

TOWN OF TYRONE
PLANNING COMMISSION
WORKSHOP MINUTES

May 27, 2010

7:00 PM

Members Present: Gordon Shenkle, Chairman
 David Nebergall, Vice Chairman
 Judy Jefferson
 Chris Wigginton
 Mike Sanak

Staff Present: Richard Newbern, Town Manager
 Dennis Davenport, Town Attorney
 Dina Rimi, Zoning and Development Coordinator

I. CALL TO ORDER

Chairman Shenkle called the May 27, 2010 Planning Commission Workshop to order at 7:15 pm. He requested everyone to stand for the Invocation and Pledge of Allegiance.

II. APPROVAL OF AGENDA

Commissioner Jefferson made a motion to approve the May 27, 2010 agenda.
Commissioner Wigginton seconded the motion; approved 4-0.

III. CONSIDERATION AND ACTION ON A SPECIAL EXCEPTION FOR 363
SENOIA ROAD TO ALLOW AN AUTOMOBILE RESTORATION
COMPANY TO OPERATE AT THIS LOCATION

This item was discussed at the May 27, 2010 Planning Commission Meeting. Three citizens came forward to the podium during the public comments of the hearing with their concerns.

Ms. Charlene Sibara of 583 Crabapple Lane came forward to speak in regards to the increase of traffic that she feels would be generated by this business being allowed in this location.

Ernest L. McCullough of 570 Crabapple Lane addressed the commission in regards to the fumes that would be generated by the business through the painting of the cars.

Johadi McCullough of 570 Crabapple Lane addressed the commission with her concerns regarding the noise level and the hours of business.

Mr. Williams, the applicant explained to the commission and the citizens that the

Business owner has been made aware that in order for the EPD to approve this facility to have a paint shop they will need to up grade the ventilation of the bay that is designated for painting automobiles. Mr. Williams further explained that there should not be a significant increase in traffic due to the nature of the business the automobile are left at the business for extended periods of time, due to the extensive work that needs to be done. Mr. Williams went on to explain that the noise level and hours would be that of a typical business of this type the hour would be from 8 am – 5 or 6 pm and that all renovations will take place within the building on the location.

Commissioner Jefferson inquired as to the aesthetics of the building and if there will be any outside storage. Mr. Williams ensured the commission that he has been in communication with the new tenant and has made them aware that there will need to be improvements done to the building and to the landscaping on this site and that the tenant has agreed to do them through the correct channels.

IV. DISCUSSION OF PETITION RZ 10-001 FOR REZONING 55.8 ACRES OF PROPERTY LOCATED ALONG THE WEST SIDE OF GA. HIGHWAY 74 IN TYRONE.

Zoning and Development Coordinator Dina Rimi presented this item to the Planning Commission. Ms. Rimi addressed the Commission with a brief history of the property. The property in question was annexed into the Town of Tyrone in 1992. At the time of annexation there was a heavy industrial use already in place on the property and the town has always regarding the zoning of this property as heavy mechanical. Ms. Rimi also brought it to the planning Commissions attention that the future land use plan shows this property's zoning labeled as Heavy Mechanical. The town is requesting that this 55.8 acre tract be changed on the zoning map to show the correct zoning of Heavy Mechanical (M-2) and by doing this the property will reflect the zoning that complies with the current use and the future land use map.

Commissioner Shenkle opened the forum up to anyone in favor of the rezoning.

Ed Wyatt – 362 Lees Mill Road, Fayetteville GA, Mr. Wyatt introduced himself as A member of Hobgood G.P. Inc. Mr. Wyatt stated that this portion of the property belongs to a larger 235 acre parcel and prior to the parcel being annexed into the Town of Tyrone this parcel had a zoning of M-2 within the county. Mr. Wyatt also explained that if anyone had any questions regarding the property he would be happy to answer them.

Commissioner Shenkle closed the floor for anyone in favor

Commissioner Shenkle opened the floor for anyone in opposition

John Le Blanc of 103 Millsford Court, Mr. Le Blanc is a resident of South Hampton subdivision whom inquired as to the legal exposures to the town of leaving it zoned as Agricultural or if the future land use plan could be changed to showing this parcel as Agricultural.

