

BOARD MEMBERS

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

STAFF

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

AGENDA
FAYETTE COUNTY PLANNING COMMISSION MEETING
140 STONEWALL AVENUE WEST
March 1, 2018
7:00 pm

***Please turn off or turn to mute all electronic devices during the
Planning Commission Meetings**

PUBLIC HEARING

1. Consideration of Petition No. 1272-18, James Turner, Owner, and Ron Godwin, Agent, request to rezone 20.033 acres from A-R to R-70 to add to Lot 2 of Tuner Estates Subdivision. This property is located in land lot 72 of the 7th District.
2. Consideration of Petition No. RP-066-18, Larry Turner, Owner, and Ron Godwin, Agent, request to revise Lot 2 of Tuner Estates Subdivision to add 20.033 acres. This property is located in 72 of the 7th District and fronts on Dogwood Trail.
3. Consideration of Petition No. RP-067-18, Ron Gassman, Owner, request to revise the final plat of Coventry Estates to add a lot to the subdivision by subdividing lot 43. This property is located in 63 of the 5th District and fronts on Brookshire Drive. **The applicant has requested to withdraw Petition RP-067-18.**
4. Consideration of Amendments to Chapter 110. Zoning Ordinance, Regarding Sec. 110-3. – Definitions and Sec. 110-79. - Accessory Structures and Uses.
5. Consideration of Amendments to Article XV. - Subdivision Regulations, Regarding Sec. 104-593. - Definitions and Sec. 104-603. Procedure for The Establishment of Front, Side And Rear Yards on a Flag Lot or a Nonconforming Landlocked Lot.

PETITION NO: 1272-18 & RP-066-18

REQUESTED ACTION: A-R to R-70 and Revise Lot 2 of Turner Estates subdivision

PROPOSED USE: Residential

EXISTING USE: Residential

LOCATION: Dogwood Trail

DISTRICT/LAND LOT(S): 7th District, Land Lot(s) 72

OWNERS: James Turner & Larry Turner

AGENT: Ron Godwin

PLANNING COMMISSION PUBLIC HEARING: March 1, 2018

BOARD OF COMMISSIONERS PUBLIC HEARING: March 22, 2018

APPLICANT'S INTENT

Applicant proposes to rezone 20.033 acres from A-R to R-70 to add to Lot 2 of Turner Estates subdivision for estate purposes.

STAFF RECOMMENDATION

APPROVAL

1.

1272-18 & RP-066-18

INVESTIGATION

A. PROPERTY SITE

The tracts to be rezoned are a total 20.033 acres consisting of a 0.153 acre tract and a 19.88 acre tract in Land Lot 72 of the 7th District. The tracts to be rezoned are undeveloped and currently zoned A-R. Lot 2 of Tuner Estates subdivision (R-70) contains a single-family residence.

History: Rezoning Petition 591-86 (A-R to R-70 for the area of Tuner Estates subdivision) was approved by the Board of Commissioners on August 28, 1986 with one condition as follows:

That the proposed lots share an access driveway from the pavement to the right-of-way at a minimum, and that any future flag lots cut from this property also utilize said access drive.

The Final Plat of Turner Estates was approved and recorded in 1986 (see attached).

B. SURROUNDING ZONING AND USES

The general situation is a total of 20.033 acres consisting of a 0.153 acre tract and a 19.88 acre tract that are zoned A-R and Lot 2 of Turner Estates subdivision (R-70). In the vicinity of the subject property is land which is zoned A-R, R-70 and R-40. See the following table and also the attached Zoning Location Map.

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

Direction	Acreage	Zoning	Use	Comprehensive Plan
North	2.0	A-R	Single-family Residence	Rural Residential – 2 (1 Unit/2 Acres)
	2.0	R-70	Single-family Residence	
	2.0	R-70	Single-family Residence	
South	5.2	A-R	Single-family Residence	Rural Residential – 2 (1 Unit/2 Acres)
	1.0	R-40	Single-family Residence	Low Density Residential (1 Unit/1 Acre)
	1.0	R-40	Single-family Residence	
East	20.9	A-R	Undeveloped	Rural Residential – 2 (1 Unit/2 Acres)
West	30.84	A-R & R-70	Single-family Residence	Low Density Residential (1 Unit/1 Acre)
	16.39	A-R & R-70	Single-family Residence	

C. COMPREHENSIVE PLAN

The subject property lies in an area designated for Rural Residential – 2 (1 Unit/2 Acres) and Environmentally Sensitive Areas (Floodplain). This request conforms to the Fayette County Comprehensive Plan.

D. ZONING/REGULATORY REVIEW

The applicant seeks to rezone 20.033 acres from A-R to R-70 for the purpose of adding the property to Lot 2 of Turner Estates subdivision (R-70) for estate purposes.

