



PLANNING AND ZONING COMMISSION MEETING MINUTES

City Hall
56 Malone Street
Fairburn, GA 30213
Tuesday, February 1, 2022
7:00 p.m.

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

Elizabeth Echols, Chair
Anthony Stewart, Vice-Chair
Jerry Williams
LaVone Deavers
Tony Smith
Jason Jones

Director of Planning and Zoning: Tarika Peek
City Attorney: Valerie Ross

- I. **MEETING CALLED TO ORDER:** The meeting was called to order at 7:00 p.m. by Chair, Echols.
- II. **ROLL CALL:** A quorum was determined, and the meeting proceeded.
- III. **PUBLIC COMMENTS:**
Ms. Marilyn Jackson made comments regarding her concerns of a rooming house suspected at 410 Lake Dylan.

Warren Tillery, representing Trinity Fairburn LLC Final Plat, made comments regarding the subdivision of the property from three (3) lots to two (2) lots. He stated that tract one (1) is 5.275 acres and tract two (2) is now one (1) tract instead of two (2) tracts.
- IV. **APPROVAL OF AGENDA:** Commissioner Williams made a motion to **APPROVE** the agenda. Vice-Chair Stewart seconded. **THE MOTION CARRIED.**
- V. **APPROVAL OF PREVIOUS MEETING MINUTES:** Commissioner Williams made a motion to **APPROVE** the January 11, 2022 minutes. Commissioner Smith seconded. **THE MOTION CARRIED.**
- VI. **PUBLIC HEARING: 2021187 Primary Variance Habitat for Humanity in Atlanta**
A request to reduce the minimum heated floor area from 1,600 SF to 1,540 SF for a single-family residential house located at 52 Milo Fisher Street.

Chair Echols presented a request for Habitat for Humanity in Atlanta. It is asking the minimum heated floor area for single family residential housing, be reduced from 1600 sq. ft. to 1540 sq. ft. The location is at 52 Milo Fisher Street.

Ms. Peeks stated that the applicant is requesting a reduction for R3 Single Family Residential district from 1600 sq. ft. to 1540 sq. ft. in the heated floor area. This is a 60 ft. reduction. A survey was conducted on approximately 30 homes, and it was determined that the properties adjacent to 52 Milo Fisher is about 1250 sq. ft.

Ms. Peeks also stated out of the 30-home survey that was performed, 23 were deemed to fall below the 1540 sq. ft., which is what the applicant is requesting. Therefore, staff is asking for approval of the primary variance to reduce the area of the heated floor by 60 sq. ft. Staff feels that this will not cause harm to the adjacent homeowner's property but will be consistent with what is already in the community. Again, staff is recommending approval.

Chair Echols ask if the applicant is here and if there are any questions.

Ms. Peeks stated that Mr. Findley, the applicant is available.

Brian Findley states that he is here.

Chair Echols greets him and ask her constituents if they have any questions for the applicant.

Commissioner Jones states he has viewed it in detail and have no questions now.

Chair Echols ask for a motion, since there are no questions.

Attorney Valerie stated they needed to ask if there were any people in favor of the application, and then ask if there is anyone in opposition of the application.

Chair Echols asked if there are anyone in favor of the application.

Attorney Valerie says to states to the general public.

Chair Echols ask the public if there is anyone in the general public in favor of this request.

Ms. Peeks states if so, they can raise their hand to be acknowledged. She then states to the chair, she doesn't see anyone.

Chair Echols ask if anyone is opposing the request and if so, raise their hand.

Ms. Peeks states no one is opposing it, she doesn't see any hands.

Attorney Valerie states the chair can now close the public hearing.

Chair Echols ask for a motion to close the public the hearing.

Commissioner Williams recommend **APPROVAL**, for primary variance 2021187 for heated floor reduction from 1600 sq ft. to 1540 sq. ft according to staff recommendations.

Vice-Chair Stewart second the motion. **THE MOTION CARRIED**

Vice-Chair Stewart asked if she was going to operate 7 days a week or 5 days a week. Tanisha Waller states 5 days a week Monday-Friday, 6am-6pm.

Commissioner Smith stated he was looking at the yard/playground square footage and wanted to know if she had room to expand the 1500 sq. ft. to accommodate the kids she will have. Tanisha states per licensing, the back will not be an issue because all the kids will not be outside at the same time. According to state regulation 1-2-year-olds are not allowed to mix with 4-5 year olds. No more than 20 kids are allowed out in a group setting at a time. Commissioner Smith thanked her.

Chair Echols ask the Commissioners if they had any more questions for Ms. Peeks or the applicant.

Ms. Peeks state there are several people on tonight and they would like to give them an opportunity to speak. She stated the chair can open it up for those of support and opposition, it is a great time to do it now.

Chair Echols ask the community is there anyone in opposition or for this project. Ms. Peeks said if you would like to speak, raise you hand and she will acknowledge them. She tells Dr. Baker to unmute herself so that she can speak.

Dr. Danielle Baker states that she is just voting in favor of the proposed project. Ms. Peeks thanked her for her comment and asked if there was anyone else in favor of the project. Ms. Peeks ask Monique Strong to unmute herself so that she can speak. Monique Strong would like to vote in favor of the daycare center. Ms. Peek thanked her. Ms. Peeks states to Chair Echols that is all.

Chair Echols ask if there is anyone in the community that opposes. Ms. Peeks states, sorry there is one more. She asked Jonathan Clark to unmute himself to speak. Jonathan Clark says thank you and he would like to vote in favor of the daycare project. Ms. Peeks said thank you.

