

Meeting Minutes 8/01/2024

THE FAYETTE COUNTY PLANNING COMMISSION met on August 1st, 2024, at 7:00 P.M. in the Fayette County Administrative Complex, 140 Stonewall Avenue West, Fayetteville, Georgia.

MEMBERS PRESENT: John H. Culbreth Sr., Chairman
John Kruzan, Vice-Chairman
Danny England
Jim Oliver
Boris Thomas

STAFF PRESENT: Debbie Bell, Planning and Zoning Director
Deborah Sims, Zoning Administrator
Maria Binns, Zoning Secretary
E. Allison Ivey Cox, County Attorney

NEW BUSINESS

1. Call to Order.
2. Pledge of Allegiance.
3. Approval of Agenda.
The agenda was amended to move item number 8 to item 6 and the addition of the preliminary plat of Nash Oaks (West of 199 Callaway Road). Jim Oliver made a motion to approve the August 1st Agenda. John Kruzan seconded the motion. The motion passed 4-0 Danny England was absent.
4. Consideration of the Minutes of the meeting held on July 18, 2024. *Jim Oliver made a motion to approve the minutes of the meeting held on July 18, 2024. John Kruzan seconded the motion. The motion carried 4-0.*
5. Approval of the Preliminary Plat of Nash Oaks (West of 199 Callaway Road). Ms. Sims explained this was the second time the preliminary plat expired they were getting ready to start construction of the streets, staff has re-reviewed and re-approved, and we are seeking a planning commission to re-approved and continue for 24 months. Mr. John Culbreth asked if there were any questions.? No one responded. He asked then if there was a motion.? *John Kruzan made a motion to approve the Minor Final Plat for Nash Oaks (West of 199 Callaway Road). Jim Oliver seconded the motion. The motion carried 3-1. Boris Thomas abstained.*

PUBLIC HEARING

6. Consideration of Petition No. 1352-24, Ernest Guy Harris Estate, Keith D. Harris & Connie Harris Redd owners; request to rezone 2.88 acres from A-R (Agricultural-Residential) to R-70 (Single-Family Residential) for the purpose of developing single-family homes. Property is located in Land Lot 3 of the 5th District and fronts on Harris Road. Ms. Sims added the staff is recommending conditional approval. Mr. Harris states his dad passed away and that his sister will be getting his house and subdividing some of his property. He lives on the adjacent lot, just north of it, and has five acres currently, they will merge part of and separate the house to get 2.8 acres and he will take the remaining land and will have 14.11 acres, his sister will have 2.8 acres. It will be A-R to R-70 for her house, no new construction or anything will be done. Mr. Culbreth asked if there was anyone in favor of the petition.? No one responded. He asked then if anyone was in opposition.? Ms. Sims clarified we recommended approval without conditions. No one responded, and Mr. Culbreth brought the petition back to the board. Ms. Sims added it falls under the future use plan; staff didn't find any problems. ***Jim Oliver made the motion to recommend approval of Petition 1352-24 and Boris Thomas seconded the motion. The motion carried 4-0.***
7. Consideration of Petition No. 1351-24, Reign R. Enterprises, LLC, owner; request to rezone 9.74 acres from A-R(Agricultural-Residential) to R-70 (Single-Family Residential) for the purpose of developing single-family home. Property is located in Land Lot 65 of the 5th District and fronts on Lester Road and Davis Road. Staff is recommending conditional approval, the conditions we are recommending are Dedication right away as needed on Lester Road to make 50 feet of right of way and dedication right away on Davis Road. This particular property goes along with the future land use plan, it does have Stephens Lake on the back of it so there are some environmental sensitivity areas, but it should work fine, is zoned A-R. Mr. Jeff Lammes, representing Reign R. Enterprises, we worked with the staff and the future land use plan to present this to you if you have any questions. Mr. Culbreth asked if anyone was in support of the petition.? No one responded, he asked if anyone was in opposition.? Mr. Bill Peters asked questions to clarify some questions about the property, is it 9.7 acres.? Are they trying to rezone from A-R to R-70.? Presently there is a home with over 2,200 sq ft connected to 7.74 acres and he stated he doesn't believe the property can be subdivided, is that correct.? Ms. Sims replied that would be part of what the surveyor does, they will draw it up and it will come back for a minor final plat if is approved to be zoned R-70. Mr. Peters then asked about the setback on the lake on the frontage is about two acres and R-70 calls for two acres with a minimum of 1,500 sq ft for a dwelling. In this area within just 2-3 houses run from \$800 to over a million dollars. We are concerned that this property will affect the property values, the second concern is the property adjacent to this property 20 acres on that lake is up for sale, and we don't know if this petition is approved will have an impact on those 20 acres. I'm suggesting that we look at R-78 or R-75 which will put the minimum house size from 2,500-3,000 sq ft. Mr. Andrew Barlow, the neighbor, stated he lives on Davis Rd, his concern is the traffic on Davis Road people drive very fast on that road, and is a narrow road. Canoe Club built a road at Davis Rd. and there is a blind spot, we need to consider the road where this new home will be on. Mr. Norman Nolde stated lives on Davis Road and is also a user of the airport Willow Pond across this property. Once we zoned for R-70 in this area, we are going to be creating a situation where the neighbor's property will go down, I have a 3,100 sq ft he doesn't want the petitioner