Lot 2 of Turner Estates subdivision is a nonconforming lot as the road frontage requirement is now 100 feet and the final plat was approved when road frontage requirement was 25 feet. The zoning ordinance allows property to be added to a nonconforming lot as follows:

(a) Nonconforming lots. A legally existing lot of record which fails to comply with the provisions herein, as of November 13, 1980, or as the result of subsequent amendments, or due to the acquisition of property for a public purpose, a rezoning, or a variance, shall be considered a legal nonconforming lot and may be utilized for the establishment of uses or the placement of structures and improvements, as long as, all applicable regulations can be met. Where the dimensional requirements of the zoning district cannot be met in terms of the placement of structures and improvements, a variance authorized by the zoning board of appeals shall be required. Any reduction in the land area of a legal nonconforming lot other than an acquisition for a public purpose which serves to make the lot more nonconforming shall result in a loss of the legal nonconforming lot status. However, **any addition of property to a legal nonconforming lot which serves to make the lot more conforming shall not result in the loss of the legal nonconforming lot status.**

Platting

Revision to the Final Subdivision Plat (RP-066-18)

Sec. 104-595. Approval of subdivisions. (2), j. of the Subdivision Regulations states:

.....Proposed revisions to a recorded final plat of any existing residential or agricultural-residential subdivisions which add property to, increases the number of platted lots, or changes the principal use on a lot will be considered in public hearings before the planning commission and the board of commissioners. The legal notice shall be advertised at least seven calendar days prior to the public hearing before the planning commission, but not more than 45 calendar days, nor less than 15 calendar days prior to the public hearing before the board of commissioners.....

Should this request be approved, a revision to the final plat for Turner Estates subdivision shall be required to combine the rezoned property with Lot 2.

E. DEPARTMENTAL COMMENTS

Water System

Water available.

Public Works/Engineering

No comments from Engineering/Public Works.

Environmental Management

Floodplain Management Ord Applicable Watershed not applicable. State 25' buffer should be applied. May be subject to performing wetland determination prior to final plat.

Environmental Health Department

I have looked at this information and our department has no objections to either the proposed rezoning nor the adding the undeveloped property to lot 2 Turner Estates (192 Dogwood Trail). Our department would be in a position to sign the revised final plat for recording purposes when it is developed.

Fire

The bureau of fire prevention will neither approve nor deny request that fall outside the scope of ISO requirements.

Peachtree City

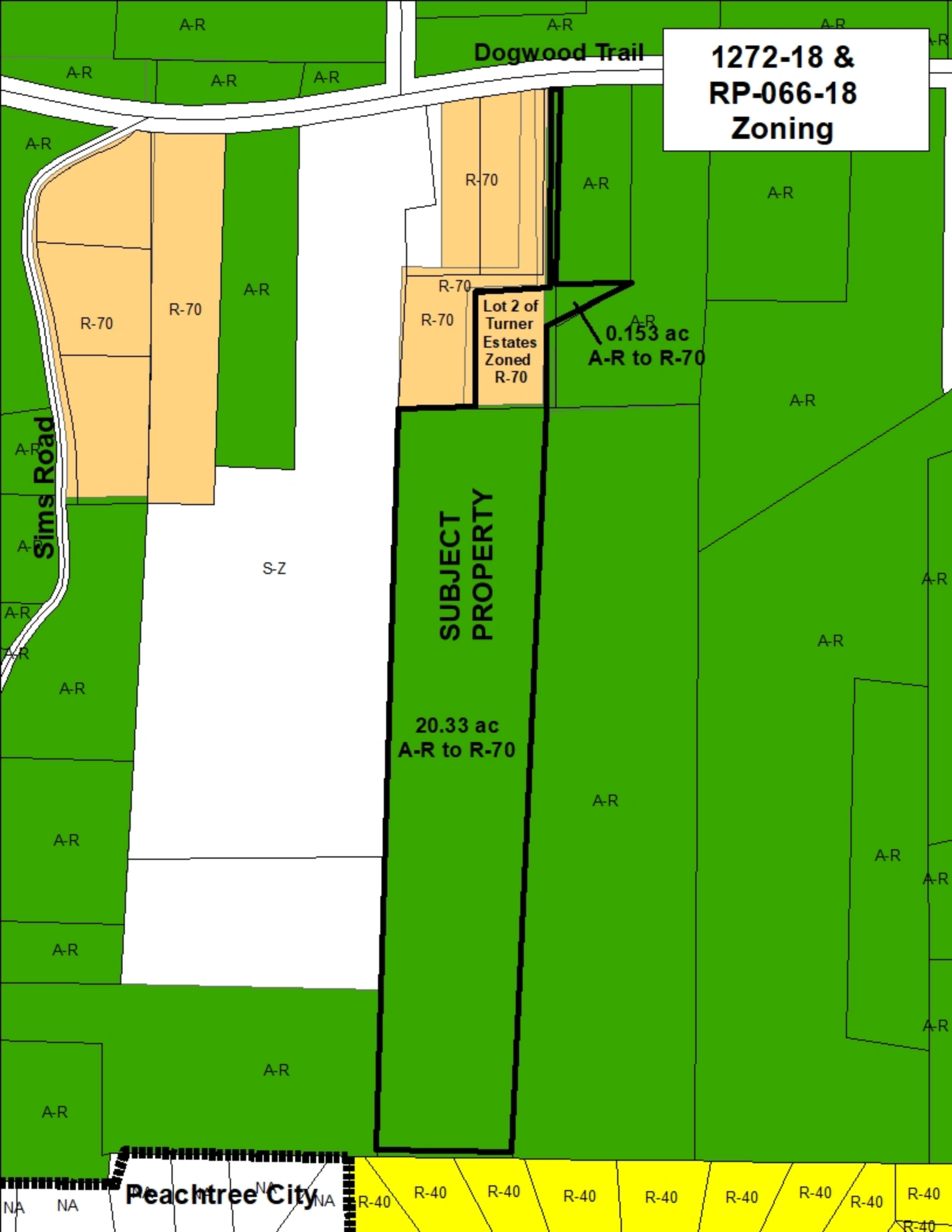
Thank you for including Peachtree City in your notice. The City has not objection or comment on the proposed rezoning. Thank you. (Robin Cailloux, AICP)

STAFF ANALYSIS

This request is based on the petitioner's intent to rezone said property from A-R to R-70 for the purpose of adding the property to Lot 2 of Turner Estates subdivision (R-70) for estate purposes. Per Section 110-300 of the Fayette County Zoning Ordinance, Staff makes the following evaluations:

1. The property to be rezoned from A-R to R-70 lies in an area designated for Rural Residential – 2 (1 Unit/2 Acres) and Environmentally Sensitive Areas (Floodplain). This request conforms to 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 development as a single-family residential district support these petitions.

Based on the foregoing Investigation and Staff Analysis, Staff recommends **APPROVAL**.



**1272-18 &
RP-066-18
Zoning**

Dogwood Trail

Sims Road

**SUBJECT
PROPERTY**

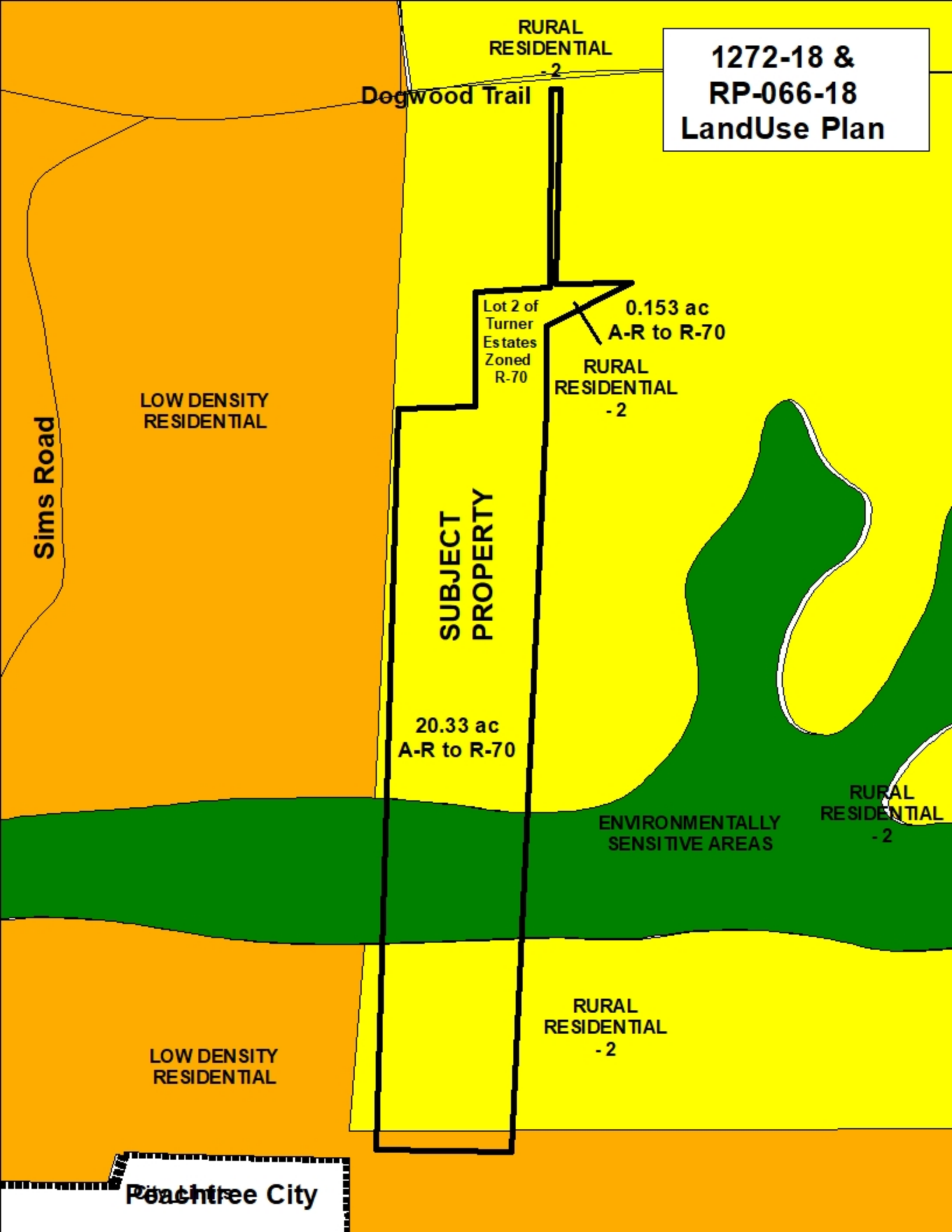
**20.33 ac
A-R to R-70**

**Lot 2 of
Turner
Estates
Zoned
R-70**

**0.153 ac
A-R to R-70**

