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AGENDA
FAYETTE COUNTY PLANNING COMMISSION MEETING
140 STONEWALL AVENUE WEST
July 5, 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 June 21, 2018.

OLD BUSINESS

2. Discussion of Amendments to Chapter 110. Zoning Ordinance, Regarding Sec. 110-3. – Definitions, Sec. 110-79. - Accessory Structures and Uses, Sec. 110-125. – Agricultural-residential and Sec. 110-169. – Conditional Use Approval.
3. Discussion of Amendments to Article XV. - Subdivision Regulations, Regarding Sec. 104-593. - Definitions and Sec. 104-603. Procedure for the Establishment of Front, Side and Rear Yards on a Flag Lot or a Nonconforming Landlocked Lot.
4. Discussion of tourist accommodations.
5. Discussion of the Future Land Use Plan.

ZONING ORDINANCE

Sec. 110-3. Definitions

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

Lot, flag, 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.

Principal structure front means the wall/plane of the principal structure in which the front door is located.

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, primary front, means on a corner lot, the area between a property line adjacent to a street and a line running parallel to the front plane of the principal structure, extending the full width of the lot.

Yard, rear, means the area between the rear property line and the rear ~~building of the principal structure line~~, extending the full width of the lot.

Yard, secondary front, means on a corner lot, the area between a property line adjacent to a street and the principal structure outside of the primary front yard.

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

Sec. 110-79. – ~~Residential A~~accessory structures and ~~their~~ uses.(Note: accessory structure will be changed to residential accessory structure throughout the zoning ordinance.)

~~These regulations shall not apply to F~~farm outbuildings, including horse stables, auxiliary structures, and commercial greenhouses ~~as are~~ regulated ~~as conditional uses~~ under ~~article~~ Sec. 110-125. - A-R, Agricultural-Residential District and ~~VII~~ Sec. 110-169. - Conditional use approval of this chapter and ~~shall be allowed in the A-R zoning district only~~ ~~One~~a semi-trailer ~~may be~~ utilized as a farm outbuilding as regulated under Sec. 110-125. - A-R, Agricultural-Residential District. ~~provided the property is zoned A-R and the semi-trailer is being used to store agricultural items.~~ These aforementioned buildings/structures shall be allowed in the A-R zoning district only. These regulations shall not apply to structures associated with ~~these~~ nonresidential uses allowed in A-R and residential zoning districts.

(c) Number and size

- (3) A well/pump house, dog house, or playhouse consisting of 70 square feet or less; dog pen/run; swimming pool, hot tub, or recreational court; aircraft hangar, farm outbuilding, greenhouse, horse stable, auxiliary structure ~~or one semi-trailer~~ (as regulated ~~in A-R under article V of this chapter~~ Sec. 110-125. - A-R, Agricultural-Residential District and VII Sec. 110-169. - Conditional use approval); ground/pole-mounted solar panel consisting of less than 200 square feet or ground-mounted wind turbine/windmill; uncovered outdoor kitchen, fireplace; patio; underground storm shelter; or beehive shall not be included in determining the number of accessory structures provided herein.
- (d) Location on lot. Accessory structures shall conform to the dimensional requirements within each zoning district. ~~A well/pump house of 70 square feet or less may be located within the setbacks. No structure shall be located in the front yard except: a detached garage (see subsections (d)(1) and (2) of this section for requirements); well/pump house consisting of 70 square feet or less; or farm outbuildings, including horse stables, auxiliary structures, and greenhouses located in an A-R zoning district, where the lot consists of five acres or more. A well/pump house of 70 square feet or less may be located within the setbacks.~~
- (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 corner lot, the area between ~~both of~~ the streets and ~~both of~~ the front building lines shall be treated as a primary front yard ~~and or a~~ secondary front yard(s) with regard to the location of accessory structures. On a through lot, the area between the street from which the lot is accessed and the front building line shall be treated as a front yard with regard to the location of accessory structures.

~~No structure shall be located in the front yard except: 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 or secondary front yard of a corner lot (see subsection (1) 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, ~~and~~ a through lot, the primary front yard on a corner lot, or secondary front yard on a corner lot.* ~~A detached~~ Said garage located in the front yard shall meet the following requirements:
- a. Footprint shall not exceed 900 square feet.
 - b. The detached garage shall not be located ~~no~~ 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.

- d. The garage shall have at least one opening for vehicular access.
- e. 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) ~~Detached garage located in the front yard of a corner lot. Accessory structure located in the secondary front yard of a corner lot.~~ When an accessory structure, exclusive of a detached garage per (1) above, 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.

~~a. Primary front yard. The location of the front door of the principal structure shall establish the primary front yard. If the front door is not oriented to a street, the driveway access shall be utilized to establish the primary front yard. The primary front yard is the area between the street and the front building line in which an accessory structure is prohibited, except in the case of a detached garage which shall comply with the requirements of a single frontage lot; and~~

~~b. Secondary front yard. Consequently, the other frontage shall be the secondary front yard. The secondary front yard is the area between the street and the front building line in which an accessory structure is prohibited, except in the case of a detached garage which shall comply with the following requirements:~~

~~1. Shall not exceed 900 square feet of floor area;~~

~~2. Located no more than 35 feet from the principal structure; and~~

~~(3) Architectural standards for a detached garage located in all front yards. The garage shall maintain a residential character. Elevation drawings denoting compliance with the following requirements shall be submitted as part of the building permit application:~~

- ~~a. The design of the garage shall match with the general architectural style inherent in the existing principal structure, including, but not limited to: roof pitch, roof facade, facade, residential windows, and residential doors.~~
- ~~b. The garage shall have at least one opening for vehicular access.~~
- ~~c. A separate electrical meter is not permitted, unless otherwise required per the building permits and inspections department.~~
- ~~d. The garage shall be connected to the principal structure by at least one of the following:~~
 - ~~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.~~

(NOTE: All subsequent sections of the ordinance to be reordered as applicable.)

Sec. 110-125. - A-R, Agricultural-Residential District.

- (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 III of this chapter);
 - (3) Growing of crops and the on-premises sale of produce and agricultural products, provided 50 percent of the produce/products sold shall be grown on-premises;
 - (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; ~~and~~
 - (6) One semi-trailer utilized as a farm outbuilding provided the property is a minimum of five (5) acres and the semi-trailer is only used to store agricultural items.

Sec. 110-169. - Conditional use approval.

- x. Farm outbuildings, including horse stables, auxiliary structures, and greenhouses. Allowed in the A-R zoning district. ~~These aforementioned buildings/structures shall be shall be exempt from Sec. 110-79. - Accessory structures and uses.~~

1. Farm outbuilding. All structures permitted in this category shall be structures related to a bona fide farming operation and shall be utilized as a barn for livestock, storing farm equipment, and any other agricultural purposes. ~~Farm outbuildings shall be exempt from architectural standards (see article III of this chapter)~~
2. Greenhouses. All structures permitted in this category shall be structures related to a bona fide cultivation or production of landscape planting materials. ~~Greenhouses shall be exempt from architectural standards (see article III of this chapter).~~
3. Horse stables. All structures permitted in this category shall be related to the bona fide shelter and/or boarding of horses. Riding lessons and boarding only shall be permitted; however, a site plan shall be required for these uses. ~~Horse stables are exempt from architectural standards (see article III of this chapter).~~
4. Auxiliary structures. All structures permitted in this category shall comply with the following:
 - (i) Auxiliary structures shall be utilized for personal use only by the residents of the principal structure.
 - (ii) Auxiliary structures may be utilized as a noncommercial indoor training facility and/or artist studio.
 - (iii) For those uses that have the potential of generating noise levels audible to the adjacent properties acoustical treatment (soundproofing) shall be required to mitigate the volume of sound.
 - (iv) Commercial/retail activity shall not be permitted.
 - (v) An auxiliary structure shall not be utilized in conjunction with a home occupation.
 - ~~(vi) Auxiliary structures are exempt from architectural standards (see article III of this chapter).~~

SUBDIVISION REGULATIONS

Sec. 104-593. - Definitions.

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

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

Lot, flag, 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 having no frontage on a street.

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 street and the front building line, extending the full width of the lot.

Yard, primary front, means on a corner lot, the area between a property line adjacent to a street and a line running parallel to the front plane of the principal structure, extending the full width of the lot.

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

Yard, secondary front, means on a corner lot, the area between a property line adjacent to a street and the principal structure outside of the primary front yard.

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

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 development patterns of flag lots in the past and their irregular shapes, and that nonconforming land locked lots have no road frontage, a property owner may 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 that would be different than the yards per existing County regulations, and establish the front, side and rear yards on a nonconforming landlocked 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 and/or the orientation of the lot access will be considered in this establishment of front, side and rear yards. The establishment of yards through this procedure will require the revision of a Minor Subdivision Plat or Final Plat, as applicable.

