

THE FAYETTE COUNTY PLANNING COMMISSION met on August 2, 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
Danny England

STAFF PRESENT: Peter A. Frisina, Director of Community Services
Chanelle Blaine, Zoning Administrator
Chakevia Jones, Planning and 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 July 19, 2018.

John Culbreth made a motion to approve the minutes. Danny England seconded the motion. The motion passed 3-1-1. Al Gilbert abstained from voting and Jim Graw was absent.

NEW BUSINESS

2. Consideration of a Minor Subdivision Plat of Habakkuk George Weeks and Lydia Weeks Monroe. The property will consist of two residential lots zoned A-R, is located in Land Lot 40 of the 4th District and front(s) on Hardy Road.

Brian Haren stated that staff recommends approval with the condition that a level 3 soil study be conducted.

Al Gilbert made a motion to recommend approval of the Minor Subdivision Plat of Habakkuk George Weeks and Lydia Weeks Monroe. John Culbreth seconded the motion. The motion passed 4-0. Jim Graw was absent.

PUBLIC HEARING

3. Consideration of Petition No. 1276-18, Christine Thornton & Claudine Morris, Owners, and Trent Foster, Agent, request to rezone 18.172 acres from A-R to R-75 to develop a Single-Family Residential Subdivision consisting of six (6) lots. This property is located in Land Lot 105 of the 7th District and fronts on Dogwood Trail.

Trent Foster stated he was the agent for Christine Thornton and Claudine Morris, and they were requesting to rezone 18.172 acres to create six (6) three (3) acre lots. He said the Land Use Plan asks for one (1) unit per one (1) acre, but they were asking for more than the Land Use Plan. He

stated that he's read staff comments, and in the past shared driveways have been permitted, but it's not applicable for every situation. He said the Flat Creek makes it difficult to share a driveway in this instance.

Brian Haren stated that the Fayette County Engineering department stated that they wanted the subdivision to be limited to three (3) driveway curb cuts and each driveway curb cut servicing no more than two (2) lots. He asked if three was possible.

Trent Foster replied that they'll need four (4) at least. He said there is a drainage easement on where the drive way would be on lots five (5) and six (6) with water flowing from Dogwood Trail.

Al Gilbert asked if it would be possible for the Planning Commission to approve this petition with the condition and that he and Mr. Mallon from the Engineering department discuss the driveway matter prior to the Board of Commissioners meeting to see if the condition needs to be changed.

Pete Frisina replied that they could, but the Board of Commissioners will probably put conditions on this rezoning.

Brian Haren stated that the condition would read that the six (6) lots be limited to three (3) driveway curb cut, and each driveway curb cut shall service no more than two (2) lots. The locations of the driveway curb cuts shall be approved by the Fayette County Public Works Director.

Brian Haren made a motion to recommend approval of Petition No. 1276-18 with one condition. Al Gilbert seconded the motion. The motion passed 4-0. Jim Graw was absent.

- 4. Consideration of Petition No. 1277A-18, William Taylor III, Owner, request to rezone a total of 46.26 acres from A-R to R-70 to develop a Single-Family Residential Subdivision consisting 23 lots. This property is located in Land Lot 196 of the 13th District and fronts on Westbridge Road.**
- 5. Consideration of Petition No. 1277B-18, William Taylor III, Owner, request to rezone a total of 40 acres from A-R to R-70 to develop a Single-Family Residential Subdivision consisting 23 lots. This property is located in Land Lot 221 of the 13th District and fronts on Old Ford Road.**

William Taylor stated that he has been a resident of Fayette County almost 40 years, living 4.5 miles from the rezoning location and with his children going to local schools in the area. He stated that the community he's proposing to build is the Estates at Waters Edge, which will be a low density residential consisting of 23 homes having a minimum house size of 3000 square feet, and starting at the low \$400,000. He said that there will be one entrance on Old Ford Road and the homes will be indicative of the home styles in the area. He added that there are two existing homes on the property, which he would like to keep. He said he would like for the current tenants of one

of the homes to have the option of living there if they would like. He stated that the other home was being used by Fayette County SWAT, but their usage has slowed and now he would like to allow a young couple who has been renovating the house the chance to live there. He said he thinks it would be better to allow those families to remain there.

Brian Haren asked if William Taylor was aware of the conditions for 1277A-18 which state,

1. The owner/developer shall provide, at no cost to Fayette County, fifty (50) feet of right-of-way as measured from the centerline of Westbridge Road to create a total of 100 feet of right-of-way and said dedication area shall be shown on the Final Plat. *(This condition based on comments from Public Works/Engineering.)*
2. That the pavilion located on the eastern portion of the property be removed within 180 days from the effective date of this rezoning.

He also asked if Mr. Taylor was aware of the conditions for 1277B-18 which state,

1. The owner/developer shall provide, at no cost to Fayette County, forty (40) feet of right-of-way as measured from the centerline of Old Ford Road to create a total of 80 feet of right-of-way and said dedication area shall be shown on the Final Plat. *(This condition based on comments from Public Works/Engineering.)*
2. That the pavilion located on the eastern portion of the property be removed within 180 days from the effective date of this rezoning.

William Taylor replied that he had no issue with the dedication of the right-of-way, or the demolition and removal of the pavilion.

Brian Haren asked if there was anyone to speak in favor of the petition.

Brian Haren noted that there were 25 people who stood up in support of the petition.

Brian Haren then asked if there was anyone to speak in opposition of the petition.

Mikie Emerson stated that there is already too much traffic on Westbridge Road. She added that she is not opposed to a nice subdivision, but the math for the lot size doesn't make sense. She also asked if there will be a provision for traffic on Westbridge Road, maybe slowing it down. She further stated that she is not in favor.

