

**BOARD MEMBERS**

John H. Culbreth, Sr., Chairman  
Danny England, Vice-Chairman  
Al Gilbert  
Brian Haren  
Arnold L. Martin, III

**STAFF**

Peter A. Frisina, Director of Community Services  
Chanelle N. Blaine, Zoning Administrator  
Howard Johnson, Planning & Zoning Coordinator

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

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

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1. Consideration of Minutes of the Planning Commission meeting held on October 17, 2019.

**NEW BUSINESS**

2. Consideration of a Final Plat of 905 & 907 Highway 85. The property will consist of 2 lots zoned C-H, is located in Land Lot 70 of the 5<sup>th</sup> District and fronts on Highway 85.

**OLD BUSINESS**

3. Discussion of the Zoning Ordinance.
4. Discussion of the Subdivision Regulations.

To: Fayette County Planning Commission  
From: Chanelle Blaine, Zoning Administrator  
Date: October 31, 2019  
Subject: Final Plat to be considered on November 7, 2019

**FINAL PLAT**  
905 & 907 Highway 85

**OWNER/APPLICANT**   
Thomas B. Chandler

Recommend **APPROVAL** for the Final Plat.

# FINAL PLAT OF 905 & 907 HIGHWAY 85

**CLOSURE STATEMENT**

THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 40,200 FEET AND AN ANGULAR ERROR OF 00° 00' 01" PER ANGLE POINT AND HAS BEEN ADJUSTED USING THE COMPASS RULE METHOD.

THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 100,000+ FEET.

ANGULAR & LINEAR MEASUREMENTS WERE OBTAINED USING A LIECA TS02 TOTAL STATION & GEOMAX CHAMPION PRO GPS ON THE TRIMBLE NETWORK.



**GENERAL NOTES**

1. OWNERS:  
Thomas B. Chandler  
907 Highway 85  
Fayetteville, GA 30214  
770-231-0231
2. SURVEYOR:  
S. A. GASKINS & ASSOCIATES, LLC  
P.O. BOX 321  
BROOKS, GA 30205  
770-460-9342  
sagaskins@bellsouth.net
3. PETITION NO. 746-90 APPROVED 4/12/1960 W/CONDITIONS
  1. THAT ACCESS TO THE SUBJECT PROPERTY SHALL BE LIMITED TO ONE (1) DRIVEWAY CUT FROM STATE ROUTE 85.
  2. THAT ANY SOURCE OF EXTERIOR ILLUMINATION SHALL NOT BE DIRECTLY VISIBLE FROM ANY DEVELOPED PROPERTY ZONED A-R OR RESIDENTIAL.
  3. THAT OFF STREET PARKING SHALL BE PROVIDED SUBJECT PROPERTY DURING ANY CONSTRUCTION PERIOD.
4. TOTAL ACREAGE: 5.0 ACRES  
2 LOTS - ZONED CH  
  
 MINIMUM DIMENSIONAL REQUIREMENTS CH ZONING DISTRICT  
 LOT AREA: (1 ACRE) 43,560 SQUARE FEET  
 LOT WIDTH:  
 MAJOR THOROUGHFARE  
 ARTERIAL: 125 FEET  
 COLLECTOR: 125 FEET  
 FRONT YARD SETBACK:  
 MAJOR THOROUGHFARE  
 ARTERIAL: 75 FEET  
 COLLECTOR: 70 FEET  
 MINOR THOROUGHFARE: 65 FEET  
 REAR YARD SETBACK: 15 FT  
 SIDE YARD SETBACK: 15 FT
5. SEWER PROVIDED BY ON SITE SEPTIC SYSTEM.
6. WATER PROVIDED BY FAYETTE COUNTY WATER AUTHORITY.
7. FAYETTE COUNTY DOES NOT ACCEPT THE OWNERSHIP, MAINTENANCE, OR RESPONSIBILITY FOR ANY DRAINAGE EASEMENT OR OVERALL DRAINAGE PLAN OR THE LACK OF ONE INDICATED ON THIS PLAT
8. THIS SURVEY IS SUBJECT TO ALL EASEMENTS, RIGHTS-OF-WAY, AND RESTRICTION SHOWN OR NOT SHOWN, RECORDED OR NOT RECORDED
9. THERE ARE RECORDED EASEMENTS FOUND ASSOCIATED WITH THE PROPERTY.
10. THERE ARE NO GROUNDWATER RECHARGE AREAS ON SUBJECT PROPERTIES.
11. 1/2" REINFORCING RODS SHALL BE SET AT ALL LOT CORNERS UNLESS NOTED OTHERWISE.
12. BY GRAPHIC PLOTTING ONLY. THESE LOTS ARE LOCATED ON COMMUNITY PANEL NO. 13113C0112E, WHICH BEARS AN EFFECTIVE DATE OF SEPTEMBER 26, 2008 AND NO PORTION OF THEM LIES WITHIN A 100 YEAR FLOOD HAZARD AREA. NO FIELD SURVEYING WAS PERFORMED TO DETERMINE THIS ZONE.
13. THERE IS NO VISIBLE CEMETERY OR BURIAL GROUNDS ON THIS PROPERTY.
14. THERE ARE NO STATE WATERS ON THIS SITE.
15. ALL STRUCTURES SHOWN ARE TO REMAIN.
16. THERE WERE NO WETLANDS SHOWN ON THE FAYETTE COUNTY GIS MAPS.

VICINITY MAP  
NOT TO SCALE

APPROVED BY FAYETTE COUNTY ENVIRONMENTAL HEALTH DEPARTMENT

DATE \_\_\_\_\_ SIGNED \_\_\_\_\_  
ENVIRONMENTAL HEALTH SPECIALIST

APPROVED BY FAYETTE COUNTY STORMWATER MANAGEMENT DEPARTMENT

DATE \_\_\_\_\_ SIGNED \_\_\_\_\_  
ENVIRONMENTAL MANAGEMENT DIRECTOR

APPROVED BY FAYETTE COUNTY ENGINEER

DATE \_\_\_\_\_ SIGNED \_\_\_\_\_  
COUNTY ENGINEER

APPROVED BY THE FAYETTE COUNTY PLANNING COMMISSION

DATE \_\_\_\_\_ SIGNED \_\_\_\_\_  
SECRETARY

APPROVED BY FAYETTE COUNTY ZONING ADMINISTRATOR

DATE \_\_\_\_\_ SIGNED \_\_\_\_\_  
ZONING ADMINISTRATOR

APPROVED BY FAYETTE COUNTY FIRE MARSHAL. ALL FIRE HYDRANTS LOCATED AS SHOWN.

DATE \_\_\_\_\_ SIGNED \_\_\_\_\_  
FIRE MARSHALL

SURVEY IS VALID ONLY IF PRINT HAS ORIGINAL SIGNATURE OF SURVEYOR.

**SURVEYOR'S CERTIFICATE**

I HEREBY CERTIFY THAT THIS PLAT IS TRUE AND CORRECT AND WAS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY BY ME OR UNDER MY SUPERVISION; THAT ALL MONUMENTS AND INFRASTRUCTURE SHOWN HEREON ACTUALLY EXIST OR ARE MARKED AS "FUTURE"; AND THEIR LOCATION, SIZE, TYPE AND MATERIAL ARE CORRECTLY SHOWN.

BY: [Signature] 10-30-2019  
GA RLS SWINSON A. GASKINS, SR. DATE  
NUMBER 1620

**SOIL CLASSIFICATION DELINEATION**

I, LARRY F. MCEVER DO HEREBY CERTIFY THAT THE LEVEL III SOIL SURVEY INFORMATION PROVIDED ON THIS PLAT WAS PERFORMED BY RESOURCE ENGINEERS, INC. IN ACCORDANCE WITH THE PROCEDURES SPECIFIED IN THE GEORGIA DEPARTMENT OF HUMAN RESOURCES' CURRENT MANUAL FOR ON-SITE SEWAGE MANAGEMENT SYSTEMS.

DATE \_\_\_\_\_  
SIGNATURE OF SOIL CLASSIFIER  
PROFESSIONAL ENGINEER  
REGISTRATION NO. PE 012170  
REGISTRATION NUMBERS/LICENSE NUMBERS  
8305 SPENCE ROAD, FAIRBURN, GA 30213  
PHONE: 770 969 8923

**OWNER'S CERTIFICATE**

WE, THE UNDERSIGNED OWNER(S) AND/OR MORTGAGEE(S) OF THE \_\_\_\_\_ SUBDIVISION HEREBY OFFER TO DEDICATE AND/OR RESERVE FOR PUBLIC USE THE RIGHTS-OF-WAY, EASEMENTS AND OTHER GROUND SHOWN ON THIS PLAT

OWNER \_\_\_\_\_ DATE \_\_\_\_\_

Job No. SA19-042A	
Drawn By: j.s.c.	Reviewed By: s.a.g.
Issue Date: 05/22/19	
F.W.P.D.: 04/16/19	
Revisions	Date
PAGE 1 OF 2	



