

**Tyrone Town
Council Meeting Minutes
Thursday October 20, 2016
7:00 PM**

Present:

Mayor Eric Dial

Mayor Pro Tem Gloria Furr

Council Member Ryan Housley

Council Member Linda Howard

Town Manager Kyle Hood

Town Clerk Dee Baker

Town Attorney Patrick Stough

Council Member Ken Matthews was absent.

Mayor Dial called the meeting to order and gave the Invocation; it was followed by the Pledge of Allegiance.

Public Comments

Approval of Agenda

Council Member Housley made a motion to approve the agenda.

Council Member Howard seconded the motion. Motion was approved 3-0.

Consent Agenda: *All matters listed under this item are considered to be routine by the Town Council and will be enacted by one motion. There will not be separate discussion of these items. If discussion is desired, that item will be removed from the consent agenda and will be considered separately.*

Approval of Minutes – October 6, 2016

Consideration and action for Chyna Gaskins to be approved for the title of Library Assistant.
Patty Newland, Library Supervisor

Council Member Furr made a motion to approve the consent agenda. Council Member Howard seconded the motion. Motion was approved 3-0.

Presentations/Recognition:

Fayette GOP recognition of Tyrone Police Department.

Fayette GOP representative Bob Ross stated that the Fayette Republican Party added a different element to their annual event this year as they created an event where local law enforcement could meet with the citizens of Fayette County. It was well received and successful. Mr. Ross presented a token of appreciation of participation to Lieutenant Philip Nelson, who represented Tyrone Police Department. Duncan, a Junior Republican also involved with the event, thanked the Police Department for their participation and stated that the event was a great opportunity to bring everyone together.

Public Hearing: Consideration for a Setback Variance for owner Clyde Cooper at property location 360 Senoia Road. The property is 2.9 Acres, zoned M-1 Light Industrial with parcel number 0736002. Mr. Cooper is requesting specific relief from section 5-17.C.b of the Tyrone Zoning Ordinance. This Public Hearing is to consider a variance to build over the current setbacks. The proposed amounts include a front yard encroachment in an easterly direction towards Senoia Road of fifty (50) feet, a side yard encroachment in a northerly direction towards Rockwood Road of ten (10) feet, and a back yard encroachment in an easterly direction of ten (10) feet. *Phillip Trocquet, Planning and Zoning Coordinator*

Mr. Hood informed Council regarding the variance request. Mr. Hood stated that the property, formally Barbeque Junction, is 2.9 acres and is zoned M-1. The request is to build over the current setbacks. Planning Commission held their public hearing and after Council's public hearing, all requirements would have been met.

Mayor Dial opened the public hearing for anyone that wished to speak in favor of the item.

No one spoke.

Mayor Dial opened the public hearing for anyone that wished to speak in opposition of the item.

No one spoke.

Mr. Hood stated that the staff report to the Planning Commission recommended denial of the variance as requested. He stated that there are five questions required to be answered when considering a variance dealing with various facets of the subject property. In particular, are there extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape or topography. Due to the "L" shape of the property, Mr. Hood stated that this does create additional setback requirements. Would the application of regulations create a practical difficulty or unnecessary hardship? He stated that it does not with the creation or opening of a business, only in the expansion. Are conditions peculiar to the property? No, the setbacks are the same for all M-1 properties. If relief was granted would it cause substantial detriment to the public good or impair the purposes and intent of the regulations? He stated that the encroachment toward Rockwood Road could affect traffic flow, due to the use as an RV storage facility. The 50 foot request toward Senoia Road could affect the visibility due to RVs parked close to Senoia Road. And lastly, does the literal interpretation of the Ordinance deprive

the applicant of any rights that others in the same zoning district are allowed? Mr. Hood stated that it was staff's opinion that it would not deprive the applicant of any rights. Mr. Hood stated that Mr. Trocquet gave Planning Commission the recommendation to deny. Planning Commission upheld that recommendation. Mr. Hood concurred.

Council Member Howard stated that the property was an odd shape and noticed that the property continues into Rockwood Road. She questioned the survey. Mr. Hood gave clarification regarding the survey and stated that it was unclear as to how a portion of the right of way had been acquired. Mr. Hood stated that the main issue was with the M-1 zoning setbacks. Usually industrial zoning has larger setbacks for protection in relation to lighter zoning districts on adjacent properties. Council Member Howard stated that the request does not leave the applicant with much room to work with.

