New Business #9

COUNTY AGENDA REQUEST

Department:	Planning and Zoning	Presenter(s):	Zane & Audrey Ardis/Pete Frisina
Meeting Date:	Thursday, April 24, 2014	Type of Request:	New Business

Wording for the Agenda:

Consideration of Zane and Audrey Ardis' request to amend the Agricultural-Residential (A-R) Zoning District to allow weddings and events as a Conditional Use.

Background/History/Details:

Zane and Audrey Ardis are requesting that the A-R zoning district be amended to allow weddings and events as a Conditional Use (see attached letter).

The Ardis' would like to start a small business renting out an area that is currently used as an operating hay farm for weddings and special events a few times a year. They are requesting a conditional use be added for parcels zoned A-R to allow farm weddings and special events.

Farm weddings are increasingly popular and by their nature need to take place in an agricultural setting. The Ardis' are petitioning for adding this use to the code rather than rezoning their land as commercial use because they believe rezoning to commercial would be inappropriate.

What action are you seeking from the Board of Commissioners?

No action is requested of the Board. Staff is seeking the Board's direction for examining the zoning ordinance concerning the requested amendments.

If this item requires funding, please describe:

Not Applicable.

Has this request been considered within the past two years?	No	If so, when?	
Is Audio-Visual Equipment Required for this Request?*		Backup Provided with Request?	Yes

**** All audio-visual material must be submitted to the County Clerk's Office no later than 48 hours prior to the meeting. It is also your department's responsibility to ensure all third-party audio-visual material is submitted at least 48 hours in advance.***

Approved by Finance	Not Applicable	Reviewed by Legal	
Approved by Purchasing	Not Applicable	County Clerk's Approval	
Administrator's Approval			

Staff Notes:

March 20, 2014

Pete Frisina
Fayette County Planning and Zoning Department
140 Stonewall Ave W #202
Fayetteville, GA 30214

Dear Mr. Frisina,

We are writing regarding the conditional uses allowed under the current AR zoning. Currently there is no formal allowance for wedding/event venue rental as a conditional use.

My wife and I would like to start a small business renting out an area currently used as an operating hay farm for weddings and special events a few times a year. We are requesting that a conditional use be added for parcels zoned AR to allow farm weddings and special events. "Farm weddings" or "barn weddings" are increasing in popularity and by their nature need to take place in an agricultural setting. We are petitioning for adding this use to the code rather than rezoning our land commercial because we feel that in this case rezoning to commercial would be inappropriate. The land will continue to be used as an operating hay farm—as it has for years. We are not looking to build a commercial banquet hall or anything of the like. The desired aesthetic of the increasingly-popular farm wedding is just that—a beautiful, functioning, real farm. No additional structures will be added to the property, only upgrades to existing structures as specified by the Fire Marshal for occupancy and means of egress.

Article V Sec. 5-3. Use, Prohibited states, "If either a use or class of uses is not specifically indicated as being permitted in a zoning district, either as a matter of right or as a conditional use, then such use, class of uses, or structures for such uses shall be prohibited in such zoning district...". However, *Article VII Sec. 7-1. B. 13. Church and/or Place of Worship* allows for churches to be built on AR zoned land. It is common knowledge that churches are popular locations for weddings so by default, weddings are allowed on AR zoned land but not *expressly stated* as a conditional use. Although one could infer by the church allowance that weddings would thereby be allowed, we would like to be sure before embarking on this venture.

We feel that this is an opportunity to bring business to the local Fayette economy. By hosting special events in Fayette County, the local caterers, hotels, restaurants, rental facilities, etc. will have increased business, adding to the local tax revenue. We have noticed a growing market for weddings in rural settings and by providing this option so close to a metro area of nearly 5,500,000 people, we believe that we can bring some of that market to our home county.

Thank you for considering our request to add farm weddings and special events to be a specifically indicated conditional use in the AR zoning.

Sincerely,
Zane and Audrey Ardis

ARTICLE VI. DISTRICT USE REQUIREMENTS

The purpose of this Article is to delineate the uses and requirements of the established zoning districts.

Sec. 6-1. A-R Agricultural - Residential District.

A. *Description of District.* This district is composed of certain lands and structures having a very low density single-family residential and agricultural character and designed to protect against the depreciating effects of small lot, residential development and those uses which are incompatible with such a residential and agricultural environment.

B. *Permitted Uses.* The following Permitted Uses shall be allowed in the A-R Zoning District:

1. Single-family dwelling;
2. Accessory structures and uses (see Article V.);
3. Growing of crops and the on-premise sale of produce and agricultural products, provided 50 percent of the produce/products sold shall be grown on-premise;
4. Plant nurseries and greenhouses (no sales of related garden supplies); and
5. Raising of livestock; aquaculture, including pay fishing; apiary (all beehives shall comply with the required setbacks); and the sale thereof. (Amended 07/28/11)

C. *Conditional Uses.* The following Conditional Uses shall be allowed in the A-R Zoning District provided that all conditions specified in Article VII. Conditional Uses, Nonconformances, Transportation Corridor Overlay Zone, and Commercial Development Standards are met:

1. Aircraft Landing Area;
2. Animal Hospital, Kennel, or Veterinary Clinic; (Amended 12/13/12)
3. Cemetery;
4. Church and/or other Place of Worship;
5. Colleges and University, including, but not limited to: classrooms, administration, housing, athletic fields, gymnasium, and/or stadium;
6. Commercial Driving Range and Related Accessories;
7. Child Care Facility; (Amended 12/13/12)
8. Developed Residential Recreational/Amenity Areas;
9. Farm Outbuildings, including Horse Stables, Auxiliary Structures, and Commercial Greenhouses; (Amended 05/24/12)
10. Golf Course (minimum 18-hole regulation) and Related Accessories;
11. Home Occupation;
12. Horse Show, Rodeo, Carnival, and/or Community Fair;
13. Hospital;
14. Kennel (see Animal Hospital, Kennel, and/or Veterinary Clinic);
15. Private School, including, but not limited to: classrooms, administration, playground, housing, athletic fields, gymnasium, and stadium;
16. Processing, packaging, or handling of perishable agricultural products (i.e. fruits and vegetables) which are grown on premises;
17. Recreation centers and similar institutions owned by non-profit organizations as so registered with the Georgia Secretary of State Office;
18. Religious Tent Meeting; and
19. Shooting Range, Outdoor.

D. *Dimensional Requirements*. The minimum dimensional requirements in the A-R Zoning District shall be as follows:

1. *Lot area*: 217,800 square feet (five [5] acres)
2. *Lot width*: 250 feet
3. *Floor area*: 1,200 square feet
4. *Front yard setback*:
   a. *Major thoroughfare*:
      i. *Arterial*: 100 feet
      ii. *Collector*: 100 feet
   b. *Minor thoroughfare*: 75 feet
5. *Rear yard setback*: 75 feet
6. *Side yard setback*: 50 feet
7. *Height limit*:
   a. 35 feet as defined in Article III.
   b. The limitation on height shall not apply to agricultural structures such as storage barns, silos, or other types of structure not normally designed for human occupation except that when an agricultural structure exceeds the maximum building height the minimum distance from property lines to any building shall be increased one (1) foot for every two (2) feet or part thereof of building height over 35 feet.

E. *Special Regulations*. Prior to the issuance of development and/or building permits, a Site Plan shall be submitted to the Zoning Administrator and approved by the appropriate County officials. This requirement shall apply to all Permitted Uses and Conditional Uses allowed in the A-R Zoning District except single-family dwellings; accessory buildings and uses; growing crops and the on-premise sale of produce at agricultural stands of 100 square feet or less of floor area; growing and seasonal sale of Christmas trees; plant nursery, landscape tree farm, or commercial greenhouse operations existing prior to the effective date of June 26, 2003; and the raising and/or selling of livestock.