

THE FAYETTE COUNTY PLANNING COMMISSION met on October 19, 2017 at 7:00 P.M. in the Fayette County Administrative Complex, 140 Stonewall Avenue West, Fayetteville, Georgia.

MEMBERS PRESENT: Brian Haren, Chairman
Jim Graw
Danny England
Al Gilbert

MEMBERS ABSENT: John H. Culbreth, Sr., Vice-Chairman

STAFF PRESENT: Pete Frisina, Director of Community Services

Welcome and Call to Order:

Chairman Haren called the Planning Commission Meeting to order. Chairman Haren introduced the Commission Members and Staff.

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1. Consideration of the Minutes of the meeting held on October 5, 2017.

Jim Graw said he had asked that his comments concerning the proposed PUD-PRBD be included in the minutes. He asked Pete Frisina if those comments were included in the minutes.

Pete Frisina stated the comments are included in the minutes currently before the Planning Commission for approval.

Al Gilbert made a motion to approve the minutes. Danny England seconded the motion. The motion passed 4-0. John Culbreth was absent from the meeting.

OLD BUSINESS

2. Discussion of amendments to Chapter 110. Zoning Ordinance, regarding Sec. 110-79. - Accessory structures and uses. concerning corner lots.

Pete Frisina said this issue was brought up by Bill Beckwith, the Chairman of the Zoning Board of Appeals. He stated that the ZBA has seen a number of variance requests for accessory structures on corner lots and the last request involved a five (5) acre lot with a pool that was built in what is considered a front yard per the zoning. He explained per the zoning ordinance, the front yard is the area between the house and the street and a corner lot has two (2) front yards and an accessory structure cannot be placed in a front yard. He added that a point Bill Beckwith is making that in some cases this makes a large portion of the lot unusable for accessory structures based on the location of the house.

Jim Graw said it appears that the house is set at an angle in relation to the street. He asked if the house was lined up with street or facing the other street would this make a difference in the front

yards.

Pete Frisina said it would not make a difference in the front yards. He added that the current zoning ordinance describes a front yard as “a line running parallel to the street which touches the nearest point of the principal structure to the street.” Pete Frisina said the 1971 zoning ordinance defines a corner lot as “A lot having frontage on two or more public streets at their intersection.” He said the 1971 zoning ordinance also states a front yard is “That area of a lot lying between the abutting street right-of-way line and the principal building of the lot and extending across the front of a lot from side lot line to side lot line.” He added the 1971 zoning ordinance had language possibly allowing an accessory structure in the front yard as follows: “Accessory buildings on lots, when located within a front or side yard, shall be located no closer to property lines than would be allowed for a principal building...except that in the case of corner lots, accessory buildings shall be set back from the centerline of an abutting street right-of-way a distance equal to the front yard set-back established for the zoning district in which the accessory buildings are located.” He said the zoning ordinance of 1980 specifically prohibited accessory structures in a front yard but may have allowed them in a front yard on corner lot as follows: “No accessory other than a well or pump house shall be located within a front yard.... except that in the case of corner lots, an accessory shall be set back from an abutting street right-of-way a distance equal to the front yard setback established for the Zoning District in which the accessory is located.” He added that in 1998 the zoning ordinance went through a comprehensive revision and accessory structures were not allowed in any front yard as follows: “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 structure.... On a corner lot, the area between the street 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.” Pete Frisina showed the Planning Commission examples of smaller one acre corner lots where the house had been built to the rear of the lot which limits the area available to place accessory structures. He pointed out on one example the house is placed at an angle fronting both streets equally and one of the suggestions by Bill Beckwith was to look at which street the house is facing or the street where the driveway is located. He discussed other examples of subdivision layouts where on a corner lot the house is built to the rear of the lot and if an accessory structure were allowed in the front yard based on a front yard setback it would be to the side of the house on the adjacent lot and he questioned whether this would detract from the character and sight line of this street if an accessory structure were built in this location. He said we need to examine these situations. He said if we think this is an issue we could look at setting the accessory structure further back on the lot than the adjacent house.

Jim Graw asked does a corner lot have a side yard.

Pete Frisina stated that a typical rectangular corner lot will have two front yards, two (2) side yards and no rear yard.

Jim Graw asked do you think most people with a corner realize they have two (2) front yards.

Al Gilbert said probably not.

Chairman Haren asked do we want to redefine a front yard.

Pete Frisina said if we change our approach we will have to redefine a front yard. He stated that maybe we should look at corner lots based on their zoning and minimum lot size as a five (5) acre lot could be more greatly affected with the loss of buildable area than a one (1) acre lot in a subdivision.

Al Gilbert said we may not be able to accommodate every situation.

Pete Frisina said we may have to look at lot size because you have more flexibility on a larger lot than you do in a more compactly developed one (1) acre subdivision.

Al Gilbert said the concept is to the rear of the house and he has always been in favor of keeping accessory structures to the rear of the house.

Pete Frisina said the current ordinance keeps accessory structures to the rear or side of the house.

Jim Graw asked if you were setting on the front of your house on a corner lot and you looked out what you would say is the front yard and what the side yard is.

Pete Frisina said he would think most people would say the street their house faces is the front yard and the other street is the side yard. He added that our regulations for a detached garage in the front yard when attached with a breezeway make a distinction between a primary front yard and secondary front yard for corner lots.

Jim Graw said he thinks we need to find a way to permit accessory structures in a front yard on a corner lot in some manner.

Chairman Haren said we have options to consider such as which road the driveway accesses or which way the house faces and there may situations that are so complex that going to the ZBA is the best way to handle the issue.

Al Gilbert said to the average person the front and rear of the house is how they determine front yard and back yard.

Danny England said we may have to come up with different criteria such as direction of the house or driveway location for different situations.

Jim Graw said one of the things he would hate to see happen is an accessory structure in a front yard in front of a house on an adjacent lot like what happened in his neighborhood in Peachtree City.

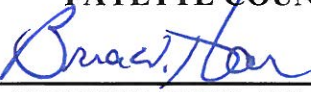
Pete Frisina said based on the discussion tonight he will look at different zoning/lots sizes, making a distinction between a primary and secondary front yard and the classification of the roads giving preference to higher classification of roads for the placement of an accessory

structures while maintaining the same or greater front yard setbacks for accessory structures.

Al Gilbert said he would have reservations of placing an accessory between the street and the front orientation of the house.

Al Gilbert made a motion to adjourn. Danny England seconded the motion. The motion passed 4-0. John Culbreth was absent from the meeting. The meeting was adjourned at 8:00pm.

PLANNING COMMISSION
OF
FAYETTE COUNTY



BRIAN HAREN, CHAIRMAN

ATTEST: