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AGENDA
FAYETTE COUNTY PLANNING COMMISSION MEETING
140 STONEWALL AVENUE WEST
June 20, 2019
7:00 pm

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

1. Consideration of Minutes of the Planning Commission meeting held on Thursday, June 6, 2019.

NEW BUSINESS

2. Consideration of Petition No. VA-017-19, Mark Jones, Owner, request a variance to the Fayette County Subdivision Regulations, Section 104-597-Minimum standards, (3) Contiguous Areas for Residential Development, as needed to approve a Survey. This property is located in Land Lot 195 of the 4th District, and fronts on Jones Circle.

To: Planning Commission
 From: Planning and Zoning
 Date: June 12, 2019
 Subject: Mark Jones for Jones Circle Subdivision Variance Request (VA 017-19)

Mark Jones requests a Variance from the Fayette County Subdivision Regulations, Contiguous Areas for Residential Development, as needed to approve a Minor Subdivision Plat. Section 104-597. Minimum standards. (3) of the Fayette County Subdivision Regulations states:

Contiguous Areas for Residential Development. Each residential building lot shall have a minimum contiguous area that is free and clear of zoning setbacks, watershed protection buffers and setbacks, jurisdictional wetlands, and easements of any kind. The required minimum contiguous areas, set forth below, are a function of zoning requirements and minimum lot sizes.

Zoning	Free & Clear (ac)	Minimum Contiguous Area District
A-R		2.0
EST		1.3
R-85, R-80		1.5
R-78, R-75, R-72, R-70		0.9
R-55, R-50, R-45, R-40, R-20, DR-15, C-S		0.6
R-55, R-50, R-45, R-40, R-20, DR-15, C-S		0.3

The Planning Commission may grant a Variance from requirements of the Subdivision Regulations. Section 104-602 of the Fayette County Subdivision Regulations states:

Variance or Appeal. In cases of undue hardship under this Ordinance, the property owner may petition the Planning Commission for a Variance or an Appeal from the decision of any of the aforementioned appropriate departments with regard to interpretation, administration, and enforcement. If the Planning Commission does not grant the variance or appeal, the property owner may then appeal to the Board of Commissioners.

Plat

The subject property is zoned A-R which requires a minimum contiguous area of 2.0 acres. Per the applicant's letter, proposed lot 1 does not meet the minimum standards of 2.0 acres for contiguous buildable area. This lot has a minimum contiguous area as follows:

Lot Number	Contiguous Area/Acres
1	1.00

The reduction in contiguous area is a result of Watershed Protection buffers and setbacks.

EMD Comment – The minimum contiguous area for A-R Zoning is 2.0 acres. A reduction in the contiguous area for 214 Jones Circle would be preferable over variances on the watershed setbacks and floodplain since both are mandated requirements of the state.

Public Works – No objections.

APPLICATION OF UNDUE HARDSHIP UNDER
THE FAYETTE COUNTY SUBDIVISION REGULATIONS

Sec. 104-602. Legal status.

- (b) Variance or Appeal. In cases of undue hardship under this Ordinance, the property owner may petition the Planning Commission for a Variance or an Appeal from the decision of any of the aforementioned appropriate departments with regard to interpretation, administration, and enforcement. If the Planning Commission does not grant the variance or appeal, the property owner may then appeal to the Board of Commissioners.

Petition No.: VA-017-19

Name of Petitioner: Mark Jones

Address: 214 Jones Circle

City, State, Zip Code: Fayetteville, GA 30215

Telephone Number: 678-618-1478

Subdivision Name: Proposed Name - Jones Circle Subdivision

Fronts on: Jones Circle

Land Lot(s): 195

District(s): 4th

Zoning District: AR

Date Preliminary Plat Approved by P.C.: N/A

Signature: Mark Jones

Title: Owner

Planning Commission Hearing Date: _____

Request:

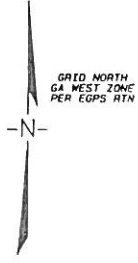
The owner plans to build a new house on the property, and possibly move the existing, historical home so it can be used as an accessory structure.

An effort is being made to modify this lot so that it conforms with the minimum acreage as required in the AR zoning district. By doing so, the property will now be impacted by the watershed buffers and setbacks based off the County determined flood hazard elevation. There is no impact to the flood hazard area as the proposed building site is 20 feet +/- above the County flood hazard elevation. Due to the location of the road, existing boundary lines, and existing homes, 2 contiguous buildable acres cannot be achieved.

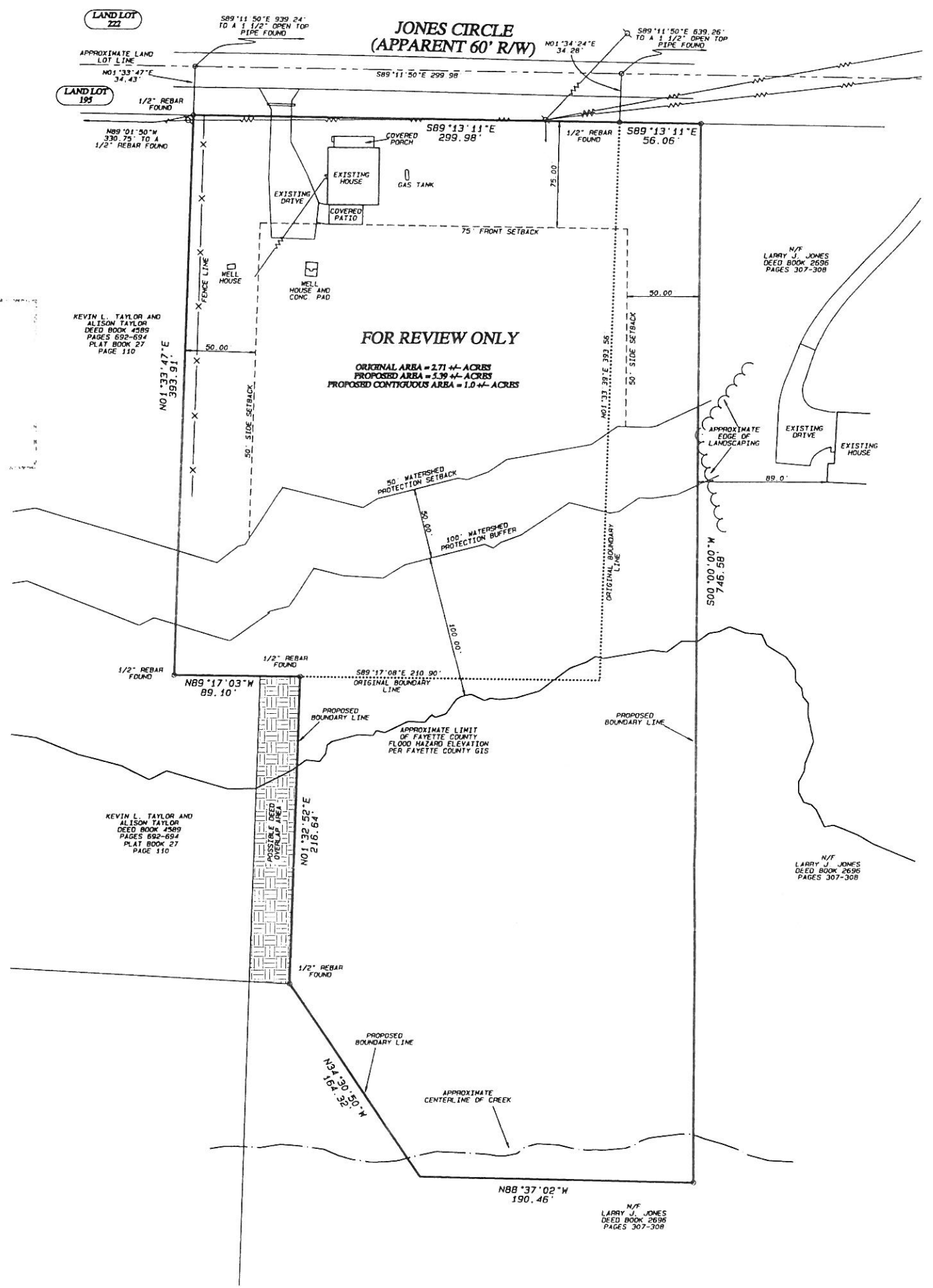
Therefore, it is requested that a variance be granted to reduce the minimum contiguous area from 2 acres to 1 acre.

