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John H. Culbreth, Sr., Vice-Chairman  
Danny England  
Al Gilbert  
Jim Graw

**STAFF**

Peter A. Frisina, Director of Community Services  
Chanelle Blaine, Zoning Administrator  
Chakevia Jones, Planning & Zoning Coordinator

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**AGENDA**  
**FAYETTE COUNTY PLANNING COMMISSION MEETING**  
**140 STONEWALL AVENUE WEST**  
**December 7, 2017**  
**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 the Minutes of the meeting held on November 2, 2017.

**NEW BUSINESS**

2. Consideration of a Revised Minor Subdivision Plat of Betty J. Adams Estate (Final Plat). The property will consist of three residential lots zoned R-70, is located in Land Lot 75 of the 7<sup>th</sup> District and front(s) on Ellison Road and Sun Road.

**PUBLIC HEARING**

3. Consideration of Petition No. RDP-014-17, Pulte Homes Company, LLC, request approval of the Revised Development Plan for rezoning 1160-05 to reconfigure the street layout. This property is located in Land Lots 223, 224, 225 & 226 of the 5th District and fronts on SR 92 North.

**OLD BUSINESS**

4. Discussion of amendments to the Zoning Ordinance, concerning corner lots and flag lots.

**PETITION NO. RDP-014-17**  
**Pulte Homes Company, LLC**

The applicant is requesting a revision to the Development Plan for Rezoning (1160-05) to reconfigure the street layout. The subject property consists of approximately 116 acres and fronts on SR 92 North.

Sec. 110-149. – Planned unit development (c) (1) states the following:

- j. Revision of development plan. Any change in the approved development plan, which affects the intent and character of the development, the density or land use pattern, the approved uses, 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 zoning administrator and 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 or desirable.

**History:** Petition 1160-05 (R-70 to C-S – Conservation Subdivision) was approved by the Board of Commissioners on January 12, 2005. In 2011, the County acquired approximately 1.58 acres in the northwest corner of the subject property for Veteran’s Parkway.

**DEPARTMENTAL COMMENTS**

**WATER SYSTEM:** Need separate utility plan. Submit to FCWS.

**FIRE MARSHAL:** Must show fire hydrants on preliminary and final plats.

**ENVIRONMENTAL MANAGEMENT:**

**Floodplain** The property contains Zone A floodplain per FEMA FIRM panel 13113C0019E. Elevations were determined in Fayette County’s Limited Detail Study. The elevation of the lowest floor, including the basement and building access of any development shall be a least 3 feet above the base flood elevation or one foot above the future conditions flood elevation, whichever is higher. A Floodplain Management Plan is required if any development activities are totally or partially within an Area of Special Flood Hazard.

**Wetlands** Wetlands are not called out on the concept plan. The applicant must call out all wetlands on the preliminary plat and obtain all required permits from the U.S. Army Corps of Engineers prior to issuance of any permits from Fayette County for any phase of development affecting wetlands.

**Watershed** This property is subject to Fayette County’s Watershed Protection Ordinance. The Watershed Protection buffer is either 100 feet from wretched vegetation or 50 feet from the 100-year floodplain elevation, whichever is greater. The watershed setback is an additional 50 feet

from the Watershed buffer. The 100-foot base flood elevation identified in the FC 2013 Future Conditions Flood Study shall be used to identify 100-ft Base Flood Elevation.

Not approving or denying, but the buffers appear correct but on the preliminary plat, construction drawings and final plat the buffers will need to be shown on the state waters requiring a buffer located within the conservation area.

**Groundwater** Portions of the property are within the groundwater recharge area, as delineated on the Georgia Department of Natural Resources' 1992 Ground-Water Pollution Susceptibility Map of Georgia (Hydrologic Atlas 20). The minimum lot size and width requirements of the Groundwater Recharge Area Protection Ordinance for lots with public water supply systems are satisfied by the C-S zoning requirements.

**Stormwater** The project is subject to Fayette County's Stormwater Management regulations. Stormwater controls shall be exclusive of the conservation areas. Allow for flexibility along the southern property line of the subdivision (especially near lots 10, 11, and 12). Concentrated flows onto adjacent properties will be prohibited.

**ENVIRONMENTAL HEALTH:** No objections.

**PUBLIC WORKS/ENGINEERING DEPARTMENT:** Engineering has reviewed the development plan for the C-S subdivision. The road layout appears to meet County requirements. No comments.

**Recommendation:** Staff recommends approval of the revised Development Plan. The revised Development Plan complies with the C-S zoning district.

**RDP-014-17  
Aerials**

**Lee's Mill Road**

**Veteran's Park way**

**SUBJECT  
PROPERTY**

**SR 92**



REGARDING THE REPAIRS TO EXISTING UTILITIES AND STRUCTURES IS SHOWN HEREON. THERE IS NO CERTAINTY OF THE ACCURACY OF THIS INFORMATION AND IT SHALL BE CONSIDERED AT THE RISK OF THE USER. THE LOCATION AND ARRANGEMENT OF UNDERGROUND UTILITIES AND STRUCTURES SHOWN HEREON MAY BE INACCURATE AND UTILITIES AND STRUCTURES NOT SHOWN MAY BE ENCOUNTERED. THE OWNER, HIS EMPLOYEES, HIS CONSULTANTS AND HIS CONTRACTORS SHALL HEREBY DISTINGUISHLY UNDERSTAND THAT THE SURVEYOR IS NOT RESPONSIBLE FOR THE CORRECTNESS OR SUFFICIENCY OF THIS INFORMATION.

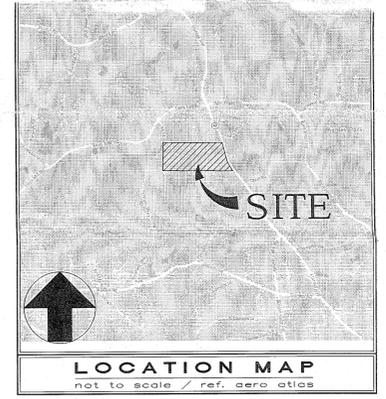
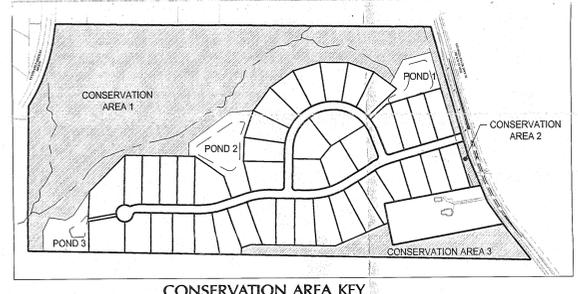
FAYETTE COUNTY CODE: CHAPTER 104; ARTICLE VII; SEC. 104-182 (b) & (g)

NOTE #1: THE FOLLOWING SHALL APPLY TO ALL OTHER PERENNIAL STREAMS WITHIN THE FLINT RIVER WATERSHED, THE WHITEWATER CREEK WATERSHED AND ALL STATE WATERS REQUIRING A BUFFER WITHIN 1,000 FEET OF THESE MINOR PERENNIAL STREAMS:  
 (1) MINIMUM WATERSHED BUFFER SHALL BE 100 FEET FROM WRESTED VEGETATION OR 50 FEET FROM 100-YEAR FLOODPLAIN ELEVATION, WHICHEVER IS GREATER.  
 (2) MINIMUM WATERSHED SETBACK SHALL BE 50 FEET AS MEASURED FROM THE BUFFER.

