

THE FAYETTE COUNTY PLANNING COMMISSION met on October 7, 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
John H. Culbreth
Brian Haren
Jim Oliver

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

Welcome and Call to Order:

Chairman England called the Planning Commission meeting to order.

NEW BUSINESS

1. Consideration of the Minutes of the meeting held on September 16, 2021.

John Culbreth made a motion to approve the minutes of the meeting held on September 16, 2021. Brian Haren seconded the motion. The motion passed 4-0. Arnold Martin was absent.

2. Consideration of the Minor Final Plat for Cheryl Gregory, Mary Jones and AA Jones III. The property will consist of three (3) lots zoned A-R and is located in Land Lot 172 of the 4th District and fronts on Lakeview Drive.

Brian Haren made a motion to recommend approval of the Minor Final Plat for Cheryl Gregory, Mary Jones and AA Jones III. John Culbreth seconded the motion. The motion passed 5-0.

3. Consideration of a Petition No. VA-022-21, Iris Williams, Owner, requests a variance to the Fayette County Subdivision Regulations, Section 104-603 – Variance of appeal. (a) Variance. This variance is to reduce the contiguous area for Tract 2. The property consists of one lot zoned R-40, is located in Land Lot 74 of the 5th District and fronts on South Jeff Davis Drive.

Iris Williams said he wants to build a house on this proposed lot and there is an issue with the contiguous area on the lot. He added that he had submitted a letter addressing his concerns and the lot has a high elevation and is a large enough piece of property. He stated he understands the area limit based on the lines from the pond and the street and it would not impose any impact on the pond. He said he would close the well on Tract 1 and the existing septic system is being relocated so there is no impact to the

proposed lot. He added that he would appreciate any consideration he could get.

Chairman England said you are required to have .3 acres and what you have is .178 acres.

Mr. Williams said that is correct.

Chairman England said this issue is driven by the water you have on the property.

Mr. Williams said that is correct and he submitted a photo of the area. He added that he has lived on this property for 14 years and the pond does not impact that area given the elevation. He stated that he had submitted a 100 year flood plan for that area and it would not impact the lot. He added that his current house was built in 1964 and there has been no problems and it is within the floodplain area.

Jim Oliver asked if the new house was for a family member.

Mr. Williams said it is for my son to help me in my old age.

Pete Frisina said in 1964 there was not floodplain and watershed regulations.

Jim Oliver asked if the whole issue was being caused by the watershed setbacks.

Pete Frisina said the watershed and the dedication of right-of-way is affecting the contiguous area.

Jim Oliver said so the taking of property for right-of-way is also affecting this lot.

Mr. Williams said he mows the grass in the pond because the pond doesn't hold that much water for very long.

Brian Haren asked if the shed stays.

Pete Frisina said the Environmental Management Department comments state that the shed on the new lot will have to be removed.

Mr. Williams said he has no problem with removing the shed.

Brian Haren asked if there is enough room for a septic system.

Pete Frisina said the septic systems do not have to meet the zoning setbacks but they have to meet the watershed buffers/setbacks.

Pete Frisina asked if Mr. Williams if he was connecting to the County water.

Mr. Williams said he is connecting to County water.

Arnold Martin made a motion to approve Petition VA-022-21 to reduce the contiguous area for Tract 2. John Culbreth seconded the motion. The motion passed 5-0.

PUBLIC HEARING

4. Consideration of amendments to Chapter 110. Zoning Ordinance, Regarding Sec. 110-75 - Structures permitted above the height limit and Sec. 110-169. - Conditional use approval, concerning outdoor amusement facilities, rides, and structures over 35 feet in height.

Pete Frisina said these are the amendments we discussed at the last meeting with John Arie, the owner of The Fun Spot Amusement Park, concerning the proposed roller coaster at The Fun Spot which will be greater than 35 feet in height. He added that the present ordinance basically says if any portion of an amusement ride exceeds 35 feet in height then the entire amusement ride must be setback 300 feet from any property zoned A-R or residential. He stated that these rules were originally developed when the bungee tower was being built at the amusement park in the 1990's and the rules were derived from the cell tower ordinance and at that time there was a standard setback of 300 or 400 feet from the cell tower to property zoned A-R or residential. He said the amendments under Sec. 110-75 is basically housekeeping as these outdoor amusement facilities, rides, and structures should have already been mentioned under this section. He added that the amendments to Sec. 110-169 under condition number 2 will now state that only the portion of the outdoor amusement facility, ride, or structure that exceeds 35 feet in height will need to meet the 300 foot setback. He said the portions of the amusement facility, ride, or structure that are 35 feet or less in height will meet the standards setbacks which in this case would be a total of 65 feet consisting of a 50 foot buffer and 15 foot setback. He added that condition number 4 is being deleted because these amusement rides are built under ASTM Standards which requires fencing and the County doesn't need to have rules that conflict with these standards.

Arnold Martin asked if the ordinance specifies a maximum height limit for the structures listed under Sec 100-75.

Pete Frisina said the ordinance does not specify a maximum height limit for the structures listed under Sec 100-75 but there is a limit to the height based on the structural aspects of the structure.

Arnold Martin said a roller coaster as tall as one at Six Flags could be built.

Pete Frisina said that is correct.

Jim Oliver said but the ordinance does specify that the structure be designed to fall within the boundaries of the property.

Brian Haren asks who enforces the ASTM Standards.

Pete Frisina said he thinks it would be the State Fire Marshal because they have jurisdiction over amusement rides.

Chairman England said that under condition number 1 it says all state codes, rules, and regulations shall apply.

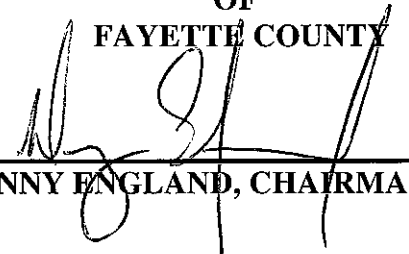
Chairman England asked if anyone would like to comment either in favor or opposition to the proposed amendments to the zoning ordinance. Hearing none he said he would bring it back to the board.

Brian Haren made a motion to recommend approval of the amendments to Chapter 110. Zoning Ordinance, Regarding Sec. 110-75 - Structures permitted above the height limit and Sec. 110-169. - Conditional use approval, concerning outdoor amusement facilities, rides, structures over 35 feet in height. Jim Oliver seconded the motion. The motion passed 5-0.

John Culbreth made a motion to adjourn. Brian Haren 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