

THE FAYETTE COUNTY PLANNING COMMISSION met on April 21, 2022 at 7:00 P.M. in the Fayette County Administrative Complex, 140 Stonewall Avenue West, Fayetteville, Georgia.

MEMBERS PRESENT: Arnold Martin, Chairman
Brian Haren, Vice-Chairman
John H. Culbreth
Jim Oliver
Danny England

STAFF PRESENT: Channele Blaine, Zoning Administrator
Chelsie Boynton, Planning and Zoning Coordinator

NEW BUSINESS

1. Consideration of the Minutes of the meeting held on April 7, 2022.

Danny England made a motion to approve the minutes of the meeting held on April 7, 2022. Jim Oliver seconded the motion. The motion passed 4-0-1. John Culbreth abstained.

2. Election of the Secretary.

John Culbreth made a motion to nominate Chelsie Boynton as Planning Commission Secretary. Brian Haren seconded the motion. The motion passed 5-0.

3. Consideration of a Major Final Plat for Godby Park. This property consists of 16 lots zoned R-70, is located in Land Lot(s) 36, 37 and 60 of the 7th District and front(s) on Ebenezer Road and Davis Road

Chairman Martin asked if there was anything that would like to be said about the property beyond what has already been seen.

Jeff Lammes said he was there to represent Rod Wright and Rod Wright Development. He thanked the Planning Commission for consideration of the final plat. He said if he can answer any questions, he is happy to do so.

Chairman Martin brought the plat back to the Planning Commission for any discussion.

Jim Oliver said majority of this was done before he was on the board. He asked if it was under a different time frame. He said he saw dates going back to 2021 or 2019.

Channele Blaine said he may be talking about the rezoning petition done in 2016.

Jim Oliver referred to lot 12 and asked if people would have to cross the creek because the rules say you cannot have a lot facing out on the road. He asked is this why all the driveways must be interior.

Chanelle Blaine said they usually want the driveway to come off the road that is less traveled. She said the interior street is usually the road that is less traveled. She added this was a condition of the rezoning, that no access could be off Davis Road.

Jim Oliver asked if they would have to come before the board for variance if they wanted to try to access Davis Road. He said they may not want to, but it seemed like it was a lot trying to cross the creek and put in pipes and get into the wetlands.

Chanelle Blaine said that it was a condition of the rezoning. She said if they want to change the rezoning, they would have to go back through the public hearing process.

Jim Oliver said engineers tried to use something like this to try to squeeze out one (1) more lot by trying to add an additional driveway to Davis Road.

Danny England said Jim Oliver made a good point. He said the physical constraints of the site do not show up in the zoning code. He said if he were developing it, he would want a driveway off Davis Road.

John H. Culbreth asked if there is any area in here for recreational use.

Chanelle Blaine replied no.

Chairman Martin asked Jeff Lammes if he had any concerns dealing with lot 12.

Jeff Lammes replied no. He said it was one (1) of the most popular lots.

Chairman Martin asked if there were any other questions or comments from the board. There were none.

John Culbreth made a motion to approve the Major Final Plat for Godby Park. Jim Oliver seconded the motion. The motion passed 5-0.

4. Discussion on parking of business vehicles.

Chanelle Blaine stated that a citizen came into the Planning and Zoning office wanting to park tractor trailer trucks on A-R property. She said the citizen wanted to park more than one (1). She read Section 110-84 Parking of Business Vehicles of the Zoning Ordinance: In any residential district, except A-R on lots of 10 acres or larger, no business vehicle exceeding 8,000 pounds (curb weight) shall be allowed to park either on lots so zoned or on streets abutting such lots except during daylight hours and only

for the purpose of making deliveries, making pickups, and providing services.

Chanelle Blaine stated that the gentleman wanted to have his tractor trailer trucks parked there over night for an extended period.

John Culbreth asked if it was a residential lot.

Chanelle Blaine said it is a residential lot, zoned A-R, with more than 10 acres. She stated that she spoke with Pete Frisina before he left and he stated the ordinance is opened for interpretation. Chanelle Blaine added it is not as specific as we would like it to be, she is bringing this topic before the Planning Commission to discuss making it as specific as possible. Not allowing them in any residential district and only allowing for one (1) business vehicle exceeding 8,000 pounds in a A-R zoning district that has more than 10 acres.