NOTE #2: ALL STATE WATERS REQUIRING A BUFFER NOT OTHERWISE PROTECTED BY PROVISIONS OF THIS ARTICLE SHALL MEET THE FOLLOWING REQUIREMENTS:  
 (1) MINIMUM WATERSHED BUFFER SHALL BE MAINTAINED FOR 50 FEET FROM WRESTED VEGETATION MEASURED HORIZONTALLY FROM BOTH SIDES OF THE STREAM.  
 (2) MINIMUM WATERSHED SETBACK 25 FEET AS MEASURED FROM THE BUFFER.

| /APPROX. INFILTRATION FIELD LENGTHS |   |
|-------------------------------------|---|
| SOIL SYMBOL                         | SOIL DESCRIPTION                                    |
| Aka                                 | Alexista sandy loam, 0% to 8% slopes                |
| CeB                                 | Cecil sandy loam, 2% to 6% slopes                   |
| CeC                                 | Cecil sandy loam, 8% to 10% slopes                  |
| Ce2                                 | Cecil sandy loam, 6% to 10% slopes                  |
| PaE                                 | Paclet sandy loam, 10% to 25% slopes                |
| WH                                  | Wetaduce soils, 0% to 2% slopes, frequently flooded |

| LOT AREA - SPLIT LOT AREA - CONTIGUOUS LOT AREA - SPLIT |           |       |                     |         |           |       |                     |           |              |         |                     |
|---|-----------|-------|---------------------|---------|-----------|-------|---------------------|-----------|--------------|---------|---------------------|
| LOT No.   | SQ. FT.   | ACRES | CONTIGUOUS LOT AREA | LOT No. | SQ. FT.   | ACRES | CONTIGUOUS LOT AREA | LOT No.   | SQ. FT.      | ACRES   | CONTIGUOUS LOT AREA |
| 1   | 43,698.47 | 1.003 | 0.42                | 18      | 60,882.02 | 1.398 | 0.84                | 35        | 43,750.00    | 1.004   | 0.53                |
| 2   | 43,821.28 | 1.006 | 0.53                | 19      | 72,729.41 | 1.670 | 0.78                | 36        | 43,750.00    | 1.004   | 0.53                |
| 3   | 43,810.05 | 1.006 | 0.54                | 20      | 44,599.10 | 1.024 | 0.58                | 37        | 43,750.00    | 1.004   | 0.37                |
| 4   | 43,561.82 | 1.000 | 0.52                | 21      | 43,750.01 | 1.004 | 0.43                | 38        | 51,291.35    | 1.178   | 0.57                |
| 5   | 43,766.50 | 1.005 | 0.45                | 22      | 43,750.00 | 1.004 | 0.48                | 39        | 50,240.34    | 1.154   | 0.84                |
| 6   | 46,739.04 | 1.073 | 0.58                | 23      | 43,750.00 | 1.004 | 0.52                | 40        | 51,367.52    | 1.179   | 0.59                |
| 7   | 51,527.99 | 1.184 | 0.68                | 24      | 60,848.25 | 1.397 | 0.74                | 41        | 52,396.86    | 1.203   | 0.65                |
| 8   | 52,261.49 | 1.201 | 0.69                | 25      | 53,463.23 | 1.227 | 0.60                | 42        | 58,791.82    | 1.351   | 0.73                |
| 9   | 46,980.68 | 1.079 | 0.59                | 26      | 43,741.70 | 1.004 | 0.54                | 43        | 227,557.44   | 5.224   | 3.93                |
| 10  | 43,910.87 | 1.008 | 0.53                | 27      | 44,262.83 | 1.016 | 0.55                | CS AREA 1 | 1,990,197.43 | 45.689  | N/A                 |
| 11  | 50,806.53 | 1.163 | 0.63                | 28      | 43,968.33 | 1.009 | 0.55                | CS AREA 2 | 19,139.34    | 0.439   | N/A                 |
| 12  | 44,886.34 | 1.033 | 0.55                | 29      | 43,968.33 | 1.009 | 0.55                | CS AREA 3 | 275,233.19   | 6.318   | N/A                 |
| 13  | 44,183.92 | 1.014 | 0.55                | 30      | 43,968.33 | 1.009 | 0.55                | POND 1    | 88,667.35    | 2.058   | N/A                 |
| 14  | 43,671.41 | 1.003 | 0.54                | 31      | 43,750.73 | 1.004 | 0.54                | POND 2    | 154,978.32   | 3.558   | N/A                 |
| 15  | 44,485.00 | 1.021 | 0.55                | 32      | 43,968.33 | 1.009 | 0.55                | POND 3    | 90,720.17    | 2.083   | N/A                 |
| 16  | 44,485.00 | 1.021 | 0.55                | 33      | 43,968.33 | 1.009 | 0.55                | R.O.W.    | 239,674.64   | 5.502   | N/A                 |
| 17  | 49,734.28 | 1.142 | 0.61                | 34      | 47,370.55 | 1.087 | 0.47                | TOTAL:    | 5,087,542.48 | 116.794 |                     |



now or formerly  
Larry & Barbara White  
DB 733 / PG 347  
Zoned R-70

now or formerly  
Mark & Kimberly Cortez  
DB 2100 / PG 368  
Zoned R-70

now or formerly  
Randy Dudding  
DB 1312 / PG 246  
Zoned R-70

now or formerly  
Thomas & Madge Turner  
DB 727 / PG 576  
Zoned R-70

now or formerly  
Danny & Stephanie England  
DB 1748 / PG 335  
Zoned R-70

now or formerly  
Melinda Wilson  
DB 1418 / PG 767  
Zoned R-70

now or formerly  
Marie B. Roberts  
DB 1359 / PG 447  
Zoned R-70

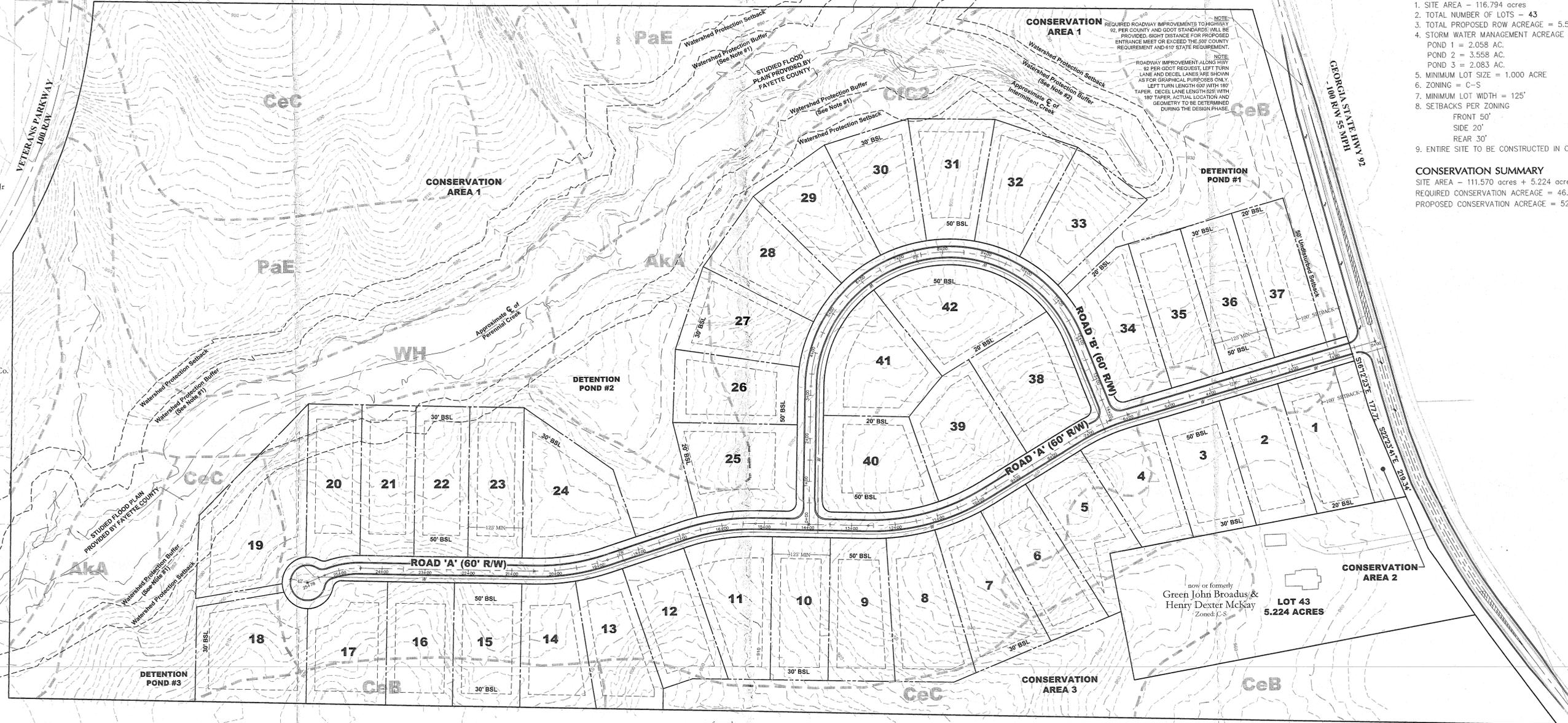
now or formerly  
Roberto D. Burcher, Jr.  
DB 256 / PG 41  
Zoned R-70

now or formerly  
Green Development Co.  
DB 297 / PG 328  
Zoned R-70

now or formerly  
Green John Broadus &  
Henry Dexter McKay  
Zoned C-S

now or formerly  
Foshall Farms (Phase 2)  
PB 24 / PG 102  
Zoned R-45

- DEVELOPMENT SUMMARY**
- SITE AREA - 116.794 acres
  - TOTAL NUMBER OF LOTS - 43
  - TOTAL PROPOSED ROW ACREAGE = 5.502
  - STORM WATER MANAGEMENT ACREAGE = 7.699  
 POND 1 = 2.058 AC.  
 POND 2 = 3.558 AC.  
 POND 3 = 2.083 AC.
  - MINIMUM LOT SIZE = 1,000 ACRES
  - ZONING = C-S
  - MINIMUM LOT WIDTH = 125'
  - SETBACKS PER ZONING  
 FRONT 50'  
 SIDE 20'  
 REAR 30'
  - ENTIRE SITE TO BE CONSTRUCTED IN ONE PHASE.
- CONSERVATION SUMMARY**
- SITE AREA - 111.570 acres + 5.224 acres = 116.794 acres  
 REQUIRED CONSERVATION ACREAGE = 46.718 ACRES (40%)  
 PROPOSED CONSERVATION ACREAGE = 52.446 (44.9%)



**APPROVED ZONING CONDITIONS**

January, 2006 requested an amendment to the Fayette County Zoning Map pursuant to "The Zoning Ordinance of Fayette County, Georgia, 1980", and WHEREAS, said request being as follows: To rezone 118.37 acres from R-70 to C-3 to develop a proposed subdivision consisting of 45 lots. This property is located in Land Lots 223, 224, 225, and 226 of the 5th District and fronts on S.R. 92 North; and

WHEREAS, the Fayette County Board of Commissioners having duly convened and considered said request; and

NOW, THEREFORE, be it resolved that the decision of the Fayette County Board of Commissioners on January 12, 2006 was that the request to rezone the subject property be approved with the following condition:

- Provide a continuous undisturbed buffer of 50 feet along S.R. 92. This will require the applicant to move all lots from along S.R. 92 to another location in the subdivision. Staff will support a variance for street length should that be required. (This condition is to ensure sufficient vegetative screening of the subdivision from S.R. 92. Where sufficient vegetative screening materials are not present, new materials shall be required).
- The development shall be limited to 43 single family dwelling lots. The five (5) acre tract containing the existing single family residence and accessory structure will count towards the total number of lots allowed. (This condition is based on the applicant's intention to keep the single family residence and accessory structure as indicated on the concept/development plan).

SO RESOLVED, this 12th day of January, 2006.

FAYETTE COUNTY BOARD OF COMMISSIONERS

RECEIVED  
OCT 25 2017

**REVISED DEVELOPMENT PLAN**

**Brighton**

GEORGIA STATE HIGHWAY 92  
 LAND LOTS 1-33-195, 22-227, 5TH DISTRICT  
 FAYETTE COUNTY, GEORGIA

LAST REVISED: 10-23-2017

DATE: 10-01-2017  
 SCALE: 1" = 100'  
 CN: 1702570P06  
 LSV:  
 JN:  
 FN:

1 of 1

**OWNER/DEVELOPER**

**PULTE HOME COMPANY, LLC.**  
 2475 NORTHWINDS PKWY, SUITE 600  
 ALPHARETTA, GA 30009  
 770-381-3450

24 HOUR EMERGENCY CONTACT  
 BRAD EDWARDS  
 404-434-5424

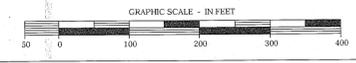
317 Park Drive, Suite 400  
 Norcross, Georgia 30093  
 Phone: (770)416-7511  
 Fax: (770)416-6759  
 www.travispruitt.com

NOTE: ALL DIMENSIONS ARE TO BACK OF CURB, FACE OF BUILDING, OR CENTER OF STRUCTURE, UNLESS OTHERWISE NOTED.

FLOOD HAZARD NOTE:  
 THIS PROPERTY DOES LIE WITHIN A 100 YEAR FLOOD HAZARD ZONE AS DEFINED BY THE F.E.M.A. FLOOD INSURANCE RATE MAP OF FAYETTE COUNTY, GEORGIA COMMUNITY PANEL NUMBER 1311500040, DATED MARCH 18, 1996.

NOTE:  
 THIS ZONING PLAN IS BASED ON BOUNDARY AND TOPO INFORMATION TAKEN FROM COUNTY GIS AND A SUBDIVISION PLAN FOR JOHN WELAND HOMES APPROVED ON MAY 10, 2006 BY LIA ENGINEERING.

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### **Points from last meeting:**

- make a distinction between a primary and secondary front yard
- consider greater front yard setbacks for accessory structures
- consider the classification of the roads giving preference to higher classification of roads for the placement of an accessory structure
- consider different zoning/lots sizes
- reservation with placing an accessory structure between the street and the front orientation of the house

### **Sec. 110-3. Definitions**

*Building line, front, means a line running parallel to the street which touches the nearest point of the principal structure to the street.*

*Lot, corner, means a lot located at the intersection of two streets.*

*Yard means a required open space on a lot that is left unoccupied with structures and facilities, except as otherwise permitted herein.*

*Yard, front, means the area between a property line adjacent to a **thoroughfare street** and the **front** building line, extending the full width of the lot.*

*Yard, rear, means the area between the rear property line and the rear **building- setback** line, extending the full width of the lot.*

*Yard, side, means the area between the side property line and the side **building- setback** line, extending from the front yard to the rear yard **or extending from the front yard to the side yard in the case of a corner lot.***

***Front yard, primary means on a corner lot, the area between a property line adjacent to a street of which the front door of the principal structure is oriented to or if the front door is not oriented to one street, the street in which the driveway accesses and the front building line, extending the full width of the lot.***

***Front yard, secondary means on a corner lot, the area between a property line adjacent to a street and the front building line outside of the primary front yard.***

Sec. 110-79. - Accessory structures and uses.

- (a) The following accessory structures and uses are permitted in A-R and all residential zoning districts.
- (1) Well/pump house;
  - (2) Guesthouse;
  - (3) Greenhouse, permanent or temporary (see (n) temporary greenhouse);
  - (4) Swimming pool, hot tub, pool deck, pool equipment enclosure, and pool screen enclosure;
  - (5) Garage;
  - (6) Recreational court;
  - (7) Gazebo;
  - (8) Cabana/pool house, boat house, covered patio, and covered deck;
  - (9) Storage building;
  - (10) Carport;
  - (11) Solar panel (ground-mounted);
  - (12) Wind turbine/windmill (ground-mounted);
  - (13) Aircraft hangar, detached (see article V of this chapter);
  - (14) Dog house and dog pen/run;
  - (15) Playhouse;
  - (16) Outdoor kitchen and/or fireplace;
  - (17) Patio; and
  - (18) Underground storm shelter.

Farm outbuildings, including horse stables, auxiliary structures, and commercial greenhouses are regulated as conditional uses under article VII of this chapter and shall be allowed in the A-R zoning district only. One semi-trailer may be utilized as a farm outbuilding provided the property is zoned A-R and the semi-trailer is being used to store agricultural items. These regulations shall not apply to those nonresidential uses allowed in A-R and residential zoning districts.

- (b) *Structure limitations.* Construction of an accessory structure shall occur concurrently with or after the construction of the principal structure. Accessory structures shall not be used as dwelling units or for lodging purposes, except a guesthouse.
- (c) *Number and size.* The number and size of accessory structures shall conform to the requirements described herein.
- (1) Accessory structures shall be limited to one of the following options:
    - a. Two accessory structures, per individual lot, that shall not exceed a combined total footprint of 1,800 square feet or a combined total footprint of 3,600 square feet on a lot with

a minimum of five acres and a minimum contiguous area of two acres clear of zoning setbacks, watershed protection buffers and setbacks, jurisdictional wetlands, 100-year floodplain area, and easements of any kind. One of these accessory structures may include up to 700 square feet of heated and finished floor area to be utilized as a guesthouse. An accessory structure combined with a guesthouse, under this option, shall be deemed as one accessory structure;

- b. One accessory structure, per individual lot, footprint not to exceed 1,800 square feet. This accessory structure may include up to 700 square feet of heated and finished floor area to be utilized as a guesthouse. An accessory structure combined with a guesthouse, under this option, shall be deemed as one accessory structure;

or

- c. One accessory structure, per individual lot with a minimum of five acres and a minimum contiguous area of two acres clear of zoning setbacks, watershed protection buffers and setbacks, jurisdictional wetlands, 100-year floodplain area, and easements of any kind, footprint not to exceed 3,600 square feet. This accessory structure may include up to 700 square feet of heated and finished floor area to be utilized as a guesthouse. An accessory structure combined with a guesthouse, under this option, shall be deemed as one accessory structure. Under this option, an accessory structure shall be located only to the rear of the principal structure. (2) At least 50 percent of the square footage of an accessory structure building shall be fully enclosed, except as otherwise provided herein. Said enclosed area shall be surrounded by connecting adjacent walls constructed of solid materials attached to the foundation and roof.

- (3) A well/pump house, dog house, or playhouse consisting of 70 square feet or less; dog pen/run; swimming pool, hot tub, or recreational court; aircraft hangar, farm outbuilding, greenhouse, horse stable, or auxiliary structure (as regulated in A-R under article V of this chapter); ground/pole-mounted solar panel consisting of less than 200 square feet or ground-mounted wind turbine/windmill; uncovered outdoor kitchen, fireplace; patio; underground storm shelter; or beehive shall not be included in determining the number of accessory structures provided herein.

- (d) *Location on lot.* Accessory structures shall conform to the dimensional requirements within each zoning district. No structure shall be located in the front yard except: a detached garage (see subsections (d)(1) and (2) of this section for requirements); well/pump house consisting of 70 square feet or less; or farm outbuildings, including horse stables, auxiliary structures, and greenhouses located in an A-R zoning district, where the lot consists of five acres or more. A well/pump house of 70 square feet or less may be located within the setbacks. On a single frontage lot, the area between the street and the front building line shall be treated as a front yard with regard to the location of accessory structures. On a corner lot, the area between both of the streets and both of the front building lines shall be treated as a primary front yard and a secondary front yard with regard to the location of accessory structures. On a through lot, the area between the street from which the lot is accessed and the front building line shall be treated as a front yard with regard to the location of accessory structures.

- (1) *Detached garage located in the front yard of a single frontage lot and a through lot.* A detached garage located in the front yard shall meet the following requirements:

- a. Footprint shall not exceed 900 square feet;
- b. Located no more than 35 feet from the principal structure;

- (2) *Detached garage located in the front yard of a corner lot.*

- a. *Primary front yard.* The location of the front door of the principal structure shall establish the primary front yard. If the front door is not oriented to a street, the driveway access shall be utilized to establish the primary front yard. The primary front yard is the area between

the street and the front building line in which an accessory structure is prohibited, except in the case of a detached garage which shall comply with the requirements of a single frontage lot; and

- b. *Secondary front yard.* Consequently, the other frontage shall be the secondary front yard. The secondary front yard is the area between the street and the front building line in which an accessory structure is prohibited, except in the case of a detached garage which shall comply with the following requirements:
    1. Footprint shall not exceed 900 square feet;
    2. Located no more than 35 feet from the principal structure; and
- (3) *Architectural standards for a detached garage located in all front yards.* The garage shall maintain a residential character. Elevation drawings denoting compliance with the following requirements shall be submitted as part of the building permit application:
- a. The design of the garage shall match with the general architectural style inherent in the existing principal structure, including, but not limited to: roof pitch, roof facade, facade, residential windows, and residential doors.
  - b. The garage shall have at least one opening for vehicular access.
  - c. A separate electrical meter is not permitted, unless otherwise required per the ~~building permits and inspections department~~ Department of Building Safety.
  - d. The garage shall be connected to the principal structure by at least one of the following:
    1. *An attached or detached breezeway.* Said breezeway shall be a minimum of six feet in width and a minimum of eight feet in height (interior measurement). A detached breezeway shall be constructed within six inches of the principal structure and the garage;
    2. *An attached raised deck.* Said attached raised deck shall be a minimum height of 15 inches. The deck shall have a minimum width of six feet. Said deck shall have guard rails measuring a minimum of three feet in height; or
    3. *An attached or detached pergola.* Said pergola shall consist of parallel colonnades supporting an open roof of beams and crossing rafters, shall be a minimum of six feet in width and a minimum of eight feet in height (interior measurement). A detached pergola shall be constructed within six inches of the principal structure and the garage.
- (e) *Guesthouses.* Only one guesthouse is allowed per individual lot. Any living area included in an accessory structure is a guesthouse. A guesthouse shall not be used as tenant space. A guesthouse shall not exceed 700 square feet of heated and finished floor area.
- (f) *Architectural standards.* All accessory structures of 200 square feet or greater, except a detached garage located in the front yard, shall be constructed in a residential character consisting of a facade of fiber-cement siding, wood siding, wood textured vinyl siding, brick/brick veneer, rock, stone, cast-stone, stucco, or synthetic stucco, or finished/baked enamel aluminum/metal siding which establishes a horizontal pattern. These standards shall not apply to an addition to an existing accessory structure that is nonconforming in terms of these standards. Any addition to an existing nonconforming accessory structure shall match the architectural design of the existing nonconforming accessory structure. Elevation drawing denoting compliance shall be submitted as part of the building permit application.
- (g) *Temporary accessory storage.* Portable on-demand storage units are only allowed on a temporary basis and only in conjunction with an ongoing a renovation project for the purpose of storage of household items for a period not to exceed one year. Portable on-demand storage units are defined as any container, storage unit, or other portable structure, other than an accessory building or shed complying with all building codes used to store household items. Only two portable on-demand storage units are allowed per lot.

- (h) *Carport*. The carport shall be used to house motor vehicles and trailers only. Carports shall be constructed of the same material or types of material as the principal structure on the property, or of metal.
- (i) *Cabana/pool house, boat house, covered patio, and covered deck*. The cabana, covered patio, and covered deck may contain an outdoor kitchen, fireplace, spa/hot tub, bathroom/changing room, and/or pool pump/filter but shall not be utilized as a carport, garage, storage building, open storage, or living area. Said structures shall, at a minimum, consist of a roof with supporting posts/columns, not to exceed one story, and comply with the architectural standards for an accessory structure 200 square feet or greater.
- (j) *Swimming pool, pool deck, pool equipment enclosure, and pool screened enclosure*. The pool deck, pool equipment enclosure, and pool screened enclosure shall comply with the required setbacks. A pool screen enclosure shall be constructed with insect screening commonly made of plastic, aluminum, or similar lightweight material and shall be exempt from the architectural requirements herein.
- (k) *Solar panels (ground-mounted)*. Ground-mounted solar panels shall be limited to three per lot, the total cumulative square footage of ground-mounted solar panels shall not exceed 900 square feet, shall not exceed ten feet in height, shall comply with the required setbacks, and shall comply with the location of an accessory structure/use. Ground-mounted solar panels consisting of less than 200 cumulative square feet shall not count toward the number of accessory structures/uses. Ground-mounted solar panels consisting of 200 cumulative square feet up to a maximum of 900 cumulative square feet shall be counted as one accessory structure/use.
- (l) *Wind turbines/windmill (ground-mounted)*. Wind turbines/windmills shall not exceed 70 feet in height. The setbacks shall be equal to the height of the wind turbine, including the blades, or the applicable zoning district setbacks, whichever are greater. Each lot is limited to one ground-mounted wind turbine/windmill. The ground-mounted wind turbine/windmill shall not count toward the number of accessory structures/uses. All anchors for guyed towers shall meet the setbacks for the applicable zoning districts.
- (m) *Nonconformance*. All accessory structures or uses which had a building permit issued prior to January 24, 2008, are legally nonconforming and shall be allowed to be maintained and rebuilt to current size and in the existing location. All accessory structures or uses permitted after January 24, 2008, shall comply with the current requirements.
- (n) *Temporary greenhouse*. Temporary greenhouses shall not exceed ten feet in height. Each lot is limited to one temporary greenhouse. The side yard setback shall be a minimum of 30 feet or the minimum side yard setback of the applicable zoning district, whichever is greater, and the rear yard setback shall be a minimum of 50 feet or the minimum rear yard setback of the applicable zoning district, whichever is greater. The maximum square footage for temporary greenhouses shall be as follows:

| Acreage  | Square Feet |
|----------|-------------|
| < 2      | 600         |
| 2 to < 3 | 800         |
| 3 to < 4 | 1,000       |
| 4 to < 5 | 1,200       |

|              |       |
|--------------|-------|
| 5 or greater | 2,400 |
|--------------|-------|

Temporary greenhouses shall be maintained in good condition and the covering shall not be torn and tattered. Temporary greenhouses shall only be used for the purpose of growing or storing plants. Temporary greenhouses shall be exempt from subsections (c)(2) and subsection (f) of this section. One temporary greenhouse of 120 or less square feet on a lot shall not count toward the total square footage or number of accessory structures for that lot. Greenhouses built in the A-R zoning district as regulated under article V of this chapter shall be exempt from these requirements.

A temporary greenhouse permit will be required for all temporary greenhouses prior to construction. Scaled drawings shall be submitted to the planning and zoning department which shall include, but not be limited to: temporary greenhouse elevations including height and total square footage and location on the lot including the distance from the property lines.

(Code 1992, § 20-5-20; Ord. No. 2012-09, § 3, 5-24-2012; Ord. No. 2012-13, § 3, 12-13-2012; Ord. No. 2013-07, § 1, 7-25-2013; Ord. No. 2014-19, §§ 2—5, 12-11-2014)

Sec. 110-169. - Conditional use approval.

- Farm outbuildings, including horse stables, auxiliary structures, and greenhouses. Allowed in the A-R zoning district.

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. Farm outbuildings shall be exempt from architectural standards (see article III of this chapter).

2. Greenhouses. All structures permitted in this category shall be structures related to a bona fide cultivation or production of landscape planting materials. Greenhouses shall be exempt from architectural standards (see article III of this chapter).

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. Horse stables are exempt from architectural standards (see article III of this chapter).

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) For those uses that have the potential of generating noise levels audible to the adjacent properties acoustical treatment (soundproofing) shall be required to mitigate the volume of sound.

(iv) Commercial/retail activity shall not be permitted.

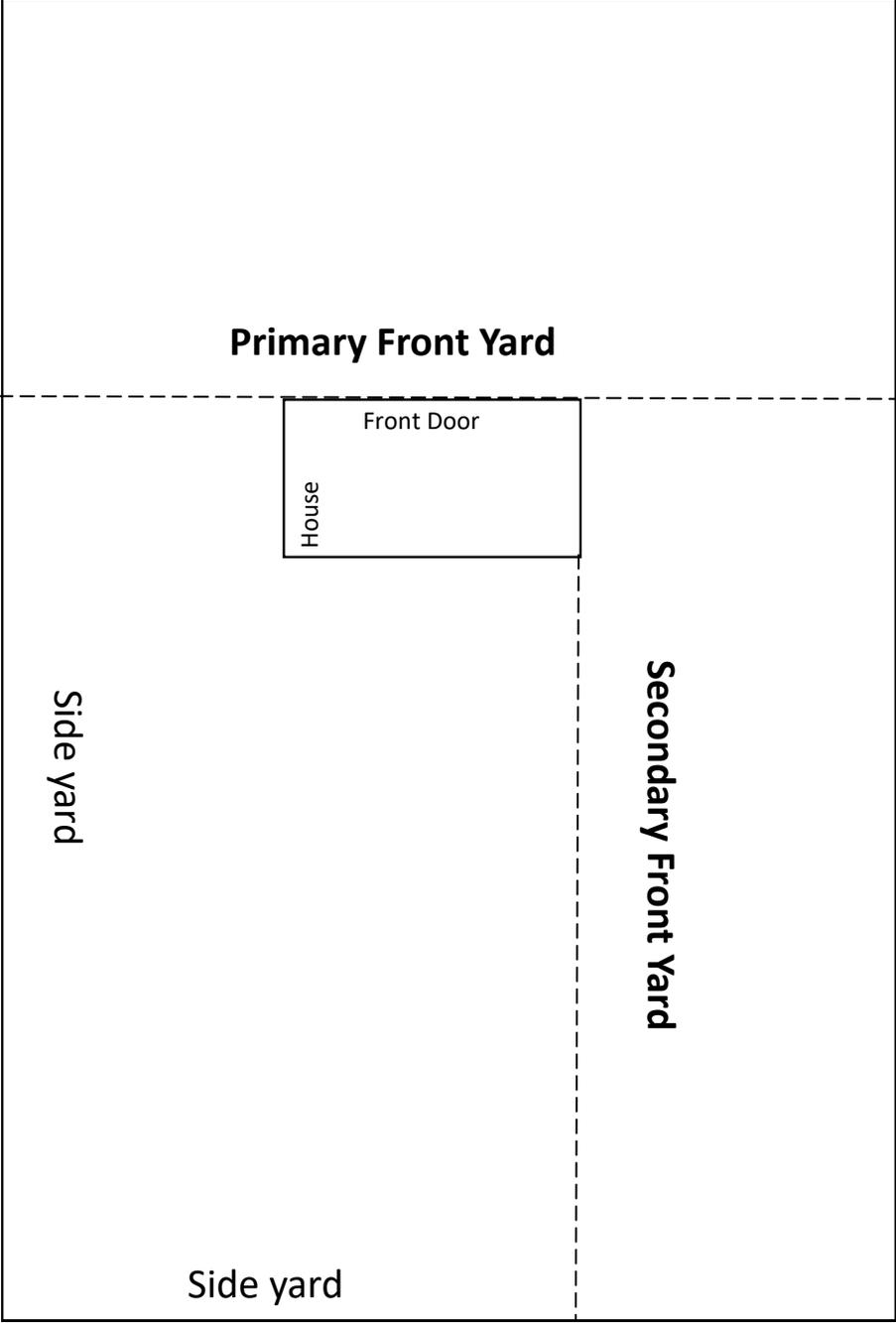
(v) An auxiliary structure shall not be utilized in conjunction with a home occupation.

