

THE FAYETTE COUNTY PLANNING COMMISSION met on April 1, 2021 at 7:00 P.M. in the Fayette County Administrative Complex, 140 Stonewall Avenue West, Fayetteville, Georgia.

MEMBERS PRESENT: Danny England, Chairman
Arnold Martin, Vice-Chairman (via *teleconference*)
John H. Culbreth (via *teleconference*)
Brian Haren
Jim Oliver

STAFF PRESENT: Pete A. Frisina, Director of Community Services
Chanelle Blaine, Zoning Administrator (via *teleconference*)
Howard Johnson, Plan & Zoning Coordinator

Welcome and Call to Order:

Chairman England called the Planning Commission meeting to order.

1. Consideration of the Minutes of the meeting held on March 18, 2021.

Brian Haren made a motion to approve the minutes of the meeting held on March 18, 2021. Jim Oliver seconded the motion. The motion passed 4-0. John Culbreth was absent.

NEW BUSINESS

2. Consideration of a Minor Final Plat for Kenneth Spaller Estates. The property will consist of one (1) lot zoned A-R, is located in Land Lot 130 of the 4th District and fronts on Highway 85 Connector.

John Culbreth entered the meeting virtually.

Brian Haren made a motion to approve the Minor Final Plat of Kenneth Spaller Estates. Arnold Martin seconded the motion. The motion passed 5-0.

3. Consideration of a Minor Final Plat for Smith Dairy Estates. The property will consist of seven (7) lots zoned A-R, is located in Land Lot 158 of the 4th District and front(s) on Rising Star Road and Massengale Road.

Chandra Smith said she was the agent for the owner and requests that the plat be approved.

Jim Oliver asked if the cemetery was found during the platting process.

Chandra Smith said no the cemetery was on the original survey for the property.

Brian Haren made a motion to approve the Minor Final Plat of Smith Dairy Estates. Jim Oliver seconded the motion. The motion passed 5-0.

PUBLIC HEARING

- 4. Consideration of Petition No. 1303-21, Fayette County School System, Owner, and RODWRIGHT CORP, Agent, request to rezone 99.06 acres from A-R to C-S to develop a residential subdivision consisting of 36 lots. This property is located Land Lots 10 and 23 of the 5th district and Land Lot 247 of the 4th District and fronts on Inman Road and SR 92 South.**

Rod Wright said he is seeking the Planning Commission's approval and he would answer any questions the Planning Commission may have.

Chairman England asked if there was anyone that wished to speak in favor of the petition. Hearing none he asked if there was anyone who wished to speak in opposition to the petition.

Malcolm Kittrell said he is opposed to the rezoning as he shares a 1,399 foot boundary with the property and he bought his property as A-R. He added that on the east side all of the properties are A-R. He stated that he feels this rezoning will reduce the value of his property and everybody else's values as well. He said as shown on the drawing the detention pond is next to his house. He stated that if you go out and look at the property it was terraced in the late 1800's and that doesn't show on the drawing but it is a beautiful thing to see. He stated that there is no need for that detention pond to be there. He said putting 36 homes uphill and directly beside the wetlands with all of the septic systems seems hazardous. He added that the rezoning degrades the rural character of the area. He stated that the rear setbacks in A-R are 75 feet and the C-S is 30 feet. He said the side setbacks in A-R are 50 feet and in C-S they are 20 feet. He added that he is concerned about the tree coverage specifically for the wetlands as he saw the latest Rod Wright development at SR 92 and Jimmie Mayfield and there is not a piece of vegetation left as they took down all the trees and I don't want something like that to take place in our neighborhood. He said four of these one acre lots will abut his property and just because there is a setback there it doesn't mean it won't be mowed flat. He stated that he was concerned that they will take down all of the vegetation and that will pollute the pond. He added that without the trees he doesn't want to see all of those little houses that will be built. He stated there used to be a train that went from Fayetteville to Griffin through this area and with this being a terraced former farm it has some historical significance.

Jim Oliver asked if his concern is there will be homes built there or the size of the homes that will be built there.

Malcolm Kittrell said he didn't know what size homes will be built there.

Jim Oliver said then your concern is having development there.

Malcom Kittrell said he doesn't mind development but let's stay A-R.

Jim Oliver asked what his thoughts were when the school was built.

Malcom Kittrell said he doesn't mind it as it is far away from his house.

Jim Oliver said so your concern is about development other than A-R.

Malcom Kittrell said I can't see why they can't develop it as A-R. He added that the same amount of acreage can be sold and there will not be as many houses or septic systems.

Jim Oliver asked if this was a piece of property you had considered purchasing yourself.

Malcom Kittrell said after the school was built he made them an offer and they wouldn't take it. He stated they countered with a price of five million dollars.

Chairman England said we will now open the phone lines for any comments. Hearing none he said he would bring this matter back to the board.

Rod Wright said that he is not doing the development at SR 92 and Jimmie Mayfield and where his house is located next to the open space in the subdivision. He added that the request meets the land use plan.

Jim Oliver asked if there are street lights planned for the subdivision.

