

Meeting Minutes 6/6/2024

THE FAYETTE COUNTY PLANNING COMMISSION met on June 6, 2024, at 7:00 P.M. in the Fayette County Administrative Complex, 140 Stonewall Avenue West, Fayetteville, Georgia.

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

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

NEW BUSINESS

1. Call to Order.
2. Pledge of Allegiance.
3. Approval of Agenda.

Debbie Bell requested to amend two items in the agenda will be to add item number 5 election of secretary and item number 6 to amend the agenda to add the following Final plats; the Minor Final Plat for Charles W. Johnson Estates and Douglas G. Johnson, Fizzolio Estates, Starr's Mill Corner Store, Arborvale- Phase One and Huntcliff Manor -Phase One. ***Danny England made a motion to approve the agenda with the addition of Election of Secretary as item number 5 and the amendment of the agenda to add the following Final plats; the Minor Final Plat for Charles W. Johnson Estates and Douglas G. Johnson, Fizzolio Estates, Starr's Mill Corner Store, Arborvale- Phase One and Huntcliff Manor -Phase One as item number 6. Public Hearing items will now be items 10-12. Jim Oliver seconded the motion. The motion carried 5-0.***

4. Consideration of the Minutes of the meeting held on May 2, 2024. ***Jim Oliver made a motion to approve the minutes of the meeting held on May 2, 2024. Danny England seconded the motion. The motion carried 5-0.***
5. Election of the Secretary. ***Jim Oliver nominated Maria Binns as the Secretary to the Planning Commission. Danny England seconded the nomination. There were no other nominations. The board voted and the vote to elect Maria Binns carried 5-0.***
6. Approval of the Minor Final Plat of Charles W. Johnson Estates and Douglas G. Johnson. Deborah Sims stated this is simply a plat to subdivide one parcel into two parcels. It has been

reviewed and approved by staff. John Culbreth asked for a motion. ***John Kruzan made a motion to approve the Minor Final Plat for Charles W. Johnson Estates and Douglas G. Johnson. Danny England seconded the motion. The motion carried 5-0.***

7. Approval of the Minor Final Plat for Fizzolio Estates. Deborah Sims stated that is subdividing a lot on Davis Rd called Fizzolio Estates it has been reviewed and approved by staff. John Culbreth asked if anyone had any questions, but no one responded. Then he asked for a motion. ***John Kruzan made the motion to approve the Minor Final Plat for Fizzolio Estates. Danny England seconded the motion. The motion carried 5-0.***
8. Approval of Minor Final Plat for Starr's Mill Corner Store. This plat has been reviewed and approved by staff. Debra Sims stated this is the third Starr's Mill convenience store, again it has been approved by staff. This is simply combining the five tracks into one to develop the convenience store there, any questions she asked, there were none. John Culbreth asked for a motion and after he asked if this was the plat, Ms. Sims responded this was a combination plat, there were five plats there were non-confirming and part of their conditions they have to have the minor plat approved before they can proceed with getting site plan approved. Danny England asked if this was the site that had the power line easement from two years ago. Ms. Sims responded was the one with all the little houses, abjection to new hope south. ***Danny England made the motion to approve the Minor Final Plat for Starr's Mill Corner Store. John Kruzan seconded the motion. The motion carried 5-0.***
9. Approval of the Final Plat for Arborvale- Phase One. Formerly known as "The Grange". Debra Sims explained the location of the plat being on 92 N just outside the city limits, staff has reviewed and approved this plat, she asked for any specific questions. Jim Oliver asked if this was phase one or phase two. Ms. Sims responded this is phase one they will be finishing phase two later on. John Culbreth asked for motion if there were no further questions. ***John Kruzan made the motion to approve the Minor Final Plat for Arborvale -Phase One. Jim Oliver seconded the motion. The motion carried 5-0.***
10. Approval of the Final Plat for Huntcliff Manor -Phase One. Debra Sims explained this has been reviewed and approved by staff and its off Ebenezer Church Road and expands all the way to Davis Road but phase one is the area on Ebenezer church road, John Culbreth asked if this property was held up with the road expansion; Ms. Sims responded this property had all the litigation going on about the rezoning. ***Danny England made the motion to approve the Minor Final Plat for Huntcliff Manor -Phase One. John Kruzan seconded the motion. The motion carried 5-0.***

PUBLIC HEARING

1. Consideration of Petition No. 1348-24, Mark Wurster, II, owner; request to rezone 7.972 acres from A-R (Agricultural-Residential) to C-H (Highway Commercial) for the purposes of developing as a commercial property. Property is located in Land Lot 70 of the 5th District and fronts on SR 85 and Price Road. John Culbreth asked what are the staff recommendations.?