Vice-Chair Stewart states he has a question. Then proceeds to ask why is that. Mr. Clark, please tell us why it is you would like to vote for in favor. Mr. Clark said that he think the project for a daycare there are several communities and areas that are residential and will do what it is intended to do. He states that he knows there is another daycare down the road, but he thinks the neighborhoods can benefit from having another one. Vice-Chair Stewart states, wouldn't you agree that it is very busy right there on Senoia Road. Vice-Chair Stewart states he think it is a great location also, but it is just so busy with traffic. You don't agree. Mr. Clark said he don't disagree, but it has been pointed out there has been plans and strategies to address those concerns and worries based on hours of operations and pickup and drop off times.

Commissioner Williams states he would like to make a comment about Senoia Road and that area. He states he travels the area alot and there is not alot of traffic in the area at that time of day to prevent the facility from being there. He states right down the street from there, a covid center was set up and it did not affect traffic.

Chair Echols ask if there is anyone else in the community in favor of the project or has questions about the project. Ms. Peeks states no Commissioner. Chair Echols ask if there is anyone that opposes the project if so, please raise your hand. Ms. Peeks states no hands raised.

Dee Sinkfield states excuse me, I tried to raise my hand, but it would not work on my phone. Ms. Peeks tells Dee Sinkfield she can speak at this time.

Dee Sinkfield states she lives on Grant Street across from Landmark baseball field and has been there for 52 years. She is concerned about the traffic at those times, from school buses up and down the street, activity from soccer and baseball at Landmark. I feel there will be congestion at that location. The parking lot is very small so she is concerned about traffic during those drop off and pickup times. She has noticed over the years increased traffic while traveling to work. She states

that the covid testing at the church had more parking and that is why traffic was not congested there. She is concerned about congestion from Senoia Road to Bay Street because there is already a high school with a lot of activities, buses/bus routes for Fulton County and Landmark. So that is her concern and that is why she is opposing it. Ms. Peeks thanked her for her comments and states there are no more hands raised.

Chair Echols thanks everyone for their comments and call on the Commissioners for a motion.

Commissioner Williams states he takes into consideration the opposition but moves to approve based on the two conditions that has been recommended by staff and once they are met, he moves to approve it.

Attorney Valerie Ross states at this point of order Commissioners, just to be clear for the record this is a recommendation to counsel and not a final decision-making agenda item. So, for your motion if you could amend it Commissioner Williams and make a motion to make a recommendation for the city council to approve, because that would be the actual public hearing for this item, before mayor and city council.

Commissioner Williams recommend the project be approved for the council to make a ruling. Commissioner Smith seconds the motion.

Chair Echols states all in favor. All states I.

Chair Echols ask is there any opposes. Vice-Chair Stewart states I.

Vice- Chair Stewart opposes. He states, he is going to oppose it because he agrees with the caller. He thinks it is too congested in that area. He states he does not live far from that area and for that reason he is going to oppose it.

Attorney Valerie Ross ask for a role call from the Chair.

Chair Echols ask Commissioner Williams What is his motion. He states approval.

Chair Echols ask Commissioner Deavers. She states that she approves.

Chair Echols ask Commissioner Tony Smith. He states that he approves.

Chair Echols ask Vice-Chair Tony Stewart. He states that he opposes.

Chair Echols ask Commissioner Jason Jones. He states he approve.

Chair Echols ask if she missed anyone and that someone opposed. Vice- Chair Stewart states he opposed. Ms. Peeks states she think that was all of them, that everyone has spoken. Ms. Peeks states there are four approvals and one oppose.

Chair Echols states that the motion is approved since there are four approvals. Ms. Peeks states yes. Commissioner Stewart also states yes. Chair Echols states the **motion carried**.

IX. STAFF REPORT: Chair Echols ask for the staff report. Ms. Peeks states she sent an email out to everyone about a training opportunity on February 24, at the UGA Gwinnett Campus, for the Planning and Zoning one on one basic training. She sates so far, she has Mr. Stewart, Ms. Echols and Ms. Deavers who responded with a yes that they would like to attend. At this time, she is bringing it back to everyone's attention and she can register everyone that sends her an email by the following day before the week is out. Ms. Peeks then states to Chair Echols that is all.

X. COMMISSIONER COMMENTS: Chair Echols states Commissioner comments and calls on Commissioner Williams. He states he would like to welcome the new person this year, Ms. Deavers, on board and that he appreciates everyone for being there tonight.

Chair Echols call on Commissioner Tony Smith. He states he would also like to welcome Ms. Deavers on board and thanks her for wanting to serve.

Chair Echols calls on Commissioner Tony Stewart. He states he also would like to welcome Commissioner Deaver and that it is good to see everyone here to tonight.

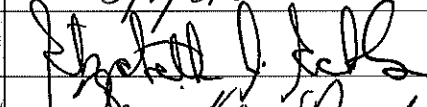
Chair Echols calls on Commissioner Jason Jones. He states he welcome everyone to Planning and Zoning and appreciate everyone's attendance and leadership. Then thanks them.

Chair Echols ask if she got everyone. Ms. Peeks states Ms. Deavers. Chair Echols call on Ms. Deavers then addresses her as Commissioner Deavers. Commissioner Deavers, states she would like to thank everyone for the warm greetings she has received throughout the night. She states she looks forward to bringing her expertise and talent from her career path that she can exemplify and make Fairburn a great place to live.

Chair Echols welcomed Ms. Deavers and states she can't wait for her responses and joining the Planning and Zoning Committee because she know she has alot to offer.

XI. ADJOURNMENT: Commissioner Williams made a motion to **ADJOURN**. Commissioner Smith seconded. **THE MOTION CARRIED.**

XII. MEETING ADJOURNED: The meeting adjourned at 7:26 p.m.

Approval Signatures	
Date Approved	3/1/22
Elizabeth Echols, Chairwoman	
Tarika Peeks, Recording Secretary	