

THE FAYETTE COUNTY PLANNING COMMISSION held a **Workshop** on October 20, 2005 at 7:00 P.M. in the Fayette County Administrative Complex, 140 Stonewall Avenue West, Board of Commissioners Conference Room, First Floor, Fayetteville, Georgia.

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

MEMBERS ABSENT: None

STAFF PRESENT: Aaron Wheeler, Zoning Administrator
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.

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1. Discussion of proposed amendments to the Fayette County Zoning Ordinance regarding Article V. General Provisions, Section 5-40. Standards for Telecommunications Antennas and Towers.

Aaron Wheeler advised that the proposed amendment is a “housekeeping item”. He explained that “governing authority” was confusing as to who officially was the governing authority. He confirmed that the proposed amendment designating the Board of Commissioners or its designee should alleviate this confusion. He suggested to leave “governing authority” indicated in parenthesis after “The Board of Commissioners or its designee” and then “governing authority” could remain throughout the paragraph because “governing authority” had been clarified.

Mr. Wheeler further explained that the one (1) and two (2) mile separation between tower facilities are listed in other sections of the ordinance. He said that it had been common practice that if a tower facility does not comply with the separation distance then a public hearing is required before the P.C. and the B.O.C. He added that this proposed amendment should also assist in alleviating any confusion.

Doug Powell asked why the separation distance was not included in this section when the ordinance was developed.

Mr. Wheeler replied that it has always been implied that the B.O.C. could make this determination. He explained that this amendment would confirm that the B.O.C. could make this determination.

Attorney Bill McNally reported that when the ordinance was developed that there was a feeling that there would be no variances, however, it is not good to not allow an appeal if there is a real hardship. He explained that there had been some jurisdictional problems created because petitioners wanted to file a petition with the Z.B.A., however, the Z.B.A. were not delegated by the B.O.C. to hear such petitions. He said that the proposed amendment was a good solution.

Bill Beckwith asked if the ordinance should be reduced from a two (2) mile separation distance to a one and one-half (1.50) mile separation distance.

Attorney McNally replied that he has heard no discussion or outcry about reducing the two (2) mile separation distance.

Mr. Beckwith asked who would be the designee.

Mr. Wheeler replied that this would give the B.O.C. an option to designate the Z.B.A. as the designee to hear the petition should they desire to do so.

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

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2. Discussion of proposed amendments to the Fayette County Zoning Ordinance regarding Article III. Definitions, Section 3-22. Care Home.

Aaron Wheeler advised that the proposed amendment is a “housekeeping item”. He explained that upon reviewing the facilities listed under “Care Home” that an “Assisted Living Facility” had been overlooked. He added that this should alleviate any confusion as to how an assisted living facility should be regulated.

Al Gilbert asked Mr. Wheeler to do some research to determine how a hospice would be regulated.

Mr. Wheeler replied that if this item is not addressed in the ordinance that he will prepare a separate section regulating a hospice as a future workshop item.

Attorney Bill McNally advised that a hospice should be regulated by a separate section with its own requirements established.

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

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3. Discussion of proposed amendments to the Fayette County Zoning Ordinance regarding Article VII. Conditional Uses, Exceptions, and Modifications, Section 7-1. Conditional Use Approval, B. Conditional Uses Allowed, 6. Care Home, Convalescent Center or Nursing Home.

Aaron Wheeler advised that the proposed amendment is a “housekeeping item”. He explained that he had an inquiry about senior apartments under the guise of an assisted living facility which does not meet the intent of the ordinance. He noted that he had spoken with other assisted living facilities to get their input as well as reviewing the State statutes.

Chairman Graw asked if a central kitchen, central dining facilities, and central recreational facilities would all three (3) be required.

Mr. Wheeler replied yes. He added that these three (3) items were taken from the State statutes.

Bill Beckwith suggested to delete “ All buildings” from the sentence “All buildings should be connected to the central facilities through internal passageways” and replace with “All living facilities should be connected to the central facilities through internal passageways”.

Mr. Wheeler concurred and stated he would make the revisions.

Tim Thoms remarked that he could understand requiring all living facilities to be connected through internal passageways.

Doug Powell asked if an assisted living facility could be developed without a hospital type care unit.

Mr. Wheeler replied that the State does not allow an assisted living facility to dispense drugs.

Attorney Bill McNally advised that the State Hospital Planning Agency is very, very strict as to what can be in a hospital, nursing home, and an assisted living facility. He explained that a hospital could only go so far in regards to a step down unit before there would be an encroachment on a nursing home.

Al Gilbert advised that an assisted living facility will not take a patient who does not have the ability or have someone to take you back and forth to the doctor. He added that if you constantly need an ambulance you would not be living very long in an assisted living facility. He stressed that they are not providers of serious health care.

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

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Chairman Graw asked if there was any further business. Hearing none, Doug Powell made a motion to adjourn the Workshop. Al Gilbert seconded the motion. The motion unanimously passed 5-0. The Workshop adjourned at 7:30 P.M.

PLANNING COMMISSION
OF
FAYETTE COUNTY

ATTEST:

JIM GRAW
CHAIRMAN

ROBYN S. WILSON
P.C. SECRETARY