**CONCEPT PLAN
NOT FOR RECORDING**

THE ONLY PURPOSE OF THIS CONCEPT PLAN IS TO SHOW THE PROPOSED BOUNDARY LINES AND THE PROPOSED CONTIGUOUS AREA FOR REVIEW AND FOR A VARIANCE REQUEST



JUN - 6 2019



FOR REVIEW ONLY
ORIGINAL AREA = 2.71 +- ACRES
PROPOSED AREA = 3.39 +- ACRES
PROPOSED CONTIGUOUS AREA = 1.0 +- ACRES

KEVIN L. TAYLOR AND ALISON TAYLOR DEED BOOK 4589 PAGES 692-694 PLAT BOOK 27 PAGE 110

KEVIN L. TAYLOR AND ALISON TAYLOR DEED BOOK 4589 PAGES 692-694 PLAT BOOK 27 PAGE 110

N/F LARRY J. JONES DEED BOOK 2696 PAGES 307-308

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THIS PLAT WAS PREPARED FOR THE EXCLUSIVE USE OF THE PERSON, PERSONS, OR ENTITY NAMED HEREON. SAID PLAT DOES NOT EXTEND TO ANY UNNAMED PERSON, PERSONS OR ENTITY WITHOUT A RECERTIFICATION BY THE SURVEYOR NAMING SAID PERSON, PERSONS OR ENTITY.

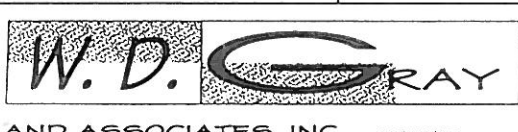
THIS PROPERTY IS SUBJECT TO ALL EASEMENTS, RESTRICTIONS, COVENANTS, ZONING ORDINANCES, ENVIRONMENTAL RESTRICTIONS, AND RIGHTS-OF-WAY SHOWN OR NOT SHOWN, RECORDED OR NOT RECORDED.

W.D. GRAY AND ASSOCIATES, INC. HAS MADE NO INVESTIGATION AS TO THE EXISTENCE OR NON-EXISTENCE OF UNDERGROUND UTILITIES AND/OR STRUCTURES. BEFORE ANY LAND DISTURBANCE ACTIVITY BEGINS, UNDERGROUND UTILITIES SHOULD BE IDENTIFIED AND LOCATED. W.D. GRAY AND ASSOCIATES, INC. ASSUMES NO LIABILITY FOR LOSS OR DAMAGES CAUSED BY THE DISCOVERY OF OR DISTURBANCE OF UNDERGROUND UTILITIES AND/OR STRUCTURES.

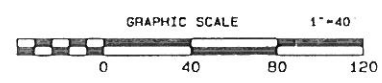
THIS SURVEY WAS DONE WITHOUT THE BENEFIT OF A TITLE REPORT. THEREFORE, THE UNDERSIGNED SURVEYOR AND W.D. GRAY AND ASSOCIATES, INC. MAKE NO GUARANTEES, REPRESENTATIONS, OR WARRANTY REGARDING INFORMATION SHOWN HEREON PERTAINING TO RIGHTS-OF-WAY, EASEMENTS, RESTRICTIONS, RESERVATIONS, AGREEMENTS, SETBACK LINES, BUFFERS, AND OTHER SIMILAR MATTERS. NO LIABILITY IS ASSUMED FOR LOSS RELATING TO ANY MATTER THAT MIGHT BE DISCOVERED BY AN ABSTRACT OR TITLE SEARCH OF THE PROPERTY.

WATERSHED BUFFERS, WATERSHED SETBACKS, AND OTHER RESTRICTIONS BASED OFF THE LIMITS OF WRESTED VEGETATION AND/OR ESTABLISHED ELEVATIONS ARE SUBJECT TO CHANGE DUE TO NATURAL ACCRETION, EROSION AND AVULSION DUE TO THE IRREGULAR NATURE OF CREEK BANKS, SHORELINES, AND FIELD LOCATED ELEVATIONS, AND COMPUTER SOFTWARE USED TO OFFSET THESE LINES. IT IS LIKELY THAT ANY OTHER SURVEYORS LOCATION OF BUFFERS/SETBACKS BASED OFF THESE NATURAL FEATURES WOULD DIFFER SLIGHTLY FROM WHAT IS SHOWN. THESE BUFFERS/SETBACKS SHOULD BE FIELD VERIFIED BEFORE ANY LAND DISTURBANCE ACTIVITY BEGINS.

PREPARED FOR:
MARK JONES
LAND LOT: 195
DISTRICT: 4TH
FAYETTE COUNTY, GA
DATE OF SURVEY: 05/28/2019
DATE OF DRAWING: 06/04/2019
SCALE: 1" = 40'



Land Surveyors - Planners
160 Greencastle Road Suite B Tyrone, 30290
PH. 770-486-7552 Fax 770-486-0496



JOB NO: 0310005