

THE FAYETTE COUNTY PLANNING COMMISSION met on February 16, 2017 at 7:00 P.M. in the Fayette County Administrative Complex, 140 Stonewall Avenue West, Fayetteville, Georgia.

MEMBERS PRESENT: Brian Haren, Chairman
John H. Culbreth, Sr., Vice-Chairman
Jim Graw
Al Gilbert

MEMBERS ABSENT: Arnold Martin, III

STAFF PRESENT: Peter A. Frisina, Director of Community Services
Chanelle Blaine, Zoning Administrator

Welcome and Call to Order:

Chairman Haren called the Planning Commission Meeting to order. Chairman Haren introduced the Commission Members and Staff.

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1. Consideration of the Minutes of the meeting held on February 2, 2017.

Al Gilbert made a motion to approve the minutes with Jim Graw's corrections. John Culbreth seconded the motion. The motion passed 4-0. Arnold Martin was absent from the meeting.

OLD BUSINESS

2. Discussion of PUD's

Pete Frisina stated that there wasn't much difference with the new document and there were only a few things he added. He said that he sent out what he had on Friday and got with Environmental Management later on in the week. He added that he took all the suggestions from the last meeting and got them in there. He stated that there was a reference made that all business structures should not allow residential. He said that it was under subsection (m).

Chairman Haren read subsection (m):

- m. All structures associated with the business are allowed in the rear yard only behind the principal residence and must be fully enclosed and shall not be used for any residential purposes. Business structures shall not be located within 100 feet of the principal residential structure.

Pete Frisina stated that came from Bryan Keller on last week. He said that we are mixing residential and nonresidential. He added that Bryan is trying to figure out how we handle stormwater between residential and this business structure. He stated that is the typical setback that we would have if you had an agriculture building. He said that it gave Bryan some comfort to have that separation.

Chairman Haren asked if it was a minimum 100 foot separation.

Pete Frisina replied between the business structure and the residential.

John Culbreth asked front, back, or side.

Pete Frisina replied that these have to be in the rear. He stated that the only thing new to you guys that you don't have is (q) and (r).

Jim Graw asked if they could go back to (o). He asked by excluding Sunday, what have we done.

Pete Frisina replied nothing it's the same thing that's always been there.

Jim Graw asked that by excluding it we are not permitting it.

Pete Frisina replied no, customers on Sunday.

Chairman Haren stated that you conduct business activities but you can't have customers.

Pete Frisian stated that is what is under our Home Occupation ordinance right now and that is our standard. He said that this is a quasi home occupation and that's why it says that. He added that (q) and (r) are the two (2) new things he got from his sit down with Environmental Management this week. He stated that both (q) and (r) were taken from the two (2) other quasi-agricultural uses we worked on: A-R Weddings & A-R Deer Processing. He said that those were using similar language brought into this ordinance to discuss stormwater requirements and on-street parking. He added that what this does is allow us to not to require a full blown site plan like this were a Wal-Mart shopping center. He stated that what they are trying to find something in-between so they can get what they need by not having one (1) of those humongous drawings, and its similar to what we did with those other two (2) uses. He said that those were the basics and he had made a few other changes such as the residential, but this now addresses the stormwater, addresses parking, and alleviates it from a lot of the heavy regulations that we would put on a full blown nonresidential development. He added that when they changed the development regulations not too long ago they put in exclusions. He stated that if it's excluded somewhere else or exempted it could rely back to this for us.

Chairman Haren asked about the list at the bottom of the page.

Pete Frisina replied that those were just notes. He said that some of those are unanswered because the Fire Department will make a determination about sprinkler systems, ADA requirements, fire truck access, and Environmental Health will look at sceptic system. He added that we are not going to know this until we have a site on the ground.

Chairman Haren stated that if the structure is located in the commercial portion everything in here is going to be inspected in accordance with the commercial regulations.

Pete Frisina replied that is exactly right. He said that at this point it is hard for them to give me concrete answers without something to go by. He added that they are not going to give him

speculative answers.

Chairman Haren stated that he knows they have talked a lot about the vehicle issue. He asked if everyone was comfortable with that.

Debbie Lowe stated that is where we have a problem. She stated that the top copy was a picture of an enclosed cargo trailer, which Cinemoves has several of, and the next page is a picture of a 20 foot cargo trailer. She said there is very little difference between the two (2) other than the length and size. She added that this was typical of what they load their equipment on. She stated that its pull by either a three (3) quarter ton or a dually truck.

Jim Graw asked if there was going to be any storage in these at all.

Debbie Lowe replied no, it will be in the building. She asked that they don't limit the size of the trailer or increase it to 30 foot trailers. She stated that an 8,000 pound trailer is a two (2) horse trailer with two (2) horses in it. She added that we will have to increase the weight.

Pete Frisina replied that these requirements are for motor vehicles not trailers. He stated that we don't have a limitation on the size of the trailer. He said that a lot of this is taken from another ordinance

Debbie Lowe stated that they use three (3) quarter ton or one (1) ton pickups.

Pete Frisina stated that she would have to specify those sizes in the PUD and as it goes through the process we will see what happens.

Chairman Haren asked if anyone had any comments.

Al Gilbert asked if they were ready to vote on this to go to Public Hearing.

Pete Frisina asked if they wanted him to put "motor vehicles cannot exceed" instead of said motor vehicles.

John Culbreth agreed motor vehicles will clarify.

Jim Graw stated that it takes care of the problem with tractor-trailer rigs.

Pete Frisina replied that there is not a limit on the trailer size in the ordinance. He said that would have to be proposed in the PUD.

Jim Graw stated that this was intended to cover tractor trailer rigs....I think.

Pete Frisina asked what part of the tractor trailer is the motor vehicle. He replied the tractor not the trailer. He stated that they will have to look at it through the PUD and make a determination when they come in. He said unless you want to put a limit on the trailer size.

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Chairman Haren asked if they are going to be there overnight and if so they would have to be enclosed.

Debbie Lowe stated that it was for a time limit and if they were going to be there for that period then they were supposed to be housed.

Pete Frisina stated that he didn't see it there because they talked about it at the last meeting.

Al Gilbert stated that (p) was close to it, because it was talking about storage.

Chairman Haren stated that we talked about having a requirement to make it indoors or a fenced in area shielded visually.

Pete Frisina stated that he didn't anticipate these types of businesses regularly using these types of vehicles in association with the business. He said in his opinion if you are using semi-tractor trailers this is no place for it. He added that we are using motor vehicles that we allow under a home occupation here, that's what this is, and that's not to push it to the next level. He stated that these motor vehicles can only pull a certain size trailer.

Chairman Haren stated that he was concerned that some point down the line in another one of these, someone is going to be putting in semi-trailers back there.

Debbie Lowe stated that each PUD is on its own merit. She said that the next one (1) maybe totally different than this. She added that when you put your application in for your design of the PUD you are going to stipulate in there, where this one (1) it's not really needed.

Chairman Haren asked what the other Planning Commission members think.

Al Gilbert stated that he agreed with Chairman Haren. He said that he was afraid a business was going to pop up that will use tractor trailers.

Pete Frisina stated that was not the intent we want in this PUD.

Chairman Haren asked what if someone comes in saying I want to do something like this and says by the way my transport vehicles are 35 foot over the road trailers. He stated that they might say this boiler plate doesn't prohibit that.

Pete Frisina replied that you would have to prohibit that through the summary of intent.

Chairman Haren asked what if they say you didn't restrict it to these folks why are you restricting it to me.

Pete Frisina stated that in his opinion he never envisioned that on a regular basis we would have semi-tractor trailers coming in and out of the home office.

John Culbreth asked if they do what is our rationale to deny.

Chairman Haren replied that he understood that they might have vehicles of that size coming in and out of the business, but if you are going to park anything there overnight, so that it is out of view its behind and it's not an eye soar to the rest of the neighborhood.

Pete Frisina stated that size of vehicle will be out of the place in the development.

Jim Graw stated that Debbie Lowe was absolutely right we are going have to look at each PUD as it comes in stands on its own. He said the next PUD that comes in someone may ask to have cars, busses, and trucks specifically for the movie industry much like Ghostlight, Comoyo, and Picture Cars. He added that we may get one of these businesses in the future and we need to look at the possibility in this thing. He stated that Ghostlight provides busses to the motion pictures. He said that we may have to look at something to restrict that type of activity in the future. He added that he hopes they don't get a PUD where they want to put in cars, and get cars prepared for the movie industry on 15 acres.

Debbie Lowe stated that was more of an industrial type of thing.

Pete Frisina stated that he doesn't know how to articulate it, but I just didn't envision that level that intensity in something like this. He said the residential is supposed to be the primary and this is supposed to be secondary to it.

Jim Graw stated that his fear is it's not going to become the secondary it's going to become the primary. He said that he is very tossed around about this whole PUD idea and not convince this is the way to go.

Chairman Haren stated that he thinks it is a good idea but he wants to make sure that we get it right as much as we can before moving it forward. He asked them to look at the wording in (n). He read (n):

- n. All vehicles associated with the business must be parked in the rear yard only.

Chairman Haren asked what defines a rear yard.

Pete Frisina replied the area behind the principle structure. He stated that the arrangement for your semi-tractor trailers is 45, 48, and 53.

Chairman Haren stated that he doesn't care if they park the Star-Trek enterprises back there is it going to be visible to everybody else and everyone that drives back.

Pete Frisina stated that he would have a problem if someone put that in their letter of intent.

Chairman Haren asked if there was anything else.

Pete Frisina stated that he would change that to say motor vehicle. He asked if there was anything

else. He asked if they were ready to throw it out there to see what happens.

Jim Graw asked if this goes through and something comes up would they be allowed to amend this.

Pete Frisina replied yes.

Chairman Haren agreed that they may have to amend the ordinance in the future.

Pete Frisina stated that he would advertise they would go to public hearings in March and on the fourth Thursday of the month is when the Board of Commissioners would hear it. He said they would either say it is not a good idea, it is a good idea, or bring it back to the Planning Commission.

Michael Howell stated that they have no customers and are looking for a farm setting to work/live out of as a family compound. He said they are not looking to run a business out of there. He added they don't need customers or anything. He added they are just looking for a better place other than College Park.

Pete Frisina stated that would be a part of your summary of intent. He said because you are making some additional lots that may or may not have additional business on their try to anticipate that. He added that if you didn't get it right in terms of your summary of intent you have the option to go back through that process to try and amend your summary of intent. He stated that it gives you a little bit of flexibility.

Debbie Lowe stated that they have not grasped that the way the property looks now that is the way it is going to look when it's finished. She said that you will see nothing different from the road and it will all be tucked back in to that property and nobody will ever know it is there. She added that they want it to be that way because of the security.

Chairman Haren stated that he understood that but they are not writing it just for them but everybody else that comes along wanting to do something like this.

Bill Beckwith asked that since there is a concern about the vehicles would they want to put a limitation on the length of a trailer for this specific type of situation.

Chairman Haren stated that he doesn't think so for trailers.

Bill Beckwith stated that is where the concern is going to come out of.

Chairman Haren stated that the concern came from them being there overnight would they be visible from the public roadways. He said that he thinks they have gone passed that.

NEW BUSINESS

3. Discussion of uses in the O-I zoning district.

Pete Frisina stated that Marlene Welch wanted to come in and speak about some of the uses in O-I.

He said that she wants to explain what she wants to do to see if there is any willingness to look at the O-I zoning district for the type of business that she wants to do.

Marlene Welch asked if the Planning Commission received the letter she submitted.

Chairman Haren asked her to give her version on what brought her here.

Marlene Welch stated that they owned a location in the City of Newnan when they first came here, and they have had that location for past 15 years. She said that they have worked with the City's Planning Commission and the Zoning Commission. She added that for the last two years she has wanted to move and concentrate on different revenues of their business, and move in this direction preferably off of highway 34 or 54. She stated that she has looked for two (2) years and would like to own the location that they would be in because this is a long term situation. She said that they would be looking for a specific type of building with an office or offices. She added that she met Jerry Chandler in November and allowed them to tour his building. She stated that the reason they are here today is to respectfully ask them to include what they would like to do. She said that they didn't want to appeal any request but include them in the O-I zoning. She added that it is a beautiful office building set back from the street has an area enclosed in glass and would fit our purposes exactly, because what we have been doing for the past two (2) years is sales over the internet. She stated that they were used car dealers and that they hold a professional license for 15 years. She said that they have been in the same location with the same bond company and insurance company. She added that they have a really good history for their business and business model. She stated that two (2) years ago they felt there was a need in the Fayetteville and Peachtree City area for golf carts at a more reasonable price. She said that there are a lot more golf courses around and there is a desire of people to have a certain type of golf cart; not necessarily the type you see when golfing a little bit more customize. She added that they got their feet wet on the internet as you can see a sample in the pictures. She stated that they wanted an office that looked professional. She said they don't need a car lot and have no intentions of parking any cars except theirs as they transport themselves to and from the office. She added that she spoke to Pete and that he gave her a copy of the County codes. She stated that in Section 110-142 O-I (b) (1) says that you can have an office and that is what we want. She said there will be no mechanics and is strictly to have a presentation to the community and be able to purchase Jerry's building and conduct our business. She added that they live in Newnan off of White Oak and its pretty close. She stated that it is very important that they have a building that is very close to where they live.

Chairman Haren asked if it was her intent to store any product of any type.

Marlene Welch replied nothing will be stored. She stated that they are actually very aesthetic and when you leave the company you will see signage, the building, and then you see the people that come to you. She said that Jerry was very specific about that and one (1) of the reasons they like the location so much is because its surrounded by trees, has big green area in the back, a nice deck, and a conference room.

Chairman Haren stated that all those things you like about that location are all available in areas that are zoned commercial that would allow you to conduct this type of business. He asked what specific

about this property that makes it so much better than a potential commercial location.

Marlene Welch stated that it is not only the location, but they live their business. She said they spend a lot of their time at their offices. She reiterated that the building is beautiful; it has green around the edges, greenery in the back, and exudes a homey warm feeling. She added that it has a fire place and that they were not commercial people, manufactures, or your used car lot. She stated that they don't do flags or things out the window. She said what they want to do is have internet offices that look professional. She added they hold a professional license and they have to do what they do on the internet.

Jim Graw asked when she orders a golf cart does it ship to their location or the customers location.

Marlene Welch replied that it would be shipped to Newnan. She stated that if the customer wants certain colors or snake skin upholstery is done in Newnan. She said that after the customization the carts will be either dropped shipped at the customers point or we have a really nice trailer that we use to deliver or it could be picked up at the Newnan location. She added that she wants professional offices for the paperwork and if the customers want to meet them. She stated that there is a lot of competition out there. She said that it was very expensive for them to hold their license, insurance, and a bond. She added that they want people to know that they respect them and they service a quality product with competitive prices.

Jim Graw asked what's housed in that building right now.

Jerry Chandler replied that it is vacant.

Jim Graw asked how long it has been vacant.

Jerry Chandler replied about a year in a half.

John Culbreth asked what the prior use of that building.

Jerry Chandler replied the prior use was his office for HVAC and when he sold that business he rented the building out to a CPA, Construction Company, and a landscaper. He stated the landscaper was the last tenant in there. He said that what he gathered from Marlene was that they only wanted to use the building for was an office. He added that they do everything over the internet; there are no products stored there, no golf carts just computers and chairs.

John Culbreth asked what type of license you have with the state.

Marlene Welch replied that it was a used car dealer license.

John Culbreth asked with all the requirements of a used car dealer.

Marlene Welch replied yes.

John Culbreth asked when you apply for that license at the State, don't you have to take a picture of

the layout of the lot and send that for your application.

Marlene Welch thanked him for being knowledgeable. She stated that a lot of people don't know that because a lot of people work out of their home or out of a location that is not zoned for what we do. She said that when they came to Jerry the first thing they wanted to do was see what the zoning is. She added that they want to stay there a long time and want to blend in to the community. She stated that she doesn't want to have any problems and doesn't want to do anything behind anyone's back.

Chairman Haren asked if it would be her intention to transfer her used dealership license to this address.

Marlene Welch replied she has to. She stated that to buy at the auctions you have to have a used car license. She said that they don't buy loads of transportation that you can buy off of Craig's List. She added that they source the most competitive best quality pieces that they can to sell they have to have a dealer's license. She stated that they have gone to Washington D.C, Florida, and the Carolinas to find certain pieces of units of travel that we get orders for. She said that the visual is extremely important because if they spend that type of money on that type of look the customer will come in and feel better about our product.

Jim Graw asked who her customers were.

Marlene Welch replied that they finance and have done so for the past 15 years. She stated that they like to keep everything available for the customer so it can be ready in that instance. She said that her customers are anyone from mid 20's to late 20's. She added that they were people with the discretionary money.

Jim Graw asked if these were individuals or corporations.

Marlene Welch replied individuals.

Jim Graw asked if they were individual internet shoppers and not corporations.

Marlene Welch replied no they are not corporations. She stated that they have not even gone that route. She said that there experience has been one (1) on one (1) with individuals. She added that they rarely advertise and that it has always been word of mouth. She stated that have seen with the internet and the baby boomers everyone wants a golf cart and jet-ski. She said if they don't want another golf cart or jet-ski they want another car. She added that it was very important that this location has a monument sign. She stated that the signage is very important to them and that they don't have signage over the building nor do they have a sign stating they're open.

Chairman Haren stated that asking for a change to an authorize use in O-I that is brokering use cars.

Marlene Welch replied brokering used cars no.

Chairman Haren stated that you are buying and selling used cars and you have a used sale car license that is going to be registered to that address. He said that implies as John has established you have to provide a photograph to show where your product is going to be stored; I know you're not going to do it, but if you make this change anybody in the future who wants to bring used car sales activity to into O-I may want to take advantage. He added they may say you said I could sell used cars in O-I whether it's actually direct sells or through the internet.

Marlene Welch stated that maybe she wasn't clear.

Chairman Haren stated that Ms. Welch was very clear, but they have to consider the entire broad range of potential uses.

Marlene Welch stated that they have to have a license from where they buy their raw product golf carts. She said to get in the auctions you have to have a used car license and or a motorcycle licensed. She added that they don't have a motorcycle license.

Pete Frisina asked if they bought golf carts at this thing.

Marlene Welch replied yes. She stated that hundreds of cars are there and 50 to 100 jet-skis, and there are no cars. She said that the reason they want this location is not for cars, no intention for having it for cars, but for golf carts our revenue for the last two (2) years we have tested has grown. She added that it is a growing industry in this area, because their customers are baby boomers.

Chairman Haren stated that he wanted to bring this back to discussion among the group. He stated that he understood her request and her reasoning for it, but he hasn't heard anything that necessitates bringing this activity to O-I; when there is plenty of commercial space to take place. He said that he knows it not her intent to bring product to this location, but they would be changing this ordinance to apply to everybody that wanted to do that same activity. He added that it opens the door for future sales activity in O-I of motor vehicles.

Marlene Welch stated that she feels chastised for holding a used car license, but that is what the State of Georgia requires. She said that they are an office, a professional service, and just like a real estate broker over the internet. She asked, what is the difference between what they do with their homes, and what we do with our product.

Jim Graw stated the Planning Commission members are talking. He asked if insurance brokers were allowed in O-I.

Pete Frisina replied yes.

Al Gilbert stated that he was not concerned with what their license said. He said they would be setting up an internet vehicle brokerage business. He added that they could easily set that up with a lot of restrictions. He stated that he sees it similar to a real estate company or an

insurance agent as long as product is not sitting there either to be sold or looked at or be prepared.

Chairman Haren stated that we say it is an allowed use in O-I but the product can't be on site.

Pete Frisina stated that you would have to make it conditional.

Al Gilbert stated that it cannot be called a used auto brokerage business but an internet vehicle brokerage business or something along those lines so other want be able to come in as a used car lot.

Chairman Haren stated we say specifically that it is internet vehicle sells only. He said but to do that legally in the State of Georgia you have to have a used car sales license.

Marlene Welch stated if you want to buy where we buy, but if you buy off of Craig's List you get anybody.

Chairman Haren stated that if you look at it from that perspective than he could support that. He stated that we have people selling all kinds of stuff over the internet.

Al Gilbert stated that he was throwing that out as a suggestion. He said that we are going to come up with some real restrictions too.

John Culbreth stated that restrictions are good for this to make sure that the broker's license doesn't transfer into a used car vehicle company. He said then the questions get back to your original statement of why it couldn't be done in a regular commercial district.

Chairman Haren stated that he hasn't heard anything other than that fact that you like this address. He said that he hasn't heard anything that is overwhelmingly compelling that says this is something that has to go into O-I, because there is so much available commercial...isn't it?

Chris Welch stated that if you go out to a nice restaurant you want a nice atmosphere because it makes you feel more comfortable instead of a stone cold brick building and eat. He said that he has gone into North Fayette Hospital versus another hospital in the City that is older; he said that when you walk in they have carpeted floors, pretty pictures hung, nice lightening, and you feel more relaxed and comfortable like you would feel in a nice restaurant with carpeted floors and white table cloths and someone walks up to you with a coat and tie to take your order. He added as oppose to someone with a dirty apron and tile floor. He stated this address versus something in a commercial building has a warmer feel and gives the customer a more relaxed atmosphere.

Chairman Haren stated that you're focused on the address and they're focused on the County as a whole.

Marlene Welch asked what his objections were.

Chairman Haren stated that he could support it as a conditional use but they would have to grind through it to make sure what he fears doesn't happen and that is someone setting up used car lots in O-I.

Jim Graw stated that over the years they have had a few request from various people to add a particular use to O-I. He said they have tried to keep that O-I zone "pure" without adding to or subtracting from it. He added that it has served them well over the years. He asked Pete Frisina what are the professional services permitted in O-I.

Chris Welch stated that real estate offices sell products through their office. He said a customer would come in and look at picture books and the internet of houses that are for sell there that they want to purchase.

Chairman Haren stated that they can't park their product in the parking lot right up front.

Jerry Chandler stated that was the condition that they were asking for. He said that insurance agents, brokers, investors, and doctor's offices sell things.

Marlene Welch stated that they should put in that there be no parking outside the building. She said then we would become like a lot and that is not what we are.

Chairman Haren reads off the permitted used of O-I:

- (1) Office;
- (2) Art gallery;
- (3) Bank and/or financial institution;
- (4) College and/or university, including classrooms and/or administration only;
- (5) Educational/instructional/tutorial facilities, including, but not limited to: academic, art, computer, dance, driving and/or DUI, martial arts, music, professional/business/trade, and similar facilities;
- (6) Health club and/or fitness center;
- (7) Insurance carrier, agent, and/or broker;
- (8) Laboratory, medical, and/or dental;
- (9) Legal services;
- (10) Massage therapy (see chapter 8);
- (11) Medical/dental office (human treatment);
- (12) Military recruiting office;
- (13) Museum;
- (14) Performing arts theater;
- (15) Private school, including classrooms and/or administration only;
- (16) Professional services, including, but not limited to: accounting; advertising and marketing research services; architectural firms; bookkeeping, tax preparation; brokerage firms; computer system software design; consulting services; engineering firms; internet and web hosting firms; payroll services; photographic services; research services; specialized design services; telemarketing; and translation and interpretation services; and
- (17) Real estate agent and/or broker.

Jim Graw asked if they consider themselves to be a brokerage firm.

Marlene Welch replied that they are internet broker sales, but they are also a dealer because she owns a dealer's license.

Jim Graw asked what a broker is.

Pete Frisina replied that was for stocks, bonds, and investments.

Chairman Haren stated Edward Jones or Mass Mutual.

Marlene Welch stated that (17) Real estate agent/and or broker is similar to what they do.

Brian Haren read the list of conditional uses in O-I

- (1) Adult day care facility;
- (2) Animal hospital and/or veterinary clinic (with no animal boarding or outdoor runs);
- (3) Care home, convalescent center, and/or nursing home;
- (4) Church and/or other place of worship;
- (5) College and/or university, including, but not limited to: classrooms, administration, housing, athletic fields, gymnasium, and stadium;
- (6) Child care facility;
- (7) Home occupation;
- (8) Hospital;
- (9) Hotel and/or bed and breakfast;
- (10) Non-emergency medical transport service;
- (11) Private school, including, but not limited to: classrooms, administration, playground, housing, athletic fields, gymnasium, and stadium;
- (12) Religious tent meeting; and
- (13) Single-family residence and accessory structures and/or uses (see article III of this chapter).

Jim Graw stated that he doesn't feel they should considerate as a conditional use.

