

THE FAYETTE COUNTY PLANNING COMMISSION held a **Workshop** on March 18, 2004 at 7:00 P.M. in the Fayette County Administrative Complex, 140 Stonewall Avenue West, Board of Commissioners Conference Room, Suite 100, 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
Pete Frisina, Senior Planner
David Mundt, Director of Permits and Inspections
Bill McNally, 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. He also welcomed the high school students. He announced that Aaron Wheeler, the new Director of Zoning/Zoning Administrator would be on board April 5th and will attend the April Workshop.

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1. Discussion of proposed amendments to the Fayette County Zoning Ordinance regarding the definition of an accessory structure, including any inspection requirements.

Chris Venice reminded the P.C. that this item was a continuation from the last Workshop. She advised that there were two (2) items for discussion: whether or not to regulate temporary structures and how to make sure accessory structures meet all the requirements including building codes for safety. She confirmed that the P.C. had previously discussed tie-downs for a storage container. She presented photographs of temporary and permanent storage containers. She introduced David Mundt, the Director of Permits and Inspections/Building Official to answer questions from the P.C. regarding building codes, safety concerns, and inspections. She read the proposed amendment and reported that this amendment would ensure the location, square footage, height, and requires inspections of the storage container.

Bob Harbison asked if there were any safety issues concerning a storage container.

Mrs. Venice replied that storage containers are subject to blowing over.

David Mundt advised that storage containers would be required to be anchored with a modular home type strapping system. He added that the industrial section of the code required so many tie-downs per the length of the structure.

Mr. Harbison stated that the Subdivision Regulations should regulate these type structures but added he had no problem with requiring the tie-downs for safety.

Chairman Graw asked if there were any aesthetic controls.

Mrs. Venice replied those would be found through Homeowners Associations or Restricted Covenants if there are any.

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Bill Beckwith stated that a Home Depot wood frame structure on a foundation would more easily blow over than a storage container.

Mr. Mundt explained that a wood frame structure will not blow a part but wad up in a ball. He reported that a tornado would pick up a storage container and throw it a long distance but if they are tied-down that shouldn't move, however a small metal building will usually flatten out prior to becoming airborne. He advised that wooden storage buildings consisting of 200 square feet or more are required to be tied-down.

Doug Powell asked if motor homes are regulated.

Mr. Mundt replied that a motor home is a motor vehicle and is not regulated under building codes.

Mr. Harbison asked what was Staff's recommendation regarding temporary structures.

Mrs. Venice replied that based on last month's Workshop, Staff had not pursued temporary structures, however six (6) months is normally considered temporary.

Chairman Graw suggested requiring temporary structures to be permitted for a six (6) month period with renewal required every three (3) months.

Mr. Harbison stressed that if temporary structures were going to be allowed that the ordinance must be very specific about what makes it permanent.

Attorney McNally advised that if a temporary structure is going to be allowed to violate the setback and location requirements for a set period of time then it should be permitted. He added that these type containers are fairly new and the County will probably be hearing more about them.

Mr. Powell asked if garbage containers were also going to be regulated.

Mr. Harbison replied that he did not view a garbage container as a storage container.

Attorney McNally advised that a garbage container is only going to be located a parcel so long because you have of health regulations.

Mr. Powell stated that he did not see a difference between a temporary or permanent structure.

Chairman Graw asked the P.C. is they had a problem with requiring a temporary structure to be permitted for a certain length of time and then allowing a renewal period.

Mrs. Venice suggested that the ordinance be revised to state that storage containers over six (6) months are considered permanent which would require the storage container to either be removed or permitted in the proper location.

Al Gilbert stated that remodeling projects could take a long time and he did not feel comfortable for doing a whole bunch with temporary structures for that reason.

Mr. Harbison asked if the storage container could be bolted down in placement of the tie-downs.

Mr. Mundt replied yes sir.

Mr. Beckwith asked how the citizens will know they need a permit.

Mrs. Venice replied that they will either contact the County, someone will file a complaint with the Marshal's Office, or it would be observed by a County employee.

Attorney McNally asked at what point would you want to consider the structure permanent.

Mrs. Venice suggested that after a structure is located on a lot for one (1) year that it must be either removed or permitted and located in the required location.

Mr. Gilbert asked what was the length of time given for temporary classrooms.

Robyn Wilson advised that temporary classrooms are permitted for two (2) years, office trailers are permitted for six (6) months and renewed every six (6) months as long as there are on going building permits within the subdivision, and a recreation vehicle with a building permit for a single-family dwelling are six (6) months only with no renewal period.

The P.C. concurred with the one (1) year time period.

Mrs. Venice suggested amending Incidental Uses to read as follows: "The following accessory uses, structures, and similar uses which.....".

The P.C. concurred.

Chairman Graw instructed Robyn Wilson to advertise the proposed amendments for the April Public Hearing.

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2. Discussion of proposed amendments to the Fayette County Zoning Ordinance regarding O-I (Office Institutional) Zoning District to allow for a percentage of commercial uses in O-I.

Pete Frisina presented a copy of the City of Fayetteville's MO (Medical/Office Zoning District). He reported that it allows one (1) acre lots lying within a 3,000 foot distance from Fayette Community Hospital and Fayette Medical Center, however outside of the 3,000 foot distance 20 contiguous acres are required. He pointed out that the following uses are permitted under the MO Zoning District: pharmacies, optometry and vision care centers, florists, durable medical and rehabilitation equipment sales such as wheelchairs, crutches, etc., and dine-in restaurants, not including establishments offering drive-through facilities. He said that a pharmacy would allow a Walgreens, CVS, or Eckerd Drugs as a primary use on a one (1) acre tract. He added that the optometry and vision care centers would be like a Pearle Vision Center.

Mr. Frisina advised that the architectural requirements had been lifted north of S.R. 54 West between Sandy Creek Road and Tyrone Road. He pointed out that the areas designated for non-residential on the Land Use Plan include: Commercial designation the northeast corner of Tyrone Road and S.R. 54 West and O-I designation from the commercial area east to the hospital.

Al Gilbert stated he envisioned an office park with maybe a florist inside one of the buildings or a bigger building which could house a snack bar.

Mr. Frisina said he was trying to come up with something similar to the City of Fayetteville, however he wanted the P.C. to be aware of uses which would not be considered under the County's O-I Zoning District.

Audrey Massey commented that she was a real estate agent but she also had lived in the general area. She said that the City keeps annexing all the property in this general area. She stated that these type uses will help to keep development in the unincorporated County. She commented that if the commercial is limited to inside the building then what is the "carrot" to entice the person doing the project to develop in the County instead of the City since the City provides sewage. She advised that

she had spoken with Rick Fehr regarding a septic system for a nonresidential use and he explained that basically the requirement is the same for residential as nonresidential depending on the use. She commented that it was her goal to prove that these projects could be developed in the County on a septic system.

Chairman Graw remarked that he concurred with Mr. Gilbert. He said that the B.O.C. wanted the overlay zone on S.R. 54 West with O-I development.

Bob Harbison also concurred with Chairman Graw and Mr. Gilbert.

Chris Venice said that she sees two (2) approaches: one for the smaller lots which would tie commercial to the percentage of an existing building or larger developments which would incorporate a stand-alone structure within the larger development. She stated that Staff was looking for more direction to see how to prepare the amendments.

Chairman Graw expressed concern about setting a precedent or demand for commercial rezonings.

Mr. Frisina advised that the overlay would not affect properties without road frontage on S.R. 54 West even though the areas off S.R. 54 West are land used for O-I. He asked the P.C. if they wanted to specify a distance from S.R. 54 West to capture everything which had been land used (approximately 2,000 feet) so the overlay requirements would apply.

Mr. Harbison stated he was not so concerned about architectural standards off of the S.R. 54 West corridor.

Mrs. Venice commented that off of the S.R. 54 West corridor that nonresidential development would be closer to residential development and the County should be more careful.

Mr. Gilbert asked if the land lot lines could be indicated on the land use map.

Mr. Frisina reminded the P.C. that the land use designations are not parcel specific any longer. He advised that the five (5) uses which he previously pointed out were the only ones not currently allowed under the County's O-I Zoning District as a stand alone business.

Mr. Gilbert suggested to allow a certain percentage of the square footage a building or a certain percentage of the entire square footage of an office park could be utilized for commercial uses. He commented that there should be supportive businesses in an area which is growing like the hospital area to provide services such as a restaurant which will reduce the amount of traffic coming into Fayetteville for lunch.

Mrs. Venice advised that Staff would continue to work on the proposed amendments for further review at the April Workshop.

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3. Discussion 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 discussed the proposed amendments for S.R. 54 West and S.R. 74 South Overlay Zones first. She pointed out that the area of hospital influence was exempt from architectural standards of the overlay zone, however when you read the current ordinance it is unclear. She said she was proposing to remove the verbiage regarding the area of hospital influence be removed from Section 7-6.,A. and inserted under Section 7-6.,A.,4. Architectural Standards.

Mrs. Venice referenced Section 7-6.,6. Landscape Requirements, a. Street Frontage. Landscape area and advised that Assistant County Engineer Phil Mallon advised Staff that the Engineering Department is going to be doing some major revisions to the Stormwater Regulations including the detention section so detention will be addressed at a later time. Under this section, she clarified that the landscape area is to be utilized for landscaping purposes only (e.g. no septic system or detention). She added that for each overlay, Zoning will address landscaping and Engineering will address detention.

The P.C. concurred to allow landscaping and septic system within the 50 foot landscape area. They also concurred with the proposed amendments as presented.

Next, Mrs. Venice discussed the proposed amendments to the S.R. 85 North Overlay Zone. She advised that she was recommending to delete the sections entitled Architectural Standards and Visual Interest through Innovative Architecture with some deletions under Construction Materials. She pointed out that development could be governed by requiring brick, stucco, or natural wood siding, landscaping, and setbacks.

Under lighting, Mrs. Venice proposed to delete everything except the sentence dealing with lighting spilling over onto adjoining properties, road right-of-ways, or interference with the vision of motorists. She also recommended deleting the pedestrian circulation requirement under Special Locational and Spatial Requirements.

Mrs. Venice proposed requiring a fence restricted to 4 feet in height and no chain link fencing permitted for detention. She stated that the fence is required to keep people from wandering into a detention pond so four (4) feet is considered high enough to keep someone from wandering into a detention pond. She confirmed that without a height limit there will be stockade type fences in the front yard. She added that Staff would check on the required height requirement.

Mrs. Venice advised that she was also proposing to delete the section entitled Nonconformities and add the same requirements as listed in the S.R. 54 West Overlay Zone regarding Use of Existing Structures.

The P.C. concurred to allow landscaping, septic systems, and detention within the 50 foot landscape area. They also concurred with the proposed amendments as presented.

In conclusion, Mrs. Venice addressed the proposed amendments to the General Overlay Zone. She stated that she is proposing to delete all of the architectural standards and add requiring a pitched roof including gasoline canopies and accessory structures and facade of brick, stucco, natural wood siding with reflective surfaces being prohibited. She added that she was also proposing to delete all of the lighting criteria and add that lighting shall not spill over into adjoining properties, road right-of-ways, or interfere with the vision of motorists.

Mrs. Venice advised that she was also proposing to delete the section entitled Nonconforming Structures and add the same requirements as listed in the S.R. 54 West Overlay Zone regarding Use of Existing Structures.

The P.C. concurred to allow landscaping and septic systems within the 50 foot landscape area. They also concurred with the proposed amendments as presented.

Chairman Graw instructed Robyn Wilson to advertise the proposed amendments for the April Public Hearing.

4. **Discussion of proposed amendments to the Fayette County Zoning Ordinance and Fayette County Subdivision Regulations regarding the definition of Subdivision.**

Robyn Wilson advised the P.C. that Staff had found a discrepancy with the definition of “subdivision” between the Zoning Ordinance and Subdivision Regulations. She confirmed that she and Chris Venice had discussed the discrepancy with Ron Salmons and all had agreed that the definition should be the same in both ordinances.

Chairman Graw instructed Mrs. Wilson to advertise the proposed amendments for the April 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. Bill Beckwith seconded the motion. The motion unanimously passed 5-0. The Workshop adjourned at 8:45 P.M.

**PLANNING COMMISSION
OF
FAYETTE COUNTY**

ATTEST:

**JIM GRAW
CHAIRMAN**

**ROBYN S. WILSON
P.C. SECRETARY**