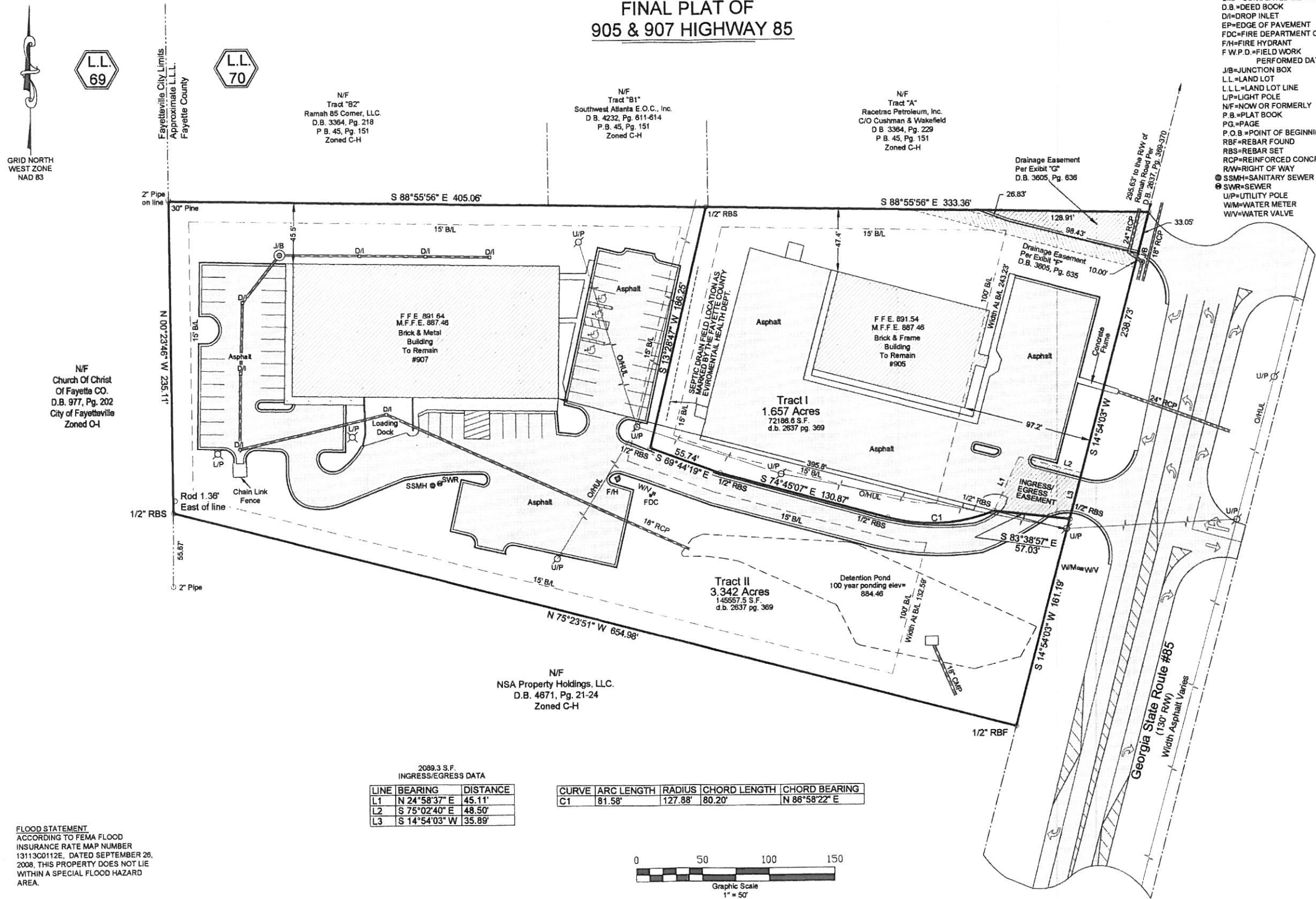
Prepared For:  
  
Thomas B. Chandler

**Property Location**  
Land Lot 70 Of The 5th Land District  
Fayette County, Georgia

**S.A. GASKINS & ASSOCIATES, LLC**  
surveyors planners development consultants  
P.O. BOX 321 BROOKS, GA 30205  
770-460-9342  
sagaskins@bellsouth.net

# FINAL PLAT OF 905 & 907 HIGHWAY 85

- LEGEND**
- BL=BUILDING LINE
  - CMP=COROGATED METAL PIPE
  - D.B.=DEED BOOK
  - DI=DROP INLET
  - EP=EDGE OF PAVEMENT
  - FDC=FIRE DEPARTMENT CONNECTOR
  - FH=FIRE HYDRANT
  - F.W.P.D.=FIELD WORK PERFORMED DATE
  - JB=JUNCTION BOX
  - LL=LAND LOT
  - LL.L.=LAND LOT LINE
  - L.P.=LIGHT POLE
  - N/F=NOW OR FORMERLY
  - P.B.=PLAT BOOK
  - P.G.=PAGE
  - P.O.B.=POINT OF BEGINNING
  - RBF=REBAR FOUND
  - RBS=REBAR SET
  - RCP=REINFORCED CONCRETE PIPE
  - R/W=RIGHT OF WAY
  - SSMH=SANITARY SEWER MAN HOLE
  - SWR=SEWER
  - U/P=UTILITY POLE
  - WM=WATER METER
  - WV=WATER VALVE



GRID NORTH  
WEST ZONE  
NAD 83

L.L.  
69

L.L.  
70

N/F  
Church Of Christ  
Of Fayette CO.  
D.B. 977, Pg. 202  
City of Fayetteville  
Zoned O-1

N/F  
Tract "B2"  
Ramah 85 Corner, LLC  
D.B. 3364, Pg. 218  
P.B. 45, Pg. 151  
Zoned C-H

N/F  
Tract "B1"  
Southwest Atlanta E.O.C., Inc.  
D.B. 4232, Pg. 611-614  
P.B. 45, Pg. 151  
Zoned C-H

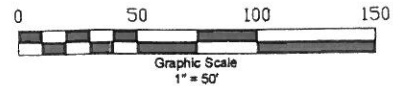
N/F  
Tract "A"  
Racetrac Petroleum, Inc.  
C/O Cushman & Wakefield  
D.B. 3364, Pg. 229  
P.B. 45, Pg. 151  
Zoned C-H

N/F  
NSA Property Holdings, LLC.  
D.B. 4671, Pg. 21-24  
Zoned C-H

2089.3 S.F.  
INGRESS/EGRESS DATA

LINE	BEARING	DISTANCE
L1	N 24°58'37" E	45.11'
L2	S 75°02'40" E	48.50'
L3	S 14°54'03" W	35.89'

CURVE	ARC LENGTH	RADIUS	CHORD LENGTH	CHORD BEARING
C1	81.58'	127.88'	80.20'	N 86°58'22" E



**FLOOD STATEMENT**  
ACCORDING TO FEMA FLOOD INSURANCE RATE MAP NUMBER 1311300112E, DATED SEPTEMBER 26, 2008, THIS PROPERTY DOES NOT LIE WITHIN A SPECIAL FLOOD HAZARD AREA.

**CLOSURE STATEMENT**  
THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 41,023 FEET AND AN ANGULAR ERROR OF 00° 00' 01" PER ANGLE POINT AND HAS BEEN ADJUSTED USING THE COMPASS RULE METHOD.

THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 100,000+ FEET

ANGULAR & LINEAR MEASUREMENTS WERE OBTAINED USING A LIECA TS02 TOTAL STATION & GEOMAX CHAMPION PRO GPS ON THE TRIMBLE NETWORK.

Job No. SA19-042A

Drawn By: J.e.c.	Reviewed By: s.a.g.
Issue Date: 05/22/19	
F.W.P.D.: 04/16/19	
Revisions	Date

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Prepared For:

Thomas B. Chandler

**Property Location**

Land Lot 254 Of The 5th Land District  
Fayette County, Georgia

**S.A. GASKINS & ASSOCIATES, LLC**  
surveyors planners development consultants  
P.O. BOX 321 BROOKS, GA 30205  
770-460-9342  
sagaskins@bellsouth.net

Sec. 110-169. - Conditional use approval.

w. Farm outbuildings, including horse stables, auxiliary structures, and greenhouses. Allowed in the A-R zoning district. These aforementioned buildings/structures shall be exempt from [Sec. 110-79](#), pertaining to "Residential accessory structures and their 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.
2. Greenhouses. All structures permitted in this category shall be structures related to a bona fide cultivation or production of landscape planting materials.
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.
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) Commercial/retail activity shall not be permitted.
  - (iv) An auxiliary structure shall not be utilized in conjunction with a home occupation.
5. *Lot size over ten acres, no restriction of size or number of farm outbuildings, horse stables, auxiliary structures, and greenhouses.*
6. *Lot size five to ten acres, one detached farm outbuilding, auxiliary structure, greenhouse, or horse stable consisting of a maximum of 3,600 square feet in size.*
7. *Lot size three to five acres, one detached farm outbuilding, auxiliary structure, greenhouse, or horse stable consisting of a maximum of 2,600 square feet in size.*

OR

*Lot size less than five acres, one detached farm outbuilding, auxiliary structure, greenhouse, or horse stable consisting of a maximum of 1,800 square feet in size.*

8. Farm outbuildings, auxiliary structures, horse stables and greenhouses may have plumbing and electricity, ~~but shall not be used for residential purposes~~. A farm outbuilding, auxiliary structure or horse stable may include up to 700 square feet of heated and finished floor area to be utilized as a guesthouse. Said guesthouse shall meet all applicable building codes. Only one guesthouse is allowed per individual lot (see also Sec. 110-79.). A guesthouse shall not be used as tenant space. Farm outbuildings, horse stables, and/or greenhouses may be constructed prior to the

Total A-R Lots	Less than 1	less than 2	less than 3	less than 4	less than 5	greater than 5
4,216	81	387	313	187	197	3,051
	1.92%	9.18%	7.42%	4.44%	4.67%	72.37%

Sec. 110-128. - R-85, Single-Family Residential District.

- (a) *Description of district.* This district is composed of certain lands and structures, having a low density single-family character and is designed to protect against the depreciating effects of small lot development and those uses incompatible with such a residential environment.
- (b) *Permitted uses.* The following uses shall be permitted in the R-85 zoning district:
  - (1) Single-family dwelling;
  - (2) Residential accessory structures and uses (see article III of this chapter); and
  - (3) Growing crops, gardens.
- (c) *Conditional uses.* The following conditional uses shall be allowed in the R-85 zoning district provided that all conditions specified in article V of this chapter are met:
  - (1) Church and/or other place of worship;
  - (2) Developed residential recreational/amenity areas;
  - (3) Home occupation;
  - (4) Horse quarters; and
  - (5) Private school, including, but not limited to: classrooms, administration, playground, housing, athletic fields, gymnasium, and stadium.
- (d) *Dimensional requirements.* The minimum dimensional requirements in the R-85 zoning district shall be as follows:
  - (1) Lot area per dwelling unit: 130,680 square feet (three acres).
  - (2) Lot width: ~~125~~-175 feet.
  - (3) Floor area: 3,000 square feet.
  - (4) Front yard setback:
    - a. Major thoroughfare:
      - 1. Arterial: 100 feet.
      - 2. Collector: 75 feet.
    - b. Minor thoroughfare: 50 feet.
  - (5) Rear yard setback: 50 feet.
  - (6) Side yard setback: ~~50~~ 30 feet.
  - (7) Height limit: 35 feet.

