COUNTY AGENDA REQUEST

Department:	Commissioners	Presenter(s):	Chairman Steve Brown
Meeting Date:	Thursday, May 23, 2013	Type of Request:	New Business

Wording for the Agenda:

Discussion of Fayette County's height restrictions on uninhabitable building structures such as church steeples and high-frame roofs.

Background/History/Details:

Chairman Steve Brown is recommending that the Planning Commission examine the preparation of ordinances changes allowing for the removal of height restrictions for uninhabitable buildings features such as church steeples, high-frame roofs, and similar structures.

What action are you seeking from the Board of Commissioners?

Approval of Chairman Brown's recommendation that the Planning Commission examine Fayette County's height restrictions on uninhabitable building structures, and for the Planning Commission to work on preparing an ordinance that would allow for the removal of said height restrictions.

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?*	No	Backup Provided with Request?	No

**** 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	Yes
Administrator's Approval			

Staff Notes:

Date: May 14, 2013

To: Steve Brown, Chairman

From: Pete Frisina

Subject: Discussion of Height Restrictions on Uninhabitable Building Structures Such as Church Steeples and High-Frame Roofs.

Building height limits are contained in each zoning district and range from 35 to 40 feet. Article V, Sec. 5-16. Structures Permitted above the Height Limit, states the following:

> The height limit shall not apply to structures and architectural features not intended for human occupancy, including, but not limited to: a spire, belfry, cupola, dome, monument, water tower, observation tower, telecommunication tower, chimney, smoke stack, conveyer, mast or aerial, heating, ventilation, and air conditioning (HVAC) equipment, elevator equipment, roofed solar panels, satellite/telecommunications equipment, and parapet wall not extending more than four (4) feet above the roof line of the building. A freestanding flagpole is also permitted above the height limit, provided the total height is under 70 feet. Total height shall be measured from the finished grade at the location of the flagpole to the highest point.

Article III defines Building Height as follows:

> The vertical distance of a building measured from the median height of the basement level or crawl space to the midpoint of the highest roof. The midpoint shall be measured from the ceiling joist of the highest floor level to the top of the highest roof surface. For structures constructed without a basement or crawl space, the measurement will be taken beginning at the ground floor level. Architectural features, which are not utilized for habitable space, shall not be included in the calculation of building height (see *Tower Height*.)

The building height limit does not apply to church steeples (spire) per Sec. 5-16 above. However, in terms of a high-framed roof (cathedral/vaulted ceiling), they are not exempt per Sec. 5-16. Per Article III building height is measured at the midpoint of the highest roof based on the ceiling joist of the highest floor level, a cathedral/vaulted ceiling does not have a ceiling joist.

Staff needs direction from the Board of Commissioners on whether to study and consider amendments to the Zoning Ordinance in regards to this matter.