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COUNTY DEPARTMENT AGENDA REQUEST

Department/Division: Planning & Zoning/Community Dev.

Department Head: Peter A. Frisina

Presenter, if needed: Dennis Dutton/Peter A. Frisina

Preferred Meeting Date: Thursday, June 26, 2008

Wording for the Agenda:

Consideration of proposed amendments to the Fayette County Zoning Ordinance regarding Article V. General Provisions, Section 5-9. Single family dwelling, B. Porte Cochere and Article III. Definitions, Carport, attached; Carport, detached; and Porte Cochere as presented by the Planning & Zoning Department.

Background/History/Details:

Prior to the requirement of plan review/architectural standards, canopy-type structures (porte cochere) have been constructed as part of/attached to/supported by the single-family dwelling. A porte cochere is utilized as a porch roof projecting over a driveway at the front entrance of a structure for sheltering those getting in and out of vehicles. Currently, there are no provisions/regulations in the Zoning Ordinance for a porte cochere. On January 24, 2008, the B.O.C. amended Section 5-10. Accessory Uses and Structures which prohibits an accessory structure directly in front of a single-family dwelling; however, a porte cochere is commonly constructed at the front entrance of a structure. A porte cochere shall be attached/supported by the single-family dwelling, thereby making the porte cochere part of the single-family dwelling and not an accessory structure. Staff is also proposing amending the definition of a carport to distinguish between attached and detached (housekeeping item). A definition for porte cochere is also required. On 03/05/08, BOC instructed Staff to review the ordinance.

What action are you seeking from the Board of Commissioners?

Final Vote

THE P.C. RECOMMENDED APPROVAL 5-0.

If this item requires funding, please describe:

None

Has this issue come before the Commissioners in the past? Yes

If so, when? Wednesday, May 7, 2008

Do you need audio-visual for the presentation? Yes

Back-up Material Submitted? Yes

STAFF USE ONLY

- (●) Finance Review Complete
- (●) Purchasing Review Complete
- (●) Legal Review Complete
- (●) Administrative Staff Review Complete

Administrator's Approval Yes

Confirmed Meeting Date Thursday, June 26, 2008

- ( ) Recognition/ Presentation
- (●) Public Hearing
- ( ) Old Business
- ( ) New Business
- ( ) Consent
- ( ) Report
- ( ) Other

OLD BUSINESS:

B. Discussion of proposed amendments to the Fayette County Zoning Ordinance regarding Article V. General Provisions, Section 5-9. Single family dwelling, B. Port Cochere and Article III. Definitions, Carports, attached; Carport, detached; and Port Cochere as presented by the Planning and Zoning Department.

Zoning Administrator Dennis Dutton made a presentation to the Commissioners about the proposed amendments to the Fayette County Zoning Ordinance, and answered questions from the Commissioners. The Board's consensus was to give the Planning and Zoning Department permission to forward the proposed amendments for public hearing before the Planning Commission and the Board of Commissioners. A copy of the request, identified as "Attachment 13", follows these minutes and is made an official part hereof.

03/05/08 – Instructed by BOC to review Ordinance
03/20/08 – PC Wkshop
04/17/08 – PC Wkshop
05/07/08 – BOC Wkshop
06/05/08 – PC Public Hearing
06/26/08 – BOC Public Hearing

DRAFT - PROPOSED AMENDMENTS TO THE FAYETTE COUNTY ZONING ORDINANCE

Staff's additions to the current ordinance are indicated in **bold, underline**, and ***italics***. ~~Strikethrough~~ indicates deletion.

ARTICLE III DEFINITIONS

Carport, ***attached.***. A roofed open-sided motor vehicle shelter formed by extension of a roof from ~~the side of~~ a building in a residential zoning district.

Carport, detached. A roofed open-sided motor vehicle shelter in a residential zoning district.

Porte Cochere. An extension of the roof projecting over a driveway at an entrance of a building and sheltering those getting in or out of vehicles. Also called a carriage porch.

ARTICLE V GENERAL PROVISIONS

5-9. Single family dwelling. Single family dwellings are permitted uses in A-R and all residential zoning districts.

B. ***Porte Cochere. A porte cochere shall be attached at an entrance of a single-family dwelling and shall meet the following standards:***

1. ***Shall consist of a singular roof line that is consistent with the single-family dwelling roof design, and supported by posts/columns and shall remain open on the remaining three (3) sides;***

2. ***Shall be consistent with the architectural character/facade of the single-family dwelling; and***

3. ***A porte cochere shall not be utilized as a carport, garage, storage building, open storage, or living area.***

5. **Consideration of proposed amendments to the Fayette County Zoning Ordinance regarding Article III. Definitions, Carport and Porte Cochere and Article V. General Provisions, Section 5-9. Single family dwelling, B. Carport and Porte Cochere as presented by the Planning & Zoning Department.** *Instructed by BOC on 03/05/08 to begin review.*

Pete Frisina reminded the P.C. that the proposed amendments had been discussed at previous Workshops. He commented that the proposed amendments came about when it was discovered that a builder had basically added a carport looking structure attached to a breezeway from the front of a single-family dwelling. He pointed out that a porte cochere would be an extension of the roof over a driveway at an entrance of a building.

Mr. Frisina presented the proposed amendments as follows:

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2. ***Shall be consistent with the architectural character/facade of the single-family dwelling; and***

3. ***A porte cochere shall not be utilized as a carport, garage, storage building, open storage, or living area.***

Chairman Powell asked if there were any public comments.

Eddie Wilkerson stated he had constructed a 12,000 square foot house with a separate garage with a pergola.

Pete Frisina said that the garage would be detached with the connection of a pergola. He added that a pergola and a porte cochere are not the same.

Hearing no further comments, he closed the floor from public comments.

Jim Graw made a motion to approve the proposed amendments as submitted. Bill Beckwith seconded the motion. The motion unanimously passed 5-0.