One sign shall be posted on the property 15 calendar days prior to the meeting before the Planning Commission. Said sign shall be a minimum of 18 inches by 18 inches and shall indicate the time, date, and place of the meeting.

ZONING ORDINANCE

ARTICLE III. - GENERAL PROVISIONS

Sec. 110-106. Front, side and rear yards on a flag lot or a nonconforming landlocked lot.

Due to the various development patterns of flag lots in the past and their irregular shapes, and that nonconforming land locked lots have no road frontage, flag lots and nonconforming land locked lots shall not have a designated front, side or rear yard. All setbacks will be the distance of the side setback per the zoning district of the property. Minor Subdivision Plats and Final Plats recorded prior to the effective date of this section shall be required to be revised for this section to apply.

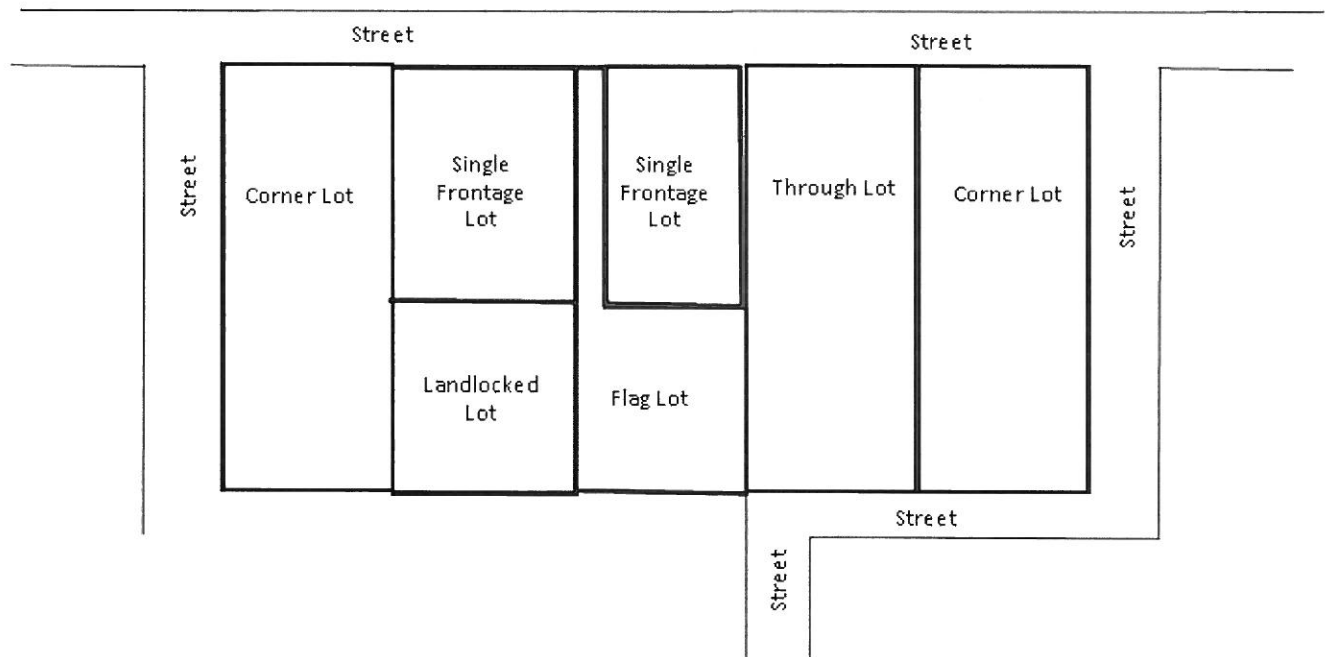


Residential Lot Configuration, Orientation and Setback Illustrations

Fayette County Planning and Zoning Department
140 Stonewall Avenue West
Fayetteville, GA 30214
(770) 305-5421

The purpose of this brochure is to clarify and illustrate the various configurations, orientations and setbacks on residential lots as regulated in the Fayette County Zoning Ordinance and Fayette County Subdivision Regulations. The lot orientation determines the location of a front yard on a lot and front yards have significance in the placement of accessory structures and fences. The five basic lots configurations defined in the Fayette County Zoning Ordinance are as follows:

- *Lot, corner*, means a lot located at the intersection of two or more streets.
- *Lot, flag*, 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 having no frontage on a street.
- *Lot, single frontage*, means a lot which has frontage on only one street.
- *Lot, through*, means a lot, other than a corner lot, having frontage on more than one street.