Chairman Haren reiterated that he doesn't see a compelling reason to bring this into O-I.

Jim Graw stated that the problem with what he just pointed out about brokers being like an Edward Jones doesn't specifically say that. He said that it is very broad when it says brokerage.

Chairman Haren stated that everything you are asking for can be accommodated in a commercial zoning area. He said that there is nothing unique about O-I overall and its zoning that tells me that this is something that needs to go in there.

Jerry Candler stated that it is strictly an office. He said a real estate broker could be in commercial as well.

Chairman Haren stated that it's an activity that deals with a product like an automobile and we would have to write up a conditional use for this when the activity is well accommodated in commercial. He said personally and that he was talking for himself he doesn't see a compelling reason to put this in O-I.

Jerry Chandler stated that you can have a doctor's office in O-I and one (1) in commercial. He said that you can have a real estate office in O-I and you can have one (1) commercial. He added that there is a lot of leeway either way. He stated that it doesn't strictly say you can't do this in an office in O-I it's putting a limitation on what they do.

Chairman Haren replied no it is not because they could easily take this to commercial. He said there is nothing that restricts your ability to do a business because you can't do this in O-I.

Jerry Chandler stated that commercial for them is probably so much more expensive and this falls within their budget.

Chairman Haren replied we address the County as a whole.

Marlene Welch asked why they wouldn't fit into b (1).

Chairman Haren replied that your business fundamentally deals with and you hold a license for the sale of used cars to allow that in O-I we would have to create a conditional use. He said they do that if the activity doesn't fit well somewhere else. He added that this fits well into commercial.

Marlene Welch stated that she didn't want him to add used cars. She said that it is not what they are asking. She added that Pete said that they should meet with them.

Chairman Haren stated that he was going to bring it back to the Planning Commission. He asked if they had any comments and what their opinions were.

John Culbreth stated that it represents a type of spot zoning. He said the reason why we have those other categories is to bring together similar uses, and this is a use that primarily fits the commercial category.

Al Gilbert stated that he doesn't have strong feeling one (1) way or the other.

Jim Graw stated that he was conflicted because he can see where this lady and gentleman are coming from. He said they are brokers plus car sales people. He added that they have a point about real estate brokers and agents. He stated that real estate agents are selling houses and they have pictures of them up on a board. He said they do something very similar to that they sell vehicles and they can have pictures of them up on their board. He added that is why he is conflicted and just doesn't feel comfortable with including that in O-I because they have had request in the past to add additional uses. He stated that they said the uses we have had have served this County well for years and years and there is no reason to change it.

Chairman Haren asked if they wanted to take a stab at this as a conditional use.

Jim Graw stated that he preferred it not to be a conditional use.

Chairman Haren asked Jim Graw when you say you don't want them as a conditional use would you allow them in as a permitted use.

Jim Graw replied that he is conflicted and is leaning to not permitting it. He stated that he is still conflicted in his mind why real estate agents have pictures of homes and they can sell homes; and they have pictures of golf carts and they sell those over the internet. He said that is why he is conflicted but he can see the problems it can cause in the future.

John Culbreth stated that the difference is you can't put a model home on the lot but you can put a car; you can put a product there and that is the major difference. He said it opens the door for another entity to come in and do the same thing and then you begin to create a process that defeats your O-I.

Brian Haren stated that we have a minor consensus that this is something that we do not want to address.

Planning Commission members agreed.

Chairman Haren stated he doesn't see this as something they would want to address. He said that in Fayette County this is something they could easily take to commercial, and satisfy all your requirements. He added that all those other issues you talked about the cost of commercial are something we really do not need to be concern about. He stated that we are looking out for the needs of the County overall as far as zoning use. He said that this is something that he personally doesn't want to move forward with in this venue.

Marlene and Chris Welch thanked the Planning Commission for their time.

Pete Frisina stated that is all we have and that there were no new zoning for the next meeting. He said that they will have a plat and their Public Hearing next month for the PUD and the A-R Bed and Breakfast.

Al Gilbert made a motion to adjourn the meeting. Chairman Haren said the meeting was adjourned at 8:11 pm.

PLANNING COMMISSION
OF
FAYETTE COUNTY



BRIAN HAREN, CHAIRMAN

ATTEST:

