

THE FAYETTE COUNTY PLANNING COMMISSION met on September 5, 2002 at 7:10 P.M. in the Fayette County Administrative Complex, 140 Stonewall Avenue West, Public Meeting Room, First Floor, Fayetteville, Georgia.

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

MEMBERS ABSENT: Bob Harbison

STAFF PRESENT: Bill McNally, County Attorney
Kathy Zeitler, Director of Zoning/Zoning Administrator
Chris Venice, Director of Planning
Lee Hearn, Director of Public Works
Delores Harrison, Zoning Technician
Robyn S. Wilson, P.C. Secretary/Zoning Coordinator

Welcome and Call to Order:

Chairman Beckwith 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.

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1. Consideration of the Minutes of the meeting held on July 2, 2002.

Chairman Beckwith asked the Board Members if they had any comments or changes to the Minutes as circulated. Jim Graw made the motion to approve the Minutes. Al Gilbert seconded the motion. The motion unanimously passed 4-0. Bob Harbison was absent.

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2. Consideration of the Workshop Minutes of the meeting held on July 18, 2002.

Chairman Beckwith asked the Board Members if they had any comments or changes to the Minutes as circulated. Al Gilbert made the motion to approve the Minutes. Doug Powell seconded the motion. The motion passed 3-0-1. Jim Graw abstained and Bob Harbison was absent.

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3. Consideration of the Workshop Minutes of the meeting held on August 12, 2002.

Chairman Beckwith asked the Board Members if they had any comments or changes to the Workshop Minutes as circulated. Doug Powell made the motion to approve the Workshop Minutes. Al Gilbert seconded the motion. The motion passed 3-0-1. Chairman Beckwith abstained and Bob Harbison was absent.

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THE FOLLOWING ITEMS WILL BE CONSIDERED BY THE PLANNING COMMISSION ON SEPTEMBER 5, 2002 AND BY THE BOARD OF COMMISSIONERS ON SEPTEMBER 26, 2002.

Chairman Beckwith advised that two (2) Workshops had been held to discuss Quarters Road. He informed the audience that the P.C. will forward their recommendation to the B.C.C. who will make the final decision.

4. **Consideration of adoption of a Resolution declaring Quarters Road as a Rural Scenic Road by the Zoning Department.**

Chairman Beckwith opened the floor for public comments. He announced that a letter was received from Dorothy Weeks dated September 3, 2002 expressing her views.

Ray Mitchell of 519 Quarters Road said that he found out about the Resolution and asked his attorney to explain it to him. He stated that his attorney had informed him that if the Resolution is passed that it will be in effect for 20 years and can only be changed by a subsequent Resolution. He confirmed that he owned 300 feet of Quarters Road and does not want anything to happen which will keep the County from making improvements to the road. He went on to say that it was his understanding that the Resolution would not protect the road from any future paving. He stressed that he hated to see the road locked in with no recourse.

Attorney Bill McNally advised that the Resolution would be in effect until the B.C.C. chose to change it. He said that the Scenic Road Committee which was set up as a policy back in 1990 has never been in effect and no one was ever appointed to that board. He commented that the policy was never carried out in the way of formally designating anything as being scenic. He pointed out that the Resolution basically states that Quarters Road will be considered a Scenic Rural Road and references some of the sentiments expressed by some of its residents. He stated that standards will need to be established but until standards are adopted, the proposed Resolution is little more than a statement.

Kathy Zeitler pointed out that this agenda item began with a proposed ordinance for a Rural Road Program and the P.C. decided that, in lieu of a Rural Road ordinance, Quarters Road should be designated as a scenic road. She added that this is a recommendation to the B.C.C. and does not include an ordinance.

Attorney McNally advised that the scenic road policy which currently exists requires 100% of the property owners on the road to agree to the designation of scenic road. He confirmed that it was passed into policy, but is not binding beyond the Commission which passed the policy. He reported that either the B.C.C. would need to re-adopt the policy or establish a policy.

Jim Graw confirmed that the Resolution did not restrict the road from being paved or unpaved but only recognizes Quarters Road as a Scenic Rural Road.

Attorney McNally replied that there are 12 year old standards for a road to become a Scenic Road that may or may not be binding by the current B.C.C. because they must make the decision if they want to follow the policy or not.

Doug Powell advised that the original proposal came to the P.C. as a proposed ordinance however the P.C. did not feel that an ordinance was necessary, and the P.C. is recommending to the B.C.C. to adopt a Resolution instead.

Attorney McNally confirmed that the P.C. was not recommending adoption of the proposed Rural Road Program.

Mr. Powell replied that Attorney McNally was correct.

Mrs. Zeitler noted that the proposed Resolution is not saying that Quarters Road should be preserved as is, but is only recognizing Quarters Road as a Scenic Rural Road. She advised that she had deleted the word "preserve" as discussed at the previous Workshop. She stressed that the Resolution is only a recognition for Quarters Road.

Chairman Beckwith read the proposed Resolution to the audience.

Julie Rossetti of 105 Lucy's Place said that by designating Quarters Road as scenic that the amount of traffic would be increased. She remarked that they were trying to keep traffic off of Quarters Road due to dust and safety concerns. She stated that they did not need any more sightseers which would happen if signs were posted. She commented that the road was unpassable at times especially after a bad storm. She asked what was the validity in making Quarters Road a scenic road.

Chairman Beckwith confirmed with Lee Hearn, Director of Public Works that Quarters Road is a public road.

Kathy Sellick of 370 Quarters Road said that there are currently approximately 44 houses on Quarters Road. She commented that the road was historic and was established in 1850. She remarked that there are some lovely trees along the road and that dust does not kill trees. She confirmed that drought, pesticides, and chemicals kill trees. She requested that the character of Quarters Road should be preserved and that posting a Rural Scenic Road sign would not increase the traffic count. She stated that some people would like to see the road paved while others would like the road to remain unpaved. She stressed that the Resolution was non-restrictive.

