

**BOARD MEMBERS**

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

STAFF

Peter A. Frisina, Director
Chanelle N. Blaine, Zoning Administrator
Howard Johnson, P & Z Coordinator

AGENDA
FAYETTE COUNTY PLANNING COMMISSION MEETING
140 STONEWALL AVENUE WEST
February 20, 2020
7:00 pm

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

1. Consideration of Minutes of the Planning Commission meeting held on February 6, 2020.

NEW BUSINESS

2. Consideration of a Final Plat of The Handley Estates. The property will consist of six (6) residential lots. Lots One (1) and Six (6) are zoned A-R, and Lots Two (2) through Five (5) are zoned R-55. This property is located in Land Lot 31 of the 5th District and fronts on Redwine Road.
3. Discussion of Food Truck Plazas.

OLD BUSINESS

4. Discussion of the Zoning Ordinance and Subdivision Regulations.
5. Discussion of the Flat Creek Trail Corridor.

To: Fayette County Planning Commission
From: Chanelle Blaine, Zoning Administrator
Date: February 13, 2020
Subject: Final Plat to be considered on February 20, 2020

MINOR SUBDIVISION PLAT

OWNER/APPLICANT

Final Plat of The Handley Estates

The Handley Family Trust Estate, Owner



Recommend **APPROVAL** for the Final Plat signed February 12, 2020.

THIS BLOCK RESERVED FOR THE CLERK OF THE SUPERIOR COURT.

LEGEND
RBF=REBAR FOUND
RBS=REBAR SET
CTP=CRIMP TOP PIPE
L.L.=LAND LOT
L.L.L.=LAND LOT LINE
P.=PROPERTY LINE
CO=CONSTRUCTION ENTRANCE
EP= EDGE OF PAVEMENT
P.O.B.=POINT OF BEGINNING
B/L=BUILDING SETBACK LINE
D.E.=DRAINAGE EASEMENT
N/F=NOW OR FORMERLY
F.W.P.D.=FIELD WORK PERFORMED DATE
M.F.F.E.=MINIMUM FINISHED FLOOR ELEVATION
DB=DEED BOOK
PG=PAGE
PB=PLAT BOOK
###=HOUSE NUMBER
U/P=UTILITY POLE
R/W=RIGHT OF WAY
TBM=TEMPORARY BENCHMARK

FINAL PLAT OF THE HANDLEY ESTATES



VICINITY MAP NOT TO SCALE

SURVEYORS CERTIFICATION

AS REQUIRED BY SUBSECTION (c) OF O.C.G.A. SECTION 15-6-67, THE REGISTERED LAND SURVEYOR HEREBY CERTIFIES THAT THIS MAP, PLAT, OR PLAN HAS BEEN APPROVED FOR FILING IN WRITING BY ANY AND ALL APPLICABLE MUNICIPAL, COUNTY, OR MUNICIPAL-COUNTY PLANNING COMMISSIONS OR MUNICIPAL OR COUNTY GOVERNING AUTHORITIES OR THAT SUCH GOVERNMENTAL BODIES HAVE AFFIRMED IN WRITING THAT APPROVAL IS NOT REQUIRED.

FINAL SURVEYOR'S CERTIFICATE

IT IS HEREBY CERTIFIED THAT THIS PLAT IS TRUE AND CORRECT AND WAS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE BY ME OR UNDER MY SUPERVISION; THAT ALL MONUMENTS SHOWN HEREON ACTUALLY EXIST OR ARE MARKED AS "FUTURE" AND THEIR LOCATION, SIZE, TYPE, AND MATERIAL ARE CORRECTLY SHOWN. THIS PLAT CONFORMS TO ALL REQUIREMENTS OF THE GEORGIA PLAT ACT (O.C.G.A. SECTION 15-6-67).

BY: SWINSON A. GASKINS, Sr. GEORGIA REGISTERED LAND SURVEYOR NO.1620

DATE_____

SOILS CLASSIFICATION DELINEATION

I, ERIC HAMILTON DO HEREBY CERTIFY THAT THE LEVEL III SOIL SURVEY INFORMATION PROVIDED ON THIS PLAT WAS PERFORMED BY APPLIED ENVIRONMENTAL SCIENCES, INC. IN ACCORDANCE WITH THE PROCEDURES SPECIFIED IN THE GEORGIA DEPARTMENT OF HUMAN RESOURCES CURRENT MANUAL FOR ON-SITE SEWAGE MANAGEMENT SYSTEMS.

DATE_____

SIGNATURE OF SOIL CLASSIFIER
ERIC HAMILTON
REGISTRATION NO. 224
APPLIED ENVIRONMENTAL SCIENCES, INC.
90F GLENDA TRACE SUITE 327
NEWNAN, GA 30265 (678)-262-4020

THIS PLAT HAS BEEN REVIEWED BY A REPRESENTATIVE OF THE FAYETTE COUNTY HEALTH DEPARTMENT AND BASED ON SOILS INFORMATION, THE LAY OF THE LAND, ETC., THIS LAND APPEARS SUITABLE FOR THE INSTALLATION OF SEPTIC TANKS AND DRAINFIELDS. HOWEVER, EACH LOT MUST BE INSPECTED TO DETERMINE THE LOCATION OF HOUSE, STYLE OF HOUSE,ETC. BEFORE FINAL APPROVAL CAN BE ISSUED.

ENVIRONMENTAL HEALTH SPECIALIST

DATE_____

STATE OF GEORGIA
COUNTY OF FAYETTE

RESOLUTION PETITION NO. A-713-19

WHEREAS, Rebecca A. Handley and Nancy McCord, Co-Trustees of the Handley Family Trust, Owner, and Rodwrightcorp, Agent, having come before the Fayette County Zoning Board of Appeals on the December 16, 2019, request variance A-713-19 pursuant to "The Zoning Ordinance of Fayette County, Georgia, 1980"; and

WHEREAS, said request being as follows: a Variance to Sec. 110-134. R-55, (d)(3), to reduce the floor area requirement from 2,500 square feet to 2,046 square feet to enable the existing house to be in compliance with proposed subdivided lots. This property is located in Land Lot 31 of the 5th District, fronts on Redwine Road, and is zoned R-55; and

WHEREAS, the Fayette County Zoning Board of Appeals having convened, and considered said request; now

BE IT RESOLVED that based on the decision of the Fayette County Board of Appeals, said request was **APPROVED**.

The decision is based on the following reasons:
Relief would not be contrary to the public interest and, without relief; a literal enforcement of the Ordinance would result in a practical difficulty and/or unnecessary hardship.

OWNER'S CERTIFICATION

WE, THE UNDERSIGNED OWNERS/REPRESENTATIVES OF THE HANDLEY ESTATE SUBDIVISION, HEREBY OFFER TO DEDICATE AND/OR RESERVE FOR PUBLIC USE THE RIGHTS-OF-WAY, EASEMENTS AND OTHER GROUND SHOWN ON THIS PLAT.

OWNER _____ DATE _____

OWNER _____ DATE _____



Job No. 19-038

Drawn By: R.D.G. Reviewed By: R.M.B.

Issue Date: 11/27/19

F.W.P.D.: 07/24/19

Revisions Date
COUNTY COMMENTS 01/15/20

PAGE 1 OF 3

Prepared For:

RODWRIGHTCORP

Property Location

Land Lot 31 Of The 5th Land District
Fayette County, Georgia

S.A. GASKINS & ASSOCIATES, LLC

surveyors planners development consultants
P.O. BOX 321 BROOKS, GA 30205
678-571-3054
rdgaskins79@gmail.com

GENERAL NOTES

1. OWNER:
THE HANDLEY FAMILY TRUST ESTATE
REBECCA A. HANDLEY AND NANCY MCCORD AS CO-TRUSTEES
(MS. HANDLEY): 360 DARWIN PLACE, DULUTH, GEORGIA 30096
(MS. McCORD): 4381 QUAIL RIDGE WAY, NORCROSS, GEORGIA 30092
404-824-7734

DEVELOPER: ROD WRIGHT
116 CAMBRIDGE DRIVE
FAYETTEVILLE, GA 30215
770-294-7990

2. SURVEYOR:
S. A. GASKINS & ASSOCIATES, LLC.
P.O. BOX 321
BROOKS, GA 30205
678-571-3054
rdgaskins79@gmail.com

3. TOTAL ACREAGE: 39.821 ACRES

LOTS 1 AND 6 - ZONED A-R

MINIMUM DIMENSIONAL REQUIREMENTS FOR A-R ZONING DISTRICT

LOT AREA: 5 ACRES
LOT WIDTH: 250 FT
FLOOR AREA: 1,200 SQ FT
FRONT YARD SETBACK:
MAJOR THOROUGHFARE
ARTERIAL: 100 FEET
COLLECTOR: 100 FEET
MINOR THOROUGHFARE: 75 FEET
REAR YARD SETBACK: 75 FT
SIDE YARD SETBACK: 50 FT

LOTS 2- 5 - ZONED R-55 - RESOLUTION NO. 1288-19 (10/24/19)
CONDITIONS OF ZONING:

1. THAT THE FOUR (4) LOTS WITHIN THE AREA BEING REZONED, PLUS THE TWO (2) PROPOSED A-R LOTS, BE LIMITED TO NO MORE THAN FOUR (4) DRIVEWAY CURB CUTS AND EACH DRIVEWAY CURB CUT SHALL SERVICE NO MORE THAN TWO (2) LOTS. EACH DRIVEWAY SHALL MEET THE MINIMUM REQUIRED SITE DISTANCE. THE LOCATIONS OF THE DRIVEWAY CURB CUTS SHALL BE APPROVED BY THE COUNTY ENGINEER.
2. THAT THE FINAL PLAT FOR THE SUBJECT PROPERTY WILL NOT BE APPROVED UNTIL THE EXISTING SINGLE-FAMILY RESIDENCE IS BROUGHT INTO COMPLIANCE WITH THE R-55 ZONING DISTRICT WHICH CAN BE ACHIEVED EITHER BY ADDING ADDITIONAL HEATED FINISHED FLOOR AREA TO THE EXISTING SINGLE-FAMILY RESIDENCE TO MEET THE MINIMUM REQUIRED FLOOR AREA OR THROUGH A VARIANCE, APPROVED BY THE ZONING BOARD OF APPEALS, TO REDUCE THE MINIMUM FLOOR AREA REQUIREMENT OR AS A THIRD OPTION, REMOVING THE EXISTING SINGLE-FAMILY RESIDENCE FROM THE SUBJECT PROPERTY PRIOR TO FINAL PLAT APPROVAL.

MINIMUM DIMENSIONAL REQUIREMENTS FOR R-55 ZONING DISTRICT

LOT AREA: 1 ACRE
LOT WIDTH: 150 FT
FLOOR AREA: 2,500 SQ FT
FRONT YARD SETBACK:
MAJOR THOROUGHFARE
ARTERIAL: 100 FEET
COLLECTOR: 75 FEET
MINOR THOROUGHFARE: 50 FEET
REAR YARD SETBACK: 50 FT
SIDE YARD SETBACK: 25 FT

- SEWER TO BE PROVIDED BY AN ON-SITE SEWAGE DISPOSAL SYSTEM.
- WATER TO BE PROVIDED BY FAYETTE COUNTY WATER SYSTEM.
- FAYETTE COUNTY DOES NOT ACCEPT THE OWNERSHIP, MAINTENANCE, OR RESPONSIBILITY FOR ANY DRAINAGE EASEMENT OR OVERALL DRAINAGE PLAN OR THE LACK OF ONE INDICATED ON THIS PLAT.
- THIS SURVEY IS SUBJECT TO ALL EASEMENTS, RIGHTS-OF-WAY AND RESTRICTIONS SHOWN OR NOT SHOWN, RECORDED OR NOT RECORDED.
- THERE IS NO GROUNDWATER RECHARGE AREA ON THIS PROPERTY.
- 1/2" REINFORCING RODS SET AT ALL LOT CORNERS UNLESS NOTED OTHERWISE.
- ACCORDING TO FEMA FLOOD INSURANCE RATE MAP NUMBER 13113C0113E, DATED SEPTEMBER 26, 2008, A PORTION OF THIS PROPERTY DOES LIE WITHIN A SPECIAL FLOOD HAZARD AREA.(ZONE A)
- LOT NO. 1 & 6 EITHER CONTAIN OR ARE ADJACENT TO A SPECIAL FLOOD HAZARD AREA IDENTIFIED IN THE FAYETTE COUNTY 2013 LIMITED DETAIL FLOOD STUDY. AS REQUIRED BY ART. IV OF THE DEVELOPMENT REGULATIONS A MINIMUM FINISHED FLOOR ELEVATION IS ESTABLISHED FOR THE LOWEST FLOOR ELEVATION INCLUDING A BASEMENT BY THIS STUDY.
- EACH RESIDENTIAL LOT HAS A CONTIGUOUS AREA OF MORE THAN 0.3 ACRES FOR LOTS 2-5 AND 2.0 ACRES FOR LOTS 1 & 6 THAT IS FREE AND CLEAR OF ZONING BUFFERS AND SETBACKS, WATERSHED PROTECTION BUFFERS AND SETBACKS, JURISDICTIONAL WETLANDS, AND EASEMENTS OF ANY KIND.
- THERE ARE NO VISIBLE CEMETERIES OR BURIAL GROUNDS ON THIS PROPERTY.
- THERE ARE STATE WATERS ON THIS PROPERTY.

15. THERE ARE WETLANDS LOCATED ON THIS PROPERTY ALONG WHITEWATER CREEK AS SHOWN ON THE FAYETTE COUNTY GIS MAPS. WETLANDS SHOWN ON THIS PLAT ARE UNDER THE JURISDICTION OF THE U.S. ARMY CORPS OF ENGINEERS. PROPERTY OWNERS MAY BE SUBJECT TO PENALTY BY LAW FOR DISTURBANCE TO THESE WETLAND AREAS WITHOUT PROPER AUTHORIZATION.

FINAL PLAT OF THE
HANDLEY ESTATES

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O/F=OUT OF FLOOD PLAIN
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PG=PAGE
PB=PLAT BOOK
###=HOUSE NUMBER
●=FIRE HYDRANT
CTP=CRIMP TOP PIPE
M.F.F.E.=MINIMUM FINISHED FLOOR ELEVATION

THIS BLOCK RESERVED FOR THE CLERK
OF THE SUPERIOR COURT.

CONTIGUOUS AREA
CHART

LOT 1
7.848 Acres

LOT 2
0.625 Acres

LOT 3
0.619 Acres

LOT 4
0.649 Acres

LOT 5
0.615 Acres

LOT 6
7.103 Acres

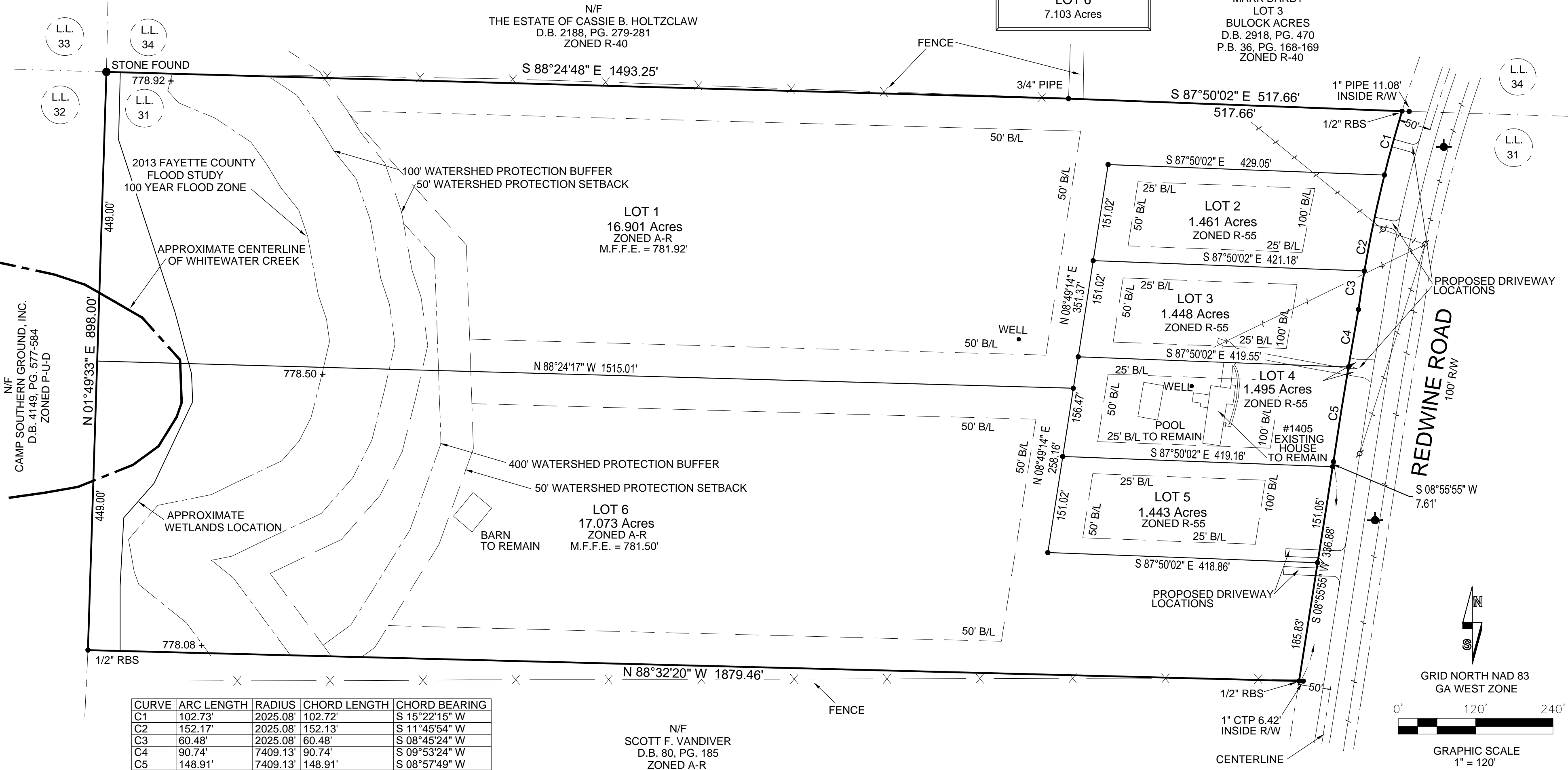
SIGHT DISTANCE CERTIFICATION

I HEREBY CERTIFY THAT THE AASHTO MINIMUM REQUIRED SIGHT DISTANCE OF 500'
FOR 45 MILES PER HOUR IS PROVIDED FOR THE SIX LOTS AS SHOWN ALONG REDWINE
ROAD.

BY: _____

GEORGIA REGISTERED LAND SURVEYOR NO. 1620

N/F
MARK DARBY
LOT 3
BULLOCK ACRES
D.B. 2918, PG. 470
P.B. 36, PG. 168-169
ZONED R-40



Job No. 19-038

Drawn By: R.D.G. Reviewed By: R.M.B.

Issue Date: 11/27/19

F.W.P.D.: 07/24/19

Revisions Date
COUNTY COMMENTS 01/15/20

PAGE 2 OF 3



Prepared For:

RODWRIGHTCORP

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Land Lot 31 Of The 5th Land District
Fayette County, Georgia

**S.A. GASKINS &
ASSOCIATES, LLC**

surveyors planners development consultants
P.O. BOX 303 BROOKS, GA 30205
678-571-3054
rdgaskins79@gmail.com

CLOSURE STATEMENT
THE FIELD DATA UPON WHICH THIS PLAT IS
BASED HAS A CLOSURE PRECISION OF ONE
FOOT IN 42,167 FEET AND AN ANGULAR ERROR
OF 00° 00' 02" PER ANGLE POINT AND HAS BEEN
ADJUSTED USING THE COMPASS RULE
METHOD.

THIS PLAT HAS BEEN CALCULATED FOR
CLOSURE AND IS FOUND TO BE ACCURATE
WITHIN ONE FOOT IN 100,000+ FEET.

ANGULAR & LINEAR MEASUREMENTS WERE
OBTAINED USING A LIECA 403 TCR TOTAL
STATION

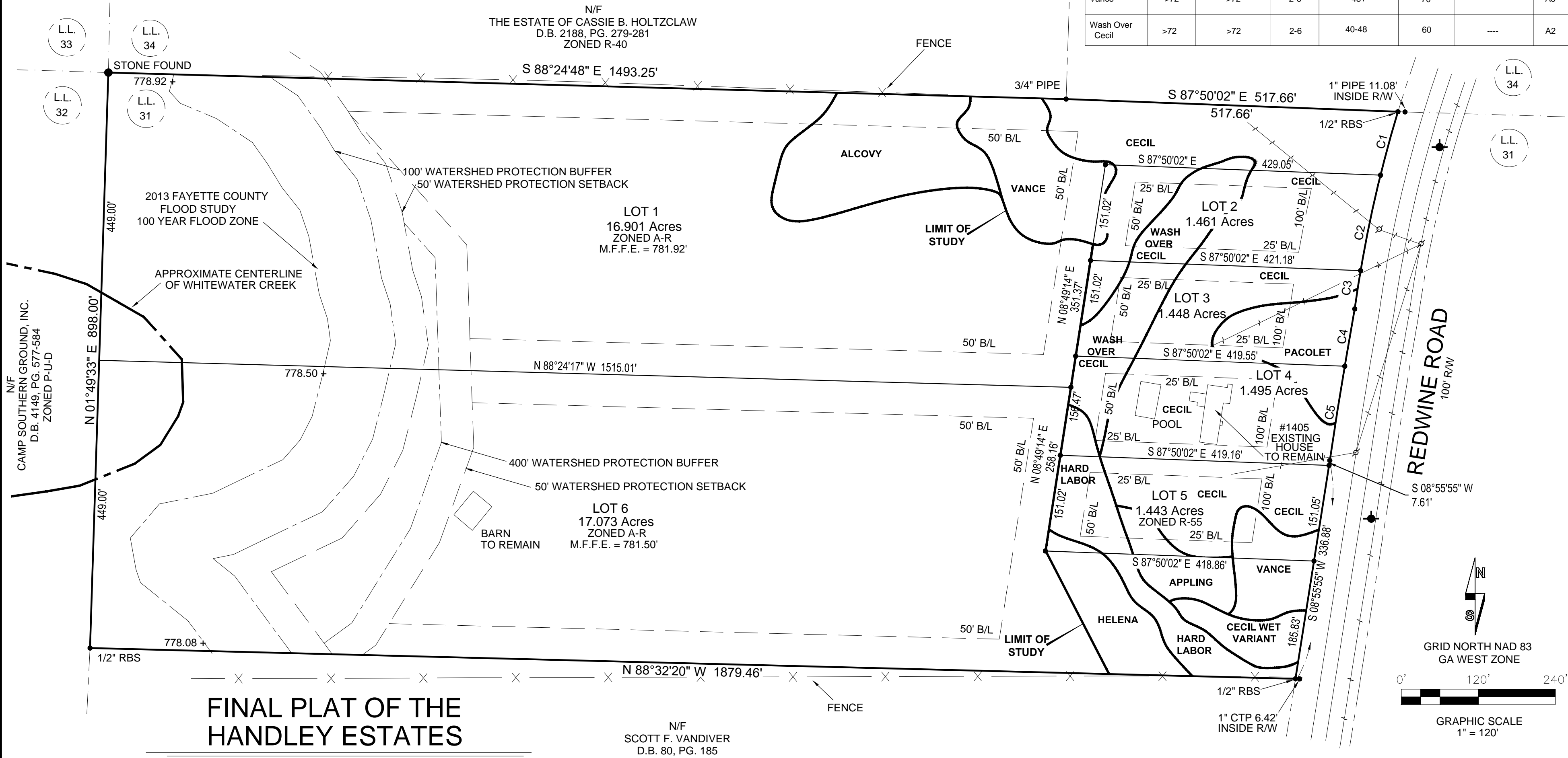
THIS BLOCK RESERVED FOR THE CLERK
OF THE SUPERIOR COURT.

SOIL SUITABILITY CODE LEGEND

- A1 Soils are typically suitable for conventional absorption field with proper design, installation and maintenance.
- A2 Soils consist of local alluvium or wash over natural soils. Residual soil is suitable for conventional absorption field installation at recommended trench depth. Storm water runoff must be diverted from this area if it is used for absorption field.
- A5 Soils are typically suitable for conventional absorption field with proper design, installation and maintenance. The Bt horizon shows some evidence of slow percolation, substratum is well drained. Trenches installed at the recommended depth should function effectively. Permeability appears to improve with depth. Further inspection with a backhoe is recommended prior to permitting.
- C1 Soils are unsuitable for conventional absorption fields due to perched water table conditions. Soils are generally suitable for alternative absorption fields with treatment system producing Class 1 effluent.
- C2 Soils are unsuitable for conventional absorption fields due to seasonal-high water table conditions. Soils are generally suitable for alternative absorption fields with treatment system producing Class 1 effluent.
- F2 Soils are unsuitable for on-site wastewater disposal due to seasonal high water table.
- P1 Soils are typically suitable for conventional absorption field with proper design, installation and maintenance. Absorption trenches must be installed at least 24 inches above seasonal high water table to function effectively. Seasonal high water table indicators were observed between 50 and 60 inches. Installations deeper than 24 inches may require a treatment system producing Class 1 effluent.

SOIL INTERPRETIVE DATA

Soil Units	Depth to Bedrock (in)	Depth to Seasonal High Water Table (in)	Slope Gradient (percent)	Recommended Trench Depth (in)	Estimated Perc Rate (min/in)	Recommended Hydraulic Loading Rate (gal/day/sq.ft.)	Soil Suit. Code
Alcovy	>72	24-30	2-6	8-12	----	0.10	C1
Appling	>72	>72	2-8	36-48	60	----	A1
Cecil	>72	>72	2-8	36-48	60	----	A1
Cecil Wet Variant	>72	50-60	6-10	24-30	60	----	P1
Hard Labor	>72	30-36	2-8	12-18	75	0.12	C2
Helena	>72	18-24	2-4	----	----	----	F2
Pacolet	>72	>72	2-10	30-48	45	----	A1
Vance	>72	>72	2-8	48+	70	----	A5
Wash Over Cecil	>72	>72	2-6	40-48	60	----	A2



Job No. 19-038	
Drawn By: R.D.G.	Reviewed By: R.M.B.
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THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 100,000+ FEET.

ANGULAR & LINEAR MEASUREMENTS WERE OBTAINED USING A LIECA 403 TCR TOTAL STATION

FAYETTEVILLE FOOD TRUCK SPOT

The Great Foodie Experience

We would like to bring the community together by creating an outdoor atmosphere tasty to the pallet . The experience will be like nothing else here in Fayetteville. Food Trucks with high level dishes that will go from Japanese sushi to Spanish tapas. Increasing awareness of different cultural cuisines in one location. A mixture of good food and a unique location with occasional musical entertainment and a positive experience. This will be inviting to those in the community as well as those passing through Fayetteville. As you are aware there is a ton of construction taking place from Tara Blvd going through Fayetteville With the construction workers, employees in the area and the visitors to the park it will be a welcoming addition. We are super excited at the opportunity to bring this great experience to the community. On that stretch of road, there are no food eateries With the growth and wave of millennials moving to this region, it is our goal to give them a reason to stay and keep the money in Fayette County Area. Not everyone wants to drive into Atlanta for a food experience. Especially the older residence.

Fayetteville is becoming a sidewalk friendly community. The neighborhoods that surround the location are excited to have access to this great experience. This will not take away from the brick and mortar restaurants by any means. It will become a great opportunity for them to expand their business by investing into the Food Truck Industry. Many residences are looking for a new experience.

Why not in their own community?

At present, Park & Recreations host the Food Truck Frenzy once every few months from 11-2pm. Many residences of Fayetteville who are working do not have an opportunity to take part in this event.

It is my understanding that there are no regulations on the records for this type of business at present. We are very willing to work with the County or City to gain the approval of all that have a part in making this business regulated for the records.

The members of the community are very receptive to this great and new experience. Many are on board and ready to have something new and exciting to experience.

Business Location

The lot located at 1202 Hwy 54 owned by Chuck Golden is zoned County Commercial and is zone Unincorporated Fayetteville. As per Robert Kurbes, Enviromental Health County Manager, we will be required to install restroom faculties for the Food Truck Vendors if operating over 8 hours daily. A soil test will be required to install septic on the property.

