

THE FAYETTE COUNTY PLANNING COMMISSION met on April 1, 2004 at 7:04 P.M. in the Fayette County Administrative Complex, 140 Stonewall Avenue West, Public Meeting Room, First Floor, Fayetteville, Georgia.

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

MEMBERS ABSENT: None

STAFF PRESENT: Chris Venice, Acting Zoning Administrator/Director of Planning/
Community Development Division Director
Bill McNally, County Attorney
Ali Cox, Assistant County Attorney
Delores Harrison, Zoning Technician
Robyn S. Wilson, P.C. Secretary/Zoning Coordinator
Deputy Mark Thayer

Welcome and Call to Order:

Chairman Graw called the meeting to order and led the Pledge of Allegiance. He introduced the Board Members and Staff and confirmed there was a quorum present. He also welcomed the high school students.

* * * * *

1. Consideration of the Minutes of the meeting held on March 4, 2004.

Chairman Graw asked the Board Members if they had any comments or changes to the Minutes as circulated? Doug Powell made the motion to approve the Minutes. Bob Harbison seconded the motion. The motion unanimously passed 5-0.

* * * * *

2. Consideration of the Workshop Minutes of the meeting held on March 18, 2004.

Chairman Graw asked the Board Members if they had any comments or changes to the Workshop Minutes as circulated? Al Gilbert made the motion to approve the Workshop Minutes. Bill Beckwith seconded the motion. The motion unanimously passed 5-0.

* * * * *

Chairman Graw explained to the audience that a Preliminary Plat was the subdivision of property which was already zoned and only the technical aspects of the Preliminary Plats could be addressed by the public.

THE FOLLOWING ITEMS WILL BE CONSIDERED BY THE PLANNING COMMISSION ONLY ON APRIL 1, 2004.

3. Consideration of a preliminary plat, New Hope Landing, Carl Graves Estates, Owner, and Billy Brundage of Brundage Engineering, Agent, request to develop a proposed subdivision consisting of 61 single-family dwelling lots. This property is located in Land Lot 196 of the 5th District, fronts on New Hope Road and Brogdon Road, and is zoned R-20.

Billy Brundage requested approval of the preliminary plat consisting of 61 lots on 92 acres.

Chairman Graw asked if there were any public comments.

Robert J. Williams of Walden Pond Subdivision asked the cost of the proposed houses.

Mr. Brundage replied that he did not know at this time.

Hearing no further comments, he closed the floor from public comments.

Bill Beckwith asked the size of the proposed houses.

Mr. Brundage replied that he did not know, however the developer is speaking with several builders and the minimum house size in this zoning is very small and it will probably be at least 2,000 square feet.

Mr. Beckwith asked if there was a cemetery on Lot 7 where there are triple oak trees indicated on Brogdon Road.

Mr. Brundage replied that the cemetery is located on New Hope Road. He advised that the deed research and survey did not turn up any cemeteries on the subject property, however he will raise the issue with the developer.

Attorney Bill McNally advised Mr. Brundage To be sure that there is not a cemetery located on the subject property because if it is discovered after land is disturbed it will get very complicated. He stressed to encourage the developer to find it now. He added that the property would have to be dedicated and provide an easement to the cemetery.

Mr. Brundage replied that he would definitely raise the issue with the developer, as well as, the person who did the title search.

Chairman Graw asked if a divided entrance was proposed.

Mr. Brundage reported that the County Engineer and Public Works does not like those type entrances because the landscaping causes wet areas which break down pavement. He added that the developer considered a second entrance on Brogdon Road but decided on a single entrance onto New Hope Road.

Al Gilbert asked if a cross access easement was being discussed with Georgia Power Company.

Mr. Brundage confirmed that he is discussing a cross access easement with Georgia Power Company. He noted that the triangle shaped piece of property in the back corner was created in the 1960's and the Graves family maintained rights of ingress/egress in the deed to the property. He added that he is in the process of getting the letter of agreement with Georgia Power Company.

Bob Harbison pointed out that the triangular shaped lot was separate from the proposed subdivision and asked if this was permissible.

Attorney McNally replied that a cross access easement was necessary from Georgia Power Company. He confirmed that it is permissible to develop a road in the easement with permission from Georgia Power Company.

Chairman Graw recognized Mr. Williams.

Mr. Williams reported that he had been a resident in the neighborhood for 12 years and that there is a cemetery directly in front on New Hope Baptist Church, however he is not familiar with a cemetery on Brogdon Road.

Hearing no further comments, Bob Harbison made a motion to approve the preliminary plat dated 03/18/04 subject to approval of the cross access easement from Georgia Power Company. Al Gilbert seconded the motion.

Doug Powell asked if an acceleration/deceleration lane needed to be a part of the motion.

Attorney McNally replied that the Engineering Department would be in charge of the acceleration/deceleration lane if required.

The motion for approval was unanimously approved 5-0.

* * * * *

Delores Harrison read the procedures that would be followed including the fifteen (15) minute time limitation for presentation and opposition for petitions.