Ms. Bell responded as found on the Fayette County comprehensive plan, commercial use is designated for this area the request for C-H zoning is appropriate, based on the staff analysis planning and zoning recommends approval of their request for the zoning C-H highway commercial, currently is zoned A-R and it is a legal lot of record it has not been rezoned in the past; all of the other departments have reviewed and approved with no conditions to add. Ms. Bell showed the parcel on the map and added that the property is south of Fayetteville and Highway 85 south at Price Road, and appointed at the land use map that designate that area for commercial zoning any buffers will get addressed at the time of development. The parcel had a house on top of the hill that had been demolished for some time, she shows there was some commercial development across the street on each corner and she is in the process of reviewing a commercial project on Price Road, there are also some residential lots behind it. John H. Culbreth asked if anyone in the audience was in favor of the petition, and no one responded, he also asked if there was anyone in opposition, no one responded. Once the petition was brought to the board for discussion, Jim Oliver asked if there was a designated use, Ms. Bell responded they had not proposed a use at that point. Ms. Sims added that Mr. Wurster had other properties he had sold and reinvesting that money on this property. John H. Culbreth asked the board if they had any questions and if not he asked for a motion. ***Danny England made the motion to recommend approval of Petition 1348-24 with no conditions and John Kruzan seconded the motion. The motion carried 5-0.***

11. Consideration of Revised Development Plan RDP-018-24, Andrew and Catherine Mask, owners; request to revise the development plan for Bakersfield Farms to allow Tract 11, a 20.000-acre tract, to be subdivided into two (2) tracts. The property is located in Land Lot 213 of the 4th District and fronts on Old Farm Rd. Ms. Bell states the applicant proposed to revise the development plan simply to create two lots, staff assessment explained it is a legal lot of record and the proposed lots will meet the zoning requirements for their respective sizes, setbacks, and other stuff. She also showed the final plat of the original subdivision and their proposal on how to subdivide the lots, lot 11 will be subdivided into two parcels. Ms. Bell states the lot is located just outside Woolsey off Highway 92 and is zoned A-R, the land use plan is rural residential and there is a minimum impact in the lower corner with some FEMA floodplain that the subdivision will not be impacted by. On the aerial of the property, there is an existing home in the center and they are proposing 100 foot width and width wide not to inappropriate width back for home construction. John H. Culbreth asked if the petitioner was present, Ms. Bell responded yes. Ms. Catherine Mask states she was the owner of the 20 acre residence, she explained her daughter and son-in-law built their house there, they both grew up in Fayette County. Jim Oliver asked the owner if she had talked to her neighbors, and she stated yes, she had spoken to the immediate neighbors, and they were okay with her petition. Jim Oliver asked if she checked if the protected covenants have their own laws and to make sure that's okay to subdivide and that was not part of the county ordinances, it's separate. John H. Culbreth asked if anyone in the audience was in favor of the petition, and no one responded, he also asked if there was anyone in opposition, and no one responded. ***Jim Oliver made the motion to recommend approval of Petition RDP-018-24. Danny England seconded the motion. The motion carried 5-0.***

12. Consideration of Amendments to Chapter 110. Zoning Ordinance, regarding Sec. 110-169.- Conditional use approval. 2) Conditional uses allowed. mm. Recreation centers owned by nonprofit organizations as so registered with the Georgia Secretary of State Office. Ms. Bell explained recreation centers and similar institutions owned by nonprofit organizations registered with the secretary of state are allowed as a conditional use in the A-R zoning, this zoning also allows athletic fields associated with private schools to have lights in the athletic fields until 10:00 pm currently there is not a provision for the lighting of the athletic fields associated with recreation centers, so this revision is to create continuity in the ordinance and these are the conditions/items that are part of the conditional use approval for recreational centers, this is a proposed amendment is simply to add the same language that applies to other recreation centers in A-R; lighting for outdoor athletic facilities should not be permitted after 10:00 pm. John H. Culbreth asked if that was the time the recreational centers closed, right? The Parks closed it? Ms. Bell responded this would not be related to county parks, just recreation centers, like the soccer center and it's the same requirement that it's associated with athletic fields associated with private schools. John H. Culbreth asked if this would apply to nonprofit organizations or for-profit organizations as well? Ms. Bell responded these recreation centers must be non-profits. Jim Oliver discussed whether is this specific to the soccer center? We were told that the soccer center is for-profit. He states that they would have to operate for one year as according to the county manager as a for-profit and then could apply for a 501(c) (3). Allie Cox responded what we are doing is making sure the provision is there because is there for churches, and we are adding that together to make sure that lighting is allow at all right now, because there is no provision for lighting and that's the goal, we are not trying to narrow anything to for these specific group. If they are going to be for-profit this will not apply to them at all. John H. Culbreth asked if we need a vote on this? ***Danny England made the motion to recommend approval of Consideration of Amendments to Chapter 110. Zoning Ordinance. John Kruzan seconded the motion. The motion carried 5-0.***

ADJOURNMENT:

Danny England moved to adjourn the meeting. John Kruzan seconded. The motion passed 5-0.

The meeting adjourned at 7.29 p.m.

**PLANNING COMMISSION
OF
FAYETTE COUNTY**



**JOHN CULBRETH, SR.
CHAIRMAN**

ATTEST:



**DEBORAH BELL
DIRECTOR, PLANNING & ZONING**