

**THE FAYETTE COUNTY PLANNING COMMISSION** held a **Public Meeting/Workshop** on August 2, 2007 at 7:00 P.M. in the Fayette County Administrative Complex, 140 Stonewall Avenue West, Public Meeting Room, Fayetteville, Georgia.

**MEMBERS PRESENT:** Douglas Powell, Chairman  
Al Gilbert, Vice-Chairman  
Bill Beckwith  
Jim Graw  
Tim Thoms

**MEMBERS ABSENT:** None

**STAFF PRESENT:** Pete Frisina, Director of Planning & Zoning  
Tom Williams, Assistant Director of Planning & Zoning  
Dennis Dutton, Zoning Administrator  
Delores Harrison, Zoning Technician  
Robyn S. Wilson, P.C. Secretary/Zoning Coordinator

**Welcome and Call to Order:**

Chairman Powell called the Public Meeting/Workshop to order and introduced the Board Members and Staff. He stated a quorum was present; however, he added there was no legal representation.

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**1. Discussion of proposed amendments to the Fayette County Zoning Ordinance regarding Article V. General Provisions, Section 5-10. Accessory uses and structures and Section 5-11. Guest Houses as presented by the Planning & Zoning Department.**

Dennis Dutton advised that there had been some changes since the last Workshop/Public Meeting such as double frontage lots and triple frontage lots. He presented the following proposed amendments:

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

**Article V. General Provisions**

5-10. Accessory uses and structures. Construction of an accessory structure shall only occur concurrently with or after the construction of the principal structure.

A. Structure Limitations. Accessory structures shall not be used as dwelling units or for lodging purposes except as otherwise provided herein.

B. Incidental Uses. The following accessory uses and structures and similar uses which are customarily incidental to a residential use are permitted in A-R and all residential zoning districts except farm outbuildings which shall be permitted in the A-R Zoning District only: (Amended 06/24/04)

1. Energy-saving Devices;
2. Wells;
3. Guest Houses;
4. Pump or Well Houses;
5. Greenhouse, Private;

6. Swimming Pool, Private;
7. Detached Garages;
8. Recreational Court, Private; and
9. Gazebo;

**10. Pool Cabana;**

**11. Storage Building; and**

**12. Detached Carports.**

- C. Location on Lot. Accessory uses and structures shall conform to the dimensional requirements within each zoning district except that no structure shall be located between the front property line and a residential ***principal*** structure except the following ***as otherwise provided herein***: a well, pumphouse or well house less than seventy (70) square feet; a detached garage less than 900 square feet when connected by a breezeway and located within thirty-five (35) feet of the principal dwelling; or farm outbuildings and greenhouses in an A-R Zoning District consisting of at least five (5) acres.

**1. Double Frontage Lots**

On a corner lot, the area between the streets adjoining the side or rear property line and the residential structure shall be treated as a front yard with regard to the location of accessory uses and structures.

On a through lot, the area between the street from which the lot is accessed and the residential structure shall be treated as a front yard with regard to the location of accessory uses and structures.

**2. Triple Frontage Lots**

**Triple Frontage Lots (lots which have frontage on three (3) streets) are not desirable in developments. However, in cases where these lots exist or preliminary and/or final plats have included triple frontage lots, then such lots shall be regulated as follows in regards to the placement of accessory structures**

**a. In the case of two (2) internal and one (1) Arterial, Collector, or a County Local road or street, the following shall apply:**

- (1) **Orientation of the house. The front door of the house shall be defined as the primary front yard, in which the detached accessory is prohibited, except as otherwise provided herein (detached garage); and**
- (2) **Driveway Access. Any road that would allow driveway cut(s) shall be defined as a secondary front yard, in which the detached accessory is prohibited, except as otherwise provided herein (detached garage); and**

(3) Tertiary front yard. The tertiary front yard shall be designated to permit accessory structures.

b. In the case of.....????? (need input)

3. A detached garage, consisting of 900 square feet or less, located no more than thirty-five (35) feet from the principal structure, and not exceeding twenty-three (23) feet in height may be located in the front yard provided all of the following provisions are met:

Architectural Standards. The detached garage shall maintain a residential character. Elevation drawings denoting compliance with the following requirements must be submitted as part of the building permit application:

a. The design of the detached garage shall match with the general architectural style inherent in the existing principal structure, including but not limited to, roofline pitch, roof façade, façade, residential windows, and residential doors.

b. The detached garage shall have at least one (1) opening for vehicular access.

c. A separate electrical meter is prohibited.

d. The detached garage shall be connected to the principal structure by at least one (1) of the following:

(1) An attached or self-supporting breezeway. A self-supporting breezeway shall be constructed within six (6) inches of the principal structure and detached garage which shall be a minimum of six (6) feet in width and a minimum of eight (8) feet in height (interior measurement); or

(2) An attached raised deck shall be a minimum height of fifteen (15) inches and a maximum clearance of three (3) inches from the ground to the joist. The deck shall have a minimum width of six (6) feet. Said deck shall have guard rails measuring a minimum of three (3) feet in height; or

(3) An attached or self-supporting pergola. Said pergola shall consist of parallel colonnades supporting an open roof of beams and crossing rafters shall be a minimum of six (6) feet in width and a minimum of eight (8) feet in height (interior measurement). A self-supporting pergola shall be constructed within six (6) inches of the principal structure and detached garage.

~~D. Number and Size. No more than two (2) accessory uses or structures shall be allowed per principal use. Wells, pumphouses, well houses of less than thirty-five (35) square feet, swimming pools, farm outbuildings, greenhouses, and accessories incidental to commercial and industrial uses shall not be included in determining the number of accessories. (Amended 04/09/98)~~

~~E. Size. No accessory structure, except farm outbuildings and combination guest house/garage or guest house/cabana, shall exceed 900 square feet of floor area. At least fifty (50) percent of the proposed accessory structure shall be enclosed except as otherwise provided herein.~~

The number and size of accessory structures shall conform to the requirements described herein.

1. Accessory structures shall be limited to one (1) of the following options:
  - a. Two (2) accessory structures shall be allowed per principal use and shall not exceed 900 square feet of floor area each; or
  - b. One (1) accessory structure, not to exceed 900 square feet, and one (1) free-standing guest house, not to exceed 700 square feet of heated and finished living space, shall be allowed per principal use. When a guest house is combined with an accessory structure, said total structure shall not exceed 1,200 square feet with a maximum of 700 square feet of heated and finished living space contained in the guest house portion of said structure (See Section 5-11. Guest Houses); or
  - c. One (1) accessory structure, not to exceed 1,800 square feet or the total square footage of the principal structure, whichever is less, shall be allowed per principal use. When a guest house is combined with an accessory structure, said total structure shall not exceed 1,800 square feet with a maximum of 700 square feet of heated and finished living space contained in the guest house portion of said structure (See Section 5-11. Guest Houses).
- ~~2.3.~~ At least fifty (50) percent of the proposed accessory structure shall be enclosed except as otherwise provided herein.
- ~~3.4.~~ Wells, pumphouses, well houses of less than thirty-five (35) square feet, swimming pools, farm outbuildings, greenhouses, and accessories incidental to commercial and industrial uses shall not be included in determining the number of accessories. (Amended 04/09/98)
5. Farm outbuildings and greenhouses must comply with Section 7-1.,B.,17. Farm Outbuildings and Greenhouses.
6. Total Square Footage

When the two (2) following criteria are met, the upper level space shall be included in the total square footage: the upper level space is accessed by permanent stairs and that portion of the upper level space where the ceiling width, measured at seven (7) feet in height, is more than fifty percent (50%) of the ceiling width measured at five (5) feet in height. The main level footprint of the building is also included in the total square footage.

Should the upper level space not meet the minimum ceiling height requirement, the upper level space may be accessed by permanent stairs, or a scuttle hole, or pull-down stairs and will not be included in the total square footage.

Permanent stairs shall comply with all current building codes, including but not limited to: stairway width; headroom; riser height; tread depth; profile of nosing and projection; landings; surface of treads; handrails; hand grip size; illumination; etc.

- ~~F.E.~~ Administration. Accessory structures of 200 square feet or greater shall be placed on a permanent foundation and shall require the issuance of a building permit and subsequent inspection. (Adopted 06/24/04)

**Architectural Standards. A pitched peaked (gable, hip, or gambrel) roof shall be required for accessory structures of 200 square feet or greater. All buildings shall be constructed in a residential character of fiber-cement siding (eg: Hardiplank), wood siding, wood textured vinyl siding, brick/brick veneer, rock, stone, cast-stone, stucco (including synthetic stucco), or finished/baked enamel aluminum siding.**

- ~~G.F.~~ Temporary Accessory Storage. Portable On Demand Storage units, or “PODS” are only allowed on a temporary basis and only in conjunction with an on-going renovation project for the purpose of storage of household items for a period not to exceed one year. PODS are defined as enclosed cargo crates, usually constructed of metal, aluminum, or steel. Only one temporary accessory storage unit is allowed per lot. (Adopted 06/24/04)

- ~~H.G.~~ Carports, Detached - A building permit is required prior to installation. The structure must be placed on a permanent foundation (slab), meet all State wind load requirements which shall include appropriate anchoring and only be used to house motor vehicles and trailers. Structures shall be constructed of the same material or types of material as the principle structure on the property or of metal. (Adopted 02/24/05)

5-11. Guest Houses.

- A. Number. Guest houses are accessory structures which are allowed in the A-R and residential zoning districts. Only one (1) guest house is allowed per parcel or lot. Any living area included in a ~~detached garage or swimming pool cabana~~ **accessory** structure is a guest house.

- B. Size. **The size of guest house must comply to one (1) of the requirements described herein.**

1. A free-standing guest house shall not exceed 700 square feet of heated and finished **living space** floor area. ~~When a guest house is combined with a detached garage or cabana, said total structure shall not exceed 1,200 square feet with a maximum of 700 square feet of heated and finished living space contained in the guest house portion of said structure.~~

2. **In the case where two (2) accessory structures are allowed per Section 5-10.,D.,1.,b., the guest house may be combined with an accessory structure, said total structure shall not exceed 1,200 square feet with a maximum of 700 square feet of heated and finished living space contained in the guest house portion of said structure.**

3. **In the case where one (1) accessory structures is allowed per Section 5-10.,D.,1.,c., the guest house may be combined with an accessory structure, said total structure shall not exceed 1,800 square feet with a maximum of 700 square feet of heated and finished living space contained in the guest house portion of said structure.**

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- C. Use prohibited. A guest house which is inhabited by a person or persons based upon an oral or written lease for value is prohibited. In the event an accessory structure which satisfies the requirements of this section is inhabited by a person or persons based upon an oral or written lease, the accessory structure, for purposes of this Ordinance, shall be construed to be a principal structure. No more than one principal structure shall occupy any residentially zoned lot or parcel.
- D. Architectural Standards. A pitched peaked (gable, hip, or gambrel) roof shall be required. All buildings shall be constructed in a residential character of fiber-cement siding (eg: Hardiplank), wood siding, wood textured vinyl siding, brick/brick veneer, rock, stone, cast-stone, stucco (including synthetic stucco), finished/baked enamel aluminum siding.**

The P.C. held a lengthy discussion and proposed the following changes:

1. Section 5-10.,C.,2. Triple Frontage Lots  
  
Triple Frontage Lots (lots which have frontage on three (3) streets) are problematic in developments.
2. Add the following language to the Development Regulations and Subdivision Regulations:  
  
Triple Frontage Lots (lots which have frontage on three (3) streets) are problematic in developments.
3. Section 5-10.,C.,2. Triple Frontage Lots, a.,(1)  
  
Orientation of the house. The front door of the principal structure shall define the primary front yard in which the detached accessory is prohibited, except as otherwise provided herein (detached garage); and
4. Section 5-10.,C. Location on Lot  
  
The detached garage may not be located between the principal structure and the street.
5. Section 5-10.,D. Number and Size,1.,b. (for clarification only)  
  
Two accessory structures are allowed as follows:
6. Section 5-10., F. Temporary Accessory Storage  
  
Delete "PODS" in first sentence.  
Delete PODS and change to read Portable on Demand Storage in the second sentence.

The P.C. discussed prohibiting the placement of a detached garage in the front yard and also reducing the maximum distance of 35 feet allowed between a principal structure and a detached garage located in the front yard. Staff concurs with continuing the allowance of a detached garage in the front yard as currently permitted in the Zoning Ordinance and also concurs with the P.C. regarding the placement of a detached garage not being permitted directly in front of the principal structure and all of the other proposed amendments made by the P.C.

Pete Frisina advised that Staff would review this item further and present alternative requirements regulating the placement of a detached garage in the front yard, such as an established distance the detached garage may go beyond the front building line of the principal structure, at the next Workshop/Public Meeting.

**P.C. Workshop/Public Meeting**

Robyn Wilson advised that she would discuss the proposed changes to the proposed amendments with the committee prior to the P.C. Workshop/Public Meeting scheduled for August 16, 2007.

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2. **Discussion of proposed amendments to the Fayette County Zoning Ordinance regarding Article III. Definitions, Business vehicle and Article VI. District Use Requirements, Section 6-17. O-I, Office-Institutional District regarding the parking of business vehicles and maintenance or fueling facilities as presented by the Planning & Zoning Department.**

Pete Frisina advised that the proposed amendments were developed after the discussion at the last Workshop/Public Hearing. He presented the proposed amendments as follows:

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

**Article III. Definitions**

**Business vehicle. A car, truck, van, trailer, or any other vehicle owned by a business and which is utilized in the operation of the business.**

**Article VI. District Use Requirements**

**Section 6-17. O-I, Office—Institutional District**

**10. Parking of Business Vehicles:**

- a. **All business vehicles must be parked in a designated parking area which shall be in the side and/or rear yard.**
- b. **No on-site maintenance or fueling facilities are allowed.**

The P.C. concurred that they were ready to proceed to a public hearing.

Mr. Frisina advised the P.C. that he would discuss whether the proposed amendments could be advertised or if they would be required to be discussed at a Workshop before the B.O.C. and then be advertised for the public hearings.

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Chairman Powell asked if there was any further business.

Pete Frisina reminded the P.C. of the Public Meeting/Workshop scheduled for Thursday, August 16, 2007, in the Board of Commissioners Conference Room, First Floor at 7:00 P.M.

Hearing no further comments, Tim Thoms made a motion to adjourn the Public Meeting/Workshop. Al Gilbert seconded the motion. The motion unanimously passed 5-0. The Public Meeting/Workshop adjourned at 9:14 P.M.

**PLANNING COMMISSION  
OF  
FAYETTE COUNTY**

**P.C. Workshop/Public Meeting**

**ATTEST:**

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**DOUG POWELL  
CHAIRMAN**

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**ROBYN S. WILSON  
P.C. SECRETARY**