning is on this property in Florida.

Michael Howell replied that it is agricultural.

Pete Frisina asked what County in Florida.

Michael Howell replied Sarasota County.

Debbie Lowe suggested that Pete Frisina get with the people in Florida to see how

they're zoning allowed for that to be there.

Pete Frisina replied he would like to see how they do it.

Judy Howell stated that people on that street do have cattle.

Michael Howell stated that they are fairly close to the Interstate with their house in Florida unlike Sandy Creek. He said there is a lot of development coming to the area with a lot of large tracts.

Pete Frisina asked if he had outside employees come in.

Michael Howell replied that they have local people that he has trained and they have some outside employees.

Pete Frisina asked if they come on a daily basis.

Michael Howell replied that there may be an employee that lives on the property that keeps an eye on the equipment. He stated that his brother would live there as well and would be coming in and out.

Pete Frisina stated that they would want to keep some semblance of how Fayette County is developing. He said they would want to see a principle residential structure and then a detached structure. He added that the house would be the principle structure which is the visible aspect of the property and everything else would be behind it.

Chairman Graw asked if they wanted to subdivide and sell the parcels in the future.

Michael Howell replied yes, maybe it will be one (1) or two (2) lots financially that they may have to sell.

Debbie Lowe stated that the way the property looks right now it may never change.

Pete Frisina stated that when we write the ordinance it applies to everybody. He said that we have to write it with the entire County in mind, and think how we want to handle it in when the next person comes in.

Michael Howell asked Pete Frisina if the detached building had to be a certain amount of feet from the principle structure.

Pete Frisina replied that in the County you basically have a principle structure and that is your home and everything else is an accessory use. He stated that there is no specific distance. He said detached could mean behind the home maybe attached by a breezeway for the convenience of not getting wet. He added that they are creating a

new zoning to try and handle that. He stated that part of a PUD is setting loose parameters in the zoning. He said with a Planned Unit Development a developer has some flexibility; and then it is reviewed by staff, Planning Commission, and the Board of Commissioners to see if they like the flexibility. He added that where they may want flexibility we might tighten up a little bit. He reiterated that you have a lot more flexibility with a PUD and that is why it is loosely set up. He stated that the County has a number of PUD's.

Michael Howell stated that when you subdivide the property up and houses are built on it, they will not be visible from the road. He said maybe one (1) would be visible from the road. He added that the other would be further back and not visible from the road because of the driveway.

Pete Frisina stated that they would call it Residential Cottages PUD. He said that he had looked at some other ordinances and he picked and chose some bits and pieces to start the framework. He reads the ordinance:

Residential Cottage Industry PUD

Residential cottage industries can include one or more of the following aspects:

In conjunction with a principal residence conducts on-site business operations
Clients/customers visit the site
Has shipment of goods and deliveries
Employs non-occupant individuals

Development size ____ (70-80 acres)

Residential cottage industries shall not be operated on lots of less than 15 acres.

The cottage industry shall be owned and operated by the occupants of the property upon which the cottage industry operation is conducted.

Including the owner/occupants, no more than _____ persons shall be employed on-site by a cottage industry.

All structures associated with the cottage industry are allowed in the rear yard only behind the principal residence and must be fully enclosed.

All vehicles associated with the cottage industry must be parked in the rear yard only.

All cottage industry structures and operation areas, including business vehicle parking, shall be setback a minimum of 100 feet from all property lines.

All materials, equipment, supplies, and inventory associated with the cottage industry shall be stored, operated and maintained within the cottage industry structure.

The hours of operation, in the context of clients/customers shall be limited to 9:00 a.m. to 7:00 p.m., Monday through Saturday.

Arnold Martin asked if there was any special lighting needed.

Michael Howell replied that the type of work they do at the shop is maintenance of

equipment and is usually done on site. He said when they are done working they usually are trying to keep up with the equipment. He added that what they do inside the shop is fabricate new product. He stated that the hours of operation in this business is hard to say because he might be going to work at 10 at night if it's a night shoot.

Pete Frisina stated that the hours are for clients and customers only. He said it doesn't mean you couldn't be in your shop working; we just can't have people coming and going.

Michael Howell replied that it's not that type of business.

Pete Frisina stated that it's for the next the person.

Brian Haren asked if all of the business activity takes place inside the accessory structure.

Michael Howell replied yes.

Brian Haren stated that back to Arnold Martin's question on lighting, we could say residential grade lighting. He said that there is no external activity taking place outside the buildings.

Arnold Martin stated that so often some of the first complaints from people are the lighting; huge lights being on in an area and changing people's lifestyles in an area.

Pete Frisina stated that we could word it to say that the lighting couldn't be more than what a farmer uses.

Chairman Graw asked for Pete Frisina to explain why we have development size of 80 acres and then have residential cottage industries shall not be operated on lots of less than 15 acres.

Pete Frisina replied that the development is 80 acres and you are chopping off lots inside there.

Chairman Graw stated that if someone came in with 40 acres they don't have to chop it up into smaller parcels. He said they could say they want to use these 40 acres as their cottage industry.

Pete Frisina replied not if they don't have the development. He asked what the development size they wanted for a PUD.

Arnold Martin stated that is development is already 80 acres.

Pete Frisina stated lets go with 75 acres. He said there are two (2) ways of looking at this; how do we want to control it, do we want to create a development which is what this is where we have multiple parcels with cottage industries; or do we want to approach this by saying lets deal with this on a case-by-case basis and do it some other way.

Arnold Martin asked if it was possible to put a range.

Pete Frisina replied that it's maximum or minimum only.

Chairman Graw asked if he was planning cottage industries on the other parcels or are you going to sell single family homes, and not worry about them having a cottage industry.

Michael Howell replied no. He stated that his idea was to take those two (2) parcels for themselves and then find someone else who would accommodate moving there.

Chairman Graw stated that defeats the whole idea of cottage industry. He said for you to have an 80 acre parcel and calling it a Residential Cottage Industry PUD that all of the parcels and residences on there would be involved in cottage industries. He added that if you are going to sell the other three (3) parcels as single family homes he has a problem with the PUD.

Michael Howell replied that he would like for it to be similar to us. He stated that he isn't trying to develop it and make money off of it.

Chairman Graw asked if the owner of the PUD would be required to make sure the other people involved are a part of the cottage industry.

Pete Frisina replied that the whole idea is how you want to approach it. He asked do you want to do it as a development or go back to a lot by lot basis.

Arnold Martin stated that you don't want to restrict an entity whether residential or business from our area. He said that we want to promote business within the guidelines of our County and culture. He added that it seems to be a large responsibility to put it on the initial owner for the whole track and say go and find like businesses of the cottage industry. He stated that was a large task and could restrict their ability to purchase or their ability in the future to meet their plans. He said if there was a way to come up with an individual approach or make a statement that the initial purchaser is in the cottage industry and then the remaining parcels will also have a statement. He reiterated that he didn't want to restrict both.

Pete Frisina stated that it seems like a long way to go to make sure one (1) lot has a cottage industry.

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Arnold Martin agreed.

Pete Frisina stated that you are assuming that is what you are going to have on the entire parcel. He said that he doesn't know if you have to say every lot has to have a cottage industry, but you're assuming there could be more than one (1), and for their instances it's a one (1) right now not a two (2). He added that maybe we need to go back and see how we handle it on an individual lot basis.

Al Gilbert asked how many acres you and your brother will have.

Michael Howell replied that he would take one (1) of the divisions of the four (4) whether it is the 15 or 20 acres. He stated that they were hoping for the six (6) and taking the remaining property after it had been subdivided into four (4) parcels.

Al Gilbert asked if he meant at least 20 acres.

Michael Howell replied yes.

Judy Howell replied at least 26 acres.

Al Gilbert stated that he thinks we should do 25 acres on what we know for sure is going to happen. He said the rest of the acreage is hemmed up in the air.

Debbie Lowe stated that the problem with the rest of the acreage is that it's not contiguous. She said that it can't be cut in half. She added that the six (6) acre tract is on one (1) end and the property that Scott is going to take is on the other end.

Al Gilbert stated that the (6) acres to him is pulled out because it's really residential. He said that they are trying to come up with acreage for a business that would be the minimum you could do for any project going ahead.

Brian Haren stated that we may be trying too hard to fit this into that circumstance. He asked Pete Frisina in any PUD development must all of the development conform to the intended use of the PUD.

Pete Frisina replied that you have to say what the intended use of the PUD is.

Brian Haren asked if we take that whole 80 acres and make it a PUD for Cottage Industry, does that mean that all further development in those 80 acres must be a cottage industry.

Pete Frisina replied it doesn't say that.

Chairman Graw replied no it doesn't but isn't that the intent of the whole thing.

Pete Frisina stated this was very loosely on that, within this PUD whatever the size may be the lot that has the cottage industry is a minimum of 15 acres and it hasn't gone beyond that. He said that they have not added any other restrictions.

Dennis Dutton stated that Camp Southern Ground has the campus for the camp, but also within that they have residential. He said that when they developed the PUD that was the plan, the summary of intent stated what they have in certain areas.

Pete Frisina stated the PUD-PRL is specific if you introduce residential it's got to be A-R.

Chairman Graw asked Michael Howell if he wanted 25 acres for his business.

Michael Howell replied 15 plus.

Chairman Graw suggested dividing the 80 acre tract into one (1) 25 acre parcel for the cottage industry, one (1) six (6) acre parcel for Michael Howell's home, and the remaining portion A-R. He stated that they really want to sell it as single family homes anyway.

Michael Howell stated that he has talked to people in his circle that would be possibly interested in doing it. He said they don't have the same amount of trucks, but they have gear that they carry with them.

Pete Frisina stated something similar but not on the same scale.

Michael Howell agreed.

Al Gilbert asked if with the do the whole tract and later on down the road they decide to take 15 acres and build four (4) houses on it; they would have to come back to us at some point.

Pete Frisina stated that we would have to set this up for what is in a PUD for cottage industry. He asked what will the PUD allow, single-family homes by themselves, size of the lots, is it a mixed of residential and cottage industry, could it be for cottage industry and nothing else. He said that it sounds like Michael Howell and his brother would have the main one (1). He added that it wouldn't stop someone else with a similar business to do the same thing as Michael Howell and his brother or if they wanted to just live on 15 acres and not have a business.

Debbie Lowe stated that there may be interest in a dog training business. She said that they train dogs for the movies and for veterans with PTSD. She added that it would be a cottage industry type of business.

Pete Frisina agreed that there are thousands of businesses that people could do. He

asked out of those businesses which one (1) are we going to entertain.

Al Gilbert stated that his problem is that he's use to the PUD explaining where everything is going to be laid out. He said that he is not sure that we are going to know that in this case.

Pete Frisina reiterated that this PUD will have to be set on what we will allow, and give the person the ability to draw that plan up and bring it in for approval. He stated that if they say here are the 10 things I going to do then that's the 10 things they're doing.

Al Gilbert asked if it was a 60 acre development carved into four (4) 15 acre tracts and later on down the road they decide there not going to do that in this 15 acre parcel there going to do something different. He said that he is use to them coming back and the Planning Commission saying yes you can or no you can't.

Pete Frisina replied that he is agrees and that the PUD has to allow that use in it. He said that you have to form it right first.

Al Gilbert stated that when you decide to present this to us you have to go in with a definitive plan saying this is what you are going to do. He said that it doesn't mean you can't change that plan, but we got to when we put this in place allow for any changes you're going to make. He added what if you want to do the same type of business on another 15 acre tract, but down the road you say this isn't working out and we have some people that want to build three (3) houses on five (5) acre each.

Debbie Lowe replied that will never happen. She stated that the way this is set up whatever those tracts are divided into is the final division.

Al Gilbert stated that he wanted to buy 15 acres and put his estate home on it. He said things change. He added that they are going have to set this up as it not being etched in stone but this is what your plans are when it is presented. He stated that they also have to have the leeway to make some changes if it doesn't work the way it's intended.

Debbie Lowe said that's very fair.

Pete Frisina stated that we are back where we started.

Arnold Martin stated that we have made progress of understanding the intent. He said that the greatest emphasis is not only the land and the project but also the future of Fayette County as we make decisions. He added that so much is changing now with the film industry and that there will be more request like this in the future. He apologized for using them as the guinea pig, but believes it will be a great tool for future projects.

Pete Frisina stated that we need to define what it is they do, and then also say that sounds like a great narrow type of business what are other businesses similar in like that we want and what we don't want.

Arnold Martin stated that this was similar to S.R 74 and 85, they came up with a list of suggested businesses and the ones we did not want to see we took it out. He said in doing that it helps to protect scenarios like yours. He added what if they did sell off the other acreage and it went from one (1) set of hands and then all of sudden to another set that has completely different intentions from what you originally wanted. He stated and now all of sudden you've lost control because you no longer own it. He said that's where we come in to protect you as the original owner, and the intent for future projects.

Judy Howell stated that's why we don't want to have anything less than 15 acres. She said she wants there to be one (1) owner on the 15 acre parcel.

Pete Frisina asked should we have cottage industry packed closely to each other. He asked if the development will have like business and like uses in it and specific areas where we want it. He said what if someone comes in wanting to do a cottage industry near Brooks; do we want a cottage industry in the south portion of the County.

Arnold Martin stated that he doesn't have a problem with it. He said that the biggest question goes back to what they've been saying is there is an 80 acre tract and they have said it is cottage industry; what happens if it is subdivided, does it still fall under cottage industry or is it deemed again A-R.

Chairman Graw replied that to him the 80 acres is Cottage Industry PUD. He stated that the entire 80 acres would be required to have cottage industry on it. He said if you are going to zone it 80 acres as a PUD than it's a PUD. He added that is the same thing we did for Zach Brown.

Pete Frisina stated that Zach Brown has houses on the development too.

Chairman Graw stated that he knew that and that they approved it.

Pete Frisina asked if he knew why he has houses in a PUD.

Chairman Graw replied no.

Pete Frisina stated that it's because the PUD allows houses. He asked what they want to allow in it besides cottage industry.

Arnold Martin suggested doing what we have done before, coming up with a comprehensive list. He said that the list would be protective and not restrictive, so people won't be able to go against the original intent.

Pete Frisina stated that we are looking at this as a development on a large piece of property, and going away from looking at this as an individual property. He said we're saying if you want to do

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this you got to have a certain amount of acreage to allow a cottage industry to be within this PUD. He added if you're going to create a PUD with cottage industry and not put one (1) in; why did you create the PUD. He stated that if this is not what you're looking for you're not going to go through this.

Arnold Martin recommended that they sit down and come up with a list as they have done before come up with a comprehensive list of what they feel would be allowed within that. He stated that it would not restrict his intentions on what he was trying to do, but also have the broader thought on how it will affect the County in a positive way. He said that he would love any suggestions by Michael Howell. He added that with the film industry coming here he would have not thought about the dog training facility, but it would make sense. He stated that things like that is helpful input.

Judy Howell stated that they bought property in Sarasota County some years ago and there were three (3) residential lots and they said one (1) lot was not built on; they were told if they bought the empty lot along with the lot with their house on it no one could ever develop it. She said that they love that county feel in a residential area. She suggested that they place in the ordinance that the land can never be divided into less than 15 acres.

Pete Frisina replied that we are on the same page, but we have to figure out how to work their six (6) acre tract in it.

Judy Howell stated that they can up the property to 15 acres.

Michael Howell said that the property is already platted.

Pete Frisina stated that at the end of the day you will have four (4) 15 plus acre lots. He said and all the other lines would go away inside there.

Judy Howell said initially they were just going to buy the two (2) and four (4) acre piece with Dennis Womack's home on it, which is six (6) acres and platted, but they are not opposed to making it larger to accommodate the PUD.

Pete Frisina reiterated that at the end of the day you will have four (4) 15 plus acre lots. He said and all the other lines would go away.

Judy Howell replied yes.

Dennis Womack stated that if you look at the plat he has four (4) individual pieces. He said that he has a two (2) acre, a house that sits on four (4) acres, a three (3) acre that his father-in-law cut out for his brother in law, and the balance of that is his father-in-law's estate.

Arnold Martin asked how we proceed.

Pete Frisina replied that he would like to get some more information from the Howell's about related business industries.

Dennis Dutton asked if there were any other business that could tie into this.

Michael Howell replied that there were two (2) individuals that he talked to about this: one (1) was a dog trainer for the movie business and the other gentleman does spider-cam where they film football games and they use them in the movies. He stated the gentleman just has big wench motors and cases. He said he doesn't have a lot of gear and could probably do it anywhere and people not even know. He added that he is very interested because of the location.

Arnold Martin stated that one (1) of the things he pointed out based upon the location is not only the close proximity to Pinewood but the other studios on 85.

Debbie Lowe stated that its close to the airport if they have to fly cameras out overseas. She said another big thing about this particular piece of property is the way its situated because the majority of it is wooded. She added that it has several pasture openings, but the visual from Sandy Creek will not change. She stated that you won't see anything any different than what you see now.

Pete Frisina stated that they may want to think about restricting some areas. He said that he doesn't know if he wants to open the entire County to it.

Chairman Graw asked how many structures you plan on having.

Michael Howell replied three (3) structures; the house, the barn to house the cameras, and a structure to park outside vehicles.

Chairman Graw asked if it would be 3,000 square foot for each.

Michael Howell replied no.

Chairman Graw stated that he saw a letter where he said something about 8,000 square feet.

Michael Howell replied that 8,000 square feet was the ideal size for 6,000 workspace and 2,000 for living space residential. He said that it could be separated or together.

Chairman Graw asked if he was planning living quarters above.

Michael Howell replied that it doesn't have to be above.

Planning Commission replied that Pete Frisina already addressed this and that the living quarters would be separate.

Al Gilbert stated that the building had to be behind the house.

Pete Frisina asked them to send them the information. He asked the Planning Commission if they feel comfortable with moving forward with the PUD.

Planning Commission replied yes.

Al Gilbert asked what would be on the next agenda.

Pete Frisina replied just an amendment, and he would advertise it tomorrow.

Judy Howell stated that the larger building was just a tall one (1) story building and not two (2) stories.

Debbie Lowe suggested limiting the height of the accessory structures.

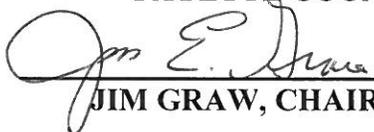
Pete Frisina replied that everything in the County is limited to 35 feet unless you're in an industrial or office or something. He said that we would have to set that in the PUD.

Brian Haren made a motion to adjourn the meeting. Chairman Graw said the meeting was adjourned at 8:22 pm.

ATTEST:



PLANNING COMMISSION OF
FAYETTE COUNTY



JIM GRAW, CHAIRMAN