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Roy Bell of 102 Millsford Court – Requested a clarification from the Planning Commission to clarify that the green portion of the parcel is the 55.8 acres that the town is trying to rezone. Mr. Bell brought to the Planning Commission's attention that industrial uses could bring accidents that could affect the community. Mr. Bell also addressed to the planning commission that he is against this property being zoned M2.

Nathaniel Webb 108 Dover Chase- Stated that his property is directly adjacent to the property in question and the asphalt plant and Mr. Webb has been residing there for 7 years. When Mr. Webb bought the property the builder informed him that the adjacent property was zoned Agricultural Residential. The quality of life is deteriorating due to the dust coming from the current uses on the property.

Tony Meriweather – 100 Brunswick Dr. – State that there are 363 homes in this community and the residents would like to keep the property zoned AR. The quarry and the asphalt plant that are currently are deteriorating their quality of life. Mr. M would like to appeal to the Planning Commission that the current zoning is left in place.

Leila Richardson- 105 Millsford Court. Addressed the pc in regards to the impact that the current businesses that are currently there are affecting her quality of life.

Cindy Meriweather – 100 Brunswick Dr. Expressed to the pc how she enjoys the current conditions of the property.

Vincent Oppenheim – 101 Dover Chase- What is the intent of rezoning and specifically what kind of man. Does this allow? What does the owner intend to do. How would it affect home prices? Will the quarry or asphalt plant expand? How will the rezoning effect the traffic flow

John Reed 103 Winfield – board of directors. The homeowners are very con. Quality of life the impact such a change could have over all well being. What is the intent of the owner of the property and how will it affect the quality of life.

Christopher Webb of 136 Keswick Manor Dr –Proposed a question on how the incorrect zoning on the map would impact the tax basis and what will happen to the taxes that are owed due to the incorrect zoning?

Commissioner Shenkle explained that Planning Commission did not have an answer to the difference in taxes and closed the floor regarding opposition

A discussion ensued between Planning Commissioners and staff. Ms. Rimi informed the commission that there is a 10% green space requirement for this property. Davenport explained that the property was brought in to the town in 1992 and there is no records showing that this property was ever rezoned to Agricultural Residential and this process is to fix a mistake on the Tyrone Zoning Map. Mr. Davenport also explained that the town does not allow two zoning uses on one property and to the Towns knowledge this is the only property in the town that has this error and this issue needs to be addressed by fixing the mistake on the map.

Commissioner Jefferson brought to it to the citizens of South Hampton's attention that John Wieland, the developer was permitted to build this subdivision by winning a lawsuit against the Town.

The citizens of South Hampton requested that the Planning Commission allow the residents' time to research this zoning issue. Commissioner Nebergall made a motion to table this item until the June 10, 2010 meeting to allow the citizens to research this item and that all information must be submitted to Town Hall by June 9, 2010 so that the commissioner would have time to review the information prior to the next meeting. Commissioner Jefferson seconded the motion; approved 5-0

V. DISCUSSION REGARDING CODE ENFORCEMENT

Commissioner Jefferson discussed with the Planning Commission the need for a code enforcer for the Town of Tyrone. Commissioner Jefferson requested that this item be investigated for the upcoming budget. Mr. Newbern informed the commission that the town is currently working and is conducting public hearings regarding the budget. Currently the town staff has implemented a new computer program that deals with code enforcement. The program is helping the town better coordinate an effort to be in communication with the residents in regarding to code enforcement issues. The town is also sending out letters to inform citizens who are in violation of codes the need to bring the situation with in the town codes.

VI. COMMISSION COMMENTS

Commissioner Nebergall thanked the staff for the efforts that have been done in regards to RZ 10-001.

VII. ADJOURNMENT

Commissioner Jefferson made a motion to adjourn at 9:30 PM. Commissioner Wigginton seconded the motion; approved 5-0.

Chairman Gordon Shenkle

Attest: Dina Rimi- Zoning and Development Coordinator.