Peachtree City

**1272-18 &
RP-066-18
LandUse Plan**



**1272-18 &
RP-066-18
Aerials**

Dogwood Trail

Sims Road

Lot 2 of
Turner
Estates
Zoned
R-70

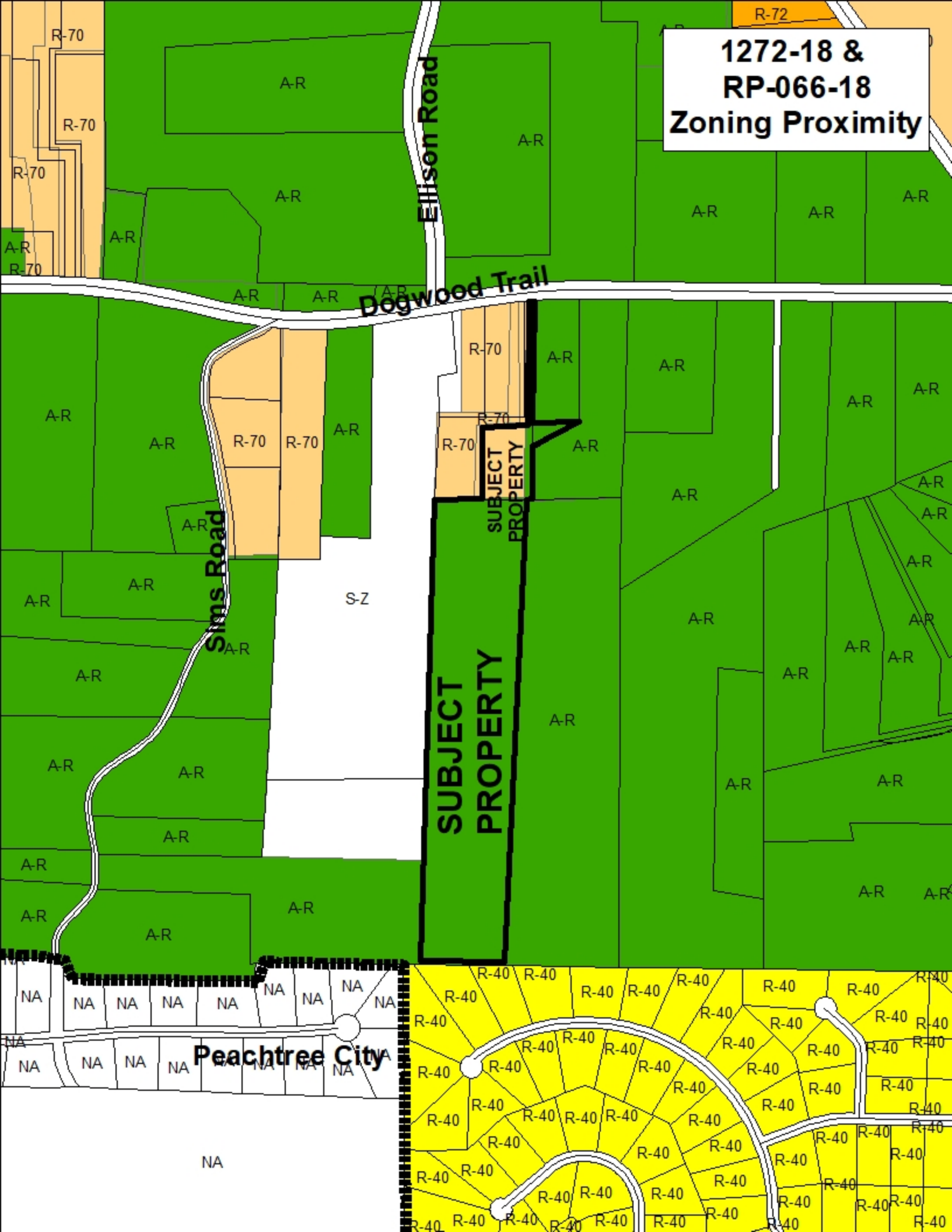
0.153 ac
A-R to R-70

**SUBJECT
PROPERTY**

20.33 ac
A-R to R-70

Peachtree City

**1272-18 &
RP-066-18
Zoning Proximity**





Four Corners Surveying, L.L.C.

Pete Frisina
Fayette County Planning and Zoning
140 Stonewall Avenue West
Fayetteville, GA 30214

RE: Rezoning Petition 1272-18 and Revised Plat RP-066-18

Dear Mr. Frisina,

The purpose for the rezoning application and revised plat application is to help with the estate of Mr. James Turner. The heirs have decided to combine the property as shown on the concept plan, which requires the property to be rezoned to the same zoning prior to revising the Final Plat for Turner Estates.

Sincerely,

A handwritten signature in black ink, appearing to read 'Ron Godwin'.

Ron Godwin R.L.S.
770-560-3910

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

PROPERTY OWNERS: James G Turner

MAILING ADDRESS: 190 Dogwood Tr. Tyrone, Ga 30290

PHONE: 770-487-4837 E-MAIL: _____

AGENT FOR OWNERS: RON GODWIN

MAILING ADDRESS: # 205 CHAPARRAL TRACE TYRONE GA 30290

PHONE: 770 560 3910 E-MAIL: FOUR-CORNERS@BELLSOUTH.NET

PROPERTY LOCATION: LAND LOT 72 LAND DISTRICT 7M PARCEL _____
LAND LOT _____ LAND DISTRICT _____ PARCEL _____

TOTAL NUMBER OF ACRES REQUESTED TO BE REZONED: _____

EXISTING ZONING DISTRICT: AR PROPOSED ZONING DISTRICT: R-70

ZONING OF SURROUNDING PROPERTIES: A-2 & R-70

PRESENT USE OF SUBJECT PROPERTY: Residential

PROPOSED USE OF SUBJECT PROPERTY: Residential

LAND USE PLAN DESIGNATION: Rural Residential-2

NAME AND TYPE OF ACCESS ROAD: DOGWOOD TRAIL

LOCATION OF NEAREST WATER LINE: _____

(THIS AREA TO BE COMPLETED BY STAFF): PETITION NUMBER: 1272-18

☐ Application Insufficient due to lack of: _____

by Staff: _____ Date: _____

☒ Application and all required supporting documentation is Sufficient and Complete

by Staff: C. OB Date: 2/5/18

DATE OF PLANNING COMMISSION HEARING: March 7, 2018

DATE OF COUNTY COMMISSIONERS HEARING: March 22, 2018

Received from Larry G. Turner a check in the amount of \$ 490.00 for application filing fee, and \$ 450.00 for deposit on frame for public hearing sign(s). 20.00

Date Paid: Feb. 3, 2018 Receipt Number: 6135568-sign
6135564-app

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:

James G. Turner Louise D. Turner
Please Print Names

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

(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) 72 of the 7th 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 Ron Gudwin 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 of permit. (I) (We) further acknowledge that additional information may be required by Fayette County in order to process this application.

James G. Turner
Signature of Property Owner 1

Address _____

Louise D. Turner Power of Attorney
Signature of Property Owner 2

Address _____

Signature of Property Owner 3

Address _____

[Signature]
Signature of Authorized Agent

205 CHADARAL TRACE
Address TYRONE GA 30280

[Signature]
Signature of Notary Public
1-29-18
Date

[Signature]
Signature of Notary Public
1-29-18
Date

Signature of Notary Public

Date

[Signature]
Signature of Notary Public

FEBRUARY 05, 2018
Date

APPLICATION TO REVISE A RECORDED PLAT
(PUBLIC HEARING)

PETITION NO: RP- 0616 - 18

NAME OF RECORDED PLAT: TURNER ESTATES

OWNER OF PROPERTY: LARRY TURNER

MAILING ADDRESS: 190 DOGWOOD TRAIL, TYRONE GA 30280

PHONE: 770 487 4837

E-MAIL: _____

AGENT FOR OWNER: RON GODWIN

MAILING ADDRESS: 205 CHAPARRAL TRACE TYRONE GA 30280

PHONE: 770 560 3910

E-MAIL: RON@FOURCORNERSSURVEYING.COM

LOCATION: LAND LOT(S) 72 DISTRICT 7th ROAD _____

LEGAL DESCRIPTION ATTACHED: _____ ZONING: AR : R70

FIFTEEN COPIES OF CONCEPT PLAN ATTACHED: _____

TOTAL NUMBER OF LOTS: _____ TOTAL NUMBER OF ACRES: _____

DATE OF PLANNING COMMISSION HEARING: _____

DATE OF COUNTY COMMISSIONERS HEARING: _____

REASON FOR REVISION: SETTLE ESTATE

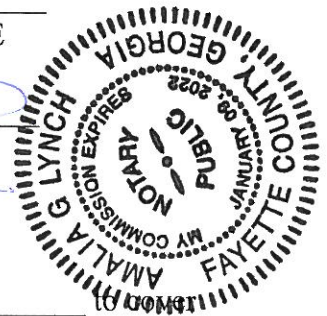
I respectfully submit this application and certify that the above information is correct and true to the best of my knowledge. I further certify that I am the owner or the specifically authorized agent of the above-referenced property.

2-05, 2018

[Signature]
OWNER/AGENT'S SIGNATURE

FEBRUARY 05, 2018

[Signature]
NOTARY PUBLIC



SIGN FEE

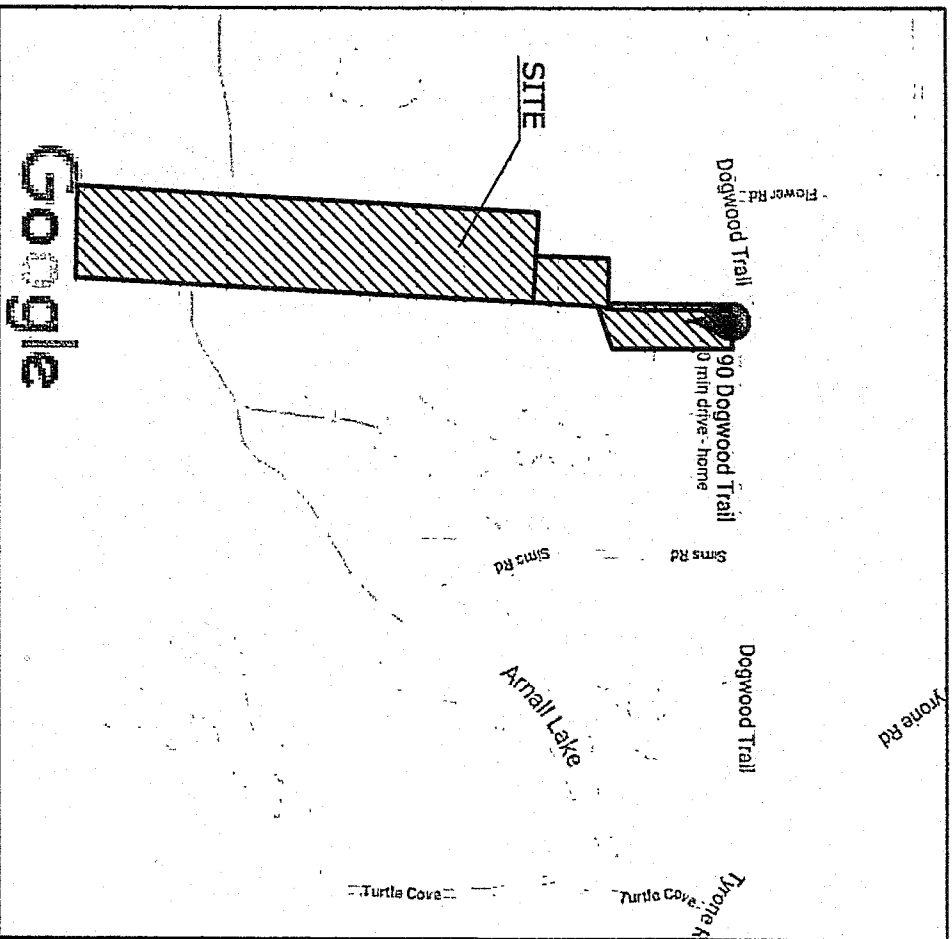
Received from _____ the amount of \$ _____
the cost of the sign deposit. Applicant will be billed later for the cost of advertising.

Date Paid: _____

Receipt No. _____

Cash: _____

Check No. _____



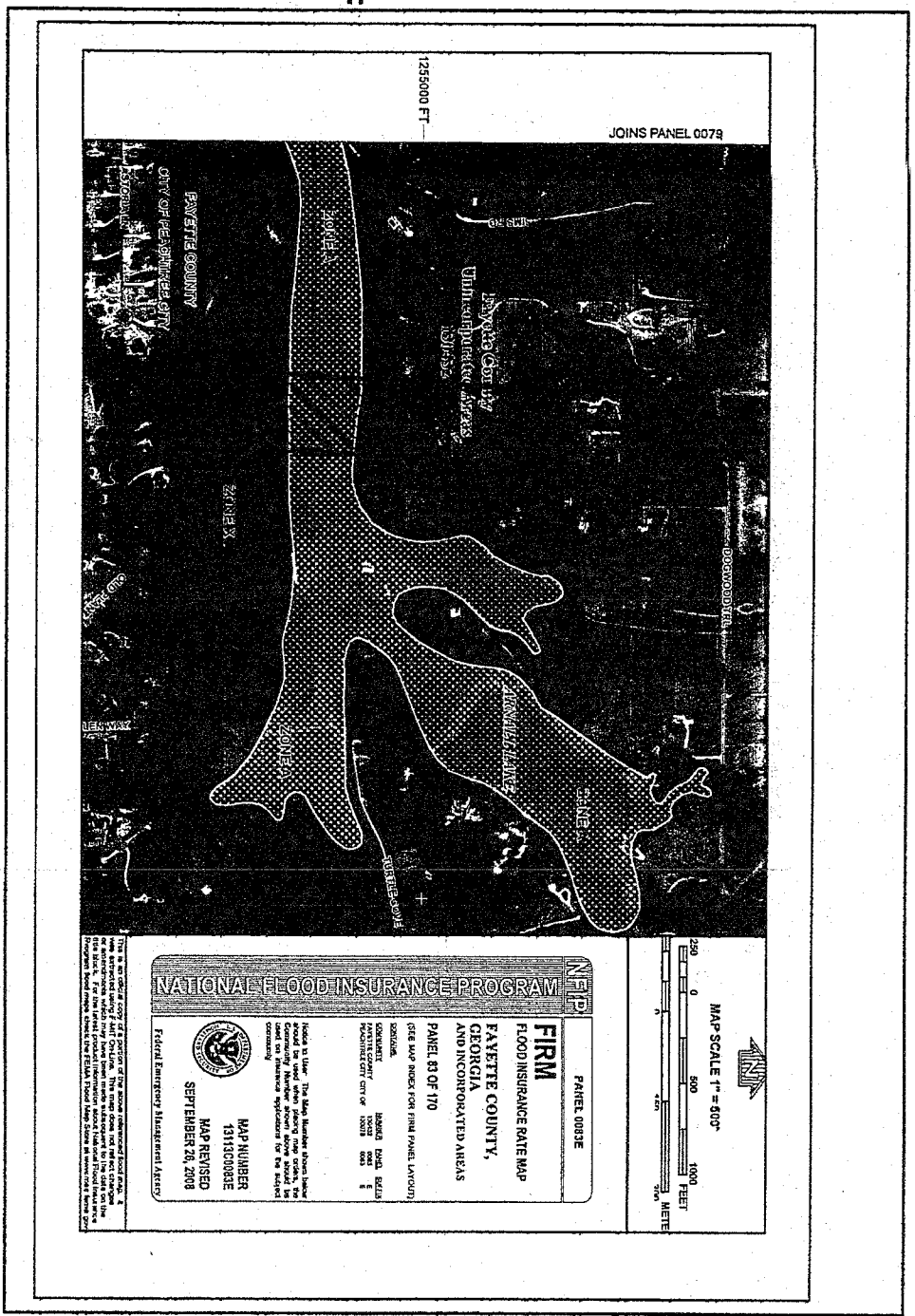
VICINITY MAP

NOT TO SCALE

CONCEPT PLAN

GENERAL NOTES:

- Owner:
James G. Turner
Louise D. Turner
192 Dogwood Trail
Tyrone, GA 30290
Phone (678)416-1040
- Closure Data:
Field closure= 1' IN 10,000'+
Angle point error= < 20"
Equipment used=Topcon Robot
Adjustment method=N/A.
Plat closure=1' in 100,000'+
- AR Zoning
Front Yard = 100'
Side Yard = 50'
Rear Yard = 75'
- Existing Zoning: AR
Proposed Zoning: R-70
- Dimensional requirements:
R-70 Zoning
Front Yard = 75'
Side Yard = 25'
Year Yard = 50'



F.E.M.A. FLOOD MAP

NOT TO SCALE

Line #	Direction	Length
L1	N87° 02' 20"E	25.20'
L2	S88° 15' 37"E	178.61'
L3	S70° 29' 11"W	205.97'
L5	S88° 13' 50"E	49.71'
L6	N01° 41' 53"E	358.03'
L7	S87° 57' 47"E	380.46'

Line #	Direction	Length
L8	S86° 51' 53"E	198.82'
L9	N01° 48' 08"E	332.17'
L10	S89° 16' 17"E	205.50'
L11	N00° 25' 02"E	551.36'
L12	S00° 20' 18"W	528.36'

CLOSURE DATA
FIELD CLOSURE=1" IN 10,000'+
ANGLE POINT ERROR= < 20"
EQUIPMENT USED=D.M. & THEODOLITE
ADJUSTMENT METHOD=COMPASS RULE
PLAT CLOSURE=1" IN 100,000'+

THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH BY SURVEYOR. ALL INFORMATION REGARDING DEEDS, EASEMENTS, ADJOINERS AND OTHER DOCUMENTS THAT AFFECT THE QUALITY OF TITLE TO TRACT SHOWN WERE NOT SUPPLIED TO THIS OFFICE.

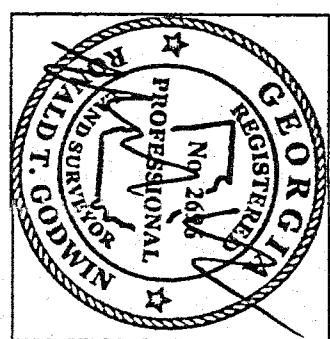
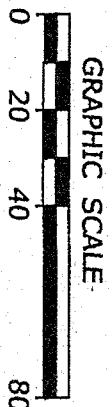
A PORTION OF THIS PROPERTY DOES LIE WITHIN A 100 YEAR FLOOD PLAIN ACCORDING F.E.M.A. FLOOD MAP 13113C0083E DATED 9/26/2008

DECLARATION IS MADE TO ORIGINAL PURCHASER OF THE SURVEY, ANY USE BY THIRD PARTIES IS AT THEIR OWN RISK.

SURVEY IS VALID ONLY IF PRINT HAS ORIGINAL SEAL AND ORIGINAL SIGNATURE OF SURVEYOR.

LEGEND

IPF=IRON PIN FOUND
IPS=IRON PIN SET
M=MEASURED
P.O.B.=POINT OF BEGINNING
B/L=BUILDING LINE
D.E.=DRAINAGE EASEMENT
N/F=NOW OR FORMERLY
F.W.P.D.=FIELD WORK
PERFORMED DATE



Larry G. Turner

Subdivision: 190 & 192 DOGWOOD TRAIL	
Lot: N/A	P.B. 17 ~ PG. 194
Land Lot: 72	District: 7th
County: FAYETTE, GA	F.W.P.D. 01/19/18
Scale: 1" = 100'	Date: 01/19/18 Job No: 18-015

FOUR CORNERS SURVEYING
P.O. BOX 15
TYRONE, GA 30290
770-560-3910
770-560-6930
FOUR.CORNERS@RELSOUTH.NET

From: [Robert Gassmann](#)
To: [Pete Frisina](#)
Subject: withdrawal
Date: Wednesday, February 21, 2018 11:07:15 AM

I would like to formally withdraw my plat revision @ 225 Brookshire Dr. fayetteville, 30215

APPLICATION TO REVISE A RECORDED PLAT
(PUBLIC HEARING)

PETITION NO: RP- 067 - 18

NAME OF RECORDED PLAT: Coventry Estates

OWNER OF PROPERTY: ROBERT GASSMANN

MAILING ADDRESS: 225 BROOKSHIRE DR, FAYETTEVILLE

PHONE: (678) 364-0855

E-MAIL: robert.gassmann@yahoo.com

AGENT FOR OWNER: _____

MAILING ADDRESS: _____

PHONE: _____

E-MAIL: _____

LOCATION: LAND LOT(S) 63 DISTRICT 5 ROAD BROOKSHIRE

LEGAL DESCRIPTION ATTACHED: _____ ZONING: RESIDENTIAL

FIFTEEN COPIES OF CONCEPT PLAN ATTACHED: _____

TOTAL NUMBER OF LOTS: 2 TOTAL NUMBER OF ACRES: 11.25

DATE OF PLANNING COMMISSION HEARING: March 1, 2018

DATE OF COUNTY COMMISSIONERS HEARING: March 22, 2018

REASON FOR REVISION: Homeowner would like to subdivide lot to sell.

I respectfully submit this application and certify that the above information is correct and true to the best of my knowledge. I further certify that I am the owner or the specifically authorized agent of the above-referenced property.

Feb 8, 2018

8TH FEBRUARY, 2018

Raffi Dasm
OWNER/AGENT'S SIGNATURE

[Signature]
NOTARY PUBLIC



SIGN FEE

Received from _____ the amount of \$ _____ to cover the cost of the sign deposit. Applicant will be billed later for the cost of advertising.

Date Paid: _____

Receipt No. _____

Cash: _____

Check No. _____

ZONING ORDINANCE

Sec. 110-3. *Definitions*

Flag lot means a lot shaped like a flag on a pole with the pole portion of the lot fronting on a street.

Lot, landlocked, means a lot ~~of record~~ having no frontage on a street.

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

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.

- (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. Shall not exceed 900 square feet of floor area;~~
- ~~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. Shall not exceed 900 square feet of floor area;~~
 - ~~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.~~
- ~~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) *Accessory structures located in a front yard.* 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 through lot, the area between the street from which the lot has its addressed access 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 the streets and the front building lines shall be treated as a primary front yard or secondary front yard(s) with regard to the location of accessory structures.

No accessory structure shall be located in the front yard except as follows: a well/pump house consisting of 70 square feet or less; a detached garage on a single frontage lot, a through lot or in the primary front yard of a corner lot (see subsection (1) of this section for requirements); an accessory structure located in a secondary front yard of a corner lot (see subsection (2) of this section for requirements); or an accessory structure on a lot in the A-R zoning district which consists of five or more acres.

- (1) *Detached garage located in the front yard of a single frontage lot, a through lot, the primary front yard on a corner lot, or secondary front yard on a corner lot.* Said garage shall meet the following requirements:

- a. Footprint shall not exceed 900 square feet.
- b. The detached garage shall not be located more than 35 feet from the principal structure.
- c. The design of the garage shall match with the general residential architectural style inherent in the existing principal structure, including, but not limited to: roof pitch, roof facade, facade, residential windows, and residential doors. Elevation drawings denoting compliance with these requirements shall be submitted as part of the building permit application.
- e. The garage shall have at least one opening for vehicular access.
- f. A separate electrical meter is not permitted, unless otherwise required per the Department of Building Safety.
- g. The garage shall be connected to the principal structure by at least one of the following and elevation drawings denoting compliance with the following requirements shall be submitted as part of the building permit application:
 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.
- (2) *Accessory structure located in the secondary front yard of a corner lot.* Said accessory structure, exclusive of a detached garage per (1) above, shall meet the following requirements:
- a. When an accessory structure is located in a secondary front yard adjacent to a street that is designated as an Internal Local the required setback shall be increased by 20 feet.

(NOTE: All subsequent sections of the ordinance to be reordered as applicable.)

SUBDIVISION REGULATIONS

Sec. 104-593. - Definitions.

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

Flag lot means a lot shaped like a flag on a pole with the pole portion of the lot fronting on a street.

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

Lot, landlocked, means a lot having no frontage on a street.

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 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 setback line, extending the full width of the lot.

Yard, side, means the area between the side property line and the side 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. 104-603. Procedure for the establishment of front, side and rear yards on a flag lot or a nonconforming landlocked lot.

Due to the various development patterns of flag lots in the past and their irregular shapes, and that nonconforming land locked lots have no road frontage, a property owner may request that the planning commission establish

the front, side and rear yards on an existing flag lot and a proposed flag lot in conjunction with the Final Plat and Minor Subdivision Plat approval process that would be different than the yards per existing County regulations, and establish the front, side and rear yards on a nonconforming landlocked lot. This procedure is applicable to existing flag lots, proposed flag lots and nonconforming landlocked lots. The front, side and rear orientation of the residence (existing or proposed) on the flag lot or nonconforming landlocked lot and/or the orientation of the lot access will be considered in this establishment of front, side and rear yards. The establishment of yards through this procedure will require the revision of a Minor Subdivision Plat or Final Plat, as applicable.