



Tyrone Planning Commission Agenda

April 12, 2018
7:00 PM

Planning Commission

Jeff Duncan
Chairman

David Nebergall
Vice-Chairman

Carl Schouw
Commissioner

Dia Hunter
Commissioner

Scott Bousquet
Commissioner

Staff

Phillip Trocquet
Planning &
Development
Coordinator

Patrick Stough
Town Attorney

Meeting Information

2nd & 4th Thursday
of each month

881 Senoia Road
Tyrone, Ga 30290
770-487-4038
www.tyrone.org

I. Call to Order

II. Approval of Agenda

III. Approval of Minutes from March 22, 2018

IV. Public Hearing

1. Consideration of a rezoning of a 1 acre tract with parcel number 0736-060 from applicant Brett Vincent. Requested rezoning is from C-2 (Highway Commercial) to M-1 (Light Industrial). **Phillip Trocquet, Planning & Development Coordinator.**

V. New Business

VI. Staff Comments

VII. Commission Comments

VIII. Adjournment

**Town of Tyrone
Planning Commission Meeting Minutes
Thursday March 22, 2018
7:00 PM**

Present:

Vice Chairman David Nebergall
Commission Member Carl Schouw
Commission Member Scott Bousquet
Commission Member Dia Hunter
Planning and Development Coordinator Phillip Trocquet
Town Attorney Patrick Stough

Absent:

Chairman Jeff Duncan

Planning Commission Vice Chairman called the meeting to order at 7:00pm.

Approval of Agenda

Commissioner Schouw made a motion to approve the agenda.
Commissioner Bousquet seconded the motion. Motion was approved 4-0.

Approval of Minutes for February 22, 2018

Commissioner Schouw made a motion to approve the minutes from February 22, 2018 with a condition to revise that the Town Attorney, Patrick Stough, was not present although listed present in the minutes.
Commissioner Hunter seconded the motion. Motion was approved 4-0.

Public Hearing:

1. Consideration of a rezoning of a 7.5 acre tract with parcel number 073701029 known as Dorthea Redwine Park. Requested rezoning is from R-12 (Residential 1,200 sf. min.) to OS (Open Space). **Phillip Trocquet, Planning & Development Coordinator.**

Mr. Trocquet presented the items. He stated that over the course of updating the Town's zoning map there were some noted inconsistencies that he saw needed to be rectified. Mr. Trocquet stated that he noticed that all but one of the Town's parks were not consistently zoned with the most proper zoning classification, OS (Open Space). In an effort to create clarity and consistency across the zoning ordinance and within the zoning map, Mr. Trocquet recommended the rezoning of all parks to OS. Mr. Trocquet stated that rezoning the parks would not create any substantial change in their use.

For Dorthea Redwine park, Mr. Trocquet stated that R-18 (Residential 1,800 s.f. min.) zoning existed to the north, R-12 to the south and east, and E-I (Educational Institutional) to the west which was the OM Ministries Campus. Improvements include water and the size of the property was 7.5 acres.

Mr. Trocquet stated that all of the requested rezoning petitions were compatible with the future development map and comprehensive plan. He stated that OS zoning is complimentary with all of the character areas and zoning districts as it is a zoning district that promotes conservation and public use.

Vice-Chairman Nebergall opened the public hearing for any in favor of the rezoning. No one spoke.

Vice-Chairman Nebergall closed the public hearing for those in favor and opened the public hearing for any opposed the the rezoning. No one spoke.

Commissioner Hunter asked Mr. Trocquet to confirm if there was water at Dorthea Redwine Park. Mr. Trocquet confirmed there was water at the park via a well. Commissioner Hunter asked if it was common for parks to have water available for public use. Mr. Trocquet confirmed that it was common for parks to have water. Mr. Hunter stated that he believed he saw some parks without this utility.

Commissioner Hunter made a motion to approve the rezoning of parcel 073701029 known as Dorthea Redwine Park from R-12 to OS. Commissioner Bousquet seconded the motion.

Motion passed 4-0.