to build a smaller home on that lot. Also, aircraft travel for 800-1000 sq ft down the airport, the aircraft are noisy, and people might complain about it. And we are setting a situation where you are creating more homes in underneath path of the airport. It's not fair to the property owner and he states he's been there for 30 years; don't want any R-70 close to his property. Mr. Charles Bindson, a neighbor who lives in the airport FAA, states it's been in this situation before where other subdivisions want to shut down our airport and just want to make other people aware that we have a sign stating that the airport is there on Lester Road and was established on the '50s and might be a lot of noise at times, we are good neighbors but the noise might bother other. Are they going to have county water.? Mr. Chris Lampe presented himself and he is at 456 Lester across the street from the property in question. Davis Road intercepts Lester Road in front of my house, the road is more like a "Y" people making the right turn, and large vehicles line up destroying my yard and I'm tired of cleaning after that mess. He stated he doesn't know where the access for the new home will be – what street – either way. He states there are crashes and he said he lives in the airport and love it as well as living there. He said the neighbors don't want a 2-acre lot around them. Mr. Lammes states he is open to the chancing to R-75 or R-78 if needed, to build one home. Ms. Sims added as it stands right now A-R zoning, the square footage minimum is 1,200 sq ft so this will be larger than what they will be required to build as a stand. Mr. Jim Oliver asked why are we here for a rezoning.? Ms. Sims responded that he could subdivide the lot; if he got less than 10 acres he could not subdivide than into two lots and have two lots that are at least 5 acres. Mr. Oliver asked the petitioner if he wanted to build another home on the secondary lot.? Mr. Lammes responded yes. The existing home has been renovated and it's coming into the market for \$1.4 so they just wanted to clarify that question. Mr. Culbreth explained that there will be one additional home and you are open to additional square footage. Mr. Kruzan asked staff to change the zoning, what would that intent.? Ms. Sims replied that to recommend that in the two-acre zoning, you can go to R-78 which will require a 3,000 sq ft house or R-75 is 2,500 sq ft but most of what we have with R-78 we get the 2 acres we need and get the larger square footage. Mr. Kruzan asked but the condition of R-75 we can stipulate in this particular case of 2,500 sq ft as.? Alli Cox, County attorney responded It is a lesser density as far as the use, I will go ahead and rezone it to R-78. Mr. Culbreth asked the petitioner if he was okay with the recommendation of rezoning to R-75. Mr. Thomas recommended the petitioner to zone to R-78 to satisfy all parties. Mr. Lammes agreed to R-78 zoning. ***John Kruzan recommended Petition 1351-24 be amended to R-78 and approved with the following conditions:***

- 1. Lester Road is a County Minor Arterial on the Fayette County Thoroughfare Plan. The developer shall dedicate land, as needed, to provide 50 feet of right-of-way as measured from the existing centerline of Lester Road.***
- 2. Davis Road is a County Collector on the Fayette County Thoroughfare Plan. The developer shall dedicate land, as needed, to provide 40 feet of right-of-way as measured from the existing centerline of Lester Road.***
- 3. Submittal of all warranty deed(s) and legal descriptions for right-of-way dedications shall be provided to the County within 60 days of the approval of the rezoning request, or prior to the final plat approval, whichever comes first.***

Boris Thomas seconded the motion. The motion carried 4-0.