Discussion ensued regarding setbacks and number of lots or spaces. Mayor Dial asked if anyone was in attendance to represent the request. No one came forward. Mayor Dial stated that as it stands, the owner could build 25 lots. With an approval of the variance they could build 31 lots, depending on configuration. Mr. Hood stated that the business is considered outdoor storage and would require fencing, which would create more of a visibility issue if the variance was granted.

Discussion continued regarding the configuration and space allowed. Mayor Dial stated that it would be a challenge for the property owner and wished that he was there to answer questions.

Council Member Furr made a motion to deny the application as requested.
Council Member Housley seconded the motion. Motion was approved 3-0.

Mr. Hood stated that the applicant has an opportunity to reapply. If the variance is less than what was initially applied for; the process could be completed as an administrative variance and there would be no need for a public hearing.

Old Business:

New Business:

1. Consideration for the use of Shamrock Park for Freedom Steps hosted by Freedom Challenge, a Project of Operation Mobilization, USA. *Kyle Hood, Town Manager*

Mr. Hood informed Council that he, Chief Perkins, Mitch Bowman and Ms. Baker had met with the folks at Operation Mobilization for the project. He stated that the Freedom Challenge assists in the effort to raise funds and awareness that help women and children out of modern-day slavery. There will be a 5K fun run and food vendors at Shamrock Park on February 25, 2017. They have agreed to open the event to the public. Mr. Hood stated that the applicant is

requesting that all park and banner fees be waived and that they are aware to contact the Police Department for public safety.

Sara Goergen from Operation Mobilization represented Freedom Challenge for their event, Freedom Steps.

Council Member Howard made a motion to allow Operation Mobilization the use of Shamrock Park for the Freedom Steps event and to waive any regular permitting fees.

Council Member Furr seconded the motion. Motion was approved 3-0.

Public Comments:

Ms. Winnie Anderson, who lives at 100 Farr Lake Drive, shared her concerns. She stated that she wrote a letter regarding large trucks using Tyrone Road, Dogwood Trail, Farr Road and Flat Creek Trail. She stated that on several occasions she has been terrified with the speed that 18 wheelers drive on these roads. She added that she has sent several letters to County leaders and has also attended a Fayette County Commission meeting. She stated that there was no reason large trucks should be traveling on these roads. They should be using Highway 74 and 54. She ended by noting that it is a very dangerous situation and she appreciates their support with this matter. Mayor Dial stated that staff will look into the issue further and that Chief Perkins is also aware of the situation.

Staff Comments:

Ms. Baker stated that Saturday, the Rock Baptist Church, located on Sandy Creek Road will hold a "Town Hall Meeting" at 11:00 am, entitled "Bridging The Gap Between The Community and Law Enforcement." Special guests would include Mayor Dial, Fayette County Commissioner Oddo, Sergeant McGee from Fairburn Police Department, Reverend White from Little Vine Baptist Church, and Reverend DeJong from The Rock. She stated that they ask that families come out to be a part of this informative discussion.

Mr. Hood informed Council that the Town's new website is "live" and more services would be added soon. Mr. Hood also informed Council that he furnished them with Tyrone's portion of the SPLOST manual. Each municipality will have a master copy. The booklet provides Council with information for possible forthcoming questions the public may have closer to the March referendum. Mr. Hood also announced that Senoia Road was now open, due to past residential construction in Peachtree City. Mr. Hood stated that three of the five Planning Commission seats were expiring at the end of the year. They have been made aware if they wish to seek reappointment. Mr. Hood stated that John Woody, our appointee to the Development Authority's term will expire also. Both forms will be placed on the Tyrone website if anyone wishes to

apply. Lastly, Mr. Hood notified every one of the interim appointment of Alisha Thompson and Natalie Ayers as Town Solicitors to handle the remaining court dates for 2016.

Council Comments:

Executive Session:

Council Member Furr made a motion to move into Executive Session for one item of pending litigation.

Council Member Housley seconded the motion. Motion was approved 3-0.

Council Member Furr made a motion to reconvene.

Council Member Howard seconded the motion. Motion was approved 3-0.

Adjournment

Council Member Howard made a motion to adjourn. Motion was approved 3-0.

The meeting adjourned at 7:45 pm.

Eric Dial, Mayor

Dee Baker, Town Clerk