John Culbreth stated that currently in the market, there is nowhere for tractor trailers to park. He said you have to pay for tractor trailers to be parked at a tractor trailer parking lot. If you have land that's vacant off any of the interstates you can set up a tractor trailer lot and make money.

Danny England said there are some in Union City.

Chanelle Blaine added the County has one (1) off of Highway 314. She said they are allowed in areas zoned Industrial.

John Culbreth said he doesn't think it should bleed over into the neighbors.

Jim Oliver gave the example of living on 10 acres down in Brooks. He said it tends to grow and next they will be doing repairs.

Chanelle Blaine stated the way she interprets the ordinance, it says one (1) vehicle. But like Pete Frisina said, it can be read either way. She stated the old ordinance says vehicle. She said she wants to be very specific and put "one (1)" in the ordinance.

John Culbreth mentioned Class Two (2) of the Truck Classifications on the visual aid Chanelle Blaine provided.

Danny England asked if we would keep the "8,000 pounds."

Chanelle Blaine said she will keep "8,000 pounds" and she doesn't think we should get specific with the type of vehicle. She said keeping "8,000" will encompass everything.

Chairman Martin stated Chanelle Blaine has provided the Board with ordinances from other counties as well. He asked if neighboring counties had anything different from what was being proposed.

Chanelle Blaine replied no. She said she spoke with the Planning Director with the City of Fayetteville to see if they were going by the number of pounds or are they more specific with what they will not allow. The Planning Director told Ms. Blaine the City is more specific. Their ordinance mentions tractor trailers and box trucks but the Planning Director thought including 8,000 pounds is a lot better because it encompasses everything.

Chairman Martin asked if we say 8,000 pounds then we will not be including any particular class, referring to the Truck Classification visual aid.

Chanelle Blaine answered no, the class will not be included.

Chairman Martin mentioned the communities listed on the proposed ordinance update.

Chanelle Blaine said those were all the residential zoning districts in Fayette County.

Danny England referred to New (a). on the proposed ordinance update provided by Chanelle Blaine. He pointed out the last sentence, "On A-R, lots of 10 acres or larger one (1) business vehicle exceeding 8,000 pounds shall be allowed to park on lots so zoned." He asked if this would be forever.

Chanelle Blaine replied yes.

John Culbreth gave an example of having an electric vehicle that is not as heavy as having a tractor trailer, located on a minor arterial and it comes up to 8,000 pounds and no major engine.

Chanelle Blaine asked where it would be parked. She asked if it would be on an A-R lot.

John Culbreth said it would be in the same place being prohibited.

Danny England referred to the discussion of weight in the last meeting. He asked who would check the weight of the vehicle. Should we say box truck, tow truck, tractor trailer. He asked if we should be more specific. He said if someone has a F350 Super Crew Dooley, that probably tips the scale to over 8,000 pounds. May not be a commercial vehicle, just a regular vehicle.

Chanelle Blaine said those pickup trucks are allowed.

John Culbreth said Danny England missed the point. John Culbreth said if there was a tractor trailer that was electric and did not have all the weight of the engine.

Danny England said he knows where John Culbreth is coming from. He said the truck

would be this big (referenced Truck Classifications visual aid) but weighed 4,000 pounds.

Chairman Martin said to John's point, that it is fine if you put the weight but there could be other classes of vehicles that could sneak in.

Jim Oliver asked about cabs. He asked if the cab without the trailer is the same thing.

John Culbreth said that's what he was referring to.

Chanelle Blaine said trailers are not allowed in residential zoning. She said if you look at the picture, the tractor trailer is not including the cab. It is just including the truck itself. She said that is over 8,000 pounds.

Danny England said whenever you register the vehicle, the class of the vehicle is on the registration. So instead of saying 8,000 pounds, should it say class two (2) or higher.

Chairman Martin said including class two (2), it would go up to 10,000 pounds.

Chanelle Blaine said if we do that, Class three (3) allows for heavy duty pickup trucks. It would be like we're saying we're not allowing heavy duty pickup trucks.

Danny England said maybe the stipulation there would be whether it's registered as a commercial vehicle or a personal vehicle.

Brian Haren said the one (1) from Coweta County just says business related.

Chairman Martin asked if "business vehicles weighing 8,000 pounds or less" was the characterization of it being a commercial vehicle.

Chanelle Blaine replied yes.