(vi) Auxiliary structures are exempt from architectural standards (see article III of this chapter).

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. Farm outbuildings, auxiliary structures, horse stables and greenhouses may have plumbing and electricity, but shall not be used for residential purposes. Farm outbuildings, auxiliary structures, horse stables and greenhouses shall not be located within 100 feet of the principal residential structure or connected to any structures on site. Farm outbuildings, horse stables, and/or greenhouses may be constructed prior to the principal residential structure.

Street



Primary Front Yard

Front Door

House

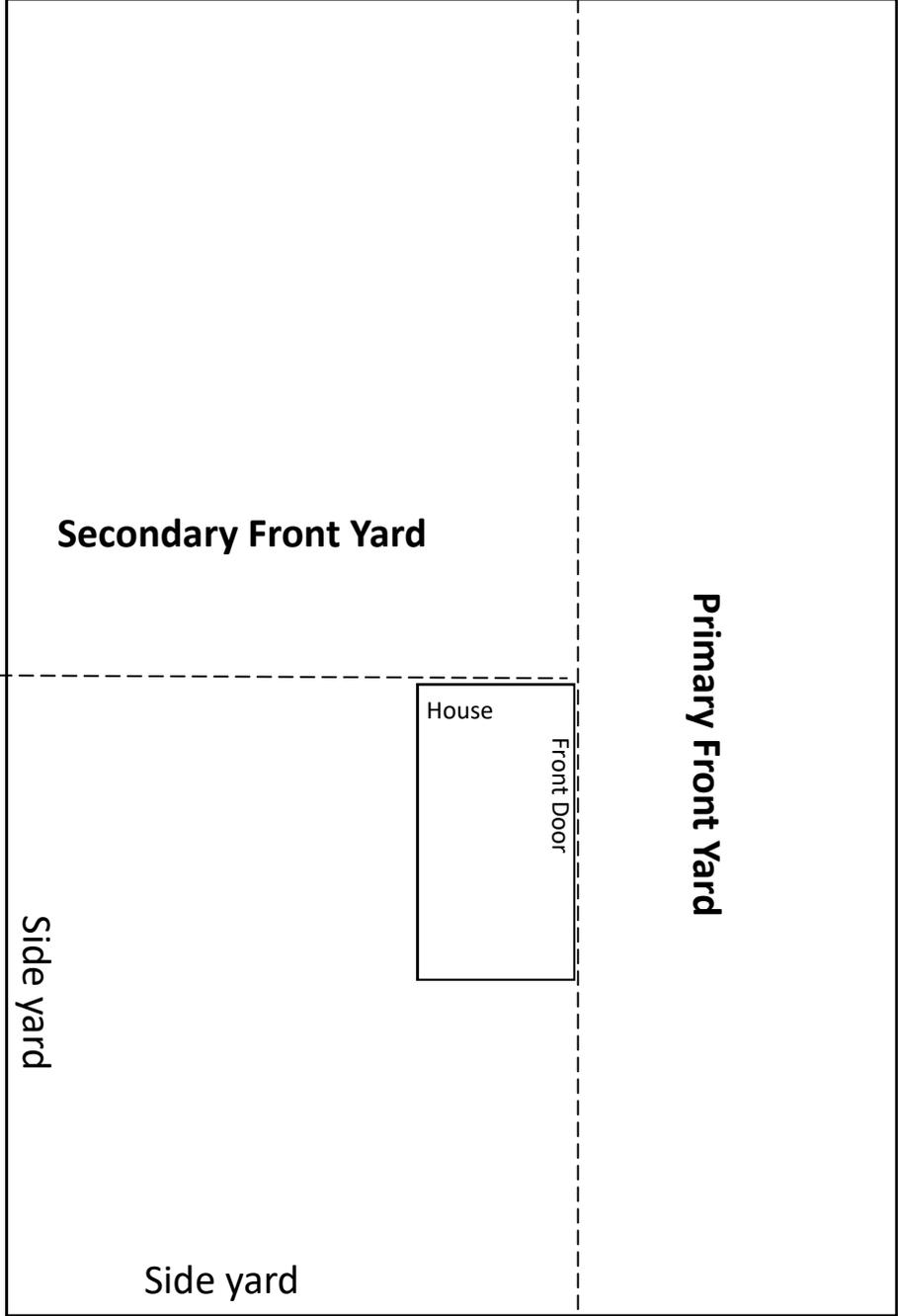
Side yard

Secondary Front Yard

Side yard

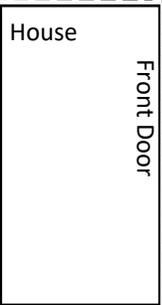
Street

Street



Secondary Front Yard

Primary Front Yard

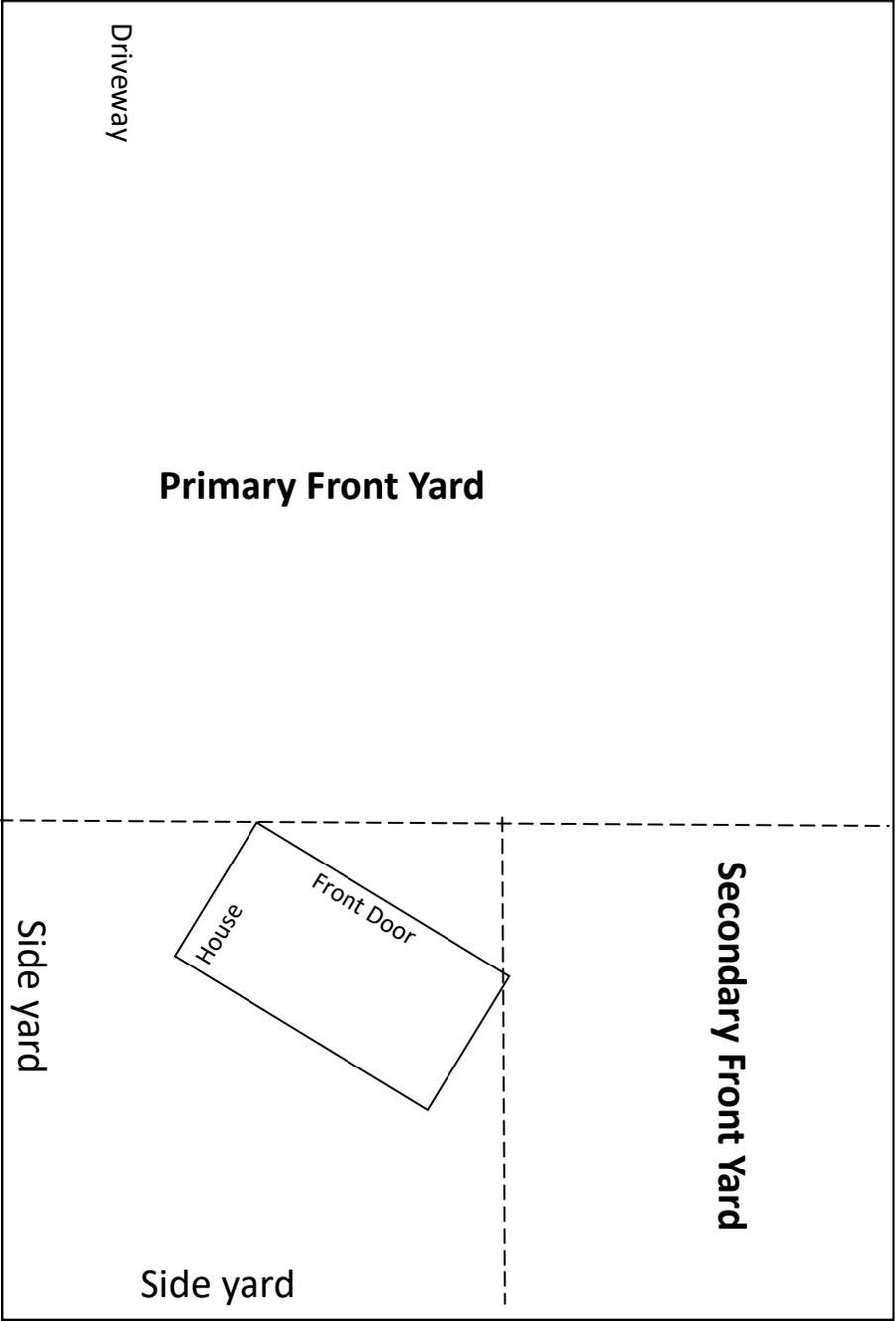


Side yard

Side yard

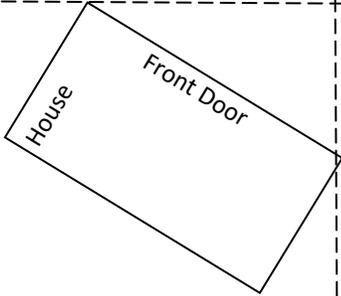
Street

Street



Driveway

Primary Front Yard



House

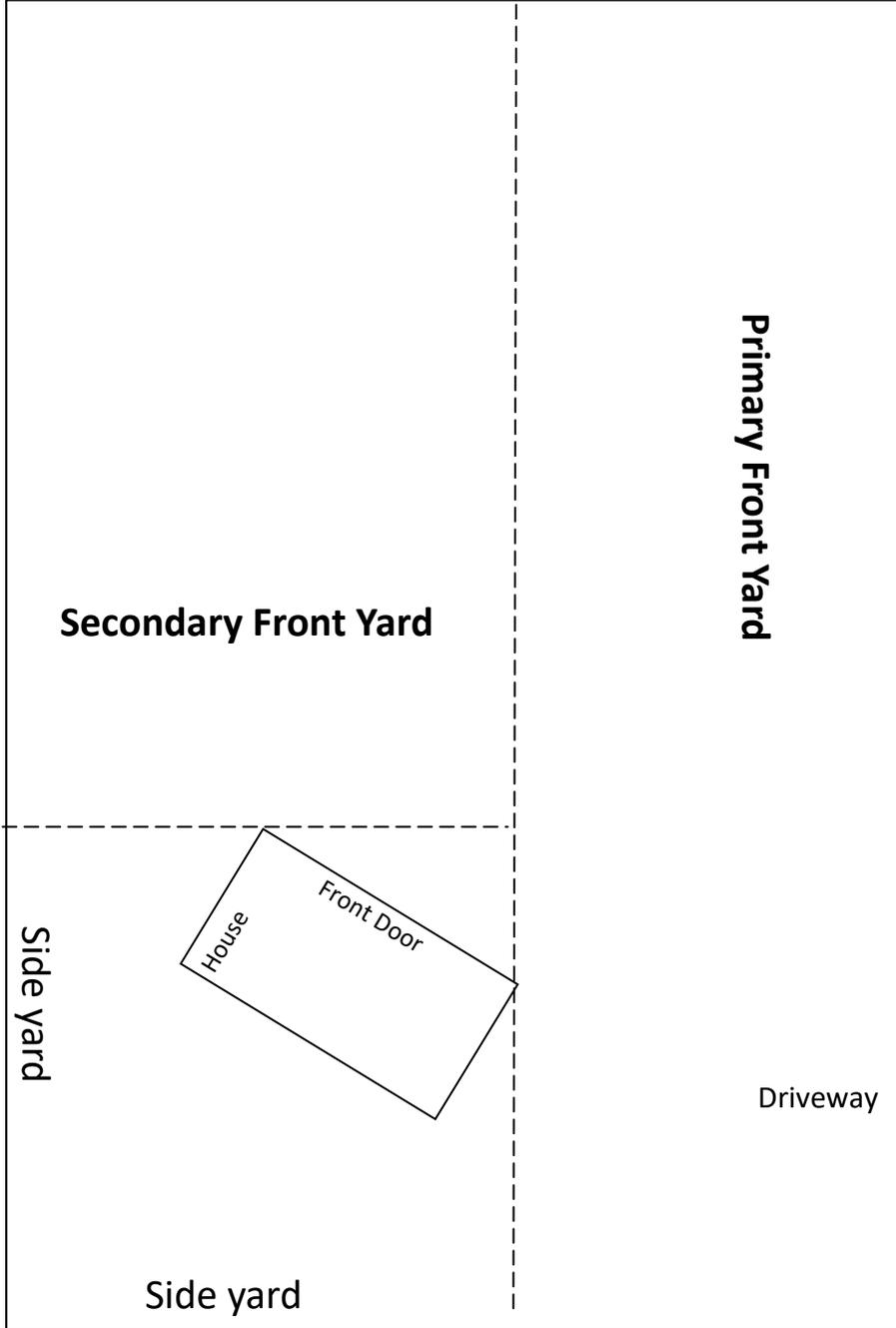
Front Door

Side yard

Side yard

Street

Street



Street

Street

