



PLANNING AND ZONING COMMISSION MEETING MINUTES

**City Hall
56 Malone Street
Fairburn, GA 30213
Tuesday, October 6, 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 (**Absent**)

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

Director of Planning and Zoning
City Attorney

Tarika Peeks
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** and Commissioner **Williams**.

- III. APPROVAL OF AGENDA:** Vice-Chairman **Echols** made a motion to **APPROVE** the October 6, 2020 agenda. Commissioner **Stewart** seconded. **THE MOTION CARRIED.**

- IV. APPROVAL OF PREVIOUS MEETING MINUTES:** Commissioner **Stewart** made a motion to **APPROVE** the September 1, 2020 minutes. Commissioner **Phillips** seconded. **THE MOTION CARRIED.**

- V. PUBLIC HEARING:** None

OLD BUSINESS: None

NEW BUSINESS:

FINAL PLAT 2020140 – STRACK LOT #1 (0 BOHANNON ROAD, PARCEL # 09F080000310588)

SUMMARY/STAFF PRESENTATION: A request for a final plat approval for Strack Lot #1.

Ms. Peeks stated that the applicant was requesting a final plat approval for lot 1 and the property was located on the north east side of Bohannon Road. She stated that the property was 5.99 acres

and zoned M-2 (Heavy Industrial) and staff reviewed the final plat and it meet all the regulation of the city ordinances and staff recommendation was approval.

Commissioner Phillips asked if the city had an engineer that could help with the decision making. Ms. Peeks replied that we do not have a city engineer on staff full time and that the engineering plan review service is through a consultant. Commissioner Phillips asked about a permit for land disturbance and who was in control of that for this project. Ms. Peeks replied that the City of Fairburn was in control of the project.

She stated the permit was already issued and reviewed by the staff and the review team consists of herself (Planning and Zoning), Engineering, Community Development, Fire Marshal and the consultant, Pond Company. Ms. Peeks stated that the LDP was approved several months ago. Commissioner Phillips asked if there would be safety lights around the area. Ms. Peeks replied that there would be lighting 24 hours a day, seven days a week.

Joe Strack

Mr. Strack stated that there would be 21 inches of paving on Howell Avenue road and Lot#1 would be heavy paving. Ms. Peeks stated that Howell Avenue was an industrial road and would be built to handle the load of trucks.

MOTION AND VOTE: Vice-Chair **Echols** made the motion to **APPROVE** Final Plat 2020140. Commissioner **Phillips** seconded. **THE MOTION CARRIED.**

USE PERMIT 2020083 AND CONCURRENT VARIANCES 2020135 & 2020136 SAFEGAURD LANDFILL MANAGEMENT (7700 ROOSEVELT HIGHWAY)

SUMMARY/STAFF PRESENTATION: A request to allow the expansion of Safeguard Landfill onto an additional +/-28.17 acres with (2) concurrent variances:

1. Variance from section 80-220(b)(11) No portion of a new or expanded landfill shall be located within a one-mile radius of the property line of a residentially zoned or used property.
2. Variance from Section 80-220(b)(12) An expanded landfill shall not include any expanded use within the parcel boundaries of an existing site or location.

Ms. Peeks stated that Safeguard Landfill was requesting a use permit from section 80-220 Landfill solid waste disposal to allow the expansion of the existing Safeguard Landfill onto an additional +/-28.17 acres with 2 concurrent variances. She stated that staff had reviewed the variances and staff recommendation was denial of the use permit and denial of the concurrent variances request.

Doug Dillard

Mr. Dillard stated his name, company and that him and Mr. Russell represented the applicant. He talked about the request and location of the landfill (Bishop Road and Roosevelt Highway). Mr. Dillard stated that Safeguard Landfill operation had been an important business and community member for the City of Fairburn for over 20 years and Safeguard wanted to continue to be a positive community partner. He stated that in order to continue its operation at this property, Safeguard was seeking to expand its operation on additional industrial parcels.

Mr. Dillard stated that the parcels would be away from the residential neighborhoods on Roosevelt Highway and with the expansion Safeguard would not increase the intensity of its operations but wants to continue to operate as it had in the past. He stated that Safeguard was the only landfill in the City of Fairburn, and it was a C and D landfill and not a municipal landfill. Mr. Dillard stated

that based on the current conditions of the property, there is an extreme hardship if the landfill is not allowed to expand its operations onto the land that is technically used as a landfill.

Commissioner Phillips asked in the future would the expansion allow them to operate in the City of Fairburn. Mr. Dillard replied, no.

Jeff Browne

Mr. Browne stated that it depends on the weight of the disposal and they were projecting 3 to 5 additional years and that would be based on how busy and how much the operation took in.

Commissioner Phillips asked what would happen to the landfill after 5 years. Mr. Browne replied if they were done, the landfill would have to close in accordance with EPD regulations.

Commissioner Stewart asked about the hardship they would encounter if it was not approved. Mr. Dillard replied the hardship is that the city is taking Safeguard's property without paying for the property.

Ms. Peeks stated that there were nineteen e-mails received in opposition of the petition. She read the e-mails.

Mr. Dillard stated that all the objections from the nineteen emails were unfounded and unsupported and should be ignored. There is no evidence of odor from Safeguard and no release of methane gas from a C and D landfill. Mr. Dillard stated that the request should be approved.


MOTION AND VOTE: Vice-Chair **Echols** made the motion to **DENY** Use Permit 2020083 and to **DENY** Concurrent Variances 2020135 & 2020136. Commissioner **Stewart** seconded. **THE MOTION CARRIED.**

VI. STAFF REPORT: No Comments

VII. COMMISSIONER COMMENTS: No Comments

VIII. 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	