

THE FAYETTE COUNTY PLANNING COMMISSION met on February 2, 2017 at 7:00 P.M. in the Fayette County Administrative Complex, 140 Stonewall Avenue West, Fayetteville, Georgia.

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

STAFF PRESENT: Peter A. Frisina, Director of Community Services
Chanelle Blaine, Planning and Zoning Coordinator

Welcome and Call to Order:

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

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1. Consideration of the Minutes of the meeting held on January 19, 2017.

Al Gilbert made a motion to approve the minutes. John Culbreth seconded the motion. The motion passed 5-0.

PUBLIC HEARING

2. Consideration of Petition No. 1262-17, Mahmoud J. Amercani & Hadia Youssef, Owner, and Randy M. Boyd, Agent, request to rezone 14.39 acres from A- R to R-80 to develop a Single-Family Residential Subdivision. This property is located in Land Lot(s) 26 &39 of the 5th District and fronts on Seay Road.

Pete Frisina advised Chairman Haren to read the next item on the agenda. He stated that they were both a part of the same petition.

3. Consideration of Petition No. RP-061-17, Mahmoud J. Amercani & Hadia Youssef , Owner, and Randy M. Boyd, Agent, request to add 4 lots to the Final Plat of J.K Singletary and Patricia A. Singletary. This property is located in Land Lot(s) 26 & 39 of the 5th District and fronts on Seay Road.

Rand Boyd stated that he was the agent for Mahmoud J. Amercani & Hadia Yousseff for this rezoning request. He said that they own the 14.39 acres and it was divided last year into two (2) lots. He added that there is an existing house on the property. He stated that they would like to make a request to rezone it from A-R to R-80, to take the existing house put a lot encompassing that, and add three (3) more lots to that. He said the comprehensive land use plan is low density residential one (1) unit one (1) to two (2) acres. He added that they're yield would be four (4) three (3) acre lots. He stated that it is zoned A-R right now then we would

request that the zone change to R-80. He said they have a concept plan and apologized for the misspelling of concept and typo in house floor area. He added that the floor stated on the concept plan was 3,000 and it should have been 2,500 for the R-80 district. He stated that they received favorable comments from staff and was approved as submitted. He asked that they would considerate and approve it also.

Chairman Haren asked if he wanted the Planning Commission to approve it as an R-80 or an R-85.

Randy Boyd replied R-80. He stated that it was submitted on last month as an R-85. He said that it was tabled on last month. He apologized for the confusion and stated that it is A-R now and they are asking for R-80 zoning request.

Chairman Haren asked if anyone would like to speak in favor of the petition. Hearing none; he asked if anyone would like to speak in opposition. Hearing none; he brought it before the Planning Commission. He asked if the Planning Commission had any questions or comments for the petitioner.

Jim Graw stated that he like the proposed recommended rezoning. He said that the area has a lot of A-R zoning in it right now. He added that there was some two (2) acre zoning R-70 and this would be an R-80 three (3) acre zoning. He stated that this does give a little bit of a precedent with some of the other A-R areas. He said if the A-R areas want to look at rezoning they can look at the three (3) acre maybe. He added that the request complied with the land use plan. He reiterated that he doesn't have a problem this rezoning.

Al Gilbert made a motion to approve Petition 1262-17. John Culbreth seconded the motion.

Chairman Haren asked if the structure on tract three (3) would be in compliance.

Randy Boyd replied to his knowledge yes.

Chairman Haren asked if there were issues with the driveway being in the setback.

Pete Frisina replied that the driveway can be in the setback.

Arnold Martin stated that Chairman Haren asked the question he was going to ask.

John Culbreth asked what his plan time table for development.

Randy Boyd replied that there was one (1) thing he forgot to mention and that was that these were going to be family lots. He stated that Mr. Americani is a builder (Sunrise Builder's) off of Highway 138 in Clayton County. He said that he plans to build the houses fairly quickly for his present sister's children. He added that Mr. Americani owns a house just south of this rezoning. He stated that the house was gigantic and it would be backing up to his property. He said the

house will be able to see his house from their rear windows. He added that he plans to do a good job for us and that's the intent here. He stated that the property could be sold later, but his original intent was to have those built for family. He said it should happen rather quickly. He added that he is not building it to sell lots and make money.

Chairman Haren asked if there were any other questions or comments from the Planning Commission. Hearing none he asked for the call to vote.

The motion passed 5-0.

Chairman Haren stated that they have approved the rezoning and now it was time for them to approve the subdivision plat. He asked the Planning Commission if they had any questions regarding this.

Arnold Martin asked if the existing structure on tract three (3) meet the current structure size for R-80.

Pete Frisina replied to our knowledge the current structure meets the size requirements for R-80. He stated that the minimum floor area for R-80 was 2,500. He said that what they are actually voting on is to add three (3) lots to the existing minor subdivision plat that was done for that lot in the middle there.

Chairman Haren stated that he has seen a couple of residential development in the County where these driveways are right at the property edge well in the setback.

Chairman Haren asked if they had any other questions or comments.

Arnold Martin made a motion to recommend approval of Petition RP-061-17. John Culbreth seconded the motion.

Pete Frisina stated that they are approving the addition of three (3) lots to the subdivision.

The motion passed 5-0.

Pete Frisina stated that the next meeting will be on the 16th and they will be discussing the PUD. He said they will also have a citizen come in and talk about some uses in O-I. He added that another thing is coming up and he wanted to see if they have any feelings toward this; he stated in the zoning ordinance each lot gets so many accessory structures and a certain square footage. He said if you are A-R you get additional buildings that you don't get under residential zoning such as: farm out buildings, barns, green houses, and that sort of thing. He added that it came to his attention sometime this week, and talking with someone; is to get these barns, green houses, and what we call auxiliary buildings that are associated with the A-R zoning it is a conditional use. He stated that the condition says you have to have five (5) acres. He said the question he had was if I have a nonconforming A-R lot would there be some way to give me some consideration to have an extra building, because I am zoned A-R and A-R does give extra

buildings, but the conditional use has five (5) acres. He added that he doesn't know how they feel about that, but this is the way it has always been. He stated that he has never run into a situation where someone has had nonconforming A-R lot, but can't comply with the five (5) acres.

Chairman Haren asked if it was not conforming because it was less than.

Pete Frisina replied yes it's less than five (5) acres.

Al Gilbert asked what caused it to be nonconforming.

Pete Frisina stated that it is an existing lot. He said that in 1980 that the zoning ordinance created a five (5) acre A-R minimum, but anything that is a "lot of record" is a grandfathered A-R lot. He added to get to this next level you don't have the ability to do these extra structures.

Jim Graw asked if it was a nonconforming lot or an illegal lot.

Pete Frisina replied nonconforming.

Brian Haren asked if that was something they should be attacking or the ZBA.

Pete Frisina replied that the guys question was, should the ordinance give consideration to a nonconforming A-R lot. He stated that it was a conditional use and you could not variance a conditional use.

Chairman Haren asked if there was anything else.

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

Jim Graw said so moved.

Chairman Haren said the meeting was adjourned at 7:18 pm.

PLANNING COMMISSION
OF
FAYETTE COUNTY



BRIAN HAREN, CHAIRMAN

ATTEST:


