

THE FAYETTE COUNTY PLANNING COMMISSION held a **Workshop** on December 2, 2004 at 8:18 P.M. in the Fayette County Administrative Complex, 140 Stonewall Avenue West, Public Meeting Room, Fayetteville, Georgia.

MEMBERS PRESENT: Jim Graw, Chairman
Douglas Powell, Vice-Chairman
Bob Harbison
Bill Beckwith
Al Gilbert

MEMBERS ABSENT: None

STAFF PRESENT: Aaron Wheeler, Director of Zoning/Zoning Administrator
Chris Venice, Director of Planning/Community Development Division
Director
Ron Salmons, County Engineer
Phil Mallon, Assistant County Engineer
Ali Cox, Assistant County Attorney
Delores Harrison, Zoning Technician
Robyn S. Wilson, P.C. Secretary/Zoning Coordinator

Welcome and Call to Order:

Chairman Graw called the meeting to order and introduced the Board Members and Staff.

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1. Discussion of proposed amendments to the Fayette County Zoning Ordinance, Article V. General Provisions regarding Section 5-9. Single-Family Dwelling, A. Additions To A Single-Family Structure.

Aaron Wheeler advised that the proposed amendment has been discussed at previous Workshops. He stated that the changes have been made since the last discussion and reviewed and approved by the County Attorney's Office. He reported that the Zoning Ordinance does not give specific instructions as to what is required when making an attachment to a single-family residence, however the instructions have been inferred through interpretation as to how this should be done. He confirmed that the proposed amendment would support the interpretation which has been used.

Bill Beckwith asked Mr. Wheeler to explain what was meant by "said corridor must be attached to the primary residence at a location that is currently heated/cooled".

Mr. Wheeler explained that the location of the connection must be heated/cooled and not attached to a porch for example. He further explained that "direct access" requires space adequate for a doorway so this would stop point to point construction at the corner of the house.

Chairman Graw instructed the Secretary to advertise for the January Public Hearing.

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2. Discussion of proposed amendments to the Fayette County Development Regulations, Article XII. Illicit Discharge and Illegal Connection Ordinance.

Chairman Graw stated that at the last meeting, he got hung up on something that he should not have gotten hung up on as a P.C. member. He said that he and some of the other P.C. members focused on the legalities of the proposed ordinance and were not fair to the Engineering Department.

Ron Salmons stated that he did not take offense to the previous comments. He pointed out that the proposed ordinance is State mandated and must be adopted by the County. He said that this ordinance will probably not be utilized more than once in the next five (5) years. He confirmed that

it's adoption is necessary to maintain withdrawal permits for the Water System which is required to enable water to be withdrawn from reservoirs or rivers. He reported that the legal review has been completed and submitted copies of the changes which the County Attorney's office is requiring. He added that the memorandum from Attorney Ali Cox points out the six (6) items which have been changed. He confirmed that the County Attorney's office is required to review the proposed ordinance and type a letter stating that it is substantially compliant with the model ordinance. He said that the proposed ordinance provides for a sharing of the responsibility between Environmental Health and the Engineering Department.

Mr. Salmons stated that some of the changes include how you recover some of the costs. He said that some changes were also made regarding the enforcement of the proposed ordinance to make it more compatible with the normal process of issuing warnings, notices, and citations similar to that of the Soil Erosion and Sedimentation Control Ordinance. He pointed out that the County Administrator is the designee for appeals, however the Board of Commissioners could appoint whomever they desire.

Mr. Salmons said that the proposed ordinance addresses illicit dumping or discharging into the County's storm water sewer system which is defined as roadway ditches, curb and gutter, or a drop inlet.

Bob Harbison said that after reading the proposed ordinance it appears that someone would have to intentionally connect something to the ditch and normal runoff into the ditch would not be covered by the ordinance.

Mr. Salmons replied that there is a potential that normal runoff could be an issue such as the misuse of materials, for example the abnormal amount of fertilizer which could runoff into the ditch. He said that there is a provision regarding compliance with the manufacturer's recommendations which is not considered a pollutant and advised the P.C. to turn to page 4 and read the definition of pollutants.

Bill Beckwith asked if a testing procedure was required for storm water runoff.

Mr. Salmons replied no because Fayette County is a Phase II Community under the National Pollutant Discharge Elimination System (NPDES).

Al Gilbert commented that basically the proposed ordinance is an unfunded mandate from the State and is similar to the Soil Erosion and Sedimentation Control Ordinance.

Doug Powell commented that the proposed ordinance addresses the abatement costs of a violation but does not address how someone would appeal the notice of violation and asked whether or not it should be addressed.

Mr. Salmons replied that first a warning is issued and if the violation is not corrected then a Stop Work Order is issued. He said that if the violation is not corrected after the issuance of a Stop Work Order then a citation is issued and the State Court Judge makes a decision.

Hearing no further comments, Chairman Graw instructed the Secretary to advertise the proposed ordinance for the January Public Hearing.

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Chairman Graw asked if there was any further business. Hearing none, Bob Harbison made a motion to adjourn the Workshop. Doug Powell seconded the motion. The motion unanimously passed 5-0. The Workshop adjourned at 8:48 P.M.

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PLANNING COMMISSION
OF
FAYETTE COUNTY

ATTEST:

JIM GRAW
CHAIRMAN

ROBYN S. WILSON
P.C. SECRETARY