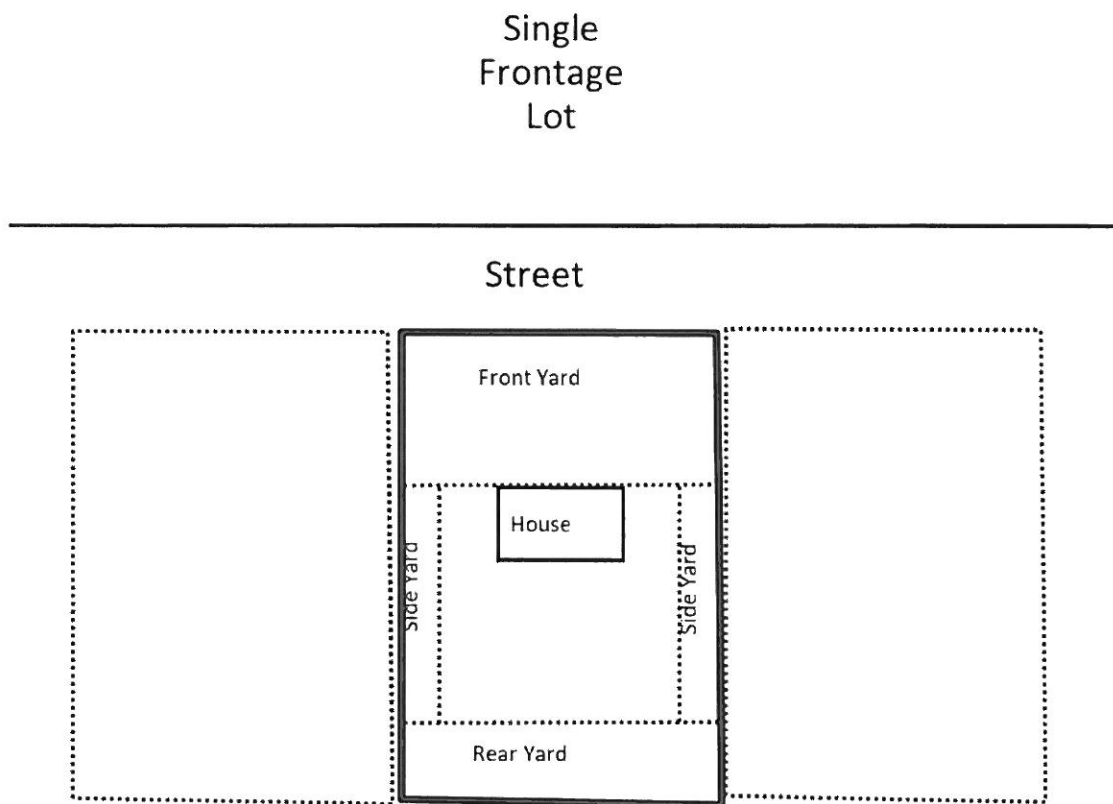


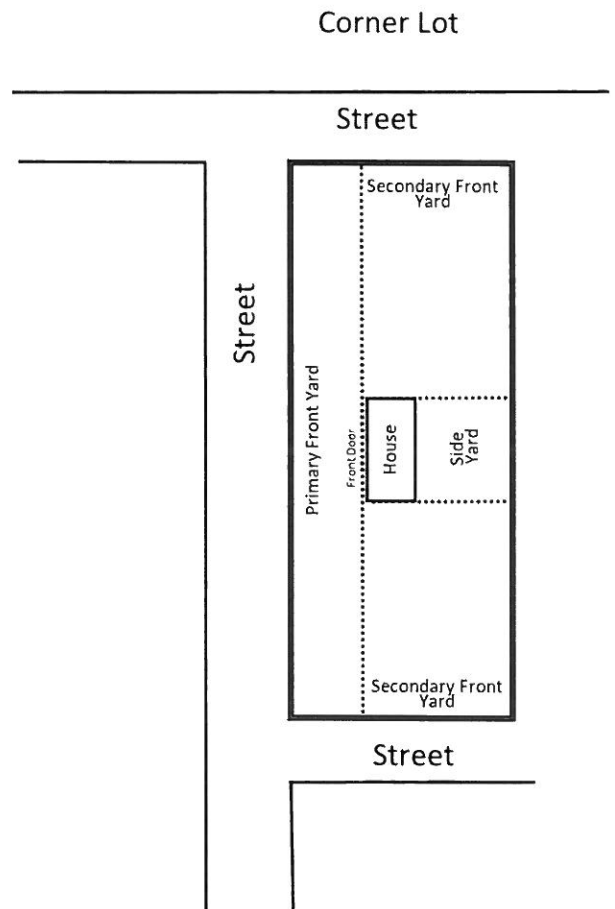
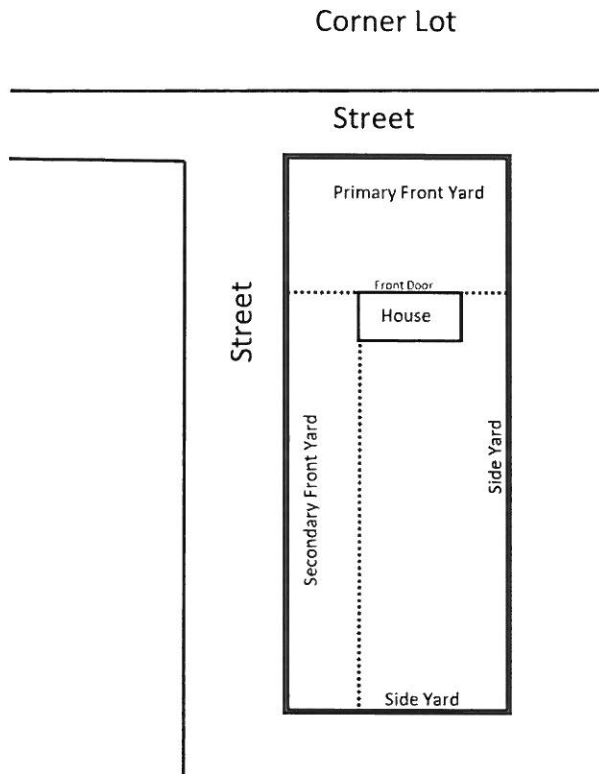
Residential Lot