* * * * *

THE FOLLOWING ITEMS WILL BE CONSIDERED BY THE PLANNING COMMISSION ON APRIL 1, 2004 AND BY THE BOARD OF COMMISSIONERS ON APRIL 22, 2004.

4. **Consideration of Petition No. 1127-04, Cynthia Somers, Owner, and Audrey Massey, Agent, request to rezone 1.6 acres from R-70 to O-I to develop O-I uses. This property is located in Land Lot 128 of the 5th District and fronts on Sandy Creek Road (old alignment) and S.R. 54 West.**

Audrey Massey, Agent, introduced Cynthia Somers, Owner. She advised that the subject property was located in the hospital district and would be developed with O-I uses as a part of the Chandler/Westbrooks property.

Chairman Graw asked if there was anyone to speak in favor of the petition. Hearing none, he asked if there was anyone else to speak in opposition of the petition. Hearing none and with no rebuttal, he closed the floor to public comments.

Al Gilbert asked Mrs. Massey if the owner agreed to the recommended condition.

Mrs. Massey replied yes sir.

Doug Powell asked how Staff would be made aware of a change of use in regards to the fire hydrant placement as discussed in the Staff Analysis.

Chris Venice replied that a Site Plan and Construction Plans would be required for issuance of a building permit.

Bob Harbison made a motion to approve the petition subject to the one recommended condition. Bill Beckwith seconded the motion. The motion for approval unanimously passed 5-0.

* * * * *

The Agendas for the high school students were signed from 7:24 P.M. to 7:25 P.M.

* * * * *

5. **Consideration of proposed amendments to the Fayette County Zoning Ordinance regarding Article V. General Provisions, Section 5-10. Accessory uses and structures, F. Administration.**

Chris Venice advised that the proposed amendments had been previously discussed at several Workshops. She reviewed the proposal to require an accessory structure of 200 square feet or greater be required to be issued a building permit and be inspected for safety reasons. She added that temporary structures would be permitted for one (1) year.

Chairman Graw asked if there were any public comments. Hearing none, he closed the floor from public comments. He pointed out some typographical errors in Section 5-10.,D.

Chairman Graw made a motion to approve the proposed amendments as submitted. Bob Harbison seconded the motion. The motion for approval was unanimously approved 5-0.

* * * * *

6. **Consideration of proposed amendments to the Fayette County Zoning Ordinance regarding Article VII. Conditional Uses, Exceptions, and Modifications, Section 7-6. Transportation Corridor Overlay Zone, A. S.R. 54 West and S.R. 74 South Overlay Zones; B. S.R. 85 North Overlay Zone; and C. General State Route Overlay Zone.**

Chris Venice advised that the proposed amendments had been previously discussed at the Workshop, however after developing a table with columns in order to show the differences between the three (3) overlay zones it became clear that the overlays are not operating in a cohesive manner because they did not all have the same topics for discussion. She requested to table the proposed amendments until May 6, 2004 to allow further discussion at the April 15, 2004 Workshop.

Bill Beckwith asked if the table would be included in the ordinance.

Mrs. Venice replied that the table would not be in the ordinance, however it would be available to the public as a handout.

Al Gilbert made a motion to table the proposed amendments until May 6, 2004. Doug Powell seconded the motion. The motion to table the proposed amendments was unanimously approved 5-0.

* * * * *

7. **Consideration of proposed amendments to the Fayette County Zoning Ordinance regarding Article III. Definitions, Section 3-95. Subdivision and Fayette County Subdivision Regulations regarding Section 2. Definitions, Section 2-19. Subdivisions.**

Chris Venice advised that the proposed amendments had been previously discussed at the Workshop. She explained that the proposed amendment would exempt lots of five (5) acres or more from subdivision requirements.

Chairman Graw asked if there were any public comments. Hearing none, he closed the floor from public comments.

Bob Harbison made a motion to approve the proposed amendments as submitted. Bill Beckwith seconded the motion. The motion unanimously passed 5-0.

* * * * *

Page 5
April 1, 2004

Chairman Graw asked if there was any further business.

Chris Venice reminded the P.C. of the Workshop scheduled for April 15, 2004 in the Board of Commissioners Conference Room, Suite 100 at 7:00 P.M. She advised that there would be continued discussion of permitting commercial uses in the O-I Zoning District and the Overlay Districts.

Chairman Graw asked if the new Zoning Administrator would be present at the Workshop.

Mrs. Venice replied that Aaron Wheeler, who is from Florida but went to school in Riverdale, would begin work on Monday, April 5, 2004.

There being no further business, Bill Beckwith made the motion to adjourn the meeting. Doug Powell seconded the motion. The motion for adjournment unanimously passed 5-0. The meeting adjourned at 7:35 P.M.

PLANNING COMMISSION
OF
FAYETTE COUNTY

ATTEST:

JIM GRAW
CHAIRMAN

ROBYN S. WILSON
SECRETARY