

THE FAYETTE COUNTY PLANNING COMMISSION met on February 5, 2004 at 7:00 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 (Arrived 7:20 P.M.)
Bill Beckwith
Al Gilbert

MEMBERS ABSENT: None

STAFF PRESENT: Chris Venice, Acting Zoning Administrator/Director of Planning/Community Development Division Director
Dennis Davenport, Assistant County Attorney
Ron Salmons, Director of Engineering
Phil Mallon, Assistant Director of Engineering
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 led the Pledge of Allegiance. He introduced the Board Members and Staff and confirmed there was a quorum present. He welcomed the high school students.

* * * * *

1. Consideration of the Minutes of the meeting held on January 5, 2004.

Chairman Graw 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 unanimously passed 4-0. Bob Harbison was absent.

* * * * *

2. Consideration of the Workshop Minutes of the meeting held on January 15, 2004.

Chairman Graw 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 unanimously passed 4-0. Bob Harbison was absent.

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

* * * * *

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 FEBRUARY 5, 2004.

3. Consideration of a Revised Preliminary Plat, Platinum Ridge Subdivision, Peachstate Land Development, Inc., Owners, and Rod Wright, Agent. This property is located in Land Lots 35, 62, and 63 of the 7th District, consists of 216.28 acres with 34 single-family dwelling lots, fronts on Spear Road and Ebenezer Road, and is zoned A-R.

Chairman Graw asked Rod Wright if he would like to table his preliminary plat due to the lack of a full board.

Rod Wright stated that he would like to continue.

Chairman Graw advised that the P.C. was considering a revised preliminary plat for Platinum Ridge Subdivision. He reported that a preliminary plat had previously been submitted which indicated three (3) single-family dwelling lots within the city limits of Peachtree City. He confirmed that since the preliminary plat indicated the lots in Peachtree City that the P.C. could not consider the preliminary plat. He noted that the three (3) lots had been deleted from the preliminary plat under consideration for tonight.

Mr. Wright requested approval of the revised preliminary plat stamped received 01/26/04.

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

Al Gilbert made a motion to approve the preliminary plat as submitted. Doug Powell seconded the motion. The motion unanimously passed 4-0. Bob Harbison was absent.

Al Gilbert made a motion to approve a 217 foot street length variance to allow Diamond Point to exceed the maximum street length of 3,000 feet for a total of 3,217 feet. Bill Beckwith seconded the motion. The motion unanimously passed 5-0.

* * * * *

Chairman Graw asked the high school students to come forward at 7:21 P.M. in order to have their agenda signed. He called the public hearing back to order at 7:24 P.M.

THE FOLLOWING ITEMS WILL BE CONSIDERED BY THE PLANNING COMMISSION ON FEBRUARY 5, 2004 AND BY THE BOARD OF COMMISSIONERS ON FEBRUARY 26, 2004.

4. **Consideration of Petition No. 1120-04, Charles and Ellen Thompson, Owners, Waylon Hoge of Brock Design Group, Inc., Agent, request to rezone 2.01 acres from O-I Conditional to O-I to develop an Office. This property is located in Land Lot 127 of the 5th District and fronts on S.R. 54 West.**

Waylon Hoge, Agent, explained that the original rezoning did not allow for a variance. He advised that once the site plan was drawn up it was discovered that the existing structure sits within the building setbacks. He noted that there is a 30 foot buffer plus a 15 foot setback required. He said he was asking for the existing structure to remain as is. He confirmed that the existing structure had been there for 33 years.

Mr. Hoge explained that there is a retaining wall along the side property line and he was requesting that the retaining wall be allowed to remain as is which is 11 feet from the property line inside the 30 foot buffer.

Chairman Graw asked if there was anyone to speak in favor of the petition.

Howard Guthrie stated he was a builder and developer and that Mr. Thompson was his neighbor. He explained that he had been asked to perform the GDOT work for this project. He advised that if the driveway was removed there would be no access to the rear of the structure. He added that if the driveway was relocated to the other side of the property that there would also be an encroachment and that the septic tank system was also in this area. He said heavy vegetation could be planted on the side where the driveway is located.

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

Bob Harbison asked what was the condition.

Doug Powell read the BOC recommended condition.

Chris Venice confirmed that the P.C. removed the condition regarding the driveway, however the BOC included the condition regarding the removal of the driveway.

Chairman Graw asked if the driveway could be located in the 30 foot buffer.

Mrs. Venice replied that a nonconforming structure or use that becomes nonconforming due to the overlay restrictions may continue to exist. She added that without the condition the driveway would stay there, however the BOC was concerned that if the driveway remained that there would not be an effective buffer.

Bill Beckwith asked if the driveway could be brought back directly from where the curb cut is toward the structure outside the 30 foot buffer meet the requirement of the condition.

Mr. Hoge replied that the driveway would then meet the requirement of the condition except for the area between the structure and the retaining wall. He explained that with a 30 foot buffer the rear yard would be inaccessible. He added that he does have a GDOT permit for the driveway relocation. He reported that Leyland Cypress would be utilized along the top of the retaining wall.

Mr. Beckwith asked if the existing concrete could remain in the buffer and be stripped.

Mr. Hoge replied that the driveway was not allowed to remain in the buffer.

Mrs. Venice explained that the 30 foot buffer is a vegetative buffer.

Mr. Beckwith asked if vegetation could be planted in holes in the driveway.

Mrs. Venice confirmed that the impervious surface (driveway) was not allowed and would have to be removed from the buffer. She added that the retaining wall could remain but the driveway would have to be removed and the buffer planted. She stated that there could be vegetation above and below the retaining wall.

Mr. Harbison asked if you could drive through a buffer if the impervious surface was removed.

Mrs. Venice reported that the buffer has to be four (4) foot high upon planting and provide a visual screen so you could not have gaps in the buffer.

Chairman Graw confirmed that the existing structure and retaining wall could remain.

Mrs. Venice replied yes.

Chairman Graw called for a motion.

Bob Harbison made a motion to deny the petition. Doug Powell seconded the motion.

Mr. Beckwith confirmed that the petitioner would have the opportunity to present their case to the BOC to indicate what they would do to meet the condition.

Mrs. Venice replied yes.

Mr. Harbison stated that with planting on above and below the retaining wall that screening is not as much of an issue as it normally would be. He said it was hard to make the motion because there is an obligation not to deny the petitioner access to the rear yard.

Mr. Guthrie said that he could remove the majority of the driveway and use pea gravel instead to allow access to the rear of the structure. He stated that by utilizing Leyland Cypress that you would not be able to see thru the vegetation.

Mr. Beckwith stated that there can be no impervious surface in the 30 foot buffer.

Mrs. Venice reiterated that a buffer is a vegetated area and also a distance area to separate nonresidential zoning uses from residential uses. She confirmed that according to the current condition a driveway would not be allowed within the 30 foot buffer. She added that pea gravel or asphalt would not meet the purpose of the BOC's condition.

Chairman Graw called for the vote. The motion for denial was unanimously passed 5-0.

* * * * *

5. Consideration of Petition No. 1121-04, Carolene and Hewlett Thames, Jr., Owners, and John Zadjura of Integrated Science and Engineering, Agent, request to rezone 102 acres from PUD-PEF to A-R to develop a Nursery Operation, Greenhouses, Growing Fields, and Agricultural Uses. This property is located in Land Lot(s) 140, 141, 148, and 149 of the 5th District, and fronts on McDonough Road.

Andy Jones of Integrated Science and Engineering requested to change the zoning from PUD-PEF to A-R which is how the property was previously zoned. He said that the owners planned to develop a nursery operation with greenhouses and growing fields.

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

Doug Powell asked Mr. Jones if he agreed to the recommended condition.

Mr. Jones replied yes.

Doug Powell made a motion to approve the petition subject to the recommended condition. Al Gilbert seconded the motion. The motion unanimously passed 5-0.

* * * * *

6. Consideration of Petition No. 1122-04, Shirley Horton, Owner, and Tracey Coker, V.P. of Fayette Community Hospital, request to rezone 2.01 acres from R-70 to O-I to utilize the subject property as an off-site Stormwater Management facility. This property is located in Land Lot 129 of the 5th District and fronts on Sandy Creek Road.

Andy Jones of Integrated Science and Engineering advised that this property would be utilized as part of the hospital's planned expansion and would be utilized for a stormwater management facility. He added that he agreed with the recommended condition.

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

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

* * * * *

7. **Consideration of Petition No. 1123-04, Fayette Community Hospital, Owner, and Tracey Coker, V.P. of Fayette Community Hospital, request to rezone 15.00 acres from R-70 to O-I to utilize the subject property for off-site parking for Fayette Community Hospital facilities. This property is located in Land Lot 9 of the 7th District and Land Lot 129 of the 5th District and fronts on Sandy Creek Road.**

Andy Jones of Integrated Science and Engineering advised that this property would be utilized as part of the hospital's planned expansion and would be utilized for parking. He added that he agreed with the recommended conditions.

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

Al Gilbert made a motion to approve the petition subject to the recommended conditions. Bob Harbison seconded the motion.

Bill Beckwith asked how people that would park in the area would get to the hospital.

Mr. Jones replied that this area would primarily be utilized for employee parking and the areas closest to the hospital would be utilized for patient and visitor parking. He reported that there is currently employee parking on the back side of the hospital which will be removed due to the hospital's expansion. He said all the existing parking would be replaced first due to the construction of the expansion.

Chairman Graw called for the vote. The motion unanimously passed 5-0.

* * * * *

8. **Consideration of proposed amendment to the Fayette County Development Regulations regarding Article IX. Soil Erosion and Sedimentation Control.**

Ron Salmons explained that the proposed amendments were necessary to reflect the changes made in the State law and must be adopted by July 1, 2004. He advised that the changes addressed the new requirements of the National Pollutant Discharge Elimination Systems Permit (NPDES). He further advised that the changes discussed at the previous Workshop had been included in the proposed amendments.

Mr. Salmons addressed the major changes as follows:

Page 2

Large Common Plan of Development or Sale is a new definition and expands the definition of a subdivision or development.

Page 3

Operator is a new definition and includes not only the owner of the property but allows the developer/contractor/owner or basically whomever is controlling the work at the site to be the permit holder.

Page 4

State General Permit is a new definition which addresses the National Pollutant Discharge Elimination Systems Permit (NPDES).

Page 5

Exemptions discussed properties which are exempt from the ordinance. In the past, lot size was addressed, however the new ordinance addressed the area of disturbed acreage.

Page 11

Deletion of Section 17. dealing with trout streams.

Pages 12 and 13

Institution of a fee for a Land Disturbance Permit of \$80.00 per acre of disturbed land. The \$80.00 fee will be divided equally between Fayette County and the State and will be used for implementation of the Erosion and Sedimentation Control Ordinance. Over the next few years, the Engineering Department will be presenting many ordinances dealing with Stormwater.

Pages 21 and 22

Deletion of maximum penalties and leaves it to the Judge's guidelines instead of the County's.

Page 22

All persons involved in land development design, review, permitting, construction, monitoring, or inspection of any land disturbance activity shall meet the education and training certification requirements.

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

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

Chairman Graw complimented Mr. Salmons and his Staff of the preparation of the revised ordinance.

* * * * *

9. Consideration of Objectives and Policies for the Educational Facilities in the Community Facilities Element of the Fayette County Comprehensive Plan, 2004-2025.

Chris Venice reported that the Department of Community Affairs has completed their review of the Fayette County Comprehensive Plan and found one (1) deficiency in the area of Education Facilities. She advised that the proposed objectives and policies would also be forwarded to the State to see if they meet with their approval.

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

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

* * * * *

Chairman Graw asked if there was any further business.

Chris Venice reminded the P.C. of the Workshop scheduled for February 19, 2004 in the Board of Commissioners Conference Room, Suite 100 at 7:00 P.M. She advised that items for discussion included: detention in a landscape area, accessory structures, commercial uses with an office complex, gas canopies within the overlay zone, and allowed uses in garages.

There being no further business, Bob Harbison made the motion to adjourn the meeting. Al Gilbert seconded the motion. The motion for adjournment unanimously passed 5-0. The meeting adjourned at 8:09 P.M.

PLANNING COMMISSION
OF
FAYETTE COUNTY

ATTEST:

JIM GRAW
CHAIRMAN

ROBYN S. WILSON
SECRETARY