(Code 1992, § 20-6-4; Ord. No. 2012-09, § 4, 5-24-2012; Ord. No. 2018-03, § 13, 9-22-2018)

Sec. 110-173. - Transportation corridor overlay zone.

For the purposes of this section, a development shall be defined as the land where the construction of improvements to support nonresidential uses is proposed, including: a petition to rezone the land, the subdivision of property through a preliminary, final, and/or minor subdivision plat, and/or the submittal of a site plan.

- (1) *SR 54 West Overlay Zone.* All property and/or development which have road frontage and/or access on SR 54 West with nonresidential use or zoning shall be subject to the following regulations, in addition to the zoning district requirements, and other development regulations which apply. The intent of the overlay is to set standards specifically to Hwy 54 from Fayetteville to Peachtree City.
  - a. The purpose of the SR 54 West Overlay Zone is to achieve the following:
    1. To promote and maintain orderly development and an efficient traffic flow in highway corridors;
    2. To maintain a non-urban separation between Fayetteville and Peachtree City along SR 54 West; and
    3. To protect the aesthetics for existing and future residential areas in this highway corridor.
  - b. Access to each nonresidential property and/or development shall be from SR 54 West or an adjacent street designated as an arterial or collector on the county thoroughfare plan. All access points shall be required to comply with chapter 104.
  - c. Dimensional requirements.
    1. All parking areas shall be located at least 50 feet from any state route right-of-way.
    2. Front yard setbacks on SR 54 West for all structures, including gasoline canopies, shall be 100 feet.
    3. Berms for nonresidential zoning districts: Berms when required as a condition of zoning, shall be a minimum of four feet in height, and shall be placed to the inside of the applicable buffer.
    4. If the side yard abuts a nonresidential zoning district, all impervious surfaces, other than approved access, shall be located a minimum of ten feet from the side property line.
  - d. Architectural standards. Structures shall maintain a residential character. Elevation drawings denoting compliance with the following requirements shall be submitted as part of the site plan:
    1. A pitched peaked (gable or hip) roof with a minimum pitch of 4.5 inches in one foot, including gasoline canopies and accessory structures and shall be of a type and construction complimentary to the facade. A pitched mansard roof facade with a minimum pitch of 4.5 inches in one foot, and a minimum height of eight feet around the entire perimeter of the structure can be used if the structure is two stories or more or the use of a pitched peaked roof would cause the structure to not meet the applicable height limit requirements. The mansard roof facade shall be of a residential character with the appearance of shingles, slate or terra cotta;
    2. Gasoline canopy. Gasoline canopies shall also comply with the following requirements:
      - (i) Gasoline canopies, in conjunction with a convenience store, may reduce the pitch to a minimum of three inches to 12 inches to permit the height of the peak of the roof to be equal to or no more than five feet above the peak of the roof of the convenience store.



- (ii) The vertical clearance under the gasoline canopy shall not exceed a maximum of 18 feet in height.
  - (iii) The support columns for the gasoline canopies shall match the facade of the convenience store.
  - (iv) The gasoline canopy roof shall match the architectural character, materials, and color of the convenience store.
3. All buildings shall be constructed in a residential character of fiber-cement siding (i.e., Hardiplank), wood siding, wood textured vinyl siding, brick/brick veneer, rock, stone, cast-stone, or stucco (including synthetic stucco);
  4. Framed doors and windows of a residential character. To maintain a residential character, large display windows shall give the appearance of smaller individual panes and framing consistent with the standard residential grid pattern for doors and windows. This does not apply to stained glass windows for a church or other place of worship. Large display or storefront windows shall have a minimum two foot high knee wall consisting of fiber-cement siding (i.e., Hardiplank), wood siding, wood textured vinyl siding, brick/brick veneer, rock, stone, cast-stone, or stucco (including synthetic stucco); and
  5. The design of accessory/out lot buildings shall be consistent with and coordinate with the architectural style inherent in the primary structure on the property;
  6. When an existing nonconforming structure is enlarged by 50 percent or less, the enlargement does not have to meet the aforementioned architectural standards, but does have to match the architectural design of the existing nonconforming structure. This exemption shall only apply to the first occurrence of any enlargement after the effective date of January 24, 2008. Only one structure per lot shall be entitled to the exemption. When an existing nonconforming structure is enlarged by more than 50 percent the entire nonconforming structure shall be brought into compliance with the aforementioned.
    - (i) Architectural standards. This exemption shall expire January 24, 2015, seven years from the effective date of January 24, 2008. After the expiration date, the entire nonconforming structure shall be brought into compliance with the aforementioned architectural Standards when any enlargement is made.
    - (ii) ~~Note: These architectural standards shall exclude the areas of the Hospital District which includes that area north of SR 54 West, east of Tyrene Road, and west of Sandy Creek Road.~~
- e. Architectural option. An owner/developer may exercise an architectural option for structures within the overlay zone on lots adjacent to a municipality where a nonresidential architectural character has been established in the area. The purpose of this option is to achieve compatibility with surrounding areas, consistency throughout the development and greater creativity. A photographic architectural character inventory of the buildings within the area shall be submitted. Full color architectural elevation drawings of the proposed nonresidential architectural style for all building facades shall be submitted. Multiple buildings within a development shall have comparable architectural characteristics consisting of similar architectural design and elements, building materials and colors. Elevations shall be reviewed and approved by the board of commissioners and shall follow the procedure established in article IX of this chapter. Any change to the approved architectural elevation drawings shall follow the aforementioned procedure.
  - f. Landscape requirements. In addition to the standard requirements of the landscape ordinance, the following landscape requirements shall apply to the overlay zone:
    1. *Street frontage.* Landscape area: 50 feet along the right-of-way of SR 54 West. The first 25 feet as measured from the right-of-way is for required landscape planting only.

The remaining 25 feet may be used for septic system placement; underground stormwater detention systems; and the following stormwater management facilities/structures if designed in full accordance with the specifications provided in the most current edition of the Georgia Stormwater Management Manual; vegetated channels, overland flow filtration/groundwater recharge zone, enhanced swales, filter strips, and grass channels. Septic systems and stormwater structures shall be exclusive of each other and the minimum distance of separation between wastewater and stormwater structures shall be established by the environmental health department and the county engineer. Utilities (including underground stormwater piping) and multi-use path connections may be located anywhere within the landscape area.

2. *Side yard landscape area.* Ten feet in depth along side property lines unless adjacent to a residential district where buffer requirements will apply.
  - g. Use of existing structure: When property containing legally conforming structures, under the current zoning, is rezoned to O-I the dimensional requirements shall be reduced to the extent of, but only at the location of, any encroachment by the structures and said structures shall be considered legal nonconforming structures.
  - h. Lighting and shielding standards. Lighting shall be placed in a manner to direct light away from any adjacent roadways or nearby residential areas.
  - i. Special locational and spatial requirements.
    1. No more than 50 percent of the required parking can be located in the front yard along the state route as established by the front building line of any structure located on the site.
    2. No outside storage allowed.
    3. All roof-top heating, ventilation, and air conditioning equipment and satellite/communications equipment shall be visually screened from adjacent roads and property zoned residential or A-R. The screen shall extend to the full height of the objects being screened.
    4. For all new construction, garage doors and bays associated with any use within the district shall be located on the side or rear of the principal building, and not facing SR 54.
- (2) *SR 85 North Overlay Zone.* All undeveloped property and property being totally redeveloped which has road frontage on SR 85 North and/or development within 1,000 feet of the right-of-way of SR 85 North where nonresidential development commenced after the effective date of the SR 85 North Overlay Zone (03/22/07) with nonresidential use or zoning shall be subject to the requirements of the SR 85 North Overlay Zone. The intent of the overlay is to set standards specific to SR 85 North from the city limits of the City of Fayetteville north to the Fayette-Clayton county line.
- a. *Purpose.* The purpose of the SR 85 North Overlay Zone is to achieve the following:
    1. To establish and maintain a scenic gateway into the county, which projects an image of our quality lifestyle.
    2. To promote and maintain orderly development and the efficient movement of traffic on SR 85 North.
    3. To protect the aesthetics for existing and future development in this highway corridor.
  - b. *Access.* Access to each nonresidential property and/or development shall be from SR 85 North or an adjacent street designated as an arterial or collector on the county thoroughfare plan. All access points shall be required to comply with chapter 104.
  - c. *Dimensional requirements.*

1. All parking areas shall be located at least 50 feet from any state route right-of-way.
  2. Setbacks will be as follows:
    - (i) Front yard setback on State Route 85 North: 100 feet.
    - (ii) Gasoline canopy: Front yard setback on State Route 85 North: 85 feet.
  3. Berms for nonresidential zoning districts: Berms when required as a condition of zoning shall be a minimum of four feet in height and shall be placed to the inside of the applicable buffer.
- d. *Architectural standards.*
1. All buildings ~~of which any portion of said building is constructed within 1,000 feet of the right-of-way of SR 85 North~~ shall be constructed of brick/brick veneer, fiber-cement siding (i.e., Hardiplank), rock, stone, cast-stone, split-face concrete masonry unit (rough textured face concrete block), stucco (including synthetic stucco), ~~and/or wood siding and/or finished/baked enamel aluminum/metal siding which establishes a horizontal pattern.~~
  2. The design of accessory/out lot buildings shall be consistent with and coordinate with the architectural style inherent in the primary structure on the property.
  3. When an existing nonconforming structure is enlarged by 50 percent or less, the enlargement does not have to meet the aforementioned architectural standards, but does have to match the architectural design of the existing nonconforming structure. This exemption shall only apply to the first occurrence of any enlargement after the effective date of January 24, 2008. Only one structure per lot shall be entitled to the exemption. When an existing nonconforming structure is enlarged by more than 50 percent, the entire nonconforming structure shall be brought into compliance with the aforementioned architectural Standards. This exemption shall expire on January 24, 2015, seven years from the effective date of January 24, 2008. After the expiration date, the entire nonconforming structure shall be brought into compliance with the aforementioned architectural standards when any enlargement is made.
- e. *Landscape requirements.* In addition to the standard requirements of the landscape ordinance, the following landscape requirements shall apply to the overlay zone:
1. *Street frontage landscape area.* Fifty feet along the right-of-way of SR 85 North. The first 25 feet as measured from the right-of-way is for required landscape planting only. The remaining 25 feet may be used for septic system placement; underground stormwater detention systems; and the following stormwater management facilities/structures, if designed in full accordance with the specifications provided in the most current edition of the Georgia Stormwater Management Manual; vegetated channels, overland flow filtration/groundwater recharge zone, enhanced swales, filter strips, and grass channels. Septic systems and stormwater structures shall be exclusive of each other and the minimum distance of separation between wastewater and stormwater structures shall be established by the environmental health department and the county engineer. Utilities (including underground stormwater piping) and multiuse path connections may be located anywhere within the landscape area.
  2. *Side yard landscape area.* Ten feet in depth along side property lines unless adjacent to a residential district where buffer requirements will apply.
- f. *Use of existing structure.* When property containing legally conforming structures, under the current zoning, is rezoned to O-I the dimensional requirements shall be reduced to the extent of, but only at the location of, any encroachment by the structures and said structures shall be considered legal nonconforming structures.