Jeff Granier stated that the one thing that bothers him with the proposal is the R-70 zoning with 1,500 square foot houses. He said he would prefer to see R-75 with 2,500 square foot houses. He added that he heard Mr. Taylor's interest in wanting to keep the existing houses as his reasoning for the R-70 zoning request, but those two house aren't mandated to come up to a higher standard.

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Brian Haren stated that they are required to come up to a higher standard if the property is rezoned.

Jeff Granier asked if those two parcels can be deeded out.

Brian Haren replied that the Planning Commission cannot mandate that.

Jeff Granier asked if there could be some assurance that Mr. Taylor won't build a 1,500 square foot home.

Brian Haren replied that the Planning Commission could not mandate that.

Bill Maddox stated that he was concerned that there could be 1,500 square foot homes being built. He said he didn't see why there couldn't be some clause stipulating the houses have to be 2500 square feet.

Joanne Cain said she has lived on Old Ford Road for 46 years. She asked how the 80 foot right-a-way would affect her, and how the zoning change would affect her property. She said she is also concerned that her property taxes would go up.

Brian Haren stated that he can only address the right-a-way issue. He said donation of right-a-way is a standard stipulation in case Fayette County has to improve the road.

Al Gilbert said right-a-way would just be taken from Mr. Taylor's property. He also said her property zoning would not change.

Roy Bishop asked why he is having it rezoned if he's going to build houses that large. He asked how anyone will know he's going to build the 3,000 square foot size house if the zoning designation he's asking for allows a 1,500 square foot home. He said the two houses on the property should be turned down, and he's against the rezoning unless there is some reassurance he's going to build a large house.

William Taylor stated that when they complete the project and record the final plat, they'll have a covenant stipulating 3,000 square feet homes. He also said R-70 dictates 1,500 square foot homes, which exceeds the home size in the area. He added that he could build 1,500 square foot homes with A-R zoning. He stated the reason he proposed that zoning is because the current A-R zoning stipulates five (5) acre lots, which he thought to be excessive. He also said he chose R-70 to accommodate the two existing homes on the property. He said he would like for the homes to stay for the sake of those two families.

Al Gilbert asked Mr. Taylor if there was a reason he didn't want to ask for a variance for those two existing properties.

William Taylor said he was told that he couldn't have a variance on those two homes.

Pete Frisina stated that the homes are not out of compliance until the property is rezoned so a variance could not be petitioned until that time. He added that if the subject property was rezoned to R-75 or R-78 which require a larger than 1,500 square foot home, Mr. Taylor would have three options which would be 1) remove the homes from the subject property, 2) add square footage to the homes to meet the larger minimum square footage, or 3) seek a variance from the ZBA and if the variance was denied the ZBA would give him 60 days to have the homes removed.

William Taylor stated if this zoning is approved the families would be able to keep their home as it is. He said that if he put in a variance request and it was not approved then there would be no other option but to tear down the homes. He added that he is not for asking for a variance for that reason.

Brian Haren brought the matter back the Planning Commission for discussion. He stated that the R-70 zoning is in line with the Land Use Plan. He said the issue seems to be the home size of the proposed structures. He said even though there is a concern for the minimum square footage, he tends to be in favor of the petition. He added that Mr. Taylor has presented a development plan that clearly shows they're going to build a house size larger than everything around it. He further stated that the R-70 zoning, in terms of preserving the existing structures, is a good compromise.

John Culbreth stated that the development would enhance existing property value. He said there are always questions about traffic when a new subdivision is proposed, but from what he's heard tonight everything seems to be in order for permitting this development.

Al Gilbert stated that this proposed zoning meets the Land Use Plan and that's our guide. He added that he understands your discomfort, but he doesn't see this being a problem.

Danny England stated that we always hear about traffic concerns in rezoning hearings. He said according to the Department of Transportation traffic study there will only be a 3% increase in traffic on Westbridge Road. He said the study estimates there are just over 3,900 vehicle trips on Westbridge Road a day and a 3% increase isn't a lot.

John Culbreth made a motion to recommend approval of Petition No. 1277A-18 with two conditions. Al Gilbert seconded the motion. The motion passed 4-0. Jim Graw was absent.

John Culbreth made a motion to recommend approval of Petition No. 1277B-18 with two conditions. Brian Haren seconded the motion. The motion passed 4-0. Jim Graw was absent.

6. Consideration of an amendments to the Future Land Use Plan map of the Fayette County Comprehensive Plan for the area generally North of Harp Road, South of Seay Road, South of Perry Creek and East of Redwine Road from Rural Residential 2 (1 unit/2 acres) to Low Density Residential (1 unit/ 1 acre).

Al Gilbert said the Planning Commission had reviewed the Comprehensive Plan and Land Use Plan map that was adopted about a year ago. He stated that the area north of Harp Road is the only area

where an amendment is being recommended. He said that the area on Harp Road contains one (1) acre zoning and one (1) acre subdivisions development. He said in the past it was one (1) acre land use north of Harp Road and was two (2) acre land use south of Harp road, yet we've allowed several one (1) acre zonings. He added that he thinks it's going to be difficult to defend two (2) acre zoning north of Harp Road. He said there are also a large amount of one (1) acre zonings down Harp Road and Seay Road. He stated that the Planning Commission is just trying to put one (1) acre land use where the one (1) acre zoning exist.

John Culbreth made a motion to recommend approval of the amendments to the Future Land Use Plan map of the Fayette County Comprehensive Plan. Brian Haren seconded the motion. The motion passed 4-0. Jim Graw was absent from the meeting.

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

Al Gilbert said so moved and the motion passed 4-0. Jim Graw was absent.

The meeting was adjourned at 8:00 pm.

PLANNING COMMISSION
OF FAYETTE COUNTY, GA



BRIAN HAREN, CHAIRMAN

ATTEST:


