

THE FAYETTE COUNTY PLANNING COMMISSION met on May 3, 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

ZBA MEMBERS PRESENT: Bill Beckwith, Zoning Board of Appeals

FAYETTE COUNTY STAFF PRESENT: Jimmy Hall, Fire Marshal
Harold Myers, Chief Marshal

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 19, 2018.

Jim Graw made a motion to approve the minutes from the meeting held on April 19, 2018. Al Gilbert seconded the motion. The motion passed 5-0.

NEW BUSINESS

2. Discussion of tourist accommodations.

Pete Frisina stated that Fayette County has ordinances in place for tourist accommodations, but we're making some changes. He added that we've been discussing how to handle tourist accommodations from a zoning perspective. He said we've separated tourist accommodations into three categories: short term whole house rental, short term partial house rental, and A-R Bed and Breakfast Inn (Existing Conditional Use). He stated that *short term whole house rental, tourist accommodation, means the rental of a residence for 30 consecutive days or less where the owner or long term renter of the residence does not reside in the residence during the time of the short term rental; short term partial house rental, tourist accommodation, means the rental of a residence for 30 consecutive days or less where the owner or long term renter of the residence resides in the residence during the time of the short term rental; and bed and breakfast inn shall mean an establishment which serves food to its registered guests and not to the public at large.* He added that he felt short term whole house rental wouldn't be suitable in a subdivision. Pete Frisina stated that the Fayette County Marshal's office handles the tourist accommodations permitting process, but to effectively administer the ordinance the County would need a data miner to provide information on which houses are being rented.

Jimmy Hall stated that the State of Georgia and Fayette County have adopted the Life Safety

Code, which is the bare minimum for fire code. He said there is no regulation for B&B's, just a classification for a rooming lodging house and hotel/motel. He stated that a rooming lodging house is classified as having 16 or fewer occupants with no food accommodations. He added that Chapter 26-41 in the Life Safety Code regulations state that new buildings and existing buildings that are modified for a B&B will require an automatic sprinkler system.

Jim Graw asked what the regulations are for not modifying a building.

Jimmy Hall replied that it qualifies as new construction which also requires a sprinkler. He stated that when the occupancy classification is changed it becomes a new use, which has to be brought up to code to meet today's standards. He added that if all rooms at ground level have an exit from the room to outside they don't require a sprinkler. He said ground level means no stairs leading to the outside, it has to be an exit level with the ground.

Al Gilbert asked if a well water house has an effect on a sprinkler system.

Jimmy Hall replied no, the sprinkler has to have an adequate system pumping water.

Brian Haren asked if tourist accommodations required a business license.

Pete Frisina replied no, they need an annual permit to operate.

Jimmy Hall stated that firefighters need some way to work effectively. He said in single family dwellings firefighter expect a single family in the event of a fire.

Brian Haren asked if a B&B has to be sprinkled or have a ground level exit.

Jimmy Hall stated that fire regulations dictate it has to be classified as a B&B, not a single family dwelling renting rooms.

Pete Frisina stated that if we limit the number of guest to three (3) or less the fire marshal won't have to get involved.

Jimmy Hall replied right.

Harold Myers asked what classifies it as a commercial business.

Jimmy Hall replied when they get an occupational tax.

Harold Myers asked if the rooming and lodging house has a time frame.

Jimmy Hall said no, rooming and lodging houses with 16 or fewer on a transit or non-transit basis don't have a time frame.

Brian Haren stated that the definition of rooming lodging house would best fit what we're doing

here.

Jimmy Hall stated that the tourist accommodations would have to be classified as a rooming or lodging house for this regulation to apply.

Brian Haren stated that we have to find a way to accommodate the fire code to what we're doing.

Danny England said the Planning Commission can make blanket statement about tourist accommodations or get more specific based on how many people rent.

Jim Graw said if you have more than three (3) occupants you have a lot of hoops to jump through. It may not be cost-effective to do it.

Alfred Dingler stated that fraud is committed every day in Fayetteville, Fayette County, and Peachtree City. He said he's had meetings with Fayetteville, Fayette County, and Peachtree City and he's waiting for them to have the same codes regarding tourist accommodations. He stated that he's looked online and found multiple houses operating without a license.

Brian Haren stated that even though it's in a residential subdivision, not a commercial business, the same level of protection needs to be ensure. He added that Fayette County has a responsibility to ensure tourist accommodations are a safe space.

Pete Frisina said the issue we have now is having the manpower to enforce this; we'll need more people. He added that there's a hotel/motel excise tax which is 3%. He said he's not sure that tax can be used to hire people.

Alfred Dingler said his understanding is that municipalities have the ability to make rules that would provide funding for those positions.

Jim Graw stated that his concern is Fayette County's liability. He said the ordinance needs to be conservative or the County will be liable. He added that he was also concerned about how this would affect the neighbors in the subdivision.

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

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 the *Front yard, primary means on a corner lot, the area between a property line adjacent to a street and a line running parallel to the front plane of the principal structure, extending the full width.*

Front yard, secondary means on a corner lot, the area between a property line adjacent to a street and the principal structure outside of the primary front yard.

Principal structure, front means the wall/plane of the principal structure in which the front door is located. He said this is the simplest, most direct way to describe it. He added that the Planning Commission should set up a meeting with the Board of Commissioners in June to discuss this.

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.

Pete Frisina stated that there was a complaint from one of the Commissioners about the signs being posted so I added the paragraph signage which states *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.*

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

5. Discussion of the Future Land Use Plan.

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

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

Al Gilbert said so moved. John Culbreth seconded the motion and the motion passed 5-0.

The meeting was adjourned at 8:44 pm.

**PLANNING COMMISSION
OF FAYETTE COUNTY, GA**



BRIAN HAREN, CHAIRMAN

ATTEST:


