

Meeting Minutes 12/04/2025

THE FAYETTE COUNTY PLANNING COMMISSION met on December 4th, 2025, at 7:00 P.M. in the Fayette County Administrative Complex, 140 Stonewall Avenue West, Fayetteville, Georgia.

MEMBERS PRESENT: John Kruzan, Chairman
Danny England, Vice-Chairman
John H. Culbreth Sr
Jim Oliver
Boris Thomas

STAFF PRESENT: Debbie Bell, Planning and Zoning Director
Deborah Sims, Zoning Administrator
Maria Binns, Zoning Secretary
E. Allison Ivey Cox, County Attorney

NEW BUSINESS

1. Call to Order. *Chairman John Kruzan called the December 4, 2025, meeting to order at 7:00 pm.*
2. Pledge of Allegiance. *Chairman John Kruzan offered the invocation and led the audience in the Pledge of Allegiance.*
3. Approval of Agenda. *Ms. Deborah Bell amended the agenda to renumber items 7 and 8 (Petitions No. 1372-25-A and B) to 1 and 2, respectively. John H. Culbreth, Sr., made a motion to approve the amended agenda with the changes. Jim Oliver seconded the motion. The motion carried 5-0.*
4. Consideration of the Minutes of the meeting held on November 6, 2025. *Jim Oliver made a motion to approve the minutes of the meeting held on November 6, 2025. John H. Culbreth seconded the motion. The motion carried 5-0.*
5. Plats. *No Plats were presented on the December 4, 2025, hearing.*

PUBLIC HEARING

1. ***Consideration of Petition 1372-25-A***, 1246 Highway 314, Fayette Co, LLC, Owner, is requesting to rezone Parcel No. 1306 011 (45.412 acres) Tract I, from R-40 (Single-Family Residential) to A-R (Agricultural-Residential). Property is located in Land Lot 219 of the 13th District and fronts Highway 314 North.

Ms. Debbie Bell stated that items 1 and 2 (1372-25-A and 1372-25-B) are adjacent parcels for the same request, but they will require individual hearings. She read the description for both parcels and also mentioned the smaller lot is a legal nonconforming lot and, as defined in the Fayette County Comprehensive Plan's Future Land Use Plan, Low Density Residential is designated for this area, so the request for A-R zoning, which is a lower density district, is appropriate. Parcel 1306-117 (4.738 acres) does not meet the minimum lot size for the A-R zoning. Therefore, a condition is recommended to ensure it is combined with the larger parcel, which will resolve this issue. Based on the Investigation and Staff Analysis, Planning & Zoning Staff recommends conditional approval of the request for a zoning of A-R, Agricultural-Residential: "All parcels that are the subject of this petition shall be combined by a recorded final plat within 180 days of the approval of the petition or prior to the submittal of a site development plan, whichever comes first."

Chairman John Kruzan asked if the petitioner was present.

Mr. Randy Boyd, representative. – Explained, Mr. Hill asked him to represent him on this petition. He knew the petition was denied back in August and read a letter from Mr. Hill where he has previously sent it in response to one of the neighbors asking about the rezoning where he stated he was the owner of the property in question and he's a member of the North Fayette Homeowners Association, and wanted to rezone it to support a lower impact in the community such as licensed private fishing, small event wedding, and the use of the house as a bed and breakfast, and added will not exceed the allow parking spaces to manage traffic flow and preserve the neighborhoods area. The house was built in 1958, and they decided to sell it after the state required significant updates to the Lake Drainage System, a cost they couldn't afford, and they have already taken steps toward it.

Chairman Kruzan asked if anyone was in support of the petitions, with no response, then he asked if anyone was in opposition to come to the podium and speak.

Mr. Danny England asked staff what differences from the last time the board heard the petition back in August.

Ms. Bell responded that nothing has changed since the petitioner withdrew from the Board of Commissioners Meeting after the previous Planning Commission Meeting and re-applied.

Mr. England asked in the last meeting, staff recommendation was for denial, and now it's conditional approval. Is that correct?

Ms. Bell responded that the staff recommendation was for conditional approval at that time; nothing has changed since the last meeting.

Mr. England wanted to make sure he was not missing something; no other changes were made.

Ms. Gail Raby requested to denied both petitions, the surrounding neighborhoods had expressed their concerns back in August and opposed having a business at that address, believing it would increase the traffic in the area, and that becoming A-R zoning would bring a variety of businesses bringing a lot of noise something Mr. Xavier doesn't understands because he doesn't live in the community or the county. She stated that the properties in question have three access points (two from Highway 314 and one in LaFayette Estates), compromise someone getting hit while walking. Ms. Gail expressed her concerns about Mr. Hill selling parts of the property to other businesses with other uses and expressed what's happening right now with the big lights at the front of the property and mobile parties that, according to her, are causing a lot of discomfort and safety concerns. She asked the board to deny both petitions.

Ms. Marcelle English stated that she and her mother are opposed to this rezoning and expressed that neither Mr. Hill nor her mother resides within the property and stated that when he rents it to third parties, and potential uses under the A-R zoning where he has no control over security, trash, noise, or traffic, in reality, to run a business at that property.

Ms. Alice Jones mentioned she has remorse about the Rick Ross property, also A-R zoning and the impact within the community. Spoke about the traffic increase, getting in and out of the subdivisions, and being one of the founders of the North Fayette Community Association, where she thinks Mr. Hill has been in an appeal meeting for this proposal. Ms. Jones asked the board to deny both petitions.

Mr. Walter Metzger stated he has no problem developing the property for residential use. He resides across the street from Mr. Hill's property and mentioned he has several events, loud music that he can hear inside his house. He stated that if rezoned will come with different uses and you will still have the noise and more traffic that will bring the house's value down.

Ms. Tonya Conley questioned why we are still considering these petitions, explaining that she resides to the left of the properties and she mentioned that the noise is being heard and said someone from the previous meeting, from LaFayette, speaking about someone who put out signs about refurbishing the lake and the runoff that was to be expected in his subdivision, and to create an additional road.

Mr. William Walker spoke about his concerns with data center developments in the area, and he doesn't know if this property will become one.

Mr. Randy Boyd spoke in rebuttal and stated that the petitioner completely withdrawn the

previous request. He mentioned noise limits and under the current zoning (R-40), certain conditional uses can be developed, like a church, private school, etc., and will have an impact on traffic, likewise. He stated he had a very short time to research the property, and regarding the lake he stated it will have to be done by being categorized as a category one lake because if it fails, it will be a loss of life. Mr. Boyd called the board for approval for a less intense use.

Since there are two separate petitions (1372-25-A and 1372-25-B) for two different parcels that are adjacent to each other, the Board will need to hear two separate hearings for each request. The same opposition comments were stated by the residents whose names had previously been spoken.

Mr. Jim Oliver asked Mr. Randy Boyd if they had any problems with the conditions posted on the recommendation for each petition.

Mr. Boyd responded No.

John Culbreth, Sr., made the motion to DENY Petition 1372-25-A. Danny England seconded the motion. The motion passed 5-0.

2. ***Consideration of Petition 1372-25-B***, 1246 Highway 314 Fayette Co, LLC, Owner, is requesting to rezone Parcel No. 1306 117 (4.738 acres) Tract II, from R-40 (Single-Family Residential) to A-R Agricultural-Residential (Single-Family). Property is located in Land Lot 219 of the 13th District and fronts Highway 314 North.

Chairman Kruzan asked the board if they had any questions or comments, and if not, to proceed with a motion for petition 1372-25-B.

John Culbreth, Sr., made the motion to DENY Petition 1372-25-B. Danny England seconded the motion. The motion passed 5-0

3. ***Consideration of Amendments to Chapter 110***. Zoning Ordinance, regarding Article VII.- Zoning Board of Appeal. Sec.110-241.- Public Hearing.

Ms. Bell explained that under public hearings, the state changed the advertising requirements for variance two years ago, where the ads had to be run 30-45 days before a variance could be heard, and this new change from 15 but not more than 45 calendar days will make it easier to fit those advertisements into the agendas.

Mr. John Culbreth, Sr., asked staff if the state changed its rule.

Ms. Bell responded to certain things that zoning has to meet the state zoning procedure laws and the advertisements for rezonings, if one of those falls under different sections under O.C.G.A.'s and this will be brought into alignment with a recent amendment to the state code.

Chairman Kruzan asked if anyone wanted to speak in support or opposition to the

request, but with no response, he brought it back to the board for questions or a motion.

Jim Oliver made the motion to recommend APPROVAL of Amendment to Chapter 110. Zoning Ordinance, regarding Article VII.- Zoning Board of Appeal. Sec.110-241.- Public Hearing. John Culbreth, Sr., seconded the motion. The motion passed unanimously.

4. ***Consideration of Petition 1368-25***, Stuart Reagan and Laura K. Reagan, Owners, are requesting to rezone 8.053 acres from R-70 (Single-Family Residential) to A-R (Agricultural-Residential). Property is located in Land Lot 75 of the 7th District and fronts Sun Road.

Ms. Bell stated the lot is a legal lot of record and meets or exceeds all the requirements of the A-R zoning district, as does the existing house. The Future Land Use Map designates this area as Rural Residential-2, which has a 2-acre minimum parcel size. Since A-R is a less intense/lower density zoning, the request to rezone to the A-R zoning district is appropriate and is consistent with the Future Land Use Map and the Comprehensive Plan. Staff recommends approval of the request to rezone to A-R.

Ms. Laura Reagan stated that previously, they had requested a variance to build a running shelter on each of their fenced pastures and already had two horses. The main request for this new variance is for her to have more chickens.

Ms. Bell explained that the reading of the ordinance in the A-R zoning allows you to have horses, but you have to have ten acres to have a horse shelter.

Chairman Kruzan asked if anyone was in support or opposition of the request. No one responded, brought the item back to the board for questions, or made a motion.

Jim Oliver made the motion to recommend APPROVAL of Petition 1368-25. Danny England seconded the motion. The motion passed 5-0

5. ***Consideration of Petition 1369-25-A***, The McCotter Family Trust, Owner, is requesting to rezone 3.00 acres of Parcel No. 0433 049, Tract 2, from R-45 (Single-Family Residential) to A-R Agricultural-Residential (Single-Family). Property is located in Land Lot 183 of the 4th District and fronts Fletcher Ford Road.

Ms. Bell read both petitions' requests (1369-25-A and 1369-25-B) together since the parcels are adjacent parcels for the same request, but they will require individual hearings. Ms. Bell stated that the owner wanted to build a shelter for their horse and that the Comprehensive Plan's Future Land Use Plan in the A-R zoning is appropriate and recommends conditional approval: "All parcels that are the subject of this petition shall be combined by a recorded final plat within 180 days of the approval of the petition or prior to the submittal of a building permit, whichever comes first" for both parcels.

Chairman Kruzan asked if the petitioner was present.

Mr. McCotter stated was given a horse from the neighbor she couldn't take care of after the passing of her husband, and by combining both parcels, will resolve the issue.

Mr. Oliver asked the petitioner if he had any problems with the conditions that are required to comply with the conditional approval.

Mr. McCotter responded No.

Chairman Kruzan asked if anyone else wanted to speak in support or opposition of the petition, but no one responded. He brought the item back to the Board for questions or to make a motion.

Jim Oliver made the motion to recommend CONDITIONAL APPROVAL of Petition 1369-25-A. Boris Thomas seconded the motion. The motion passed unanimously.

6. ***Consideration of Petition 1369-25-B***, The McCotter Family Trust, Owner, is requesting to rezone 3.00 acres of Parcel No. 0433 051, Tract 1, from R-45 (Single-Family Residential) to A-R Agricultural-Residential (Single-Family). Property is located in Land Lot 183 of the 4th District and fronts Fletcher Ford Road.

Same petition from above, Ms. Bell read the description of this petition.

Chairman Kruzan asked if anyone was in support or opposition of the petition, with no answer, he brought the item back to the board for questions or motion.

Jim Oliver made the motion to recommend CONDITIONAL APPROVAL of Petition 1369-25-B. Danny England seconded the motion. The motion passed unanimously.

7. ***Consideration of Petition 1370-25***, Jean Allen Living Trust, Jerome Allen POA, is requesting to rezone 6.00 acres of Parcel No. 0448 013 from A-R Agricultural-Residential (Single-Family) to R-80 (Single-Family). Property is located in Land Lot 249 of the 4th District and fronts Antioch Road.

Ms. Bell read the description above and said the parcel is a legal lot of record and meets A-R zoning requirements, and is designated as Rural Residential-3, which has a 3-acre minimum. A request to rezone R-80 aligns with the Future Land Use Map and Comprehensive Plan. However, the existing house does not meet R-80 setback (21.88 feet instead of 30 feet) or minimum floor area (1724 square feet instead of 2500 square feet) requirements, but is a legal nonconforming structure. Staff recommends conditional approval for the rezoning, requiring the applicant to obtain a variance for the floor area or modify the house within 180 days before any final applications and to obtain a variance to the side yard setback in the R-80 or to modify the house within 180 calendar days pr before applying for any final plats or permits, whichever comes first.

Mr. Jean Allen stated the house was built years ago and everything was zoned A-R, and he wanted to get it rezoned to R-80.

Mr. Oliver asked the petitioner if he was okay with the conditions staff recommended. And if he wanted to rezone the property for himself?

Mr. Allen responded yes and said it was for family members.

With no further comments or questions from the Board they moved for a motion

John Culbreth, Sr., made the motion to recommend CONDITIONAL APPROVAL of Petition 1370-25. Danny England seconded the motion. The motion passed 5-0.

8. ***Consideration of Petition 1371-25***, CK 138, LLC, Owner, is requesting to rezone 15.733 acres from R-40 (Single-Family) to C-H (Highway Commercial) for future office development. Property is located in Land Lot 198 of the 13th District and fronts Highway 138.

Ms. Bell stated that, as defined in the Fayette County Comprehensive Plan General Business Use is designated for this area and because the property is adjacent to C-H zoned properties and uses staff recommended approval for this rezoning to C-H, Highway Commercial.

Ms. Ellen Smith, representative with the law office of Parker Poe, explained that his client owns the self-storage next door to this parcel that was acquired in 2021 and got properly rezoned, its ninety-four leases; it's the third property owned by the same client, and would like to do the same project for this new petition, where the back side of the property will be additional self storage with some RV parking in the back and additional building at the front to shield that. She showed photos of the concept plan.

Mr. Chris Poholek added that when you are in front of the property, you can not see the self-storage part in the back, and it will have some retail uses at the front.

Chairman John Kruzan asked if anyone else was in support or opposition of the petition, with no response, he brought the item to the Board for questions.

Mr. John Culbreth, Sr., asked Ms. Smith if there was already an existing storage facility developed there.

Ms. Smith responded to the property that was originally a twenty-two-acre parcel and seven acres were developed in the adjacent parcel, stating they rezoned only that part and now they want the same with this petition.

Mr. Culbreth asked if it was the same owner.

Ms. Smith responded Yes.

Mr. Danny Englan asked if they would be conjoint.

Mr. Poholek responded yes, they will use the same curbcut and will be a gate with an access code, it will mirror the development already there.

Mr. England asked if the detention pond would be large enough to handle the new addition.

Mr. Poholek responded that they haven't studied that, but the options are to enlarge or to build a separate pond in the backyard.

Chairman Kruzan asked the Board if there were any other questions or to entertain a motion.

Danny England made the motion to recommend APPROVAL of Petition 1371-25. John Culbreth, Sr., seconded the motion. The motion passed 5-0.

9. ***Consideration of Petition 1373-25***, Kyle D. Weishaar and Laura S. Weishaar, Owners, are requesting to rezone 7.745 acres from A-R Agricultural-Residential (Single-Family) to R-78 Single-family Residential. Property is located in Land Lot 26 of the 5th District and fronts Harp Road.

Ms. Bell stated the lot is a legal nonconforming lot and meets or exceeds all the requirements of the R-78 zoning district. The Future Land Use Map designates this area as Rural Residential-2, which has a 2-acre minimum parcel size. The request to rezone to R-78 is consistent with the Future Land Use Map and the Comprehensive Plan. At 4161 SF, the existing house on the parcel DOES meet/exceed the dimensional requirements for R-78 for minimum floor area and it meets all building setback requirements, staff recommends conditional approval: "The owner/developer shall dedicate land to Fayette County as needed to provide a minimum 50-ft of right of way as measured from the existing centerline of Harp Road for the full width of the parcel. Submittal of all warranty deed(s) and legal descriptions for said right-of-way dedication(s) shall be provided to the County within 90 days of the approval of the rezoning request, or prior to the submittal of permit applications, whichever comes first." Ms. Bell added that this rezoning will end the nonconforming use on the lot.

Chairman Kruzan asked if the petitioner was present.

Ms. Laura Weishaar explained that her husband was on his way from Atlanta, and lived there for five years, and loves living in the area, and just wanted to build a shop in the backyard, and they agree with the right of way dedication to the county.

Mr. Danny England asked staff why this rezoning is needed.

Ms. Bell responded that building the accessory structure is triggering the change of

zoning because it doesn't meet the lot width at the building line, and it's a cleaning solution.

Chairman asked the audience if anyone else was in support or opposition, with no response, he brought the item back to the Board for questions.

Danny England made the motion to recommend CONDITIONAL APPROVAL of Petition 1373-25. John Culbreth, Sr., seconded the motion. The motion passed 5-0.

10. Consideration of the Fayette County Planning Commission 2026 Calendar.

Ms. Bell mentioned the last item for the meeting was the approval of the 2026 Zoning Board of Appeals Calendar, and that, looking at holidays and for January and July meetings, will be moved to the second Thursday of the respective month due to the holiday schedule. She asked to re

Mr. Jim Oliver asked that they just need to recommend acceptance.

Ms. Bell responded Yes, Sir.

John Culbreth, Sr., made the motion to APPROVE the 2026 Fayette County Planning Commission Calendar. Danny England seconded the motion. The motion passed 5-0.

John Culbreth, Sr., moved to adjourn the December 4, 2025, Planning Commission meeting. Danny England seconded. The motion passed 5-0.

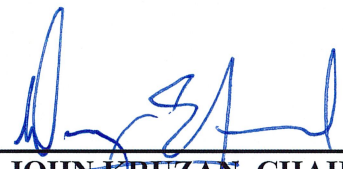
The meeting adjourned at 8:25 pm

ATTEST:

PLANNING COMMISSION
OF
FAYETTE COUNTY


DEBORAH BELL
DIRECTOR, PLANNING & ZONING

*Maria Binns
Zoning Secretary*


JOHN KRUZAN, CHAIRMAN
Danny England, Vice- Chairman