Chairman Martin said school busses are exempt.

Brian Haren said the County encourages the bus drivers to bring them home. It gets them into their route faster than having to go to the bus barn to pick it up. He said he likes leaving the wording the way it is and using weight as opposed to class because weight is very definite.

Chairman Martin said going back to the scenario where the guy wants to park a bunch of these on here, with the new changes these would stop him completely.

Chanelle Blaine said this will specifically state that it is only allowed for one (1). When she goes before the ZBA, if he wants to request a variance, she can say the ordinance only allows for one (1) and it's not up for interpretation.

Danny England said what about a company that has a fleet of 6000-pound small vans.

Chairman Martin asked in paragraph b (of Sec. 110-84), in terms of 6000 pound vehicles, where can they be parked.

Chanelle Blaine said she thinks it's saying business vehicles in general cannot be parked on the street.

Chairman Martin then gave the example of someone with 10 acres and 12 6000 pounds vans. The ordinance says don't park on the street, it's encouraging me to park it on my land.

Danny England said he can think of a few developers who have a similar set up. They have a fleet of trucks that are smaller. Sometimes they buy a house and they run a business out of it. He asked what's worse, 12 small vans or one (1) big one (1).

Chanelle Blaine said in our ordinance for home occupation only customary passenger vehicles, vans and pick-up trucks shall be permitted to remain on the premises in association with a home occupation. Said vehicles cannot exceed two (2) axles, 22 feet in length, 10 feet in height, and/or 8,000 pounds (curb weight). No tow and/or rollback trucks shall be allowed to remain on the premises. A trailer used in association with the home occupation shall be permitted to remain on the premises. The aforementioned vehicles or trailer used in association with the home occupation may be stored in a detached garage.

Chairman Martin said based on what was just read, there was a person who was basically running a mechanic shop out of his house. He was in a nice subdivision and had 10 cars and trucks.

Chanelle Blaine said that's not allowed. She said the ordinance states you can not work on cars at your house in a residential area.

Chairman Martin said the County was called in and the man said it was his hobby. He added they could never get him because he was straddling in between the lines. The man said it was not a business, it was his hobby. He added he wasn't advertising. Chairman Martin said he is still feeling ambiguity even in the statement that was just read. It seems like from the example of a person with 6000 pound vehicles to this example, if it's dealing with your home occupation, you can do what you want.

Danny England said you can only get one (1) trailer and one (1) truck.

Chairman Martin asked if it says "one (1)."

Chanelle Blaine read the ordinance, only customary passenger vehicles, vans and pick-

up trucks.

Chairman Martin said it stated vehicles. He said it didn't say you can have up to this many, it just says you can have these vehicles. He said he is focused on that one (1) word that is the plural vehicles.

Danny England suggested changing the home occupation to say that only one (1) vehicle can be a business vehicle.

Chairman Martin asked Chanelle Blaine her thoughts.

Chanelle Blaine said she had work to do. She said she will go back and see if we need to tweak the home occupation.

Chairman Martin said plenty of people have multiple vehicles for their work. He added he did not have the desire to limit home occupation to one (1) vehicle. He said his concern is the way the ordinance is written, it seems like it's wide open. He asked if the ordinance says you can have or you can't have.

Chanelle Blaine read the ordinance: only customary passenger vehicles, vans and pick-up trucks shall be permitted to remain on the premises.

Chairman Martin asked if that would include the cargo vans.

Chanelle Blaine replied no because the ordinance includes the caveat of the 8,000 pounds.

Chairman Martin said he's referring to the kind of vans that are gutted on the inside. He asked if those would be included in here.

Chanelle Blaine said she doesn't think it's going that far. She said one (1) person came in, with A-R property, wanting to park a semi there. She said she will also send the wording to the County attorney to see if he can think of anything to add to it. She added she will look at lighter vehicles that look like they weigh 8,000 pounds but may not. She concluded with she does not think we should be specific with the class or type of vehicle, but to go with the pounds.

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John Culbreth made a motion to adjourn. Brian Haren seconded. The motion passed 5-0.

The meeting adjourned at 7:35pm.

PLANNING COMMISSION
OF
FAYETTE COUNTY



ARNOLD MARTIN, CHAIRMAN

ATTEST:



CHELSIE BOYNTON
PLANNING COMMISSION SECRETARY