2. Consideration of a rezoning of a 4.6 acre tract with parcel number 073703033 known as Fabon Brown Park. Requested rezoning is from DR (Duplex Residential) to OS (Open Space). **Phillip Trocquet, Planning & Development Coordinator.**

For Fabon Brown park, Mr. Trocquet stated that there was a 1 acre sliver of land directly west of the park across the CSX Railroad track that would be included in the rezoning. He stated that this piece of land was cut off from the parent parcel when the railroad was constructed, but that it still holds the same tax information and is considered one piece of land. To the north of the property exists C-1 (Downtown Commercial) and C-2 (Highway Commercial) zoning, to the south AR zoning, to the east DR zoning, and to the west R-12 zoning. Mr. Trocquet stated that no water or sewer exists on the property.

Vice-Chairman Nebergall opened the public hearing for any in favor of the rezoning. No one spoke.

Vice-Chairman Nebergall closed the public hearing for those in favor and opened the public hearing for any opposed the the rezoning. No one spoke.

Commissioner Bousquet asked if there was a plan to run water to Fabon Brown park since there was a new dog park located there. Mr. Trocquet stated that he had limited second hand knowledge, but that he did not believe water was not immediately planned for the site due to cost constraints. Commissioner Bousquet stated that he believed it would be an important amenity for the dog park. Commissioner Hunter stated that Fabon Brown park had a large potential for expansion since only a small portion was currently being used; if any expansion was to take place he believed water would be necessary.

Commissioner Hunter asked if Dog Parks were considered a permitted use under OS zoning. Mr. Stough stated that the zoning ordinance actually did not apply to town-owned properties and that the Town was able to use the property as they saw fit regardless of the zoning. Mr. Trocquet confirmed that this was the case with many governmental entities such as the school board.

Commissioner Schouw asked if the one acre sliver across from the rail road had any planned use. Mr. Trocquet stated that there were currently no plans for that piece of the property, but that it was usable if the Town wanted to do something in the future. Mr. Trocquet mentioned the possibility of locating a downtown gateway sign on the property.

Commissioner Schouw made a motion to approve the rezoning of parcel 073703033 known as Fabon Brown Park from R-12 to OS. Commissioner Hunter seconded the motion.

Motion passed 4-0.

3. Consideration of a rezoning of a 1.5 acre tract with parcel number 0738-012 known as Veterans Park. Requested rezoning is from R-18 (Residential 1,800 sf. min.) to OS (Open Space). **Phillip Trocquet, Planning & Development Coordinator.**

For Veterans Park, Mr. Trocquet stated that O-I and C-1 existed to the north, OS & C-1 to the east, E-I and R-18 to the West, and C-1 to the south. Mr. Trocquet stated that water did not exist on the property.

Vice-Chairman Nebergall opened the public hearing for any in favor of the rezoning. No one spoke.

Vice-Chairman Nebergall closed the public hearing for those in favor and opened the public hearing for any opposed the the rezoning. No one spoke.

Commissioner Schouw made a motion to approve the rezoning of parcel 0738-012 known as Veterans Park from R-12 to OS. Commissioner Bousquet seconded the motion.

Motion passed 4-0.

4. Consideration of a rezoning of a 40 acre tract with parcel number 0727-057 known as Handley Park. Requested rezoning is from AR (Agricultural Residential) to OS (Open Space). **Phillip Trocquet, Planning & Development Coordinator.**

For Handley Park, Mr. Trocquet stated that AR and RMF (Residential Multi Family) existed to the north, O-I (Office Institutional) to the south, DR to the east, and O-I to the west.

Vice-Chairman Nebergall opened the public hearing for any in favor of the rezoning. No one spoke.

Vice-Chairman Nebergall closed the public hearing for those in favor and opened the public hearing for any opposed the the rezoning. No one spoke.

Commissioner Bousquet asked as to the status of the disc golf course proposed in the town's Capital Improvement Element from the Comprehensive Plan. Mr. Trocquet stated that Mitch Bowman, the Town's Parks & Recreation Director, would know the most about the status of the disc golf course, but that a gentlemen from a Georgia disc golf association did tour sites around the town in the past year. Mr. Trocquet stated that he was unsure of the current status of the project.

