

**THE FAYETTE COUNTY PLANNING COMMISSION** met on April 19, 2018 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  
Al Gilbert  
Jim Graw  
Danny England

**STAFF PRESENT:** Peter A. Frisina, Director of Community Services  
Chanelle Blaine, Zoning Administrator  
Chakevia Jones, Planning & Zoning Coordinator

**Welcome and Call to Order:**

Chairman Haren called the Planning Commission Meeting to order.

**1. Consideration of the Minutes of the meeting held on April 5, 2018.**

Al Gilbert made a motion to approve the minutes. Jim Graw seconded the motion. The motion passed 4-0-1. John Culbreth abstained.

**NEW BUSINESS**

**2. Consideration of a Final Plat of Jet Food Stores. The property will consist of two residential lots zoned R-40, is located in Land Lot 58 of the 5th District and front(s) on S.R. 92.**

John Culbreth asked what type of lots are adjacent to Jet Food Stores.

Danny England replied that there are residential lots zoned one and two acres.

John Culbreth also asked if there were any commercial lots adjacent.

Pete Frisina said no, all residential subdivisions.

Al Gilbert made a motion to recommend approval of the Final Plat of Jet Food Stores. Danny England seconded the motion. The motion passed 5-0.

**3. Discussion of Amendments to Chapter 110. Zoning Ordinance, Regarding Sec. 110-3. – Definitions and Sec. 110-79. - Accessory Structures and Uses.**

Pete Frisina stated that the front plane of the structure should be looked at to be considered the primary front yard. He said the 20 foot additional setback should also be used for the increased

setback. He added that the front plane of the house defines the primary front yard. He suggested using the definition of *Front yard*, *primary* means on a corner lot, the area between a property line adjacent to a street of which the front of the principal structure is oriented to and the front building line or, if the angle of the front of the principal structure to the street is 20 degrees or greater, a line running parallel to the front plane of the principal structure extending the full width of the lot shall be considered the primary front yard in determining the area of the property.

Brian Haren said that may over complicate the issue.

Pete Frisina stated that to simplify wording the definition will state that on corner lots the front plane of the house would dictate the front yard.

Brian Haren asked if there would ever be a situation where there was a back yard.

Pete Frisina replied no, there would be two fronts and two sides. He said he also added a paragraph about signage reading *Signage shall be posted on property for which the procedure is sought. One sign is required for each street frontage/access of said property and one sign shall be placed on the building portion of the property. The signage shall be posted not more than 45 calendar days, nor less than 15 calendar days prior to the meeting to consider the procedure before the planning commission.*

Brian Haren asked how often you think we would have petitions to determine front yards.

Pete Frisina replied he'd only seen it a few times, but he sees a need to come up with a solution.

No action was taken on this item and the discussion will be continued at a future meeting.

**4. Discussion of Amendments to Article XV. - Subdivision Regulations, Regarding Sec. 104-593. - Definitions and Sec. 104-603. Procedure for the Establishment of Front, Side and Rear Yards on a Flag Lot or a Nonconforming Landlocked Lot.**

Jim Graw asked if there is wording talking about flag lots in the ordinance.

Pete Frisina said nothing explicit.

Jim Graw asked how flag lots get approved.

Pete Frisina replied that these lots meet all the requirements for a legal lot.

Jim Graw asked which definition will apply to flag lots.

Pete Frisina replied *Due to the various development patterns of flag lots in the past and their irregular shapes, and that nonconforming land locked lots have no road frontage, a property owner may request that the planning commission establish the front, side and rear yards on an existing flag lot and a proposed flag lot in conjunction with the Final Plat and Minor Subdivision*

*Plat approval process that would be different than the yards per existing County regulations, and establish the front, side and rear yards on a nonconforming landlocked lot. This procedure is applicable to existing flag lots, proposed flag lots and nonconforming landlocked lots. The front, side and rear orientation of the residence (existing or proposed) on the flag lot or nonconforming landlocked lot and/or the orientation of the lot access will be considered in this establishment of front, side and rear yards. The establishment of yards through this procedure will require the revision of a Minor Subdivision Plat or Final Plat, as applicable.*

No action was taken on this item and the discussion will be continued at a future meeting.

#### **5. Discussion of auto brokers and internet sales in the O-I zoning district.**

Chanelle Blaine stated that the definition of e-commerce will be *Electronic Commerce (E-Commerce) means a business engaged in transactions via the internet or an internet based platform. These transactions can include taking orders, closing sales, and or making purchases.* She also stated that goods will be defined as *items which are sold, leased or traded in the normal course of a firm's business.* She further said that *Inventory means a complete listing of merchandise or stock on hand.* Chanelle Blaine said that e-commerce will be listed under a conditional use, removing the inside storage limitation of 25% of floor space.

Brian Haren will auto brokers be able to be able to sell under this new ordinance.

Pete Frisina replied that this is not for auto brokerage.

Jim Graw asked if an ecommerce business can bring goods and sell them the same day.

Brian Haren replied no, under Section 110-169 Conditional use approval:

Electronic Commerce (E-Commerce). Allowed in the O-I zoning district.

1. All electronic commerce sales facilities shall comply with the following conditions:

- (i) No goods are offered for sale on the premises.
- (ii) No inside or outside storage of goods and or inventory shall be permitted.

Jim Graw asked if numeral (i) can be amended to state that there will be no inventory offered for sale on the premises. He also asked if "or" can be removed from the definition only using the word "and".

Chanelle Blaine replied yes.

No action was taken on this item and the discussion will be continued at a future meeting.

#### **6. Discussion of tourist accommodations.**

No action was taken on this item and the discussion will be continued at a future meeting.

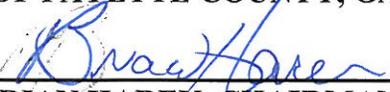
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Chairman Haren said he would entertain a motion to adjourn the meeting.

Al Gilbert said so moved. Danny England seconded the motion and the motion passed 5-0.

The meeting was adjourned at 7:49 pm.

PLANNING COMMISSION  
OF FAYETTE COUNTY, GA

  
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BRIAN HAREN, CHAIRMAN

ATTEST:

  
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