- g. *Lighting and shielding standards.* Light shall be placed in a manner to direct light away from any adjacent roadways or nearby residential areas.
  - h. *Special locational and spatial requirements.*
    - 1. Outside storage of merchandise or equipment and parts shall be allowed in the rear yards only, subject to minimum screening, setback and buffer requirements. Outside storage shall not exceed 25 percent of the gross floor area of all structures per lot.
    - 2. All roof-top heating, ventilation, and air conditioning equipment and satellite/communications equipment shall be visually screened from adjacent roads and property zoned residential or A-R. The screen shall extend to the full height of the objects being screened.
    - 3. For all new construction, garage doors and bays associated with any use within the district shall be located on the side or rear of the principal building, and not facing SR 85.
- (3) *General state route overlay zone.* All property and/or development which have road frontage and/or access on State routes with nonresidential use or zoning shall be subject to the following regulations, in addition to the zoning district requirements and other development regulations which apply. This overlay zone specifically excludes the SR 54 West *Overlay Zone*, SR 85 North *Overlay Zone*, ~~and SR 74 North *Overlay Zone*, SR 138 and North SR 314 *Overlay Zone* and the Starr's Mill Historic District *Overlay Zone* at the SR 74, SR 85, & Padgett Road Intersection. ~~for which other overlay zones have been established herein.~~ The architectural standards of this overlay zone specifically excludes the L-C zoning district, for which other architectural standards have been established. **(This section to be moved to (1))**~~
- a. *Purpose.* The purpose of the general state route overlay zone is to achieve the following:
    - 1. To promote and maintain orderly development and an efficient traffic flow in highway corridors;
    - 2. To protect existing and future residential areas near highway corridors; and
    - 3. To protect the aesthetics for existing and future residential areas in this highway corridor.
  - b. *Access.* Access to each nonresidential property and/or development shall be from a state route or an adjacent street designated as an arterial or collector on the county thoroughfare plan. All access points shall be required to comply with chapter 104.
  - c. *Dimensional requirements.*
    - 1. All parking areas shall be located at least 50 feet from any state route right-of-way.
    - 2. Front yard setbacks on all other state routes for all structures, including gasoline canopies, shall be 100 feet.
    - 3. Berms for nonresidential zoning districts: Berms when required as a condition of zoning shall be a minimum of four feet in height, and shall be placed to the inside of the applicable buffer.
  - d. *Architectural standards.* Structures shall maintain a residential character. Elevation drawings denoting compliance with the following shall be submitted as part of the site plan.
    - 1. A pitched peaked (gable or hip) roof with a minimum pitch of 4.5 inches in one foot including gasoline canopies and accessory structures and shall be of a type and construction complimentary to the facade. A pitched mansard roof facade with a minimum pitch of 4.5 inches in one foot and a minimum height of eight feet around the entire perimeter of the structure can be used if the structure is two stories or more or the use of a pitched peaked roof would cause the structure to not meet the applicable height limit requirements. The mansard roof facade shall be of a residential character with the appearance of shingles, slate or terra cotta.

2. Gasoline canopy. Gasoline canopies shall also comply with the following requirements:
  - (i) Gasoline canopies, in conjunction with a convenience store, may reduce the pitch to a minimum of three inches to 12 inches to permit the height of the peak of the roof to be equal to or no more than five feet above the peak of the roof of the convenience store.
  - (ii) The vertical clearance under the gasoline canopy shall not exceed a maximum of 18 feet in height.
  - (iii) The support columns for the gasoline canopies shall match the facade of the convenience store.
  - (iv) The gasoline canopy roof shall match the architectural character, materials, and color of the convenience store.
3. All buildings shall be constructed in a residential character of fiber-cement siding (i.e., Hardiplank), wood siding, wood textured vinyl siding, brick/brick veneer, rock, stone, cast-stone, or stucco (including synthetic stucco) on those portions of the building facing front and side yards and/or any property zoned agricultural-residential or residential.
4. Framed doors and windows of a residential character. To maintain a residential character, large display windows shall give the appearance of smaller individual panes and framing consistent with the standard residential grid pattern for doors and windows. This does not apply to stained glass windows for a church or place of worship. Large display or storefront windows shall have a minimum two-foot-high knee wall consisting of fiber-cement siding (i.e., Hardiplank), wood siding, wood textured vinyl siding, brick/brick veneer, rock, stone, cast-stone, or stucco (including synthetic stucco).
5. The design of accessory/out lot buildings shall reflect and coordinate with the general architectural style inherent in the primary structure on the property.
6. When an existing nonconforming structure is enlarged by 50 percent or less, the enlargement does not have to meet the aforementioned architectural standards, but does have to match the architectural design of the existing nonconforming structure. This exemption shall only apply to the first occurrence of any enlargement after the effective date of January 24, 2008. Only one structure per lot shall be entitled to the exemption. When an existing nonconforming structure is enlarged by more than 50 percent, the entire nonconforming structure shall be brought into compliance with the aforementioned architectural standards. This exemption shall expire on January 24, 2015, seven years from the effective date of January 24, 2008. After the expiration date, the entire nonconforming structure shall be brought into compliance with the aforementioned architectural standards when any enlargement is made.
- e. *Architectural option.* An owner/developer may exercise an architectural option for structures within the overlay zone on lots adjacent to a municipality where a nonresidential architectural character has been established in the area. The purpose of this option is to achieve compatibility with surrounding areas, consistency throughout the development and greater creativity. A photographic architectural character inventory of the buildings within the area shall be submitted. Full color architectural elevation drawings of the proposed nonresidential architectural style for all building facades shall be submitted. Multiple buildings within a development shall have comparable architectural characteristics consisting of similar architectural design and elements, building materials and colors. Elevations shall be reviewed and approved by the board of commissioners and shall follow the procedure established in article IX of this chapter. Any change to the approved architectural elevation drawings shall follow the aforementioned procedure.

- f. *Landscape requirements.* In addition to the standard requirements of the landscape ordinance, the following landscape requirements shall apply to the overlay zone:
1. *Street frontage landscape area.* Fifty feet in depth along state route frontage. The first 25 feet as measured from the right-of-way are for required landscape planting only. The remaining 25 feet may be used for septic system placement; underground stormwater detention systems; and the following stormwater management facilities/structures if designed in full accordance with the specifications provided in the most current edition of the Georgia Stormwater Management Manual; vegetated channels, overland flow filtration/groundwater recharge zone, enhanced swales, filter strips, and grass channels. Septic systems and stormwater structures shall be exclusive of each other and the minimum distance of separation between wastewater and stormwater structures shall be established by the environmental health department and the county engineer. Utilities (including underground stormwater piping) and multi-use path connections may be located anywhere within the landscape area.
  2. *Side yard landscape area.* Ten feet in depth along side property lines unless adjacent to a residential district where buffer requirements will apply.
- g. *Use of existing structure.* When property containing legally conforming structures, under the current zoning, is rezoned to O-I the dimensional requirements shall be reduced to the extent of, but only at the location of, any encroachment by the structures and said structures shall be considered legal nonconforming structures.
- h. *Lighting and shielding standards.* Lighting shall be placed in a manner to direct light away from any adjacent roadways or nearby residential areas.
- i. *Special locational and spatial requirements.*
1. No more than 50 percent of the required parking can be located in the front yard along the state route as established by the front building line of any structure located on the site.
  2. Outside storage of merchandise or equipment and parts shall be allowed in the rear yards only, subject to minimum screening, setback and buffer requirements. Outside storage shall not exceed 25 percent of the gross floor area of all structures per lot.
  3. All roof-top heating, ventilation, and air conditioning equipment and satellite/communications equipment shall be visually screened from adjacent roads and property zoned residential or A-R. The screen shall extend to the full height of the objects being screened.
  4. For all new construction, garage doors and bays associated with any use within the district shall be located on the side or rear of the principal building, and not facing a state route.
- j. *SR 74 South Corridor Sidewalk Requirements.* In order to provide for the connection of the sidewalk system installed by GDOT when SR 74 South was widened from two lanes to four lanes, sidewalks are required as an integral component of nonresidential development in this area as identified in the SR 74 South Overlay District in the Fayette County Comprehensive Plan Land Use Element. Said sidewalks shall connect to the existing sidewalks. In the cases where a required sidewalk is to be located on abutting parcels, an alignment shall be established and the sidewalk shall be developed so as to provide for connection at the property line.
- (4) *SR 74 North Overlay Zone.* All property and/or development which have frontage on and/or access to SR 74 North with nonresidential use or zoning shall be subject to the requirements of the SR 74 North Overlay Zone. The intent of the overlay is to set standards specific to SR 74 North from Sandy Creek Road to the Fulton county line to achieve the goals of the SR 74 North Overlay District contained in the county comprehensive plan.

- a. *Purpose.* The purpose of the SR 74 North Overlay Zone is to achieve the following:
  1. To maintain the efficient traffic flow of SR 74 North as the county's main connection to Interstate 85;
  2. To enhance and maintain the aesthetic qualities of the corridor, as it is the gateway into the county; and
  3. To protect existing and future residential areas in the SR 74 North corridor.
- b. *Access.*
  1. *West Side of SR 74 North access and internal roadways.* An internal collector road connecting all three of the large tracts identified in the county comprehensive plan, in the SR 74 North overlay district properties will be required, from the existing median break at Thompson Road south to Kirkley Road. The remaining large tract in the unincorporated county will be limited to one right in/right out curb cut on SR 74 North for the construction of a street to provide internal access in the tract. Lots created in conjunction with the development of these tracts will not be allowed individual curb cuts on SR 74 North or Kirkley Road. The design of the collector road will require left turn lanes at the intersections of SR 74 North and Kirkley Road as well as all intersections internal to developments. Final design approval of these intersections will be made by the county engineer.
  2. *East Side of SR 74 North access and internal roadways.* To maintain efficient and safe operations on SR 74 North it is required that a parallel service drive be developed approximately 400 feet east of SR 74 North. This service drive shall be constructed when improvements are made to the portion of the property. The service drive will connect to the service drive being developed in Fairburn from Milam Road southwards to the county line. Within the county this service drive will extend from the Fullon county line into the property just north of the golf recreation facility. In addition, all residential properties proposed to be accessed through non-residentially-zoned properties along SR 74 shall be accessed via a public road built to county standards and dedicated to the county. Those affected properties are identified and addressed in the county comprehensive plan.
  3. *West Side of SR 74 North multi-use path system.* In order to provide for alternative modes of transportation (including accommodation of golf cart, bicycle and pedestrian traffic), a multi-use path system is required as an integral component of site development. The multi-use path system will connect all three of the large tracts identified in the county comprehensive plan, in the SR 74 North overlay district, and will be constructed in conjunction with the roads. Said multi-use path system shall connect to any existing or proposed external multi-use paths. In the cases where a planned future multi-use path is to be located on abutting parcels, an alignment shall be established and the internal facilities shall be developed so as to provide for connection at the property line. On roadways with a planned multi-use path system the public right-of-way will be used for location of the path system components. The path will consist of a ten-foot-wide paved surface and stabilized shoulders that extend two feet beyond the paved surface. Path construction will consist of a minimum of four inches of gravel base with two inches of asphalt. Final design approval of the multi-use path design and construction in the right-of-way will be made by the division of public works.
- c. *Dimensional requirements.*
  1. All parking areas shall be located at least 50 feet from any state route right-of-way.
  2. Front yard setback on SR 74 North: 100 feet.
  3. Berms for nonresidential zoning districts: Berms, when required as a condition of zoning, shall be a minimum of four feet in height.

d. *Architectural standards.*

1. *West Side of SR 74 North architectural standards.*

- (i) All buildings shall be constructed of brick/brick veneer, wood, fiber-cement siding (i.e., Hardiplank), rock, stone, cast-stone, split-face concrete masonry unit (rough textured face concrete block), architectural precast concrete wall panels, stucco (including synthetic stucco) or any architecturally engineered facades which simulate these materials.
- (ii) The design of accessory structures shall be consistent with and coordinate with the architectural style inherent in the primary structure on the property.
- (iii) No horizontal length of a roofline shall exceed 50 linear feet without a variation in elevation. Said variation in elevation shall not be less than two feet.
- (iv) No blank or unarticulated horizontal length of a building facade shall exceed 25 linear feet without a variation in architectural elements, including but not limited to, building materials, colors, textures, offsets, or changes in planes.

2. *East Side of SR 74 North architectural standards.*

- (i) A pitched peaked (gable or hip) roof with a minimum pitch of 4.5 inches in one foot. A pitched mansard roof facade with a minimum pitch of 4.5 inches in one foot and a minimum height of eight feet around the entire perimeter of the structure can be used if the structure is two stories or more or the use of a pitched peaked roof would cause the structure to not meet the applicable height limit requirements. The mansard roof facade shall be of a residential character with the appearance of shingles, slate or terra cotta:
- (ii) All buildings shall be constructed in a residential character of fiber-cement siding (i.e., Hardiplank), wood siding, wood textured vinyl siding, brick/brick veneer, rock, stone, cast-stone, or stucco (including synthetic stucco);
- (iii) Framed doors and windows of a residential character. To maintain a residential character, large display windows shall give the appearance of smaller individual panes and framing consistent with the standard residential grid pattern for doors and windows. This does not apply to stained glass windows for a church or place of worship. Large display or storefront windows shall have a minimum two foot high knee wall consisting of fiber-cement siding (i.e., Hardiplank), wood siding, wood textured vinyl siding, brick/brick veneer, rock, stone, cast-stone, or stucco (including synthetic stucco);
- (iv) The design of accessory structures shall reflect and coordinate with the general architectural style inherent in the primary structure on the property including the roof pitch.

e. *Landscape requirements:* In addition to the standard requirements of the landscape ordinance, the following landscape requirements shall apply to the overlay zone:

1. *Street frontage SR 74 (major arterial) landscape area.* Fifty feet along the right-of-way of SR 74 North. The first 25 feet as measured from the right-of-way is for required landscape planting only. The remaining 25 feet may be used for septic system placement; underground stormwater detention systems; and the following stormwater management facilities/structures, if designed in full accordance with the specifications provided in the most current edition of the Georgia Stormwater Management Manual: vegetated channels, overland flow filtration/groundwater recharge zone, enhanced swales, filter strips, and grass channels. Septic systems and stormwater structures shall be exclusive of each other and the minimum distance of separation between wastewater and stormwater structures shall be established by the environmental health department and the county engineer. Utilities (including underground



- stormwater piping) and multi-use path connections may be located anywhere within the landscape area.
2. *Side yard landscape area.* Ten feet in depth along side property lines, unless adjacent to a residential district where buffer requirements will apply.
- f. *Lighting.*
1. *Shielding standards.* Lighting shall be placed in such a fashion as to be directed away from any adjacent roadways for nearby residential areas.
  2. *Fixture height standards.* Lighting fixtures shall be a maximum of 35 feet in height within the parking lot and shall be a maximum of ten feet in height within non-vehicular pedestrian areas.
- g. *Additional requirements.*
1. All refuse areas and equipment shall be allowed in the side or rear yards only and shall be screened.
  2. All roof-top heating, ventilation, and air conditioning equipment and satellite/communications equipment shall be visually screened from adjacent roads and property zoned residential or A-R. The screen shall extend to the full height of the objects being screened.
  3. Bay doors shall not be allowed to directly face SR 74 North.
  4. All utilities shall be underground.
- h. *Use of existing structure.* When property containing legally conforming structures, under the current zoning, is rezoned to O-I, the dimensional requirements shall be reduced to the extent of but only at the location of, any encroachment by the structures and said structures shall be considered legal nonconforming structures.
- (5) *SR 138 and North SR 314 overlay zone.* All property and/or development which have frontage on and/or access to SR 138 and S.R 314 north of Highland Drive with nonresidential use or zoning shall be subject to the requirements of the SR 138 and North SR 314 overlay zone. The intent of the overlay is to set standards specific to SR 138 and North SR 314 as described above.
- a. *Purpose.* The purpose of the SR 138 and North SR 314 overlay zone is to achieve the following:
1. To maintain the efficient traffic flow on these highways as thoroughfares for Fayette and Clayton Counties;
  2. To enhance and maintain the aesthetic qualities of the corridor; and
  3. To protect existing and future residential areas.
- b. *Access standards.* Access to each nonresidential property and/or development shall be from a state route or an adjacent street designated as an arterial or collector on the county thoroughfare plan. All access points and interparcel access shall be required to comply with chapter 104, development regulations. A concept plan, submitted with a rezoning application, and/or a site plan shall illustrate compliance with these requirements.
- c. *Dimensional requirements.*
1. All parking areas shall be located at least 50 feet from any state route right-of-way.
  2. Front yard setback on SR 138: 100 feet.
  3. Berms for nonresidential zoning districts: Berms, when required as a condition of zoning, shall be a minimum of four feet in height.

- d. *Architectural standards.* Structures shall maintain a residential character. Elevation drawings denoting compliance with the following shall be submitted as part of the site plan.
1. A pitched peaked (gable or hip) roof with a minimum pitch of 4.5 inches in one foot including gasoline canopies and accessory structures and shall be of a type and construction complimentary to the facade. A pitched mansard roof facade with a minimum pitch of 4.5 inches in one foot and a minimum height of eight feet around the entire perimeter of the structure can be used if the structure is two stories or more or the use of a pitched peaked roof would cause the structure to not meet the applicable height limit requirements. The mansard roof facade shall be of a residential character with the appearance of shingles, slate or terra cotta.
  2. *Gasoline canopy.* Gasoline canopies shall also comply with the following requirements:
    - (i) Gasoline canopies, in conjunction with a convenience store, may reduce the pitch to a minimum of three inches to 12 inches to permit the height of the peak of the roof to be equal to or no more than five feet above the peak of the roof of the convenience store.
    - (ii) The vertical clearance under the gasoline canopy shall not exceed a maximum of 18 feet in height.
    - (iii) The support columns for the gasoline canopies shall match the facade of the convenience store.
    - (iv) The gasoline canopy roof shall match the architectural character, materials, and color of the convenience store.
  3. All buildings shall be constructed in a residential character of fiber-cement siding (i.e., Hardiplank), wood siding, wood textured vinyl siding, brick/brick veneer, rock, stone, cast-stone, or stucco (including synthetic stucco) on those portions of the building facing front and side yards and/or any property zoned agricultural-residential or residential.
  4. Framed doors and windows of a residential character. To maintain a residential character, large display windows shall give the appearance of smaller individual panes and framing consistent with the standard residential grid pattern for doors and windows. This does not apply to stained glass windows for a church or place of worship. Large display or storefront windows shall have a minimum two foot high knee wall consisting of fiber-cement siding (i.e., Hardiplank), wood siding, wood textured vinyl siding, brick/brick veneer, rock, stone, cast-stone, or stucco (including synthetic stucco).
  5. Structures of 35,000 square feet or greater with a minimum dimension of 150 feet may utilize the following architectural standards, in lieu of subsections (5)d.1, 3 and 4 of this section.
    - (i) At least 50 percent of all exterior wall finishes shall be comprised of at least two of the following facade types: brick/brick veneer, wood, fiber-cement siding (i.e., Hardiplank), rock, stone, cast-stone, split-face concrete masonry unit (rough textured face concrete block), architectural precast concrete wall panels, stucco (including synthetic stucco) or any architecturally engineered facades which simulate these materials. Any metal facades used on the remaining portions of the exterior walls shall establish a horizontal seam pattern.
    - (ii) No horizontal length of a roofline shall exceed 50 linear feet without a variation in elevation. Said variation in elevation shall not be less than two feet.
    - (iii) No blank or unarticulated horizontal length of a building facade shall exceed 25 linear feet without a variation in architectural elements, including but not limited to, building materials, colors, textures, offsets, or changes in planes.

6. The design of accessory/out lot buildings shall reflect and coordinate with the general architectural style inherent in the primary structure on the property.
  7. When an existing nonconforming structure is enlarged by 50 percent or less, the enlargement does not have to meet the aforementioned architectural Standards, but does have to match the architectural design of the existing nonconforming structure. This exemption shall only apply to the first occurrence of any enlargement after the effective date of January 24, 2008. Only one structure per lot shall be entitled to the exemption. When an existing nonconforming structure is enlarged by more than 50 percent, the entire nonconforming structure shall be brought into compliance with the aforementioned architectural Standards. This exemption shall expire on January 24, 2015, seven years from the effective date of January 24, 2008. After the expiration date, the entire nonconforming structure shall be brought into compliance with the aforementioned architectural Standards when any enlargement is made.
- e. *Landscape requirements.* In addition to the standard requirements of the landscape ordinance, the following landscape requirements shall apply to the overlay zone:
1. *Street frontage SR 138 and SR 314 (major arterial) landscape area.* Fifty feet along the right-of-way of SR 138 and SR 314. The first 25 feet as measured from the right-of-way is for required landscape planting only. The remaining 25 feet may be used for septic system placement; underground stormwater detention systems; and the following stormwater management facilities/structures, if designed in full accordance with the specifications provided in the most current edition of the Georgia Stormwater Management Manual: vegetated channels, overland flow filtration/groundwater recharge zone, enhanced swales, filter strips, and grass channels. Septic systems and stormwater structures shall be exclusive of each other and the minimum distance of separation between wastewater and stormwater structures shall be established by the environmental health department and the county engineer. Utilities (including underground stormwater piping) and multi-use path connections may be located anywhere within the landscape area.
  2. *Side yard landscape area.* Ten feet in depth along side property lines, unless adjacent to a residential district where buffer requirements will apply.
- f. *Lighting.*
1. *Shielding standards.* Lighting shall be placed in such a fashion as to be directed away from any adjacent roadways for nearby residential areas.
  2. *Fixture height standards.* Lighting fixtures shall be a maximum of 35 feet in height within the parking lot and shall be a maximum of ten feet in height within non-vehicular pedestrian areas.
- g. *Additional requirements.*
1. All refuse areas and equipment shall be allowed in the side or rear yards only and shall be screened.
  2. All roof-top heating, ventilation, and air conditioning equipment and satellite/communications equipment shall be visually screened from adjacent roads and property zoned residential or A-R. The screen shall extend to the full height of the objects being screened.
  3. Bay doors shall not be allowed to directly face SR 138 or SR 314.
  4. All utilities shall be underground.
- h. *Use of existing structure.* When property containing legally conforming structures, under the current zoning, is rezoned to O-I, the dimensional requirements shall be reduced to the extent of, but only at the location of, any encroachment by the structures and said structures shall be considered legal nonconforming structures.

(Code 1992, § 20-7-5; Ord. No. 2012-09, § 5, 5-24-2012; Ord. No. 2012-14, § 7, 12-13-2012; Ord. No. 2014-10, § 1, 6-26-2014)

Sec. 110-174. - Historic district overlay zone.

*Starr's Mill Historic District Overlay Zone at the SR 74, SR 85, & Padgett Road Intersection.* All property and/or development located at this intersection with nonresidential use or zoning as depicted on the Future Land Use Map shall be subject to the following regulations, in addition to the zoning district requirements, and other development regulations as applicable. The General State Route Overlay Zone shall not apply to this area.

- (1) The purpose of the Starr's Mill Historic Overlay Zone at the SR 74, SR 85, and Padgett Road Intersection is to achieve the following:
  - a. To maintain the historic character of the area;
  - b. To control the intensity and aesthetic quality of development at the intersection as it is the southern gateway into Fayette County;
  - c. To promote and maintain orderly development for an efficient traffic flow in highway corridors; and
  - d. To protect existing and future residential areas outside of the intersection.
- (2) *Access.* Access to each nonresidential property and/or development shall be from SR 74, SR 85, or Padgett Road. All access points shall be required to comply with Georgia Department of Transportation regulations and/or Fayette County Development Regulations, as applicable.
- (3) *Dimensional Requirements.*
  - a. All parking areas shall be located at least 50 feet from SR 74, SR 85, or Padgett Road right-of-way.
  - b. Front yard setbacks on SR 74, SR 85, and Padgett Road for all structures, including gasoline canopies, shall be 100 feet.
  - c. Berms for nonresidential zoning districts: Berms when required as a condition of zoning, shall be a minimum of four (4) feet in height, and shall be placed to the inside of the applicable buffer.
  - d. If the side yard abuts a nonresidential zoning district, all non-structural improvements, other than approved access, shall be located a minimum of 10 feet from the side property line.
- (4) *Architectural Forms and Standards.* All new structures shall maintain the historical and aesthetic character of the area. Starr's Mill was built in the late 1800s and is a significant historic resource in Fayette County. Starr's Mill is indicative of turn of the century architectural character common in rural areas and is a building of influence in this area. Other architectural styles such as One-Part Commercial Block and Two-Part Commercial Block associated with this period are acceptable for this overlay zone. Architectural examples are on file in the Planning and Zoning Department.

*Architectural Review.* An owner/developer may obtain an administrative staff approval for structures by submitting elevation drawings denoting compliance with these architectural forms and standards. Staff review and approval will take place as part of the site plan approval process. An owner/developer may exercise an architectural review option for structures within the overlay zone. The purpose of this option is to allow the owner/developer to present a creative interpretation of the architectural intent of the overlay zone. Elevation drawings, submitted as part of the site plan approval process, shall be reviewed and considered by the Board of Commissioners in a public meeting with a recommendation from the Planning Commission and Staff.

- a. Starr's Mill: Starr's Mill is a two-story structure with a gable roof. The roof is corrugated metal. The façade is wood clapboard siding and runs in a horizontal pattern. The structure sits on a stacked stone foundation and stacked stone pillars. Windows are wood-framed with a grid muntin pattern. Doors are also wood-framed. The structure has a covered porch with stairs and a wood picket rail banister. The building is red, the stairs, porch framing and banisters are white, the stair landings and porch decking are grey and the roof and porch covering is a grey corrugated metal.
1. Roof: Gable roof with a minimum pitch of 4 ½)inches in one foot. Roofing material shall be grey corrugated metal.
  2. Façade Material: Clapboard siding running in a horizontal pattern on all walls. Acceptable sidings include wood and fiber-cement siding (e.g., Hardiplank). The foundation shall have the appearance of stacked stone. Façade colors shall match with the color palette on file in the Planning and Zoning Department.
  3. Doors and Windows: Doors and windows shall have a frame and grid muntin pattern as established by Starr's Mill. Door and window frames shall be white with a minimum width of four inches. Large display windows and glass doors shall give the appearance of grid pattern muntins and framing consistent with Starr's Mill. Grid pattern muntins shall be white. Large display or storefront windows shall have a minimum two-foot high bulkhead consistent with the Façade Materials above.
  4. Covered Entrance: Covered entrances shall be in character with the Starr's Mill porch consisting of a grey corrugated metal matching the roof of the main structure. A white wood picket rail banister with a minimum height of three feet shall extend the full length of the covered entrance with a maximum entrance space of three feet. All support structures shall be white.
- b. One-Part Commercial Block: A popular commercial design from the mid-19th to the early 20th century. The one-part commercial block is a simple, one-story box with a flat or shed roof. Common façade materials consist of brick with decorative block, stone, and concrete accents. The focal point of the front façade is the entrance and windows, consisting of a recessed doorway and display windows with a transom resting on a bulkhead (the lower panels on which the windows rest) framed by pilasters. Architectural features include a cornice, belt course and parapet wall.
1. Façade Material: Brick/brick veneer shall be utilized on all walls as the primary façade material comprising a minimum of 65 percent of the wall, excluding doors, windows and associated framing. The brick color shall match with one of the colors in the brick palette on file in the Planning and Zoning Department. Painted brick shall not be allowed. The remaining 35 percent of the wall may have the appearance of a contrasting brick color, rough face decorative block, stone, and/or concrete accents and the colors shall match with the color palette on file in the Planning and Zoning Department.
  2. Entrance Doors and Windows: The entrance door and window component shall consist of entrance door(s), display windows, door and window transoms, and bulkhead. Door and window frames may be constructed with wood, metal, or vinyl. An anodized silver finish shall not be allowed for door and window frames and all colors shall match with the color palette on file in the Planning and Zoning Department. Transoms shall be a minimum of two feet high and shall be separated from the windows and door by a mullion width of four inches. A minimum two-foot high bulkhead consistent with the Façade Materials above shall be required.
  3. Architectural Features: A cornice is required. The cornice shall be a minimum of one foot in height with a minimum projection of four inches from the main façade. The projection may be gradual. A parapet wall is required along the front and side walls of the structure and shall be a minimum of two feet in height. Colors shall match with the color palette on file in the Planning and Zoning Department.

- c. Two-Part Commercial Block: A popular commercial design from the mid-19th to the early 20th century. These buildings have two primary components — first floor storefronts (similar in design to a One-Part Commercial Block) and upper floors which historically were used for residential or office space. The focal point of the first floor is the entrance and windows, consisting of a recessed doorway and display windows with a transom resting on a bulkhead (the lower panels on which the windows rest) framed by pilasters. Upper floors have one or more floors of smaller symmetrically-positioned windows. Architectural features include a cornice, belt course and parapet wall. Common façade materials consist of brick with decorative block, stone, and concrete accents.
1. Façade Materials: Brick/brick veneer shall be utilized on all walls as the primary façade material comprising a minimum of 65 percent of the wall, excluding doors, windows and associated framing. The brick color shall match with one of the colors in the brick palette on file in the Planning and Zoning Department. Painted brick shall not be allowed. The remaining 35 percent of the wall may have the appearance of a contrasting brick color, rough face decorative block, stone, and/or concrete accents and the colors shall match with the color palette on file in the Planning and Zoning Department.
  2. Entrance Doors and Windows (first floor storefronts): The entrance door and window component shall consist of entrance door(s), display windows, door and window transoms, and bulkhead. Door and window frames may be constructed with wood, metal, or vinyl. An anodized silver finish shall not be allowed for door and window frames and all colors shall match with the color palette on file in the Planning and Zoning Department. Transoms shall be a minimum of two feet high and shall be separated from the windows and door by a mullion with a minimum width of four inches. A minimum two-foot high bulkhead consistent with the Façade Materials above shall be required.
  3. Upper Floor Windows: Upper floor windows shall be symmetrically positioned. All window frames shall match with the color palette on file in the Planning and Zoning Department.
  4. Architectural Features: A cornice is required. The cornice shall be a minimum of one foot in height with a minimum projection of four inches from the main façade. The projection may be gradual. A belt course with a minimum projection of one inch from the main façade shall be required between the first floor and the second floor. A parapet wall is required and shall be a minimum of two feet in height. Colors shall match with the color palette on file in the Planning and Zoning Department.
- d. Lighting:
1. All wall lighting shall consist of period lantern or goose neck pendant lighting. These restrictions shall not apply to wall lighting required by the Fire Marshal.
  2. All pole lighting shall consist of period post top globe, lantern, or pendant luminaries with rapid-ship posts.
- e. Within the 50-foot front landscape area, a wall or fence is required to run along a minimum of forty (40%) percent of the frontage. If a wall, the wall shall be a minimum of three (3) feet in height with the appearance of stacked stone. If a fence, the fence shall be a minimum of four (4) feet in height with the appearance of wrought iron, picket, split rail or horse rail fence. Fence materials are limited to metal, vinyl/plastic, pre-cast concrete and masonry for columns.
- f. Color Palette: Only those colors indicated on the color palette on file in the Planning and Zoning Department shall be allowed for structures. Any changes to the color of structures in this overlay must be submitted to Staff for approval.
- g. The design of ancillary buildings and sign structures shall be consistent with the architectural style and color inherent in the principal structure on the property.

- (5) *Landscape requirements.* In addition to the standard requirements of the landscape ordinance, the following landscape requirements shall apply to the Overlay Zone:
- a. *Street Frontage: Landscape area:* Fifty (50) feet along the right-of-way of SR 74, SR 85, and Padgett Road. The first 25 feet as measured from the right-of-way is for required landscape planting only. The remaining 25 feet may be used for septic system placement; underground stormwater detention systems; and the following stormwater management facilities/structures if designed in full accordance with the specifications provided in the most current edition of the Georgia Stormwater Management Manual; vegetated channels, overland flow filtration/groundwater recharge zone, enhanced swales, filter strips, and grass channels. Septic systems and stormwater structures shall be exclusive of each other and the minimum distance of separation between wastewater and stormwater structures shall be established by the Environmental Health Department and the Environmental Management Department. Utilities (including underground stormwater piping) and multi-use path connections may be located anywhere within the landscape area.
  - b. *Side Yard Landscape Area:* Ten feet in depth along the side property lines unless adjacent to a residential district where buffer requirements will apply.
- (6) *Use of existing structure.* When property containing legal conforming or legal nonconforming structures, under the current zoning, is rezoned to a nonresidential zoning district the dimensional requirements shall be reduced to the extent of, but only at the location of, any encroachment by the structures and said structures shall be considered legal nonconforming structures.
- (7) *Lighting and shielding standards.* Lighting shall be placed in a manner to direct light away from any adjacent roadways or nearby residential areas.
- (8) *Special locational and spatial requirements.*
- a. No more than 50 percent of the required parking can be located in the front yard along a State Route as established by the front building line of any structure located on the site. Sites with existing parking are exempt.
  - b. No outside storage allowed.
  - c. All rooftop heating, ventilation, and air conditioning equipment and satellite/communications equipment shall be visually screened from adjacent roads and property zoned residential or A-R. The screen shall extend to the full height of the objects being screened.

(Code 1992, § 20-7-6; Ord. No. 2012-09, § 5, 5-24-2012; Ord. No. 2016-15, § 5, 7-28-2016)

Secs. 110-175—110-201. - Reserved.

Sec. 110-126. - C-S, Conservation Subdivision District.

- (a) *Purpose.* The intent of this section is to create a residential conservation subdivision procedure. A conservation subdivision is a residential subdivision where lots are reduced in size and clustered to protect the natural attributes of the site and provide open space. This open space will be protected from development in perpetuity and will be utilized to protect water quality, water bodies, wetlands, riparian buffers, woodlands, archaeological resources, historic resources, agricultural areas and scenic areas. This open space will also provide flood protection, a reduction in soil erosion and be utilized for recreation. The aforementioned attributes should be taken into consideration in the design of the subdivision. The first step in designing a conservation subdivision is to locate and delineate the area and natural attributes to be preserved. The residential lots are located outside of this area. In addition, the clustering of lots can result in lower infrastructure costs both for installation and maintenance. The creation of the conservation subdivision (C-S) zoning district is to assist the county in fulfilling the goal of permanently protecting greenspace in the county. The conservation subdivision zoning district is intended for those areas designated Low Density Residential (one unit/one ~~to two~~ acres) and Rural Residential - 2 (one unit/two ~~to three~~ acres) and Rural Residential - 3 (one unit/ three acres) on the county land use plan map.
- (b) *Rezoning requirements.* The following is required for a rezoning petition for the conservation subdivision zoning district in addition to what is normally required for a rezoning petition:
- (1) A petition for the conservation subdivision zoning district will require a yield plan. The number of lots allowed in a conservation subdivision will be determined by a yield plan which is a conventional subdivision design based on the dimensional requirements of the R-70 zoning district in those areas designated Low Density Residential (one unit/one acre) and Rural Residential - 2 (one unit/two acres) on the county land use plan map and the based on the dimensional requirements of the R-80 zoning district in those areas designated Rural Residential - 3 (one unit/three acres) on the county land use plan map. This concept is referred to as neutral density. The yield plan shall contain the check list requirements available in the office of the zoning administrator. The rezoning petition shall not be filed with the planning and zoning department until the yield plan has been approved by the applicable departments.
  - (2) A development plan shall be required for the rezoning petition. The development plan, as approved, shall establish the layout and uses planned for the development. Any change in the approved development plan, which affects the intent and character of the development, the density or land use pattern, the location or dimensions of streets, or similar substantial changes, shall be reviewed and approved by the board of commissioners upon the recommendation of the planning commission. A petition for a revision of the development plan shall be supported by a written statement as to why the revisions are necessary. Each conservation subdivision shall consist of two areas: the residential area and the conservation area. The conservation area will consist of the environmentally sensitive areas including waterways, water bodies, watershed protection areas, floodplains, wetlands, riparian buffers and woodlands, as well as agricultural areas, existing agricultural structures and historical structures. The conservation area will remain in a natural and undisturbed state with minimal improvements. In addition to what is normally required on the development plan, the development plan shall include the following:
    - a. A delineation of the attributes (see subsection (a) of this section) of the site which will be preserved;
    - b. A delineation of the residential area and the conservation area including the acreage within each area;
    - c. Uses and improvements planned for the conservation area with the acreage devoted to each; and
    - d. Indicate and label existing structures to remain.
- (c) *Uses permitted within the residential area of a conservation subdivision.* The following permitted uses shall be allowed in the residential area of the C-S zoning district:



- (1) Single-family dwelling; and
  - (2) Residential accessory structures and uses (see article III of this chapter).
- (d) *Conditional uses permitted within the residential area of a conservation subdivision.* The following conditional uses shall be allowed in the residential area of C-S zoning district provided that all conditions specified in article V of this chapter are met:
- (1) Home occupation;
  - (2) Horse quarters; and
  - (3) Developed residential recreational/amenity areas.
- (e) *Uses permitted within the conservation area of a conservation subdivision.* The following permitted uses and structures shall be allowed in the conservation area of the C-S zoning district:
- (1) Trails and paths (impervious trails and paths are limited to five percent of the conservation area ~~and trails and paths shall comply with the watershed protection ordinance~~);
  - (2) Picnic areas which can include picnic tables, grills, benches, playground equipment (swing sets, slides, etc.). Picnic areas and one covered picnic pavilion are required to be set back 50 feet from any residential property line and are limited to five percent of the conservation area. The covered picnic pavilion shall be limited to a maximum of 900 square feet;
  - (3) Community gardens for the use of the residents of the subdivision only;
  - (4) The maintenance of existing orchards and groves including the harvesting of fruit and nuts;
  - (5) The maintenance of existing pastures including the harvesting of hay; and
  - (6) The maintenance of existing farm fields used for row crops including the harvesting of crops.
  - (7) ~~Stormwater management facilities per chapter 104, article XIV - Post-Development Stormwater Management for New Development and Redevelopment.~~
- ~~Said fields shall be outside of All improvements within the conservation area shall comply with watershed protection areas as described in chapter 104, article VII Watershed Protection. All areas within a watershed protection area can no longer be used for row crops. The area within a watershed protection area could be used in accordance with subsection (e)(5) of this section.~~
- (f) *Dimensional requirements.* The minimum dimensional requirements within the residential area in the C-S zoning district shall be as follows:
- (1) Lot area per dwelling unit:
    - a. Where central sanitary sewage or central water distribution system is provided: 43,560 square feet (one acre).
    - b. Where neither a central sanitary sewage nor a central water distribution system is provided: 65,340 square feet (1½ acres).
  - (2) Lot width per dwelling unit:
    - a. Major thoroughfare:
      1. Arterial: 150 feet.
      2. Collector: 150 feet.
    - b. Minor thoroughfare: 125 feet.
  - (3) Floor area: 2,100 square feet.
  - (4) Front yard setback:
    - a. Major thoroughfare:
      1. Arterial: 100 feet.