Commissioner Bousquet asked if the rezoning will cover the recently purchased land next to Handley Park. Mr. Trocquet stated that they were not included in the rezoning. Mr. Bousquet asked what those properties were currently zoned. Mr. Trocquet stated that the northern two properties were zoned O-I and the southern two properies were zoned R-18. Vice-Chairman Nebergall asked if those properies would come before Planning Commission for rezonings. Mr. Trocquet stated that it was possible, but since they were recently obtained and there was no definitive plan for the properties, they would likely be rezoned at a later date.

Commissioner Hunter made a motion to approve the rezoning of parcel 0727-057 known as Handley Park from R-12 to OS. Commissioner Bousquet seconded the motion.

Motion passed 4-0.

Old Business:

New Business:

Public Comments:

Staff Comments:

Mr. Trocquet wanted to notify Planning Commission that he received an annexation application from the developer of Stonecrest Preserve Subdivision for roughly 30 acres on the corner of Dogwood and Farr Rds. He stated that the process for annexations starts with a petition to the Town, but that it immediately gets forwarded to the County Commission for a hearing. If the County Commission has no objection to the annexation, a public hearing before the Town Planning Commission and Town Council are heard before it is to be brought into the town's limits. He stated that the County Commission was hearing the annexation the same time as the Planning Commission meeting this night.

Mr. Trocquet stated that the proposed subdivision is going to be almost the same as Stonecrest Preserve across the street with an entrance off of Farr Road and approximately 25-30 homes.

Commission Comments:

Adjournment:

Commissioner Schouw made a motion to adjourn. The meeting adjourned at 7:25 pm.

David Nebergall, Vice-Chairman

Phillip Trocquet, Planning &
Development Coordinator

Staff Report

Date: April 12, 2018

Town of Tyrone, Department of Planning & Zoning
881 Senoia Road, Tyrone GA 30290

Phillip Trocquet, Planning & Zoning Coordinator
ptrocquet@tyrone.org (770) 487-4038 ex. 108

DOCKET/CASE/APPLICATION NUMBER

RZ-2018-007

APPLICANT/PROPERTY OWNER

Brett Vincent

PLANNING COMMISSION MEETING DATE

April 12, 2018

TOWN COUNCIL MEETING DATE

April 19, 2018

ADDRESS/LOCATION

354 Senoia Road | Corner of Senoia & Rockwood Roads

Summary

Applicant Brett Vincent has submitted a rezoning petition for 354 Senoia Road. This petition is to rezone the 1 acre parcel from C-2 (Highway Commercial) to M-1 (Light Industrial).

It is the applicant's intent to combine this lot with the adjoining lot to the north (0736-002) for the purpose of building a self-storage facility and office.



MAP SOURCE

EXISTING ZONING	EXISTING LAND USE	SURROUNDING ZONING & LAND USE	SITE IMPROVEMENTS	SIZE OF PROPERTY
C-2 (Highway Commercial)	Commercial: Office	North: M-1 South: C-1 East: C-2 & Unincorporated Fayette County (Residential) West: M-1 & C-1	Water	1 Acre

COMPATIBILITY WITH FUTURE DEVELOPMENT MAP & COMPREHENSIVE PLAN	PROPERTY HISTORY
Property is not consistent with the future development map and comprehensive plan as the creation of a non-conforming structure is not permitted.	Property was previously managed by Lysha Wood as a counseling office. The adjoining property to the north was previously BBQ Junction restaurant. The structures seen in the aerial image above have since been demolished.

COMPATABILITY WITH ZONING ORDINANCE
This rezoning petition is not consistent with the zoning ordinance. A rezoning of this property to M-1 would increase the front yard setback from 50' to 100' thus putting the majority of the existing structure within the new setback. This would constitute the building as illegal/nonconforming as a result of the rezoning.

<p>APPROVE</p>	<p>STAFF RECOMMENDATION APPROVE WITH CONDITIONS</p>	<p>DENY</p>
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Legend

- Tyrone Tax Parcels
- C-2
- M-2 Heavy Industrial
- M-1 Light Industrial
- C-1 Downtown Commercial
- Tyrone Roads

Rockwood Rd

Senoia Rd

Zoning Map

0 250 500 750 1000 ft





Rezoning Request Application

Petition#:

MAR 28 10 PM '17

Applicant & Property Owner Information

Applicant Name: BRETT VINCENT Email: BRETT.VIN22@GMAIL.COM
 Applicant Address: 1920 HIGHWAY 54 W PTC, GA 30269 Phone: (770) 364-9083
 Company Name: GATEKEEPER

Property
 Owner Name: LYSHA WOOD Email: _____
 Property
 Owner Address: 354 SENOIA ROAD TYRONE, GA 30290 Phone: ()

Property Details

Property
 Address: 354 SENOIA ROAD TYRONE, GA Lot# 0736060 ^{PARCEL}

Reason Requesting Rezoning:

Current Zoning of Property: C-2 Proposed Zoning of Property: M-1

Parcel #: 0736060 Total Number of Acres to be Rezoned: 1.0 ACRE

Present Use of Subject Property: OFFICE

Proposed Use of Subject Property: SAME OFFICE w/ SELF-STORAGE FACILITY BEHIND IT

Land Use Plan Designation: _____

Name & Type of Access Road: ROCKWOOD ACCESS TO SELF-STORAGE

Location of Nearest Water Line: 354 SENOIA ROAD

(This Area to be Completed by Staff)

Application Insufficient due to lack of: _____

Application & all required supporting documentation is sufficient and complete.

By Staff _____ Date _____

Received from _____ a check in the amount of \$ _____

Date of Planning Commission Hearing: _____ Date of Town Council Hearing: _____



Petition for Rezoning

Petition#: _____

Name: BRETT VINCENT Email: BRETT.VIN22@GMAIL.COM

Petition Number: _____

Address: 1920 HIGHWAY 54 W PTL, GA 30269 Phone#: 770-364-9083

PETITION FOR REZONING CERTAIN PROPERTY IN THE INCORPORATED AREA OF TYRONE, GEORGIA.

BRETT VINCENT affirms that he/she is the owner or the specifically authorized agent of the property described below. Said property is located in a(n) C-2 Zoning District. He/She respectfully petitions the Town to rezone the property from its present classification and tenders herewith the sum of \$ 500.00 to cover all expenses of the public hearing. He/She petitions the above named to change its classification to M-1

This property includes (Check one of the following):

- X See attached legal description on recorded Warranty Deed for subject property
O Legal Description for subject property is as follows:

By: [Signature] Owner/Agent

SWORN TO AND SUBSCRIBED BEFORE ME THIS _____ DAY OF _____ 20____.

PUBLIC HEARING to be held by the Town of Tyrone Planning Commission on the _____ day of _____ at 7:00 p.m.

PUBLIC HEARING to be held by the Tyrone Town Council on the _____ day of _____ at 7:00 p.m.

NOTARY PUBLIC

[Signature] APPLICANT'S SIGNATURE

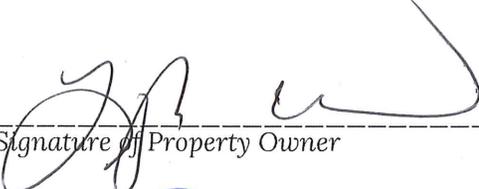


Conflict of Interest in Zoning Actions Application Form

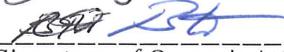
(Please Complete for each Property Owner)

Petition#: _____

The undersigned, making application for rezoning, variance, or special exception, has compiled with the Official Code of Georgia Section 36-64 A01, et seq., Conflict of Interest in Zoning Actions and has submitted or attached the required information on the forms provided.


Signature of Property Owner SIGN HERE

LYSHA E WOOD
Type or Print Name and Title


Signature of Owner's Attorney or Representative SIGN HERE

BRETT VINCENT, REPRESENTATIVE
Type or Print Name and Title

Candace M. Hayes
Signature of Notary Public *my notary expires 07/15/19*

3/26/18
Date



DISCLOSURE OF CAMPAIGN CONTRIBUTIONS

Have you, within two years immediately preceding the filing of this application, made campaign contributions aggregating \$250.00 or more to a member of the Tyrone Planning Commission or member of the Tyrone Town Council?

YES NO


Signature of Applicant SIGN HERE

If the answer is yes, please complete the following section:

Name and Official Position of Government Official	Contributions (List all which aggregate to \$250.00 or more)	Date Contribution was made (Within last 2 years)

Attach additional sheets if necessary to disclose or describe all contributions



Property Owner Consent & Agent Authorization Form

(Application requires authorization by ALL property owners of a subject property)

Name(s) of All Property Owners of Record found on the latest recorded Warranty Deed for the subject property:

LYSHAE WOOD
(Please Print Names)

Property Tax Identification Number(s) of Subject Property: PARCEL 0736060

(I am) (We are) the sole owner(s) of the above-referenced property requested to be rezoned. Subject property is located in the Land Lot(s) _____ of the 3RD District, and (if applicable to more than one land district) Land Lot(s) N/A District, and said property consists of a total of acres (legal description corresponding to most recent recorded plat for the subject property is attached herewith).

(I) (We) hereby delegate authority to BRETT VINCENT to act as (my) (our) Agent in this rezoning. As Agent, they have the authority to agree to any and all conditions of zoning, which may be imposed by the Board.

(I) (We) certify that all of the information filed with this application including written statements or showing made in an paper or plans submitted herewith are true and correct to the best of (my) (our) knowledge and belief. Further, (I) (We) understand that any knowingly false information given herein by me/us will result in the denial, revocation or administrative withdrawal of the application or permit. (I) (We) further acknowledge that additional information may be required by Fayette County in order to process this application.

LISA M SLAUGHTER
Notary Public - State of Georgia
Clayton County
My Commission Expires Oct 15, 2021

[Signature]
Signature of Property Owner 1

[Signature]
Signature of Notary Public

354 Senoia Rd, Tyrone GA
Address

3/27/18
Date

Signature of Property Owner 2

Signature of Notary Public

Address

Date

Signature of Property Owner 3

Signature of Notary Public

Address

Date



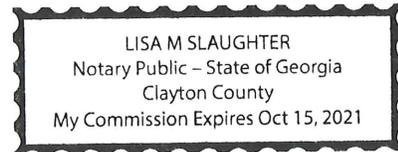
Agreement to Dedicate Property for Future Right-of-Way (ROW)

Petition#: _____

I/We, LYSHA WOOD said property owner(s) of subject property requested to be rezoned, hereby agree to dedicate, at no cost to the Town of Tyrone, N/A feet of right-of-way along N/A as measured from the centerline of the road. Based on the Future Thoroughfare Plan Map streets in the Town of Tyrone require a minimum street width as specified below: NO CHANGE

- Local Street (Minor Thoroughfare) 60 foot ROW (30' measured from each side of road centerline)
- Collector Street (Major Thoroughfare) 80 foot ROW (40' measured from each side of centerline)
- Arterial Street (Major Thoroughfare) 100 foot ROW (50' measured from each side of road centerline)

Sworn and subscribed before me this 27th day of March, 2018.



[Signature]
 Signature of Property Owner 1
354 Senoia Rd Tyrone, GA
 Address

[Signature]
 Signature of Notary Public
3/27/18
 Date

 Signature of Property Owner 2

 Address

 Signature of Notary Public

 Date

 Signature of Property Owner 3

 Address

 Signature of Notary Public

 Date

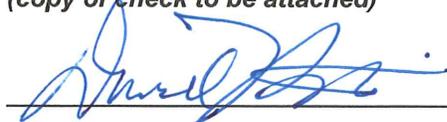
EARNEST MONEY DEPOSIT

Recorded for
DividendRealty, LLC

DATE OF DEPOSIT	3/26/2018
BROKER	David Rossetti
PROPERTY	345 Senoia Rd, Tyrone GA 30290
BUYER / TENANT	Gatekeeper Management, LLC
BUYER/TENANT ADDRESS	1920 Hwy 54 West, Peachtree City GA 30269
BUYER / TENANT PHONE	770-364-9083
CHECK NUMBER	3122
TOTAL AMOUNT	\$2,500.00

(copy of check to be attached)

AGENT SIGNATURE



AGENT SIGNATURE

BROKER SIGNATURE