

**BOARD MEMBERS**

Brian Haren, Chairman  
John H. Culbreth, Sr., Vice-Chairman  
Al Gilbert  
Jim Graw  
Arnold L. Martin, III

**STAFF**

Peter A. Frisina, Director of Community Services  
Chanelle Blaine, Zoning Administrator

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**AGENDA**  
**FAYETTE COUNTY PLANNING COMMISSION MEETING**  
**140 STONEWALL AVENUE WEST**  
**May 4, 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 April 20, 2017.

**NEW BUSINESS****PUBLIC HEARING**

2. Consideration of Petition No. 1265-17, Ingrid A. Moore-Barnes, Owner, request to rezone 19.8 acres from R-70 to A-R to develop an A-R Bed and Breakfast Inn. This property is located in Land Lot 78 of the 7th District and fronts on Sandy Creek Road.

**OLD BUSINESS**

3. Discussion of amendments to Chapter 110. Zoning Ordinance, regarding Sec. 110-149. - Planned Unit Development concerning Planned Residential and Business Development-Planned Unit Development (PRBD-PUD) zoning district.

**REQUESTED ACTION:** R-70 to A-R

**PROPOSED USE:** A-R Bed and Breakfast Inn

**EXISTING USE:** Residential

**LOCATION:** Sandy Creek Road

**DISTRICT/LAND LOT(S):** 7th District, Land Lot(s) 78

**OWNER:** Ingrid A. Moore-Barnes

**PLANNING COMMISSION PUBLIC HEARING:** May 4, 2017

**BOARD OF COMMISSIONERS PUBLIC HEARING:** May 25, 2017

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**APPLICANT'S INTENT**

Applicant proposes to develop an A-R Bed and Breakfast Inn on 19.80 acres.

**STAFF RECOMMENDATION**

**APPROVAL WITH ONE (1) CONDITION**

## **INVESTIGATION**

### **A. PROPERTY SITE**

The subject property is a 19.8 acre tract fronting on Sandy Creek Road in Land Lot(s) 78 of the 7th District. Sandy Creek Road is classified as a Minor Arterial road on the Fayette County Thoroughfare Plan. The subject property contains a single-family residence and is currently zoned R-70.

### **B. SURROUNDING ZONING AND USES**

The general situation is a 19.8 acre tract that is zoned R-70. In the vicinity of the subject property is land which is zoned R-70. See the following table and also the attached Zoning Location Map.

The subject property is bound by the following adjacent zoning districts and uses:

<b>Direction</b>	<b>Acreage</b>	<b>Zoning</b>	<b>Use</b>	<b>Comprehensive Plan</b>
North	58.4	R-70	Single-Family Residential	Rural Residential (1 Unit/2 to 3 Acres)
East	5.4 5.8 4.9	R-70 R-70 R-70	Single-Family Residential Single-Family Residential Undeveloped	Rural Residential (1 Unit/2 to 3 Acres)
South (across Sandy Creek Road)	1.19 2.0	R-70 R-70	Cemetery Single-Family Residential	Rural Residential (1 Unit/2 to 3 Acre)
West	2.7 4.5	R-70 R-70	Single-Family Residential Single-Family Residential	Rural Residential (1 Unit/2 to 3 Acres)

### **C. COMPREHENSIVE PLAN**

The subject property lies within an area designated for Rural Residential (1 Unit/ 2 to 3 acres) and Conservation Area. This request conforms to the residential density of the Fayette County Comprehensive Plan.

### **D. ZONING/REGULATORY REVIEW**

The applicant seeks to rezone R-70 from to A-R for the purpose of developing an A-R Bed and Breakfast Inn. An A-R Bed and Breakfast Inn is a Conditional Use in the A-R Zoning District. The A-R Bed and Breakfast Inn will also have to comply with Article VI. - Tourist Accommodations of the Fayette County Code.

## **Right-of-Way Requirements**

Per Engineering/Public Works, as a Minor Arterial, Sandy Creek requires 100 feet of right of way. Per Section 104.52 of the Fayette County Development Regulations, should a proposed development adjoin an existing street, the developer shall dedicate additional right-of-way to meet one-half the minimum right-of-way requirement for the applicable functional classification as indicated on the Fayette County Thoroughfare Plan of the adjoining street.

## **Access**

The Concept Plan submitted indicates one (1) access from Sandy Creek Road.

## **E. DEPARTMENTAL COMMENTS**

### **Water System**

### **Public Works/Engineering**

No engineering comments

### **Environmental Management**

**Floodplain** The property **DOES** contain Zone A floodplain per FEMA FIRM panel 13113C0081E dated Sept 26, 2008. This floodplain **IS NOT** studied in Fayette County's 2013 Limited Detail Study. The top of dam elevation appears to be 942.

**Wetlands** According to the National Wetlands Inventory wetlands are not present. However, a wetland study may be required upon field inspection by staff. Per Section 8-4 of Fayette County Development Regulations, the applicant must 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** Watershed Protection **DOES** apply based on geographic information systems review indicating the property was subdivided in 1991. Watershed Protection buffers are 100 ft. from wooded vegetation or 50 ft. from the 100-year floodplain elevation, whichever is greater. The Watershed Protection setback is 50 ft. measured from the buffer.

**Groundwater** The property **IS NOT** within a groundwater recharge area. This development **IS** subject to all applicable development regulations.

## **Environmental Health Department**

No objections to the rezoning.

To develop a Bed and Breakfast: This department has no objections to proposed rezoning. Applicant will need to apply for Tourist Accommodation Permit with this department for Bed and Breakfast.

## **Fire**

If the occupancy classification of this property changes from single family residential to commercial the following Fire and Life Safety Mandatory Codes Must be met.

Mandatory Codes:

- Georgia State Minimum Standard Building Code (International Building Code 2012 edition with Georgia State Amendments)
- Georgia State Minimum Standard One and Two Family Dwelling Code (International Residential Code 2012 edition for One- and Two-Family Dwellings with Georgia State Amendments)
- Georgia State Minimum Standard Fire Code (International Fire Code 2012 edition with Georgia State Amendments)
- Georgia State Minimum Standard Plumbing Code (International Plumbing Code 2012 edition with Georgia State Amendments)
- Georgia State Minimum Standard Mechanical Code (International Mechanical Code 2012 edition with Georgia State Amendments)
- Georgia State Minimum Standard Gas Code (International Fuel Gas Code 2012 edition with Georgia State Amendments)
- Georgia State Minimum Standard Electrical Code (National Electrical Code 2011 edition with Georgia State Amendments)
- Georgia State Minimum Standard Energy Code (International Energy Conservation Code 2009 edition with Georgia State Supplements and Amendments).
- Georgia State Minimum ADA Standard for Accessibility 2010.
- Life Safety Code NFPA 101– 2012 Edition with Georgia State Supplements and Amendments.

### **STAFF ANALYSIS**

This request is based on the petitioner's intent to rezone said property from R-70 to A-R for the purpose of developing an A-R Bed and Breakfast Inn. Per Section 110-300 of the Fayette County Zoning Ordinance, Staff makes the following evaluations:

1. The subject property lies within an area designated for Rural Residential (1 Unit/ 2 to 3 acres) and Conservation Area. This request conforms to the residential density of the Fayette County Comprehensive Plan.
2. The proposed rezoning will not adversely affect the existing use or usability of adjacent or nearby property.
3. The proposed rezoning will not result in a burdensome use of roads, utilities, or schools.
4. Existing conditions and the area's large lot single-family residential development support this petition.

Based on the foregoing Investigation and Staff Analysis, Staff recommends  
**APPROVAL WITH ONE (1) CONDITION**

### **RECOMMENDED CONDITIONS**

If this petition is approved by the Board of Commissioners, it should be approved A-R **CONDITIONAL** subject to the following enumerated conditions. Where these conditions conflict with the provisions of the Zoning Ordinance, these conditions shall supersede unless otherwise specifically stipulated by the Board of Commissioners.

1. The owner/developer shall provide, at no cost to Fayette County, a quit-claim deed for fifty (50) feet of right-of-way as measured from the centerline of Sandy Creek Road to create a total of 100 feet of right-of-way. *(This condition is to ensure the provision of adequate right-of-way for future road improvements.)*

**1265-17  
Zoning**

[illegible]

Jenkins Road

R-40

R-40

R-70



**1265-17**  
**Land Use Plan**

CONSERVATION  
AREAS

**SUBJECT  
PROPERTY**

RURAL  
RESIDENTIAL

Sandy Creek Road  
Jenkins Road



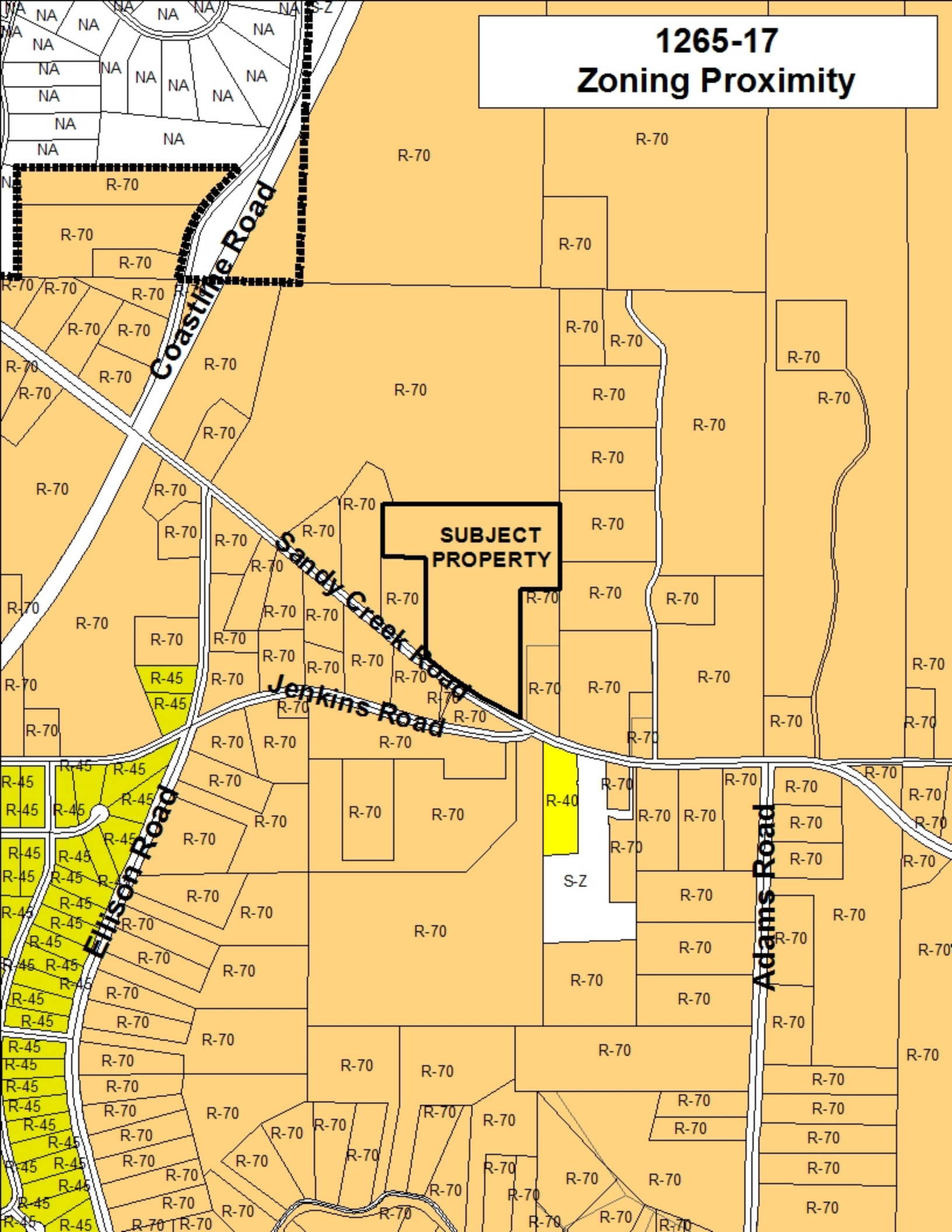
**1265-17  
Aerials**

**SUBJECT  
PROPERTY**

**Sandy Creek Road**  
**Jenkins Road**



# 1265-17 Zoning Proximity



APPLICATION TO AMEND  
TO AMEND THE OFFICIAL ZONING MAP OF FAYETTE COUNTY, GA

PROPERTY OWNERS: INGRID A. MOORE-BARNES  
MAILING ADDRESS: 1099 SANDY CREEK Rd. Fayetteville GA.  
PHONE: 770-731-2233 FAX: \_\_\_\_\_  
AGENT FOR OWNERS: N/A  
MAILING ADDRESS: \_\_\_\_\_  
PHONE: \_\_\_\_\_ FAX: \_\_\_\_\_  
E-MAIL: \_\_\_\_\_  
PROPERTY LOCATION: LAND LOT 78 LAND DISTRICT 07 PARCEL 07023043  
LAND LOT \_\_\_\_\_ LAND DISTRICT \_\_\_\_\_ PARCEL \_\_\_\_\_  
TOTAL NUMBER OF ACRES REQUESTED TO BE REZONED: 19.8  
EXISTING ZONING DISTRICT: R-70 PROPOSED ZONING DISTRICT: A-R  
ZONING OF SURROUNDING PROPERTIES: R-70, R-40  
PRESENT USE OF SUBJECT PROPERTY: PRIVATE Resident  
PROPOSED USE OF SUBJECT PROPERTY: Bed and Breakfast  
LAND USE PLAN DESIGNATION: Rural Residential Community (2 to 3 acres)  
NAME AND TYPE OF ACCESS ROAD: Sandy Creek Rd.  
LOCATION OF NEAREST WATER LINE: \_\_\_\_\_

(THIS AREA TO BE COMPLETED BY STAFF): PETITION NUMBER: 1265-17

[ ] Application Insufficient due to lack of: \_\_\_\_\_

by Staff: \_\_\_\_\_ Date: \_\_\_\_\_

[ ☒ ] Application and all required supporting documentation is Sufficient and Complete

by Staff: C.B. Date: 11/14/2016

DATE OF PLANNING COMMISSION HEARING: May 4, 2017

DATE OF COUNTY COMMISSIONERS HEARING: May 25, 2017

Received from INGRID A. Moore Barnes a check in the amount of \$ 350.00 for application filing fee, and \$ 30.00 for deposit on frame for public hearing sign(s). \$380 (Total)

Date Paid: \_\_\_\_\_ Receipt Number: \_\_\_\_\_

PROPERTY OWNER CONSENT AND AGENT AUTHORIZATION FORM  
(Applications require authorization by ALL property owners of subject property).

Name(s) of All Property Owners of Record found on the latest recorded deed for the subject property:

INGRID A. MOORE-BARNES

Please Print Names

Property Tax Identification Number(s) of Subject Property: 07023043

(I am) (we are) the sole owner(s) of the above-referenced property requested to be rezoned. Subject property is located in Land Lot(s) 78 of the 07 District, and (if applicable to more than one land district) Land Lot(s) \_\_\_\_\_ of the \_\_\_\_\_ District, and said property consists of a total of \_\_\_\_\_ acres (legal description corresponding to most recent recorded plat for the subject property is attached herewith).

(I) (We) hereby delegate authority to N/A to act as (my) (our) Agent in this rezoning. As Agent, they have the authority to agree to any and all conditions of zoning which may be imposed by the Board.

(I) (We) certify that all of the information filed with this application including written statements or showings made in any paper or plans submitted herewith are true and correct to the best of (my) (our) knowledge and belief. Further, (I) (We) understand that this application, attachments and fees become part of the official records of the Fayette County Zoning Department and may not be refundable. (I) (We) understand that any knowingly false information given herein by me/us will result in the denial, revocation or administrative withdrawal of the application or permit. (I) (We) further acknowledge that additional information may be required by Fayette County in order to process this application.



Signature of Property Owner 1

1099 SANDY CREEK Rd R  
Address  
Fayetteville, GA 30213

Signature of Property Owner 2

Address

Signature of Property Owner 3

Address

Signature of Authorized Agent

Address

Sharon E Battle

Signature of Notary Public

11/14/14  
Date

Signature of Notary Public

Date

Signature of Notary Public

Date

Signature of Notary Public

Date

NAME: \_\_\_\_\_ PETITION NUMBER: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

PETITION FOR REZONING CERTAIN PROPERTY IN THE UNINCORPORATED AREAS OF FAYETTE COUNTY, GEORGIA

Ingrid A. Moore-Barnes affirms that he is the owner or the specifically authorized agent of the property described below. Said property is located in a(n) 07 Zoning District. He/She respectfully petitions the County to rezone the property from its present classification and tenders herewith the sum of \$ 370<sup>00</sup> to cover all expenses of public hearing. He/She petitions the above named to change its classification to A-R.

This property includes: (check one of the following)

☒ See attached legal description on recorded deed for subject property or

☐ Legal description for subject property is as follows:

PUBLIC HEARING to be held by the Planning Commission of Fayette County on the January, 2016 at 7:00 P.M. 0 7<sup>th</sup> day of

PUBLIC HEARING to be held by the Board of Commissioners of Fayette County on the January, 202016 at 7:00 P.M. 0 26<sup>th</sup> day of

SWORN TO AND SUBSCRIBED BEFORE ME THIS 14 DAY OF November, 2016.

Sharon C Batte  
NOTARY PUBLIC

[Signature]  
APPLICANT'S SIGNATURE

AGREEMENT TO DEDICATE PROPERTY FOR FUTURE RIGHT-OF-WAY

I/We, INGRID A. MOORE-BARNES, said property owner(s) of subject property requested to be rezoned, hereby agree to dedicate, at no cost to Fayette County, ~~20~~ 100 <sup>CNS</sup> <sub>SEB</sub> feet of right-of-way along SANDY CREEK Rd as measured from the centerline of the road.

Based on the Future Thoroughfare Plan Map streets have one of the following designations and the Fayette County Development Regulations require a minimum street width as specified below:

Local Street (Minor Thoroughfare) 60 foot right-of-way (30' measured from each side of road centerline)

Collector Street (Major Thoroughfare) 80 foot right-of-way (40' measured from each side of road centerline)

Arterial Street (Major Thoroughfare) 100 foot right-of-way (50' measured from each side of road centerline)

Sworn to and subscribed before me this 14<sup>th</sup> day of November, 2016.

  
SIGNATURE OF PROPERTY OWNER

\_\_\_\_\_  
SIGNATURE OF PROPERTY OWNER

Sharon E Batki  
NOTARY PUBLIC





100 0 100 200 300

GRAPHIC SCALE - 1" = 100'



**This section is to be added in its entirety.**

Sec. 110-149. - Planned unit development.

(d) Planned residential and business development.

- (1) Purpose. The intent of a planned residential and business development (PRBD) is to allow mixed-use development with principal single-family residential and incidental business uses **and through the use of large lots and the preservation of existing single-family dwellings maintain rural character**. The characteristics of a PRBD are: in conjunction with a principal residence the occupant conducts on-site business operations, clients/customers visit the site, receipt and shipments of goods occur, and non-occupant employees will be on site.
- (2) Permitted residential uses and structures. Planned residential and business development shall contain single-family dwellings and residential accessory structures and uses shall also be allowed per article III of chapter 110. The summary of intent shall specify the minimum floor area ~~proposed for~~ **of existing** the single-family dwellings. In addition, a home occupation is allowed per article V of chapter 110
- (3) Permitted business uses and structures. A list of proposed business uses shall be submitted with the summary of intent. Only those business uses approved through the rezoning process shall be allowed in the PRBD. Any approved business that is listed as a conditional use in Article V shall meet the conditional use requirements, as is applicable. The summary of intent shall specify the list of proposed businesses, number of proposed on-site employees per business, and the number, size and architectural character of the business structures proposed for the individual businesses in the PRBD. **The architectural character of the business structures shall be agricultural. Appropriate facades shall include 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.**
- (4) Business vehicles. The summary of intent shall specify the type, size and number of business vehicles and trailers proposed per business in the PRBD and the anticipated frequency of business vehicular trips. Motor vehicles cannot exceed two axles, 22 feet in length, ten feet in height, and/or 8,000 pounds (curb weight). Vehicles that exceed these parameters shall be allowed only during business hours (see o. below) and only for the purpose of making deliveries, making pickups, and providing services.
- (5) Minimum dimensional and other requirements in the PRBD shall be as follows:
  - a. Development size: 75 contiguous acres
  - b. The proposed development shall be permitted only on a lot which fronts on and accesses a major thoroughfare, as specified by the county thoroughfare plan.
  - c. A minimum buffer of 100 feet shall be provided around the side and rear periphery of the development (see Sec. 110-94).
  - d. Minimum lot size: 15 acres.
  - e. Minimum lot width: 250 feet
  - f. Front yard setback: 75 feet
  - g. Side yard setback: 50 feet (except where the 100 foot buffer is applicable)
  - h. Rear yard setback: 75 feet (except where the 100 foot buffer is applicable)
  - i. **New single-family dwelling minimum floor area: 2,100** and Height limit: 35 feet

- j. Lights shall be established in such a way that adjacent properties and residents are not adversely affected, and that no direct light is cast upon said properties and residents.
- k. ~~The business shall be owned and operated by the occupants of the property upon which the business operation is conducted.~~ The operator of the business shall be one of the following:
  - 1. The business operator is the owner/occupant of the property and the business is not owned by a corporation; or
  - 2. The property and business is owned by a corporation in which case the operator /occupant shall be an officer of the corporation.
- l. No more than five (5) persons shall be employed on-site by a business, not including the owner/occupants.
- m. All structures associated with the business are allowed in the rear yard only behind the principal residence and must be fully enclosed and shall not be used for any residential purposes. Business structures shall not be located within 100 feet of the principal residential structure.
- n. All vehicles associated with the business must be parked in the rear yard only.
- o. The hours of operation, in the context of clients/customers shall be limited to 9:00 a.m. to ~~7:00~~ 5:00 p.m., Monday through Saturday.
- p. All materials, equipment, supplies, and inventory associated with the business shall be stored, operated and maintained within the business structure. Semi-trailers or shipping containers cannot be used for storage.
- q. Stormwater Requirements: In the event that 5,000 or more square feet of impervious surface (including driveways and parking for the business) is added in conjunction with a business structure, a site plan compliant with stormwater requirements of the county development regulations shall be required for that lot. The lot will be exempt from site plan requirements, the nonresidential development landscape requirements and tree retention, protection, and replacement requirements of the county development regulations.  
  
In the event that the property is subdivided with an internal street, the development shall comply with stormwater requirements of the county development regulations, as applicable.
- r. Adequate off-street parking shall be required. A prepared surface is required for the parking areas. The parking area shall comply with Article VIII. - Off-Street Parking and Service Requirements of the Development Regulations and must be depicted on a sketch, drawn to scale on a survey of the lot. Gravel parking areas shall be exempt from Nonresidential Development Landscape Requirements of the Fayette County Development Regulations. The following is required for gravel parking areas:
  - (i) Exterior and interior parking aisles shall be terminated at both ends by a landscape island.
  - (ii) Landscape islands shall be provided for each 150 feet of continuous parking length.
  - (iii) One (1) canopy tree, six (6) feet high at planting, is required per landscape island.
 Paved parking areas shall meet the Nonresidential Development Landscape Requirements of the Fayette County Development Regulations.

**Frontage road- central drive – inter-parcel access?**

**Business structure size limit and height limit less than 35 feet?**