Configuration, Orientation and Setback Illustrations

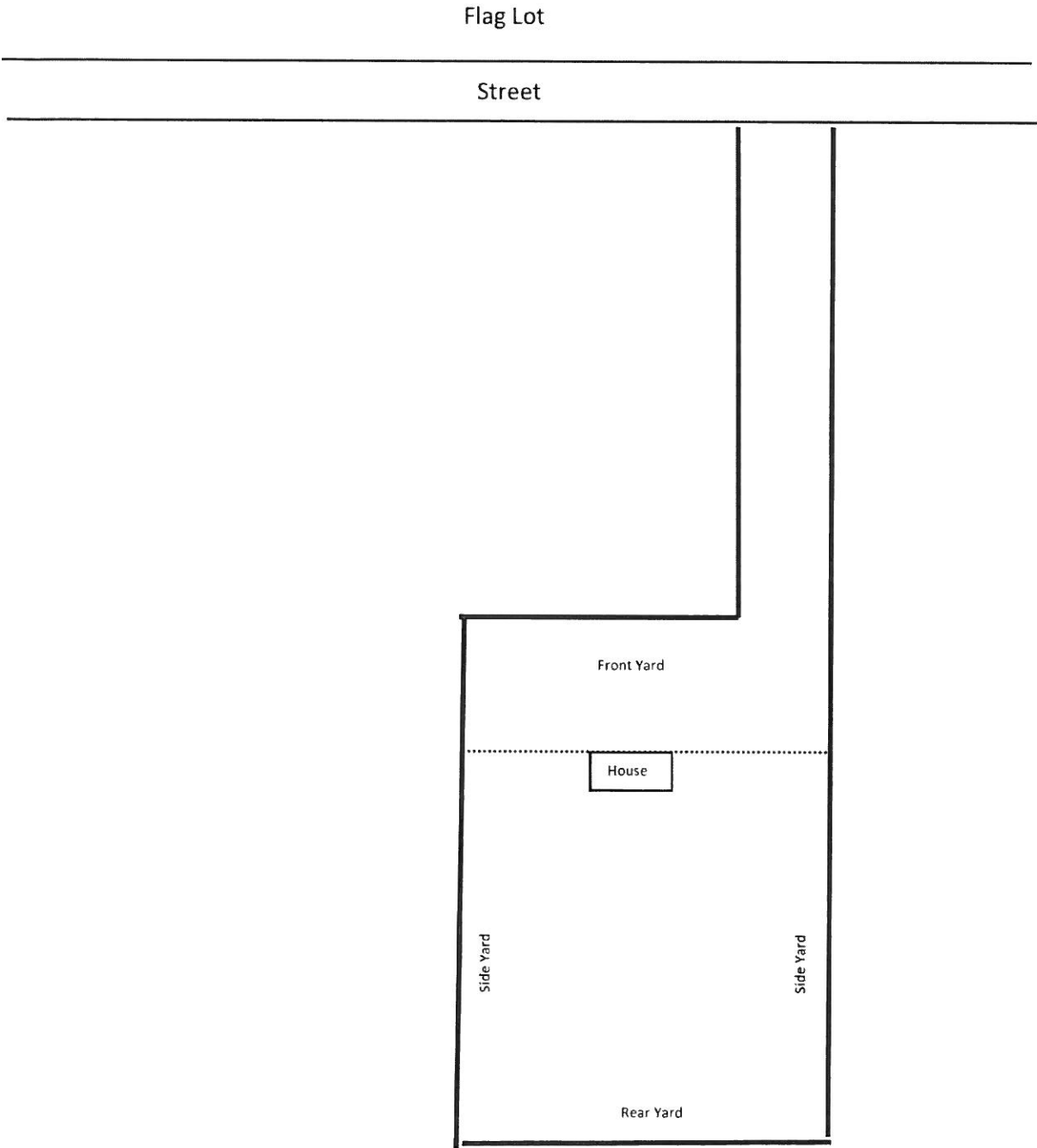
The Fayette County Zoning Ordinance defines “yards” as follows:

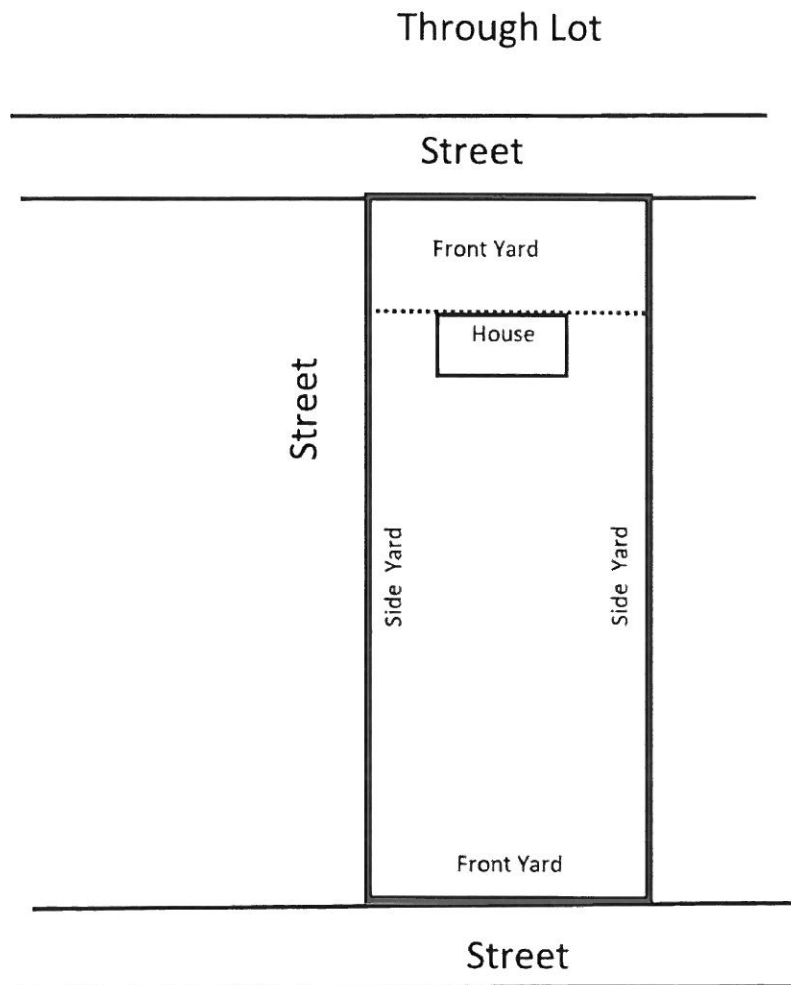
- *Yard, front*, means the area between a property line adjacent to a street and the front building line, extending the full width of the lot.
- *Yard, primary front*, means on a corner lot, the area between a property line adjacent to a street and a line running parallel to the front plane of the principal structure, extending the full width of the lot.
- *Yard, secondary front*, means on a corner lot, the area between a property line adjacent to a street and the principal structure outside of the primary front yard.
- *Yard, side*, means the area between the side property line and the side 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.
- *Yard, rear*, means the area between the rear property line and the rear setback line, extending the full width of the lot.

