#### **BOARD MEMBERS**

John H. Culbreth, Sr. Danny England Al Gilbert Jim Graw Brian Haren

#### **STAFF**

Peter A. Frisina, Director of Community Services Chanelle Blaine, Zoning Administrator Chakevia Jones, Planning & Zoning Coordinator

# AGENDA FAYETTE COUNTY PLANNING COMMISSION MEETING 140 STONEWALL AVENUE WEST February 15, 2018 7:00 pm

\*Please turn off or turn to mute all electronic devices during the Planning Commission Meetings

1. Consideration of the Minutes of the meeting held on February 1, 2018.

#### **NEW BUSINESS**

- 2. Consideration of a Final Plat of Sams Crossing Phase 2. The property will consist of two residential lots zoned R-40, is located in Land Lot 250 of the 4<sup>th</sup> District and front(s) on Antioch Road and McBride Road.
- 3. Consideration of a Preliminary Plat of Fairbrook. The property will consist of 17 residential lots zoned R-40, is located in Land Lots 198 of the 13<sup>th</sup> District and fronts on S.R. 314.

#### **OLD BUSINESS**

- 4. Consideration of WPV/A-001-18, Ben Loggins, Owner and Rick Lindsey, Agent, request an appeal of the decision of the Stormwater Department's denial of a variance to the Watershed Protection Ordinance. **The applicant has requested to withdraw the Appeal.**
- 5. Discussion of amendments to the Zoning Ordinance, concerning corner lots, flag lots and landlocked lots

To: Fayette County Planning Commission

From: Chanelle Blaine, Zoning Administrator

Date: February 9, 2018

Subject: Final Plat to be considered on February 15, 2018

FINAL PLAT

OWNER/APPLICANT

Final Plat of Sams Crossing Phase 2

RBR Development, LLC, Owner

Recommend APPROVAL for the Final Plat.