Rod Wright replied yes.

Jim Oliver said Mr. Kittrell's concern was about the retention pond next to his house and could the existing pond be used instead.

Rod Wright said they could look into that.

Jim Oliver asked what size homes he planned to build as the requirement is 2,100 square feet.

Rod Wright said they would be at least that size.

Brian Haren asked how many conservation areas are there in the development.

Pete Frisina said there are two separate conservation areas, a ten acre area along SR 92 and the other area is to the rear of the development where the ponds and creeks are located.

Brian Haren asked if they would be developed in any way.

Rod Wright said they would be left natural with mulched walking trails.

Jim Oliver said he saw the two acre yield plan utilizing the entire property and he could see the difficulty with developing the property.

Rod Wright said with the C-S zoning we had to prove what could be built with two acre lots based on all of the regulations and that was reviewed by the county staff.

Pete Frisina said the C-S zoning requires that a minimum of 40 percent of the development be in conservation area. He added that the conservation area here is about 56 percent.

Arnold Martin asked what the traffic impact would be for SR 92 with 36 homes.

Rod Wright said the development will only access Inman Road and he hasn't done a traffic study.

John Culbreath said he liked the fact that there is a lot of green space in the development.

Pete Frisina said there is a recommended condition.

Chairman England said the condition is the developer shall provide a multi-use path that connects an internal street of the subdivision to the Inman Elementary School.

Rod Wright said he agrees with the condition.

John Culbreath made a motion to recommend approval of Petition 1303-21 with one condition. Arnold Martin seconded the motion. The motion passed 5-0.

5. Consideration of Amendments to Chapter 108. Sign Ordinance, Regarding Sec. 108-3. – Definitions and Sec. 108-162 – Walls Signs.

Pete Frisina said this discussion of wall signs is what started us looking into the entire sign ordinance. He added that he had hoped to complete a review of the entire ordinance but it has turned into a much bigger job than anticipated so he felt it was best to move ahead with this one amendment. He said the definition of a wall signs contains a sentence that is regulatory so that will be moved to the regulation section of the ordinance. He added that section 108-162 has been amended to remove the placement of a sign based on the number of stories. He said the ordinance states a wall sign shall not be placed on any roof or on top of any structure or be allowed to extend above the roof line/eave or the top plane of any structure and shall not be mounted more than six inches from any wall, building, or structure.

Pete Frisina said there is no one in the chambers so we should open the phone line at this time for comments.

Hearing none Chairman England said he would bring this matter back to the board.

Brian Haren made a motion to recommend approval of amendments to Chapter 108. Sign Ordinance, Regarding Sec. 108-3. – Definitions and Sec. 108-162 – Walls Signs. John

Culbreth seconded the motion. The motion passed 5-0.

NEW BUSINESS

6. Discussion of vehicle sales in C-C and C-H.

Pete Frisina said staff was working with a C-C property that is nonconforming both in size and the location of the structure and the property owner was going to request a rezoning to C-H for a vehicle sales use. He said given the nonconforming aspects and variances that would be needed staff had a discussion with the county attorney who suggested amending the ordinance to allow vehicle sales in C-C. He stated staff agreed and are now proposing to add vehicle sales to the C-C zoning district. He said he found a definition in the zoning ordinance for vehicle/boat sales that is not used in the body of the zoning ordinance. He added that he clarified the definition to include incidental repairs, ATV's, watercraft to boats, and utility to trailers to match the conditional uses. He stated this use would be added to C-C as a conditional use and the existing conditional uses in C-H, M-1 and M-2 would be amended with the term vehicle/boat sales and he also updated the conditional use in section 110-169. He said we have another meeting in April to discuss this and possibly we could go to public hearings in May.

Jim Oliver asked if each of these zoning districts are equal in lot size and setbacks.

Pete Frisina said they are equal for lot size but setbacks and buffers are larger in M-1 and M-2. He added that most of the vehicle sales we see are small auto brokers that sometimes don't keep an inventory on the lot as they do internet sales from one owner to the next.

Brian Haren asked if there is a specific location in the County where there are properties zoned C-C.

Pete Frisina said the C-C properties are interspersed in areas with C-H zoning and they don't appear different. He added the specific area where this property is located has properties zoned C-C, C-H and M-1. He stated if it wasn't such a difficult task he would recommend merging C-C into C-H but then you have to rezone all of the C-C properties to C-H.

Pete Frisina said we recently made amendments to the zoning ordinance regarding "funeral establishments" in cemeteries. He added the C-H zoning district has a permitted use listed as "funeral home" which staff recommends amending to "funeral establishment." He said we have another meeting in April to discuss this and possibly we could go to public hearings in May.

Arnold Martin made a motion to adjourn. John Culbreth seconded. The motion passed 5-0.

The meeting adjourned at 8:00pm.

PLANNING COMMISSION
OF
FAYETTE COUNTY



DANNY ENGLAND, CHAIRMAN

ATTEST:



HOWARD L. JOHNSON
PLANNING COMMISSION SECRETARY