2. Collector: 75 feet.
- b. Minor thoroughfare: 50 feet.
- (5) Rear yard setback: 30 feet.
- (6) Side yard setback: 20 feet.
- (7) Height limit: 35 feet.
- (g) *Use of existing structure.* The preservation of existing historic residential structures listed in the architectural survey of the county is encouraged as these structures can be used as residences or community facilities for the subdivision. Existing residential structures used for a community facility shall meet all applicable building and safety codes and will be regulated as a conditional use under developed residential recreational/amenity areas. The preservation of existing agricultural structures is also encouraged as they will assist in maintaining a rural character. The use of these residential and agricultural structures will be subject to the approval of the zoning board of appeals in terms of nonconformance with this zoning district.
- (h) *Conservation area requirements.* The conservation area of the subdivision shall meet the following requirements:
  - (1) *Ownership.* Title to the conservation area shall be conveyed to one of the following entities:
    - a. A homeowners' association that has been established according to the Georgia Property Owners' Association Act (O.C.G.A. § 44-3-220 et seq.); or
    - b. A conservation trust organization approved by the county board of commissioners; or
    - c. The county board of commissioners (for conservation areas with no structures only).
  - (2) *Size.* Each development eligible for treatment as a conservation subdivision shall place at least 40 percent of the total subject property into the conservation area notwithstanding the yield plan. This area shall be described by metes and bounds.
  - (3) *Permanent protection.* Each conservation area regardless of ownership shall have a conservation easement as approved by the county attorney filed in the records of the county clerk of superior court. The easement shall reserve the conservation area to conservation uses as defined herein in perpetuity.

(Code 1992, § 20-6-2; Ord. No. 2012-09, § 4, 5-24-2012)

Sec. 110-127. - EST, Estate Residential District.

- (a) *Purpose.* An estate residential subdivision is a residential subdivision where lots are reduced in size and clustered to provide conservation area. Each estate residential subdivision will consist of two areas, a residential area and a conservation area. The conservation area will be protected from development in perpetuity by an easement or deed restriction. The conservation area will be utilized for approved recreation for the residents of the subdivision. The clustering of lots can result in lower infrastructure costs both for installation and maintenance. The estate residential zoning district is intended for those areas designated agricultural-residential (one unit/five acres) on the county land use plan map. The creation of the EST Estate Residential District is to assist the county in permanently protecting greenspace in the county.
- (b) *Rezoning requirements.* The following is required for a rezoning petition for the estate residential zoning district in addition to what is normally required for a rezoning petition:
- (1) A petition for the estate residential zoning district will require a yield plan. The number of lots allowed in an estate residential zoning district will be determined by a yield plan which is a conventional subdivision design based on the dimensional requirements of the A-R zoning district. This concept is referred to as neutral density. The yield plan shall contain the checklist requirements available in the office of the zoning administrator. The rezoning petition shall not be filed with the planning and zoning department until the yield plan has been approved by the applicable departments.
  - (2) A development plan shall be required for the rezoning petition. The development plan, as approved, shall establish the layout and uses planned for the development. Any change in the approved development plan, which affects the intent and character of the development, the density or land use pattern, the location or dimensions of streets, or similar substantial changes, shall be reviewed and approved by the board of commissioners upon the recommendation of the planning commission. A petition for a revision of the development plan shall be supported by a written statement as to why the revisions are necessary. Each EST subdivision shall consist of two areas: the residential area and the conservation area. The conservation area will consist of the environmentally sensitive areas, including waterways, water bodies, watershed protection areas, floodplains, wetlands, riparian buffers and woodlands, as well as, agricultural areas existing agricultural structures and historical structures. The conservation area will remain in a natural and undisturbed state with minimal improvements. In addition to what is normally required on the development plan, the development plan shall include the following:
    - a. A delineation of the attributes (see subsection (a) of this section) of the site which will be preserved;
    - b. A delineation of the residential area and the conservation area including the approximate acreage within each area;
    - c. Uses and improvements planned for the conservation area with the acreage devoted to each; and
    - d. Indicate and label existing structures to remain.
- (c) *Rezoning requirements.* The following is required for a rezoning petition for the conservation subdivision zoning district in addition to what is normally required for a rezoning petition:
- (1) A petition for the conservation subdivision zoning district will require a yield plan. The number of lots allowed in a conservation subdivision will be determined by a yield plan which is a conventional subdivision design based on the dimensional requirements of the R-70 zoning district. This concept is referred to as neutral density. The yield plan shall contain the check list requirements available in the office of the zoning administrator. Staff analysis of the yield plan will add an additional month to the normal rezoning schedule. The rezoning petition shall not be filed with the planning and zoning department until the yield plan has been approved by the applicable departments.

- (2) A development plan shall be required for the rezoning petition. The development plan, as approved, shall establish the layout and uses planned for the development. Any change in the approved development plan, which affects the intent and character of the development, the density or land use pattern, the location or dimensions of streets, or similar substantial changes, shall be reviewed and approved by the board of commissioners upon the recommendation of the planning commission. A petition for a revision of the development plan shall be supported by a written statement as to why the revisions are necessary. Each conservation subdivision shall consist of two areas: the residential area and the conservation area. The conservation area will consist of the environmentally sensitive areas including waterways, water bodies, watershed protection areas, floodplains, wetlands, riparian buffers and woodlands, as well as agricultural areas, existing agricultural structures and historical structures. The conservation area will remain in a natural and undisturbed state with minimal improvements and will be regulated in a manner consistent with the Georgia Greenspace Program requirements to the greatest degree possible. In addition to what is normally required on the development plan, the development plan shall include the following:
- a. A delineation of the attributes (see subsection (a) of this section) of the site which will be preserved;
  - b. A delineation of the residential area and the conservation area, including the acreage within each area;
  - c. Uses and improvements planned for the conservation area with the acreage devoted to each; and
  - d. Indicate and label existing structures to remain.
- (d) *Uses permitted within the residential area of an estate residential subdivision.* The following permitted uses shall be allowed in the residential area of the estate residential zoning district:
- (1) Single-family dwelling; and
  - (2) Residential accessory structures and uses (see article III of this chapter).
- (e) *Conditional uses.* The following conditional uses shall be allowed in the residential area of EST zoning district, provided that all conditions specified in article V of this chapter are met:
- (1) Developed residential recreational/amenity areas;
  - (2) Home occupation; and
  - (3) Horse quarters.
- (f) *Uses permitted within the conservation area of an estate residential subdivision.* The following permitted uses and structures shall be allowed in the conservation area of the estate residential zoning district:
- (1) Trails and paths (impervious trails and paths are limited to five percent of the conservation area ~~and trails and paths shall comply with the watershed protection ordinance~~);
  - (2) Picnic areas which can include picnic tables, grills, benches, playground equipment (swing sets, slides, etc.). Picnic areas and one covered picnic pavilion are required to be set back 50 feet from any residential property line and are limited to five percent of the conservation area. The covered picnic pavilion shall be limited to a maximum of 900 square feet;
  - (3) Community gardens for the use of the residents of the subdivision only;
  - (4) The maintenance of existing orchards and groves including the harvesting of fruit and nuts;
  - (5) The maintenance of existing pastures including the harvesting of hay; and
  - (6) The maintenance of existing farm fields used for row crops including the harvesting of crops.
  - (7) Stormwater management facilities per chapter 104, article XIV. - Post-Development Stormwater Management for New Development and Redevelopment.

~~Said fields shall be outside of All improvements within the conservation area shall comply with watershed protection areas as described in chapter 104, article VII Watershed Protection. All areas within a watershed protection area can no longer be used for row crops. The area within a watershed protection area could be used in accordance with subsection (e)(5) of this section.~~

- (g) *Dimensional requirements.* The minimum dimensional requirements within the residential area in the estate residential zoning district shall be as follows:
- (1) Lot area per dwelling unit: 108,900 square feet (2.5 acres).
  - (2) Lot width per dwelling unit: 160 feet.
  - (3) Floor area: 2,500 square feet.
  - (4) Front yard setback:
    - a. Major thoroughfare:
      1. Arterial: 100 feet.
      2. Collector: 75 feet.
    - b. Minor thoroughfare: 50 feet.
  - (5) Rear yard setback: 50 feet.
  - (6) Side yard setback: 25 feet.
  - (7) Height limit: 35 feet.
- (h) *Use of existing structure.* The preservation of existing historic residential structures listed in the architectural Survey of the county is encouraged as these structures can be used as residences or community facilities for the subdivision. Existing residential structures used for a community facility shall meet all applicable building and safety codes and will be regulated as a conditional use under developed residential recreational/amenity areas. The preservation of existing agricultural structures is also encouraged as they will assist in maintaining a rural character. The use of these residential and agricultural structures will be subject to the approval of the zoning board of appeals in terms of nonconformance with this zoning district.
- (i) *Conservation area requirements.* The conservation area of the subdivision shall meet the following requirements:
- (1) *Ownership.* Title to the conservation area shall be conveyed to one of the following entities:
    - a. A homeowners' association that has been established according to the Georgia Property Owners' Association Act (O.C.G.A. § 44-3-220 et seq.);
    - b. A conservation trust organization approved by the county board of commissioners; or
    - c. The county board of commissioners (for conservation areas with no structures only).
  - (2) *Size.* A minimum of 40 percent of the total subject property shall be set aside in conservation area. The conservation area described in its entirety by metes and bounds, total acreage and percentage of total subject property shall be submitted to the county zoning department in the final plat or minor subdivision plat stage prior to final plat or minor subdivision plat approval.
  - (3) *Permanent protection.* Each conservation area regardless of ownership shall have a casement or deed restriction as approved by the county attorney filed in the records of the county clerk of superior court. The easement or deed restriction shall reserve the conservation area to uses as defined herein in perpetuity.

(Code 1992, § 20-6-3; Ord. No. 2012-09, § 4, 5-24-2012)