LEGEND	FINAL PLAT OF	
RBF=REBAR FOUND R85=REBAR SET CTP=CRIMP TOP PIPE	SAMS CROSSING	
LL =LANDLOT LL =LANDLOT LL =LANDLOT F =PROPERTY LINE	PHASE 2	1. OWNER RBR DEVELOPMENT, L REGISTERED AGENT F
	🖉 🐵 🍂 🎭 🖓	31 CANNONGATE ROA SHARPSBURG, GA 302
P O B =POINT OF BEGINNING B/L=BUILDING SETBACK LINE D E.=DRAINAGE EASEMENT	seavind S	678-300-9380 2. SURVEYOR:
N/F=NOW OR FORMERLY F W P.D.≂FIELD WORK		S. A. GASKINS & ASSO P.O. BOX 303
PERPORMED DATE M.F F E =MINIMUM FINISHED FLOOR ELEVATION DB=DEED BOOK	Ve Ve VRI	BROOKS, GA 30205 678-571-3054 rdgaskins79@gmail.com
PG=PAGE PB=PLAT BOOK	WINDSOR Y ESTATES	3 TOTAL ACREAGE: 5.89
(###)=HOUSE NUMBER U/P=UTILITY POLE RUVE RUSE REVER OF WAY		2 LOTS - ZONED R-40 0
THE SUPERIOR COURT. TBM=TEMPORARY BENCHMARK	32	DIMENSIONAL REQUIR
	Hana an Hana an Hana	LOT WIDTH @ BUILDIN
FINAL PLAT APPROVAL CERTIFICATION	5 ž0 ( <i>š</i>	
APPROVED BY FAYETTE COUNTY ENVIRONMENTAL HEALTH DEPARTMENT	McBride Rd	FLOOR AREA: 1,500 SC FRONT YARD SETBACK
DATE Z/5/18 SIGNED Robust 7 Miles		
DATE CI JI JA SIGNED FOR MIRONMENTAL HEALTH SPECIALIST	and the second se	
		4 SEWER TO BE AN ON-SITE
APPROVED BY FAYETTE COUNTY STORMWATER MANAGEMENT DEPARTMENT		5. WATER TO BE PROVIDED
DATESIGNED	a constant	6. FAYETTE COUNTY DOES N RESPONSIBILITY FOR ANY DI THE LACK OF ONE INDICATE
ENVIRONMENTAL MANAGEMENT DIRECTOR		7. THIS SURVEY IS SUBJECT RESTRICTION SHOWN OR N
APPROVED BY FAYETTE COUNTY ENGINEER	NOT TO SCALE	8 THERE ARE NO RECORDE PROPERTY.
2/c/18 D Mallin	SOIL CLASSIFICATION DELINEATION	9 THERE IS NO GROUNDWA
DATE 2/6/18 SIGNED P. // 100000 COUNTY ENGINEER	I, LARRY F. MCEVER DO HEREBY CERTIFY THAT THE LEVEL III SOIL	10 1/2" REINFORCING RODS 11. ACCORDING TO FEMA FIF
APPROVED BY THE FAYETTE COUNTY PLANNING COMMISSION / /	SURVEY INFORMATION PROVIDED ON THIS PLAT WAS PERFORMED BY RESOURCE ENGINEERS, INC. IN ACCORDANCE WITH THE PROCEDURES SPECIFIED IN THE GEORGIA DEPARTMENT OF HUMAN	2008, NO PORTION OF THIS F AREA.
	RESOURCES' CURRENT MANUAL FOR ON-SITE SEWAGE MANAGEMENT SYSTEMS	12. EACH RESIDENTIAL LOT H FREE AND CLEAR OF ZONING
DATESIGNEDSECRETARY.	DATE	BUFFERS AND SETBACKS, JU 13. THERE IS NO VISIBLE GET
	SIGNATURE OF SOIL CLASSIFIER PROFESSIONAL ENGINEER REGISTRATION NO. PE 012170	14. THERE ARE NO STATE Ŵ
APPROVED BY FAYETTE COUNTY ZONING ADMINISTRATOR.	REGISTRATION NUMBERS/LICENSE NUMBERS 8305 SPENCE ROAD, FAIRBURN, GA 30213	15. THERE ARE NO WETLAND PROPERTY.
DATE 2/2/2018 SIGNED C.B.	PHONE. 770 969 8923	
ŻONING ADMINISTRATOR	SURVEYORS CERTIFICATION	
APPROVED BY FAYETTE COUNTY FIRE MARSHAL		
	AS REQUIRED BY SUBSECTION (c) OF Q.C.G.A. SECTION 15-6-67, THE REGISTERED LAND SURVEYOR HEREBY CERTIFIES THAT THIS MAP, PLAT, OR PLAN HAS BEEN APPROVED FOR FILING IN WRITING BY ANY AND ALL APPLICABLE MUNICIPAL COUNTY, OR	1. THE FINISHED, ENCLOSI
DATESIGNED	MUNICIPAL-COUNTY PLANNING COMMISSIONS OR MUNICIPAL OR COUNTY GOVERNING AUTHORITIES OR THAT SUCH GOVERNMENTAL BODIES HAVE AFFIRMED IN WRITING THAT APPROVAL IS NOT REQUIRED.	CARPORTS, PORCHES, TE NO LESS THAN 2000 SQUA
OWNER'S CERTIFICATE	FINAL SURVEYOR'S CERTIFICATE	THE MAIN FLOOR. 2. NO LOT MAY BE SPLIT,
I, THE UNDERSIGNED OWNER/REPRESENTATIVE OF THE	IT IS HEREBY CERTIFIED THAT THIS PLAT IS TRUE AND CORRECT AND WAS PREPARED	TRANSFER. 3. AN UNDISTURBED NATU
SAMS CROSSING SUBDIVISION PHASE 2, HEREBY DÉDICATE THE RIGHTS-OF-WAY FOR PUBLIC USE, AND/OR RESERVE FOR	FROM AN ACTUAL SURVEY OF THE PROPERTY MADE BY ME OR UNDER MY SUPERVISION; THAT ALL MONUMENTS SHOWN HEREON ACTUALLY EXIST OR ARE	MEASURED FROM THE FR
PUBLIC LISE THE EASEMENTS AND OTHER GROUND SHOWN ON THIS PLAT.	MARKED AS "FUTURE" AND THEIR LOCATION, SIZE, TYPE, AND MATERIAL ARE CORRECTLY SHOWN. THIS PLAT CONFORMS TO ALL REQUIREMENTS OF THE GEORGIA PLAT ACT (O.C.G.A. \$ECTION 15-6-67).	SHOWN ON THE PLAT, SH DRIVEWAY AREA WHICH I
	BY: SWINSON A. GASKINS, Sr. GEORGIA REGISTERED LAND SURVEYOR NO. 1620	LOT FRONTING ON ANTIO REMOVED IN THIS AREA F
OWNER DATE	BY: SWINSON A. GASKINS, Sr. GEORGIA REGISTERED LAND SURVEYOR NO.1620 DATE3112	UTILITY PLACEMENT.
Prepared For:		<u> </u>
GEORGIA	Property Location S,A. GASK	NS &
Star Star	MENT, LLC. Land Lot 250 Of The 4th Land District Fayette County, Georgia STR-571-3054	GÁ 30205
TOW A GAS	678-571-3054 rdgaskins79@gma	

#### GENERAL NOTES

T, LLC IT ROBERT BARRY STEPHENS IOAD 30277

SOCIATES, LLC

891 ACRES

0 ON 06/10/72 ~ PETITION NO 214-72

LIREMENTS R-40 ZONING DISTRICT

DING LINE: MAJOR THOROUGHFARE ARTERIAL: 150 FEET COLLECTOR: 150 FEET

SQ FT

ACK: MAJOR THOROUGHFARE ARTERIAL: 60 FEET COLLECTOR: 60 FEET

REAR YARD SETBACK: 30 FT

SIDE YARD ŞETBACK. 15 FT

TE SEWAGE DISPOSAL SYSTEM

ÈD BY WELL.

