

THE FAYETTE COUNTY PLANNING COMMISSION held a **Workshop** on September 2, 2004 at 7:27 P.M. in the Fayette County Administrative Complex, 140 Stonewall Avenue West, Board of Commissioners Conference Room, Suite 100, Fayetteville, Georgia.

MEMBERS PRESENT: Jim Graw, Chairman
Douglas Powell, Vice-Chairman
Bob Harbison
Bill Beckwith
Al Gilbert

MEMBERS ABSENT: None

STAFF PRESENT: Aaron Wheeler, Director of Zoning/Zoning Administrator
Chris Venice, Director of Planning/Community Development Division
Director
David Scarbrough, Fire Marshal
Dennis Davenport, Assistant County Attorney
Delores Harrison, Zoning Technician
Robyn S. Wilson, P.C. Secretary/Zoning Coordinator

Welcome and Call to Order:

Chairman Graw called the meeting to order and introduced the Board Members and Staff.

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1. Discussion of proposed amendments to the Fayette County Zoning Ordinance regarding detached carports.

Aaron Wheeler commented that he had noticed the detached metal awning carport/pole barn type structures which sell for \$495 and up. He advised that they were being constructed on property throughout the County without the issuance of a building permit and usually without a permanent foundation. He stated that he wanted to get the P.C.'s input to see if they wanted to permit this type structure and if so, what type restrictions would be needed such as requiring lattice on the sides or if they simply wanted to continue to classify them as an illegal structure.

Al Gilbert commented that this type of structure is probably addressed in restrictive covenants for subdivisions, however it is not going to address other properties throughout the County that are not in subdivisions and restrictive covenants expire twenty (20) years after being recorded.

Chairman Graw asked how other cities handle carports.

Mr. Wheeler replied that he had several definitions for carports from various states. He read the definition from Oklahoma which states: A permanent roofed structure permanently open on at least two (2) sides designed for or occupied by private passenger vehicles. He also read the definition from Iowa which states: Any parking space or spaces having a roof but not enclosed by walls and accessory to a dwelling unit or units. Carports shall not include any parking structures.

Bill Beckwith asked if the ordinances addressed attached or detached carports.

Mr. Gilbert replied that our current ordinance addresses attached carports.

Chairman Graw asked how Fayetteville or Peachtree City addresses this issue.

Mr. Wheeler stated that Peachtree City does not allow this type structure, however he was unsure about Fayetteville and Tyrone.

Doug Powell commented that someone in Kingswood Subdivision had constructed this type structure to store his recreational vehicle and asked if anyone knew the background.

Chris Venice advised that the current ordinance does not allow this type structure so the property owner filed a variance request which was denied and the structure had to be removed. She said that Staff was looking for input from the P.C. to see if they wanted to allow them and if so how do we want to regulate them. She confirmed that this type structure is not currently permitted and any existing detached carports are illegal structures and could not be considered as "grandfathered".

Chairman Graw instructed Staff to research how other jurisdictions address this type structure and present the findings at the October Workshop.

The P.C. concurred.

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2. Discussion of proposed amendments to the Fayette County Zoning Ordinance regarding heated/cooled corridors.

Aaron Wheeler advised that issues have arisen and questions have come up about building basically an accessory structure over 900 square feet but calling it a part of their home by connecting the accessory structure to the house via a heated/cooled hallway/corridor, however the width of the heated/cooled hallway/corridor needs to be addressed.

Al Gilbert stated that if someone wanted to a detached garage over 900 square feet could be attached to the house via a breezeway.

Mr. Wheeler replied that a detached garage over 900 square feet would be required to be connected via a heated/cooled hallway/corridor or via a common wall, not a breezeway.

Bob Harbison stated that a lot of the house plans have the garage as part of the design of the whole complex with just a breezeway between them. He said a square footage limit could be established on what could be attached by a breezeway and anything larger would require a heated/cooled hallway/corridor.