It will not require any permanent construction to the land or require much from the City of Fayetteville. We will have monitored parking attendants. It will be clean and well maintained. Security will also be on site. It will be a safe and secure place for those wishing to participate in the experience.

Proposed Hours of Operation

We would like to operate Tuesday- Saturday from 11-8pm. However, we are willing to start out Thursday-Saturday. Hours of operation will be 11:00-8:00 pm.

The lots had space for 10 Food Trucks and restroom facilities. Parking is available on the lot. Picnic tables will be provided. Lighting and trash receptacles provided as well.

Closed Sunday & Monday

Opening Date April 2, 2020

Demographics

The distance from Tars Blvd 1941 to Glynn Street heading South is approximately 8.7 miles. The distance from Lovejoy or McDonough Road to the Intersection of Hwy 54 is 5.5 mile

The heighten season for the park starts in March until October.

Special Event Saturdays- Featured Food Trucks, Karaoke Saturdays

Security presence, parking attendants, clean up staff.

We look forward to working with The Planning and Zoning Committee with a great recommendation to the Commissioners for final approval. Please feel free to contact me -Diana Galloway@678-357-7025. I look forward to meeting with everyone Thursday, February 20th@7pm.

Diana Galloway

-

Legal Basis – Reasonable Reliance - That final plat will not be changed in manner that is detrimental to the other property owners in the subdivision. – Coordinate ordinances so Subdivision Regulations override Zoning Ordinance. (Attorney working on language for Subdivision Regulations and coordinating language for the Zoning Ordinance.)

Revisions to a Final Plat which add property to, increases the number of platted lots, or changes the principal use on a lot criteria with emphasis placed on lots in close proximity both adjacent and surrounding. (Public hearing before PC and BOC)

Street Character/Front Setback

- Front setbacks per final plat -
- Existing alignment of homes – analysis of GIS aerials
- Degree of proposed change based on plat setbacks and/or alignment – acceptable change somewhere between 25 or 30 percent? – example 100 foot setback by 25 % = 75 feet or 100 foot setback by 30 % = 70 feet

Lot Size Character

- Minimum and maximum range of lots sizes
- Average size of lots
- Number of lots within a size range
- Degree of proposed change – acceptable change 50 percent? – example 3 acre lot by 50 % = 1.5 acres

Lot Width Character

- Minimum and maximum range of lot widths
- Average width
- Width of lots within a range
- Degree of proposed change – acceptable change 35 percent? – example 150 foot by 35 % = 97.5 feet round to 98 feet

Change of Principal Use based on current zoning

- Whether the change of use is in conformity with the land use plan and policies contained therein; (**Commentary:** if the zoning allows the use would conformity to the land use plan matter?)
- Whether the change of use will adversely affect the existing use or usability of adjacent or nearby property;
- Whether the change of use zoning proposal will result in a use which will or could cause an excessive or burdensome use of existing or planned streets, utilities, or schools (?);
- Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the change of use proposal.

Amend setbacks increased by condition of rezoning criteria (Public hearing before PC and BOC to amend condition.)

Street Character/Front Setback

- Front setbacks per final plat -
- Existing alignment of homes – analysis of GIS aerials

- Degree of proposed change based on plat setbacks and/or alignment – acceptable change somewhere between 25 or 30 percent? – example 100 foot setback by 25 % = 75 feet or 100 foot setback by 30 % = 70 feet

Side and Rear Setback Character

- Side and rear setbacks per plat
- Degree of proposed change

Amend setbacks increased by developer criteria (A public hearing before PC only administered under the variance section of the Subdivision Regulations.)

Variance ~~or appeal~~. In cases of undue hardship under this chapter, the property owner may petition the planning commission for a variance to the subdivision regulations. ~~or an appeal from the decision of any of the aforementioned appropriate departments with regard to interpretation, administration, and enforcement. If the planning commission does not grant the variance or appeal, the property owner may then appeal to the board of commissioners.~~

A variance may be granted in an individual case upon a finding by planning commission that all of the following criteria as applicable to the request exist:

- There are extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape, environmental impact or topography; and
- The application of these regulations to this particular piece of property would create a practical difficulty or unnecessary hardship; and
- Such conditions are peculiar to the particular piece of property involved; and
- Relief, if granted, would not cause substantial detriment to the public good or impair the purposes and intent of these regulations; and
- A literal interpretation of these regulations would deprive the applicant of any rights that others are allowed.

In addition to the above factors, if the variance being sought is for the amendment of increased setbacks imposed by a developer on a final plat, the following factors shall be considered:

Street Character/Front Setback

- Front setbacks per final plat -
- Existing alignment of homes – analysis of GIS aerials
- Degree of proposed change based on plat setbacks and/or alignment – acceptable change somewhere between 25 or 30 percent? – example 100 foot setback by 25 % = 75 feet or 100 foot setback by 30 % = 70 feet

Side and Rear Setback Character

- Side and rear setbacks per plat
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~~Variance or Appeal.~~ ~~In cases of undue hardship under this chapter, the~~ A property owner may petition the planning commission for ~~a variance or~~ an appeal from the decision of any of the aforementioned appropriate departments with regard to interpretation, administration, and enforcement of the subdivision regulations. ~~If the planning commission does not grant the variance or appeal, the property owner may then appeal to the board of commissioners.~~

Flat Creek Trail Corridor Study

Scope of Study Area – Lots fronting Flat Creek Trail north of SR 54 and south of Tyrone Road.

Existing Conditions:

Lots Fronting - 18 total – 8 east side and 10 west side

– Total acreage 80.08 acres

- 61 % non-residential
- 39% residential

10 lots have a nonresidential zoning and/or use

- 2 of these lots zoned O-I are undeveloped
- 1 commercially zoned lot is used as residential
- 1 lot contains a county fire station
- 1 lot is a cemetery

8 lots are zoned residential

- 5 of these lots are non-conforming
- 1 residentially zoned lot is undeveloped

- Road has become more of cut through road

Comp. Plan - Rural Residential - 2 – 1 unit/2 acres

Potential for new subdivision development with internal road

- 1 area of 15 acres consisting of three existing lots (2 contain homes and 1 is vacant)
- Parcels also contains a pond and possible stream affected by Watershed Protection which affects lot yield

Potential for subdivision of frontage lots

- 2 parcels have potential for subdivision on Flat Creek Trail

Tyrone Road – Palmetto Road - Transportation Corridor Study

– Flat Creek Trail and Tyrone Road intersection improvements include expanded turn lanes or round-about.

Proposal – Allow O-I zoning on corridor

- Conversion of existing residences - 7 potential
- 3 have the potential to be subdivided for O-I
- 1 undeveloped parcel for potential O-I - no subdivision possible

Comp. Plan - Flat Creek Trail Corridor Overlay District - Flat Creek Trail north of SR 54 and south of Tyrone Road

- Underlying land use to remain Rural Residential - 2 (1 unit/2 acres) with an overlay district to give consideration for O-I zoning for lots fronting Flat Creek Trail for conversion of existing homes and construction of new office buildings

Zoning Ordinance - Flat Creek Trail Corridor Overlay Zone - Flat Creek Trail north of SR 54 and south of Tyrone Road

- Architectural standards. Structures shall maintain a residential character (the following architectural requirements will come into play mainly for new structures)

- pitched peaked (gable or hip) roof with a minimum pitch of 4.5 inches in one foot, including gasoline canopies and accessory structures and shall be of a type and construction complimentary to the facade. A pitched mansard roof facade with a minimum pitch of 4.5 inches in one foot, and a minimum height of eight feet around the entire perimeter of the structure can be used if the structure is two stories or more or the use of pitched peaked roof would cause the structure to not meet the applicable height limit requirements. The mansard roof facade shall be of a residential character with the appearance of shingles, slate or terra cotta.

- All buildings shall be constructed in a residential character of fiber-cement siding(i.e., Hardiplank), wood siding, wood textured vinyl siding, brick/brick veneer, rock,stone, cast-stone, stucco (including synthetic stucco) or finished/baked enamel metal siding which establishes a horizontal pattern

- Framed doors and windows of a residential character

- All roof-top heating, ventilation, and air conditioning equipment and shall be visually screened from adjacent roads and property zoned residential or A-R. The screen shall extend to the full height of the objects being screened.

- No outside storage allowed

- No more than 50 percent of the required parking can be located in the front yard in conjunction with a new structure

- Existing homes range in size from 1,200 to 1,700 square feet – 1 parking space per 300 square feet – equals 4 to 6 required spaces plus handicapped– 50 % rule above would not apply in this case

- Existing office development ranges in size from 6,500 to 8,000 square feet and this could be the standard for new development – 50 % rule above would apply in this case with a threshold of 3,000 square feet (?) where ten space plus handicapped would be required.

Graphic 4.10 - Concept: Realignment & Turn Lanes at Dogwood Trail



Graphic 4.11 - Concept: Intersection Improvement at Dogwood Trail - Roundabout



5. Concept: Intersection Improvement at Flat Creek Trail

Based on the Needs Assessment and public comments, an intersection improvement at Flat Creek Trail was warranted for additional consideration. Two concepts were proposed: the first installing a traffic signal (Graphic 4.12) and the second installing a roundabout (Graphic 4.13). This project would improve safety and traffic operations at the intersection.

Average No. Crashes Per Year	2018 LOS (AM/PM)	Time Frame	Benefits	Cost
4	D/E	3 - 5 years	Safety, Operations	\$\$\$\$

Graphic 4.12 - Concept: Intersection Improvement at Flat Creek Trail - Traffic Signal



Graphic 4.13 - Concept: Intersection Improvement at Flat Creek Trail - Roundabout