Linda Krebs of 389 Quarters Road stated that the Resolution seemed to be more symbolic since we do not know what we are agreeing to or disagreeing to. She said that Quarters Road is a historic road and does create dust. She remarked that she did not know what the cost of graveling the road for the County was. She suggested that if the road was to be paved that larger trees could be planted and she would donate money toward larger trees. She also suggested having the pavement width smaller and providing speed bumps.

Grady Dory of Quarters Road confirmed that the dust could be overwhelming at times. He said that a lot of the older trees are pine trees and if they were removed that he would like to re-create the same effect by planting larger trees whether County or privately funded. He remarked that Quarters Road is unsafe for larger trucks because gravel does not stop like asphalt. He concurred that speed bumps would be a good idea. He went on to say that there is also an emergency vehicle problem. He asked how he could get a copy of the Workshop Minutes. He added that he also has some proposals for the road.

Chairman Beckwith replied that the Workshop Minutes are available in the Zoning Department. He advised that Commissioner Pfeifer had presented a proposed ordinance for Scenic Rural Roads however the P.C. decided a Resolution would be better since a Resolution would not have the effects of a force of law. He further advised that it will be the B.C.C.'s decision whether to adopt the Resolution or adopt an ordinance. He confirmed that public input would be taken at the B.C.C.'s public hearing on September 26, 2002.

Ms. Sellick confirmed that the Resolution only deals with historic value and has nothing to do with dust control, paving, removing trees, or widening the road.

Chairman Beckwith replied that she was correct. At this time, he closed the floor from public comments.

Al Gilbert asked Lee Hearn to advise the audience of the paving standards.

Mr. Hearn said that he was asked quite often if the road standards could be reduced. He stressed that he could not recommend lowering the standards for width of asphalt and right-of-way due to traffic safety concern. He advised that typically on a road like Quarters Road the asphalt would be 24 feet in width with 6-8 foot shoulders with ditches behind the shoulders to provide proper drainage. He added that this would allow a safe place to pull your vehicle to in the case of a flat tire or other problems. He confirmed that in order to keep down the tax burden G.D.O.T. will pay the County for materials, provided we clear all obstructions and obtain a minimum right-of-way of 60 feet. He noted that 60 feet is really tight unless you have a very flat road. He added that if Quarters Road was a dead end road with 40 vehicles per day that he might recommend reducing the standards, but with

the kind of traffic currently the current road standards should be met. He stressed that he would never build another road like McBride Road between Antioch Road and S.R. 85 South due to the increased amount of traffic.

Mr. Powell asked if the trees on Quarters Road would have to be removed to comply with G.D.O.T. standards.

Mr. Hearn replied all of the trees inside the 60 foot right-of-way would have to be removed, probably over 1,000 trees.

Mr. Graw asked if probably half would be specimen trees.

Mr. Hearn confirmed that trees had been lost on Quarters Road due to pine beetles, increased traffic, and drought.

Ms. Krebs asked if a car count had been performed. She also asked if there were any procedures for exceptions to be considered to the road standards or to make Quarters Road a dead-end road.

Chairman Beckwith advised Ms. Krebs to address her concerns to the B.C.C. and to also contact Mr. Hearn.

Mr. Graw reiterated that the proposed Resolution does not require the County to do anything but recognize the unpaved section of Quarters Road as a Scenic Rural Road. He confirmed that the B.C.C. may or may not add criteria and they will make a decision that is in the best interest of the citizens of the County.

Mr. Gilbert expressed concern that people looking and buying homes on Quarters Road have been told by realtors that the road would be paved in the near future, but in dealing with real estate, buyer beware. He commented that anyone who purchases property on a dirt road should be aware of what they are doing. He said it was his goal to have Quarters Road posted with a sign calling it a Scenic Rural Road in the hopes that a future homeowner will take the next step to call the Road Department for details regarding the road being paved.

Al Gilbert made a motion to approve the proposed Resolution declaring Quarters Road as a Rural Scenic Road. Jim Graw seconded the motion. The motion unanimously passed 4-0. Bob Harbison was absent.

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5. Consideration of proposed amendments to the Fayette County Zoning Ordinance regarding Article V. General Provisions, Section 5-22. Structures Permitted Above the Height Limit and Section 5-23. Permitted Encroachments of Yards and Setbacks by the Zoning Department.

Kathy Zeitler advised that a flagpole is exempt from the height limit of 35 feet but is not exempt as a structure which can encroach the setbacks. She confirmed that the proposed amendment allows one (1) flagpole per lot to be located not less than fifteen (15) feet from the right-of-way and provide a total height under 70 feet as measured from the finished grade at the location of the flagpole to the highest point.

Chairman Beckwith opened the floor for public input. Hearing none, he closed the floor for public input.

Al Gilbert made a motion to approve the proposed amendments as presented. Doug Powell seconded the motion. The motion unanimously passed 4-0. Bob Harbison was absent.

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Chairman Beckwith asked if there was any further business. He advised that a Workshop would be held immediately following the public hearing in the B.C.C. Conference Room and that the regularly scheduled Workshop for September 19, 2002 had been canceled.

There being no further business, Doug Powell made the motion to adjourn the meeting. Al Gilbert seconded the motion. The motion for adjournment unanimously passed 4-0. Bob Harbison was absent. The meeting adjourned at 8:00 P.M.

PLANNING COMMISSION
OF
FAYETTE COUNTY

ATTEST:

BILL BECKWITH
CHAIRMAN

ROBYN S. WILSON
SECRETARY