8. Consideration of Petition Consideration of Petition No. 1349-24, Wright Chancey McBride, Inc, owner; request to rezone 114.228 acres from A-R (Agricultural-Residential) to R-80 (Single-Family Residential) for the purposes of developing a residential neighborhood of single-family detached homes. Property is located in Land Lot 249 and 250 of the 4th District and fronts on Antioch Road. Mr. Culbreth asked if the petitioner was present.? Mr. Sims added staff recommended conditional approval. Mr. Rod Wright, he is asking for approval of the rezoning and accept the two conditions. Mr. Culbreth asked if there was anyone in favor of the petition.? No one responded. He asked then if anyone was in opposition.? The petition was brought to the board. Mr. Jim Oliver asked Mr. Wright was doing the same as Ebenezer.? Mr. Wright responded this one will be about 3,800 foots of roads and 3 acre lots I chose here instead of going with the conservation, as the land has no negative impacts, a beautiful tract of land. I decided to make it 3-acre lots so people could have more space. Mr. Culbreth asked how many lots.? Mr. Wright responded 32 in the new development. Mr. Thomas responded he had a small concern in regard to the increase in traffic, they just put a roundabout in between Hwy 92 and Antioch, with the increase in traffic will cost the taxpayers more money to put up a traffic light because it going to be new. Also, our comprehensive plan does conform, I don't know if you would like 3 acres instead of 5. Mr. Wright responded it meets the future land use plan and he doesn't think they will not increase traffic on the roundabout. Ms. Sims added that according to the GDOT online traffic data, the annual average daily traffic for Antioch Road is 1,920 vehicles per day in 2022. Under A-R zoning, a development of 4 homes generates 38 trips per day (a 2% increase on Antioch Road). With R-80 zoning, development of 27 homes (assuming 30% of the land used for roads, stormwater, etc.) would generate approximately 256 trips per day (a 13.4% increase). Mr. Thomas added he just lived in Antioch and there were a lot of traffic and accidents, and they might have to use taxpayer dollars to add a traffic light. ***Jim Oliver made the motion to recommend approval of Petition 1349-24 with the following conditions:***

- 1. If a new road is constructed to access the lots, the entrance shall have a deceleration lane and acceleration taper per the Fayette County Entrance and Striping Detail.***
- 2. Antioch Road is a collector road. The owner/developer shall dedicate land to Fayette County as needed to provide a minimum 40-ft of right of way as measured from the existing centerline of Antioch Road.***

John Kruzan seconded the motion. The motion carried 4-0.

9. Consideration of Revised Development Plan RDP-019-24, Camp Southern Ground, Inc. owners; request approval of the Revised Development Plan for Camp Southern Ground as depicted in the Revised Site Development Plan submitted on June 10, 2024. Property is located in Land Lot 213 of the 4th District and fronts Ebenezer Church Road, Arnold Road, and Southern Ground Parkway. Ms. Sims added they want to add includes additions to staff housing; archery pavilion; fire pit; additional restroom facilities; program shops, bike park and shop; and a future maintenance building. She showed the maps and the areas to be change. Mr. Oliver asked why the petitioner has come to the planning commission to add an archery.? Ms. Sims replied that with the PUD zoning if they want to change anything we have to revised it

because they wanted to put up solar panels in certain areas. Mr. Culbreth asked if it was present.? Mr. Drake Bivins, CFO of Camp Southern Ground since 2012, says they want to do it in about 3 areas, he refers to the maps where he shows the exact location of the new facilities will be place and better Sutter for the camp. They were trying to put in mini houses before but that not an option anymore. Now with the new items, we will protect the kids. Mr. Culbreth asked if anyone would like to speak in favor of the petition.? No one responded, then he asked if there was anyone in opposition.? No one responded, he brought the item back to the board. Mr. Oliver asked the staff anytime they want to make a change they have to come to us for approval.? Ms. Sims responded anytime they want to make a change to an approve PUD development plan yes, sr. they do by law. Mr. Culbreth asked for a motion after no more comments. ***John Kruzan made the motion to recommend approval of Petition RDP-019-24 and Jim Oliver seconded the motion. The motion carried 4-0.***

10. Consideration of Amendments to Chapter 110. Zoning Ordinance, regarding Sec. 110-125. – A-R, Agricultural-Residential District, to add a provision to allow an existing home to remain temporarily for occupancy while a new home is built in the A-R Zoning District. Ms. Sims's staff recommends that this is approved with the following conditions: (a)The original, primary dwelling structure shall be remain for a period of time that does not exceed 12 months.; and (b)The original, primary dwelling structure shall at all times be occupied for residential purposes by the property owner; and (c) Occupancy of the original, primary dwelling structure is merely a temporary residency during the period of time necessary to complete construction of a new primary dwelling structure on the property, in no event to exceed a period of 12 months; and (d) The Certificate of Occupancy for the new dwelling structure shall not be issued until the original primary dwelling structure has been properly demolished. A demolition permit is required. Mr. Oliver explained that he is in the building and development business and that 12 months is not enough time to build a house with materials and labor, I might suggest that the period not exceed 12 months and let's bring It back for an extension and maybe the extension can be granted in 3 months intermittent. Mr. Culbreth asked for any more questions from the board. Ms. Sims responded that 3 months is not realistic, people who are applying right now in August are hearing in October so, if they have to come back every 3 months, they will have to re-apply. Mr. Oliver responded probably if they are applying now, they already have their plan done and they are ready to go. Allison Cox, County Attorney asked how long it takes to build a house.? Mr. Oliver responded right now anywhere from 12-14 months and that's for a builder that has proof. Ms. Cox responded that if this increases to 18 months, we give them one extension out of the month. What we are trying to avoid is having two primary residences in an A-R property without getting it rezoned. Mr. Thomas suggested the board 15 months. He thinks too much time it gives owners excuses. Ms. Cox added maybe two six-month extensions. Mr. Culbreth asked for a motion. ***Jim Oliver made the motion to recommend approval of Consideration of Amendment to Chapter 110. Zoning Ordinance regarding Sec. 110-125. – A-R, Agricultural-Residential District, to add a provision to allow an existing home to remain temporarily for occupancy while a new home is built in the A-R Zoning District with the following conditions:***

1. ***(7) During the construction of a new primary dwelling structure, the original primary dwelling structure on the parcel may be retained on the property under the following***

circumstances:

- a. The original, primary dwelling structure shall be allowed to remain for a period not to exceed 15 months. Applicants may request no more than two (2) six month extensions.*
- b. The original, primary dwelling structure shall at all times be occupied for residential purposes by the property owner; and*
- c. Occupancy of the original, primary dwelling structure is merely a temporary residency during the period of time necessary to complete construction of a new primary dwelling structure on the property, in no event to exceed a period of 15 months; and*
- d. The Certificate of Occupancy for the new dwelling structure shall not be issued until the original primary dwelling structure has been properly demolished. A demolition permit is required.*

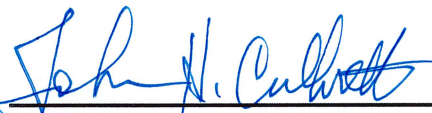
Boris Thomas seconded the motion. The motion carried 4-0.

ADJOURNMENT:

Jim Oliver moved to adjourn the meeting. John Kruzan seconded. The motion passed 4-0.

The meeting adjourned at 8:00 p.m.

**PLANNING COMMISSION
OF
FAYETTE COUNTY**



**JOHN H. CULBRETH, SR.
CHAIRMAN**

ATTEST:



**DEBORAH BELL
DIRECTOR, PLANNING & ZONING**