The following illustrations depict the yards defined above on the various lot configurations defined on page 1:





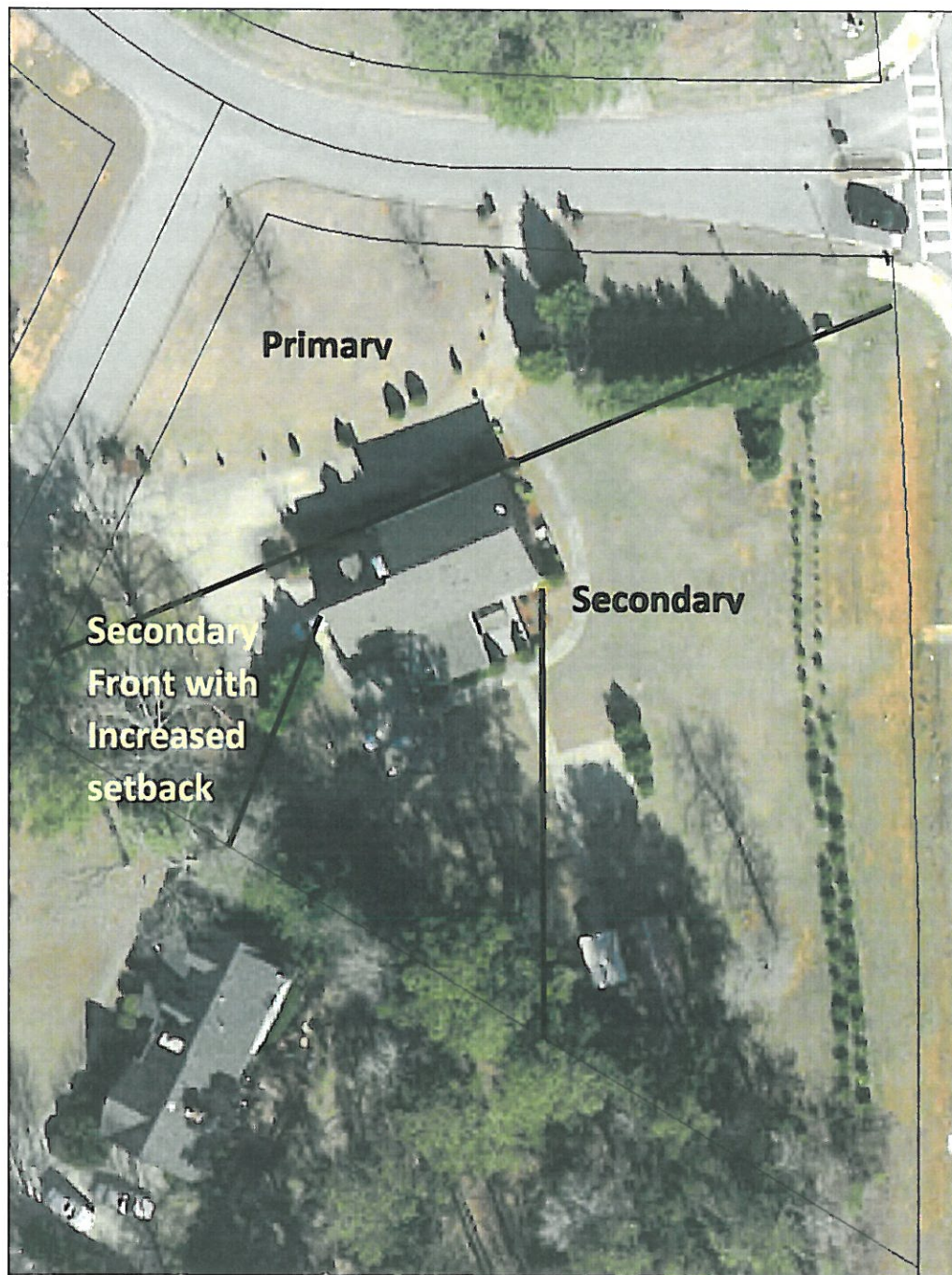




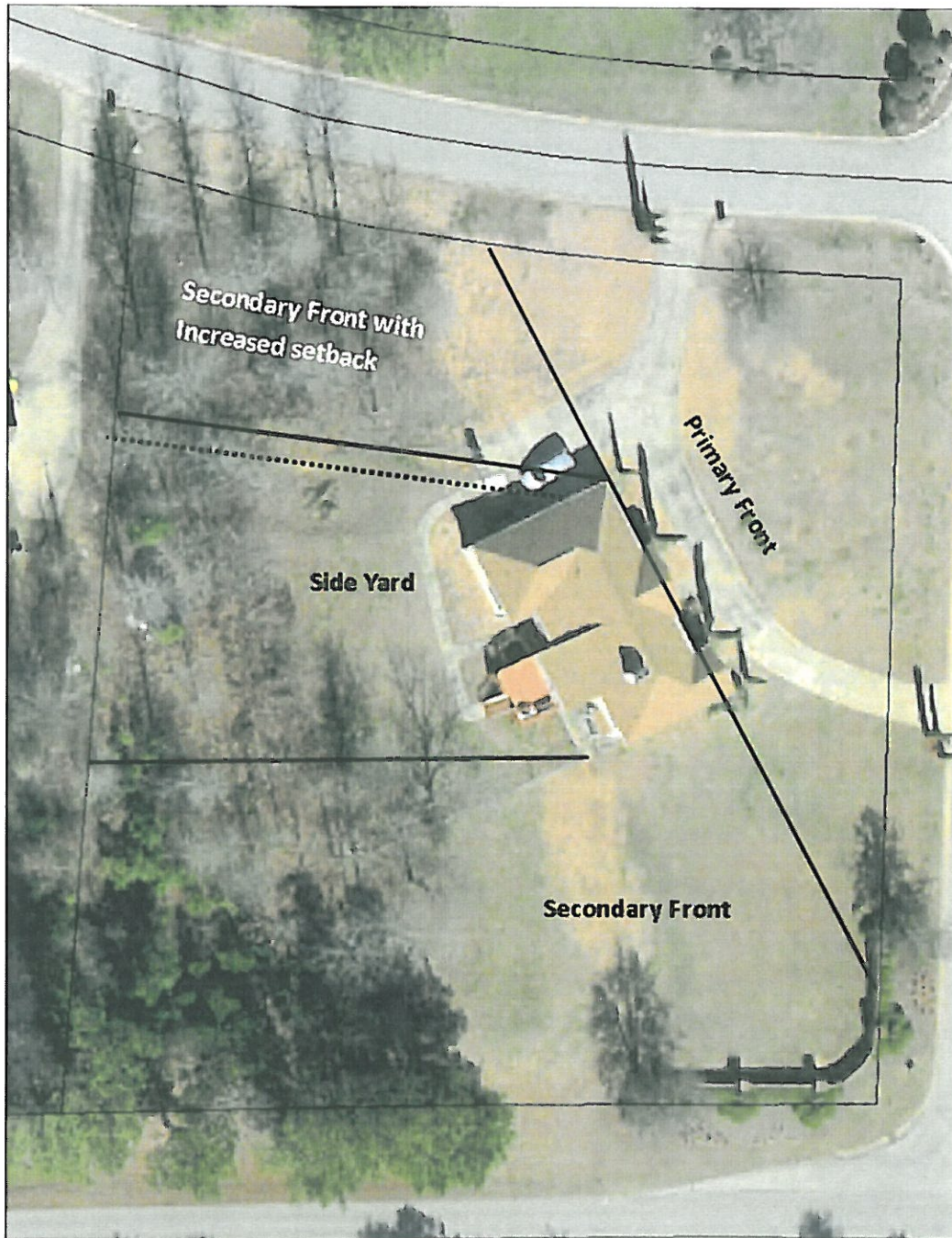
Residential Lot Configuration, Orientation and Setback Illustrations

The following illustrations depict the yards on corner lots:

Corner Lot



Corner Lot



Family means one or more persons occupying a single dwelling unit, provided that all persons are related by blood or marriage, or are lawful wards, and shall also include a group of persons, not exceeding four, living and cooking together as a single, nonprofit housekeeping unit **or a group of persons occupying a permitted tourist accommodation for 30 consecutive days or less**. The members of said groups need not be related by blood or marriage or be lawful wards, where said group is occupying a single dwelling unit.