ES NOT ACCEPT THE OWNERSHIP, MAINTENANCE, OR Y DRAINAGE EASEMENT OR OVERALL DRAÍNAGE PLAN OR ATED ON THIS PLAT.

ECT TO ALL EASEMENTS, RIGHTS-OF-WAY AND IR NOT SHOWN, RECORDED OR NOT RECORDED.

DED EASEMENTS FOUND ASSOCIATED WITH THIS

WATER RECHARGE AREA ON THIS PROPERTY.

ODS SET AT ALL LOT CORNERS UNLESS NOTED OTHERWISE

A FIRM PANEL NUMBER 13113C0114E, DATED SEPTEMBER 26, HIS PROPERTY LIES WITHIN IN A 100 YEAR FLOOD HAZARD

OT HAS A MINIMUM CONTIGUOUS AREA OF Ó 6 ACRES THAT IS NING BUFFERS AND SETBACKS, WATERSHED PROTECTION S, JURISDICTIONAL WETLANDS AND EASEMENTS OF ANY KIND

CEMETERY OR BURIAL GROUNDS ON THIS PROPERTY.

WATERS ON THIS PROPERTY.

ANDS SHOWN ON THE FAYETTE COUNTY GIS MAPS ON THIS

#### DEED RESTRICTIONS

OSED, HEATED LIVING AREA (EXCLUSIVE OF GARAGES, TERRACES, STORAGE AND BASEMENT) SHALL CONTAIN QUARE FEET WITH A MINIMUM OF 1400 SQUARE FEET ON

T, DIVIDED OR SUBDIVIDED FOR SALE, RESALE, GIFT OR

ATURAL FORESTED AREA OF 190 LINEAR FEET AS FRONT PROPERTY LINE, BACK 190 FEET AND EXTENDING RTY LINE RUNNING PARALLEL TO THE FRONT LINE, AS SHALL NOT BE DISTURBED WITH THE EXCEPTION OF THE H IS RESERVED FOR THE INGRESS / EGRESS TO EACH TIOCH ROAD THE TREES AND VEGETATION MAY BE EA FOR THE CONSTRUCTION OF THE DRIVEWAY AND

Drawn By: R.D.G.	Reviewed By: R.M.B.
Issue Date:	12/18/17
F.W.P.D.: 0	8/24/16
Revisions	Date
COUNTY COM	MENTS 01/31/



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- To: Fayette County Planning Commission
- From: Chanelle Blaine, Zoning Administrator
- Date: February 9, 2018
- Subject: Preliminary Plat to be considered on February 15, 2018

### PRELIMINARY PLAT

OWNER/APPLICANT CNB

Fairbrook

Don Brent, LLC

#### Recommend APPROVAL

On the Fairbrook Subdivision Preliminary plat stamped 1/24/2018.





# **Pete Frisina**

From:	Rick Lindsey <rick@llptc.com></rick@llptc.com>
Sent:	Monday, February 5, 2018 2:14 PM
То:	Pete Frisina
Subject:	Loggins Appeal; Watershed Protection Ordinance

Pete – Mike Lober has come up with a plan the relocates the walkway and steps so those are no longer in the setback. Mr. Loggins has approved that plan. Thus, we do not need to continue with the appeal. Do I need to attend the meeting on the 15<sup>th</sup> to tell the Planning Commission or will this email suffice?

Will you send me Ms. Birrell's email so I can notify her?

Thanks

Rick

Richard P. Lindsey Attorney



lindsey & lacy, pc

2002 Commerce Drive, N. Suite 300 Peachtree City, Georgia 30269 770.486.8445 - phone 770.486.8889 - fax www.lindseylacy.com

#### Please update our firm contact information.

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# **ZONING ORDINANCE**

## Sec. 110-3. Definitions

Building line, front, means a line running parallel to the street which touches the nearest point of the principal structure to the street.

*Flag lot* means a lot shaped like a flag on a pole with the pole portion of the lot fronting on a street.

Lot, landlocked, means a lot of record having no frontage on a street.

Lot, corner, means a lot located at the intersection of two or more streets.

*Yard* means a required open space on a lot that is left unoccupied with structures and facilities, except as otherwise permitted herein.

*Yard, front,* means the area between a property line adjacent to a thoroughfare street and the front building line, extending the full width of the lot.

*Yard, rear,* means the area between the rear property line and the rear buildingsetback line, extending the full width of the lot.

*Yard, side,* means the area between the side property line and the side building setback line, extending from the front yard to the rear yard or extending from the front yard to the side yard in the case of a corner lot.

*Front yard, primary* means on a corner lot, the area between a property line adjacent to a street of which the front door of the principal structure is oriented to or if the front door is not oriented to one street, the street in which the driveway accesses and the front building line, extending the full width of the lot.

*Front yard, secondary means on a corner lot, the area between a property line adjacent to a street and the front building line outside of the primary front yard.* 

(e) Accessory structures located in a front yard. On a single frontage lot, the area between the street and the front building line shall be treated as a front yard with regard to the location of accessory structures. On a through lot, the area between the street from which the lot has its addressed access and the front building line shall be treated as a front yard with regard to the location of accessory structures. On a corner lot, the area between the streets and the front building lines shall be treated as a primary front yard or secondary front yard(s) with regard to the location of accessory structures.

No accessory structure shall be located in the front yard except as follows: a well/pump house consisting of 70 square feet or less; a detached garage on a single frontage lot, a through lot or in the primary front yard of a corner lot (see subsection (1) of this section for requirements); an accessory structure located in a secondary front yard of a corner lot (see subsection (2) of this section for requirements); or an accessory structure on a lot in the A-R zoning district which consists of five or more acres.

- (1) Detached garage located in the front yard of a single frontage lot, a through lot, the primary front yard on a corner lot, or secondary front yard on a corner lot. Said garage shall meet the following requirements:
  - a. Footprint shall not exceed 900 square feet.
  - b. The detached garage shall not be located more than 35 feet from the principal structure.
  - c. The design of the garage shall match with the general residential architectural style inherent in the existing principal structure, including, but not limited to: roof pitch, roof facade, facade, residential windows, and residential doors. Elevation drawings denoting compliance with these requirements shall be submitted as part of the building permit application.
  - e. The garage shall have at least one opening for vehicular access.
  - f. A separate electrical meter is not permitted, unless otherwise required per the Department of Building Safety.
  - g. The garage shall be connected to the principal structure by at least one of the following and elevation drawings denoting compliance with the following requirements shall be submitted as part of the building permit application:
    - 1. An attached or detached breezeway. Said breezeway shall be a minimum of six feet in width and a minimum of eight feet in height (interior measurement). A detached breezeway shall be constructed within six inches of the principal structure and the garage;
    - 2. An attached raised deck. Said attached raised deck shall be a minimum height of 15 inches. The deck shall have a minimum width of six feet. Said deck shall have guard rails measuring a minimum of three feet in height; or
    - 3. An attached or detached pergola. Said pergola shall consist of parallel colonnades supporting an open roof of beams and crossing rafters, shall be a minimum of six feet in width and a minimum of eight feet in height (interior measurement). A detached pergola shall be constructed within six inches of the principal structure and the garage.
- (2) Accessory structure located in the secondary front yard of a corner lot. Said accessory structure, exclusive of a detached garage per (1) above, shall meet the following requirements:
  - a. When an accessory structure is located in a secondary front yard adjacent to a street that is designated as an Internal Local the required setback shall be increased by 20 feet.

**Goal:** Create a procedure for the Planning Commission to establish the front, side and rear yards on a flag lot (existing and proposed) that would differ from yards per County regulations and establish the front, side and rear yards on a nonconforming land locked lot.

# SUBDIVISION REGULATIONS

# Definitions

Building line, front, means a line running parallel to the street which touches the nearest point of the principal structure to the street.

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*Front yard, secondary m*eans on a corner lot, the area between a property line adjacent to a street and the front building line outside of the primary front yard.

# Sec. 104-603. Procedure for the establishment of front, side and rear yards on a flag lot or a nonconforming landlocked lot.

Due to the various irregular shapes of flag lots and that nonconforming land locked lots have no road frontage, a property owner my request that the planning commission establish the front, side and rear yards on an existing flag lot and a proposed flag lot in conjunction with the Final Plat and Minor Subdivision Plat approval process (ARTICLE XV. - SUBDIVISION REGULATIONS) that would be different than the yards per existing County regulations and establish the front, side and rear yards on a nonconforming land locked lot. This procedure is applicable to existing flag lots, proposed flag lots and nonconforming landlocked lots. The front, side and rear orientation of the residence (existing or proposed) on the flag lot or nonconforming landlocked lot will be considered in this establishment of front, side and rear yards. The establishment of yards through this procedure will require the revision of the Minor Subdivision Plat or Final Plat, as applicable