



PLANNING AND ZONING COMMISSION MEETING MINUTES

**City Hall
56 Malone Street
Fairburn, GA 30213
Tuesday, September 1, 2020
7:00 P.M.**

Due to the COVID-19 pandemic, the meeting was held virtually via Zoom video conferencing.

Elise Stoney, Chairman
Elizabeth Echols, Vice-Chairman
Jerry Williams

Shelby Phillips
Tony Smith (**Absent**)
Anthony Stewart

Director of Planning and Zoning
Planner I
City Attorney

Tarika Peeks
Giavani Smith
Valerie Ross

- I. MEETING CALLED TO ORDER:** By Chairman Stoney
- II. ROLL CALL:** All members of the Planning and Zoning Commission were present, except for Commissioner Smith.
- III. APPROVAL OF AGENDA:** Commissioner **Stewart** made a motion to **APPROVE** the **September 1, 2020** agenda. Vice-Chair **Echols** seconded. **THE MOTION CARRIED.**

APPROVAL OF PREVIOUS MEETING MINUTES: Vice-Chair **Echols** made a motion to **APPROVE** the **August 4, 2020** minutes. Commissioner **Stewart** seconded. **THE MOTION CARRIED.**

- IV. PUBLIC HEARING:** None

PRIMARY VARIANCE 2020100 – TERRANCE PHAROS (730 BIRKDALE DRIVE)

SUMMARY/STAFF PRESENTATION: A request to reduce the rear yard setback from 60-feet to 53-feet to construct a 10 x 10 sunroom.

Ms. Smith stated that Mr. Terrance Pharos requested a primary variance for property located at 730 Birkdale Drive and the property is zoned PD (Planned Development). She stated that the applicant was requesting to reduce the rear yard setback from 60-feet to 53-feet to construct a 10x10 sunroom; and due to the development standards for Durham Lake Subdivision the construction of a 10x10 sunroom would cause encroachment into the 60-foot rear yard setback. Ms. Smith stated that the applicant had received approval from the Durham Lakes Architectural Review Committee and staff

reviewed the request for the relief and the recommendation was approval. Commissioner Williams asked about staff's recommendation. Commissioner Stoney replied that it was not in the packet that was delivered but was on page 2 of the staff report that was e-mailed. Ms. Peeks read page 2 of the staff report and stated that staff was recommending approval of the rear yard setback from 60-feet to 53-feet.

MOTION AND VOTE: Commissioner **Williams** made the motion to **APPROVE** Primary Variance 2020100. Vice-Chair **Echols** seconded. **THE MOTION CARRIED.**

V. **OLD BUSINESS:** None

VI. **NEW BUSINESS:**

USE PERMIT 2020108 -1162 HIGHWAY 54 EAST, LLC (0 BOHANNON ROAD)

SUMMARY/STAFF PRESENTATION: A request to allow a truck terminal with 112 parking spaces on property zoned M-2 (Heavy Industrial).

Ms. Peeks stated that the applicant at 1162 Highway 54 East, LLC was requesting to allow a truck terminal with 112 parking spaces on 5.99 acres that was zoned M-2 (Heavy Industrial) and based on the land use compatibility of the surrounding properties and the Atlanta Regional Commissions Truck Parking Assessment Study of 2018 findings and recommendations, staff was recommending approval conditional of the use permit.

She also stated that staff was recommending zoning conditions and she gave a brief definition of a truck terminal for the record because the proposed use is different from a truck stop. She stated that the zoning ordinance defines a truck terminal as a primary use of property for trucks and trailers to be temporarily stored and maintained or based and the trucks and trailers should have current registration and license plates with decals.

Ms. Peeks stated the proposed zoning conditions, and they were that the truck terminal would have 24 hrs./7 days a week on-site security and that a security monitor affidavit would be submitted to the Community Development Department and no long term storage should exceed 21 days and no overnight sleeping accommodations would be provided on the lot. A 6-foot fence would be required along the perimeter of the lot and staff was recommending approval conditional.

Commissioner Williams asked if the truck terminal would be used for tuck storage. Ms. Peeks replied, "Yes". Commissioner Williams also asked if any loading and/or unloading would be allowed on the lot. Ms. Peeks replied there would not be any loading and/or unloading on the lot.

Commissioner Stewart asked would any mechanical repairs be permitted on the lot. Ms. Peeks replied that there should not be any mechanicals repairs permitted on the site. She stated that the primary use for the site is parking for trucks and trailers. Commissioner Williams asked how they would know when they have exceeded the 21 days period. Ms. Peeks replied that the owners would have to make sure the trucks/trailers are not on the premise no more than 21 days.

Commissioner Williams asked if it should be a recommendation to require the owner/operator to log the days the trucks/trailers are on the premises. Ms. Peeks stated that he could make a recommendation for that to be included as a zoning condition.

MOTION AND VOTE: Commissioner **Williams** made the motion to **APPROVE** Use Permit 2020108. Commissioner **Stewart** seconded. Commissioner **Phillips** **OPPOSED**. **THE MOTION CARRIED.**

REZONING 2020109 WITH A CONCURRENT USE PERMIT 2020114 – C4 BULLSBORO, LLC (141 JONESBORO ROAD, 151 JONESBORO ROAD, 185 JONESBORO ROAD, 25 HEATH STREET, 0 JONESBORO ROAD, 39 HEATH STEET)

SUMMARY/STAFF PRESENTATION: A request to rezone 2.93 acres from R-3 (Single Family Residential) to M-1 (Light Industrial) with a concurrent use permit to allow a truck terminal with 99 parking spaces.

Ms. Peeks stated that the applicant C4 Bullsboro, LLC was requesting to rezone 2.93 acres from R-3 (Single Family Residential) to M-1 (Light Industrial) with a concurrent use permit to allow a truck terminal on 5.33 acres with 99 parking spaces; and staff had reviewed the applicants request and was recommending approval conditional due to the land use compatibility of the surrounding properties and the Atlanta Regionals Commissions Truck Parking Assessment Study findings and recommendations. She stated that staff was proposing zoning conditions and she stated the zoning conditions.

Commissioner Phillips asked for a background of the surrounding areas. Ms. Peeks stated that the proposed development consists of six lots and two of the lots are zoned M-1 (Light Industrial) and four are zoned for R-3 (Single Family Residential). Commissioner Phillips asked if the adjacent lot was zoned M-1 (Heavy Industrial). Ms. Peeks replied, yes. Commissioner Phillips asked if the houses on Heath Street and Jonesboro Road were currently occupied. Ms. Peeks replied that she would let the applicant answer that question.

John Davis

Mr. Davis stated that they owned several of the lots and currently there is someone living in one of the properties, but it will be sold.

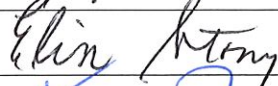
MOTION AND VOTE: Commissioner **Williams** made the motion to APPROVE Rezoning 2020109 with a **Concurrent Use Permit 2020114**. Vice-Chair **Echols** seconded. Commissioner **Phillips** **OPPOSED**. **THE MOTION CARRIED**.

VII. STAFF REPORT: Ms. Peeks emphasized the importance of the 2020 Census.

VIII. COMMISSIONER COMMENTS: Commissioner Phillips agreed with Ms. Peeks statement on the importance of Census participation.

IX. ADJOURNMENT: Vice-Chair **Echols** made a motion to **ADJOURN**. Commissioner **Stewart** seconded. **THE MOTION CARRIED**.

MEETING ADJOURNED at 7:52 p.m.

Approval Signatures	
Date Approved	11/6/2020
Elise Stoney, Chairman	
Keisha Francis, Recording Secretary	