Attorney Dennis Davenport confirmed that if the garage was over 900 square feet it would be required to be attached to the house by a heated/cooled hallway/corridor. He added that a breezeway does not make the accessory structure part of the primary structure.

Mr. Harbison concurred with Attorney Davenport.

Bill Beckwith asked what was the definition of a breezeway.

Mr. Wheeler replied that Section 3-9. of the Zoning Ordinance defines a breezeway as a roofed open sided or screened passageway connecting two (2) structures such as a house and a garage.

Attorney Davenport explained that the ordinance does not specifically state that a heated/cooled hallway/corridor is required to have a structure over 900 square feet be considered a part of the house.

Mr. Gilbert asked why builders were required to attached a two-story detached garage over 1,200 square feet to a house via a breezeway.

Robyn Wilson stated that a heated/cooled hallway/corridor would be required instead of a breezeway. She explained that if a structure is two-story with pull-down stairs that the upstairs space does not count toward the total square footage, however if the upstairs is accessible via permanent stairs the upstairs square footage would count toward the total square footage.

Mr. Gilbert asked when a breezeway would be required.

Mrs. Wilson advised that if a detached garage is located in the front building line of a house within 35 feet of the house that a breezeway would be required otherwise the garage would be required to be located to the side/rear yard of the house, however the garage could not exceed 900 square feet.

Doug Powell requested Staff to provide photographs of structures which meet and which do not meet the criteria.

Chris Venice clarified that as Attorney Davenport pointed out the ordinance does not say that an accessory structure can be as large as you want provided it is connected by a heated/cooled hallway/corridor. She said a definition of heated/cooled hallway/corridor needs to be added in the ordinance for clarification.

The P.C. concurred.

Chairman Graw instructed Staff to present a definition of heated/cooled hallway/corridor at the October Workshop for review.

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3. Discussion of proposed amendments to the Fayette County Zoning Ordinance regarding Section 6-1. A-R Agricultural-Residential District, D. Dimensional Requirements, 7. Height Limit.

Fire Marshal David Scarbrough stated that he thought the issue regarding height limit had been addressed about a year and a half ago, however it has come to our attention that the A-R zoning district allows a height limit beyond 35 feet. He confirmed that how building height is measured was clarified in the ordinance. He said that an architectural firm had contacted him to review the ordinance for a church and the height limit in A-R was discovered. He added that the height limitation in the O-I zoning district also needed to be addressed. He commented that Chief Krakeel and himself wanted to establish the height limit at 35 feet which would in turn also define occupy able space. He pointed out that a basement in the Fire Code/Building Code is not a story so the O-I zoning district would basically allow five (5) levels which is obviously well beyond 35 feet of occupied space depending on the grade elevation. He noted that the height limit in all the zoning districts should be set at 35 feet. He reported that the ground ladders are a maximum of 35 feet which gives about a 28 feet working length. He added that the County does not have a ladder truck and do not see one in the future.

Doug Powell asked if the City of Fayetteville had a ladder truck.

Mr. Scarbrough replied that Fayetteville and Peachtree City had a ladder truck.

Chairman Graw asked how the 35 feet would be measured.

Mr. Scarbrough replied that Section 3-12. of the Zoning Ordinance currently addressed how building height is measured. He read the definition aloud. He added that this definition would not limit the peak or steeple height. He stated that he was comfortable with the building height definition but was requesting that the height limit in A-R and O-I be established at 35 feet.

Chairman Graw instructed Staff to advertise an amendment to the A-R and O-I zoning districts regarding height limit.

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Chairman Graw asked if there was any further business. Hearing none, Bob Harbison made a motion to adjourn the workshop. Al Gilbert seconded the motion. The motion unanimously passed 5-0. The workshop adjourned at 8:23 P.M.

PLANNING COMMISSION
OF
FAYETTE COUNTY

ATTEST:

JIM GRAW
CHAIRMAN

ROBYN S. WILSON
P.C. SECRETARY