

**THE FAYETTE COUNTY PLANNING COMMISSION** met on June 20, 2013 at 7:00 P.M. in the Fayette County Administrative Complex, 140 Stonewall Avenue West, Board of Commissioners Conference Room, Suite 100, Fayetteville, Georgia.

**MEMBERS PRESENT:** Al Gilbert, Chairman  
Jim Graw, Vice-Chairman  
Douglas Powell  
Bill Beckwith  
Tim Thoms

**STAFF PRESENT:** Pete Frisina, Director of Community Services  
Dennis Dutton, Zoning Administrator  
Patrick Stough, County Attorney  
Lem Miller, Marshal

**Welcome and Call to Order:**

Chairman Gilbert called the Planning Commission Meeting to order. Chairman Gilbert introduced Lem Miller of the Marshal's office and Dennis Dutton and Pete Frisina of Planning and Zoning. Chairman Gilbert stated all of the Commission Members were present tonight with the exception of Tim Thoms. Chairman Gilbert recognized David Brill with the North Fayette Community Association.

\*\*\*\*\*

**OLD BUSINESS**

- 1. Discussion of proposed amendments to the Fayette County Code of Ordinances, Chapter 20. Zoning Ordinance, Article VI, Sec. 6-26., G-B General Business District regarding: building height.**

Pete Frisina said that he had listened to the recording from the last meeting where the Planning Commission questioned the language in the portions of the ordinance that used the terms habitable space, occupied space and occupiable space and better understood what the Planning Commission was saying. He said he since taken out all of these terms since they could be interpreted to allow certain building to be unregulated in terms of height. He said the amendments included the measurement of a building with a truss roof. He added that he presented these amendments to the BOC and explained the two options for building height and acreage requirements in G-b and the reasons staff and the Planning Commission had for each.

Jim Graw asked David Brill if Alvin Williams attended the last North Fayette Community Association's meeting.

David Brill said Alvin Williams did attend the last meeting and explained his project and the building height and there were no objections from those attending the meeting.

Jim Graw said if Alvin Williams needed more than 40 feet when we created G-B he should have fought like the dickens to get more than 40 feet.

Chairman Gilbert said he needed the zoning more than he needed the building height at the time.

Doug Powell said what would have happened if Pinewood had come in first and we had given them 65 feet.

Jim Graw said Alvin Williams would have gotten 65 feet as well but I don't know if he really needs 50 or 65 feet.

David Brill said the 50 feet would give Alvin Williams the ability to build a two-story set and maintain the five feet of clearance he needs for fire protection.

Chairman Gilbert asked David Brill if anyone at the meeting raised any objections.

David Brill said no one raised any objections to 50 feet at the meeting.

Jim Graw said I wished he had argued harder for 50 or 65 feet when we created the G-B zoning district.

Chairman Gilbert said at that time I don't think we would have given him 50 or 65 feet.

Pete Frisina mentioned again that the measurement from a truss roof will be measured the same way the county measures a house to the mid-point of an attic. He said this amendment will be before the Planning Commission in a Public Hearing on July 2, 2013.

**2. Discussion of proposed amendments to the Fayette County Code of Ordinances, Chapter 20. Zoning Ordinance, Article V, Sec. 5-20., regarding: accessory structure size in residential zoning districts.**

Pete Frisina said the amend would allow a 3,600 square foot accessory structure in a residential zoning on a lot with a minimum of five (5) acres and the residence would have to be a minimum of 3,600 feet. He stated based on input from the Planning Commission at the last meeting he has added a requirement that any accessory structure larger than 1,800 feet shall be allowed in the rear yard only.

Doug said based on the five (5) acre requirement this aligns somewhat with the structures allowed in A-R.

Jim Graw said the difference with this is this was requested by a property owner in a subdivision that is zoned R-70 with two (2) acre lots and he doesn't think this is a good idea in a subdivision.

Doug Powell asked if this property could be subdivided in to more two (2) acre lots.

Pete Frisina said based on the configuration of the subdivision this lot could not be subdivided.

Doug Powell said he understood Jim Graw's concern.

Pete Frisina said this amendment will be before the Planning Commission in a Public Hearing on July 2, 2013.

**3. Discussion of proposed amendments to the Fayette County Code of Ordinances, Chapter 20. Zoning Ordinance, Article V, Sec. 5-16., regarding: church or place or worship structures permitted above the height limit.**

Pete Frisina said this amendment would allow a cathedral or vaulted ceiling on a church or place of worship to exceed the height limit in the applicable zoning district and they would be treated as an architectural feature like a steeple.

Doug suggested that the solar panels and satellite/telecommunication equipment be listed separately as "roof mounted."

Pete Frisina said he would make that change.

Pete Frisina said this amendment will be before the Planning Commission in a Public Hearing on July 2, 2013.

**4. Discussion of proposed amendments to the Fayette County Code of Ordinances, Chapter 20. Zoning Ordinance, Article VII, Sec. 7-1., regarding: Church and/or other Place of Worship and existing residential structures that do not meet the Conditional Use setbacks and/or buffers.**

Pete Frisina said this amendment to the Conditional Use for a church would allow an existing structure to encroach into the setback but not the buffer and the uses would be limited.

Doug Powell said he was in agreement with the amendment.

Pete Frisina asked Patrick Stough if he had problems with use of the term "legal nonconforming structures."

Patrick Stough said you could use the word "legally" to describe a conforming or nonconforming structure. Patrick Stough asked if the amendment would allow the construction of a new structure in the setback

Pete Frisina said it would not allow a new structure to encroach into the setback.

Jim Graw asked Pete Frisina to explain how the setback will be reduced based on this amendment.

Pete Frisina said the setback would be reduced only in the area where the existing structure is located, any new structures or additions would need to meet the Conditional Use setback.

Pete Frisina said this amendment will be before the Planning Commission in a Public Hearing on July 2, 2013.

\*\*\*\*\*

Chairman Gilbert said he would entertain a motion to adjourn the meeting.

Doug Powell said so moved.

Chairman Gilbert said the meeting was adjourned.

\*\*\*\*\*

PLANNING COMMISSION  
OF  
FAYETTE COUNTY



---

AL GILBERT, CHAIRMAN

ATTEST:



---