



STAFF REPORT

MORGAN COUNTY PLANNING COMMISSION

PETITION FOR: CONDITIONAL USE

Property location: 160 Fairplay Street, Rutledge, Georgia 30663
Property tax parcel: R01-077 and R02-003
Acreage: 1.4 acres and 1.18 acres for a total of 2.58 acres
Applicant: Tom and Michelle Strott, 160 Fairplay Street, Rutledge
Applicant's Agent:
Property Owner: Tom and Michelle Strott, 160 Fairplay Street, Rutledge
Existing Use: Residential

Summary

Tom and Michelle Strott are requesting conditional use approval to operate an event facility at 160 Fairplay Street. The discussion of this application is contingent on the approval of the applicant's request for a text amendment to the City of Rutledge's Event Facility Ordinance.

The land proposed to be used as an Event Facility consists of two properties zoned R2 with a combined acreage of 2.58 acres. Currently, neither the zoning designation nor the acreage meets the zoning ordinance for an Event Facility. The properties contain one historic home, one detached garage in poor condition and two outbuildings. The c. 1903 home contains 5 bedrooms and is approximately 4,654 square feet. The detached garage is proposed to be removed. The two outbuildings are proposed to be used as part of the Event Facility, although the exact use depends on variables yet to be determined (i.e. cost of sewer connection to use as restrooms, etc.).

The applicants currently have the properties listed for sale. The prospective buyers, the Britt family, have spoken to staff regarding their wish to operate an Event Facility at the location (both the current owners and the prospective owners want an event facility). Both parties have been given a copy of the Event Facility regulations and have discussed with staff the possible issues with the property. Both parties understand that any conditions placed on the property under the Strott's ownership, should the application be approved, will transfer with the land and will be applicable to an Event Facility operated by the Britts. At the time of the last contact with staff, the negotiations regarding the purchase of the properties were ongoing.



A Google Earth view of the properties. Property 1 is 1.4 acres and contains the home and detached garage. The property is on Fairplay Street. Property 2 is 1.18 acres and contains two outbuildings. Property 2 has no road frontage.



A GIS aerial view of the properties with property outlines and less tree coverage. Although less clear than the Google aerial, the second outbuilding and the detached garage are visible.

The attached site plan provided by the applicant shows the location of the house and outbuildings, as well as the detached garage that is to be removed. A circular drive is shown on the plan, however, both parties want to avoid paving materials in order to maintain the flexibility of using either the side of the house or the second property for parking. This would allow a tent to be placed in either location as well.



A wider view of the area, showing the proximity of residences and the Rutledge Methodist Church. The Britt family is also seeking to purchase the 5.28 acre Bailey property adjoining the second property.



The home as seen from Fairplay Street. The property contains one driveway. A public sidewalk is in front of the home.



A view of the back of the home. The back yard has a fenced area and several shade trees.



A view of the outbuildings. Proposed uses include restrooms, a preparation place for bridal party members, or serving/concessions buildings.



A photo showing the proximity to the Rutledge Methodist Church.

The City of Rutledge Code of Ordinances does not allow alcohol to be served on properties that adjoin a church property. Both of the properties proposed to be used as an Event Facility touch the Methodist Church property, which will prohibit alcohol with the current configuration of the properties. Staff has discussed with the applicant possible options to reconfigure the two properties to allow the serving of alcohol. This is a separate issue from the conditional use application under consideration, but the Planning Commission and the Rutledge City Council should be aware that both parties interested in operating an Event Facility will pursue the ability to serve alcohol if the application is approved.

The historic home will need modifications in order to be used as an Event Facility. The home is not ADA compliant and will require both an ADA restroom and an ADA accessible entrance. The back porches do not have railings, which will be required by code in order for the home to be used for commercial purposes. The paver walkway in front of the home is uneven and must be leveled to reduce trip hazards. The home must meet applicable emergency egress code (emergency lights, exit signs, etc.) and have the necessary number of fire extinguishers. The occupancy of the home will be limited to 99 persons unless a sprinkler system is installed. The Building Inspector noticed several repairs that should be made to the home prior to use by the public. These issues will be addressed with the owner after conditional use approval and must be corrected prior to the issuance of a Certificate of Occupancy.

Both the current owners and the prospective buyers are interested in allowing overnight guests, particularly for wedding parties. Bed and Breakfast is a permitted use in the R2 zoning district. The Britt family has also expressed interest in using cottages for lodging in the future on the Bailey property, if purchased. This is not permitted under the current ordinance and they are aware that a text amendment would be required to allow the use of cottages.



A retaining wall runs along Fairplay Street and will have to be partially removed in order to create the additional driveway. Due to the grade difference between the sidewalk level and the yard, the new driveway will have to ramp down significantly. The wall will also need some structural repair.

Criteria for Consideration

From the City of Rutledge Zoning Ordinance. Chapter 22.4, Required Findings for Conditional Use Approval.

- (a) Adequate provision is made by the applicant to reduce any adverse environmental impacts of the proposed use to an acceptable level;
- (b) Vehicular traffic and pedestrian movement on adjacent streets will not be substantially hindered or endangered;
- (c) Off-street parking and loading, and the entrance to and exit from such parking and loading, will be adequate in terms of location, amount and design to service the use;
- (d) Public facilities and utilities are capable of adequately serving the proposed use;
- (e) Granting the request would not be an illogical extension of a use which would intrude a damaging volume of (1) agricultural, (2) commercial, (3) industrial, or (4) high density apartment use into a stable neighborhood of well-maintained single-family homes, and likely lead to decreasing surrounding property values, neighborhood deterioration, spreading of blight, and additional requests of a similar nature which would expand the problem;
- (f) Granting the request would not lead to congestion, noise and traffic hazards or overload public facilities, current or planned;
- (g) Granting this request would conform to the general expectations for the area population growth and distribution according to the Comprehensive Land Use Plan;
- (h) Granting this request would not lead to a major negative change in existing (1) levels of public service, (2) government employees or (3) fiscal stability;
- (i) Granting this request would not have a "domino effect," in that it becomes the opening wedge for further rapid growth, urbanization or other land-use change beyond what is indicated in the Comprehensive Land Use Plan.

Staff Comments

The consideration of this application is contingent on the approval of the accompanying text amendment application to modify the Event Facility ordinance. As mentioned in the staff report for the text amendment, the reduction of the minimum acreage may result in the need for increased conditions for approval. Staff offers the following considerations:

1. Regarding the parking: Staff understands the applicant's desire for flexibility, but there are space constraints. If the event is held in the side yard with parking in the rear, cars will still have to use the side yard to access the back property, therefore reducing the side yard event space. The side yard is smaller than the rear area, so fewer cars could be parked there if the event is held in the rear. Roughly measuring the space available ($75' \times 150' = 11250$) and dividing it by the average parking space size ($9' \times 20' = 180$), it appears that the yard will be limited to 62.5 cars. The ordinance allows 4 persons per car, so the attendance limit for guests would be 250. Recognizing that not every car will have 4 persons, the applicant should identify where overflow

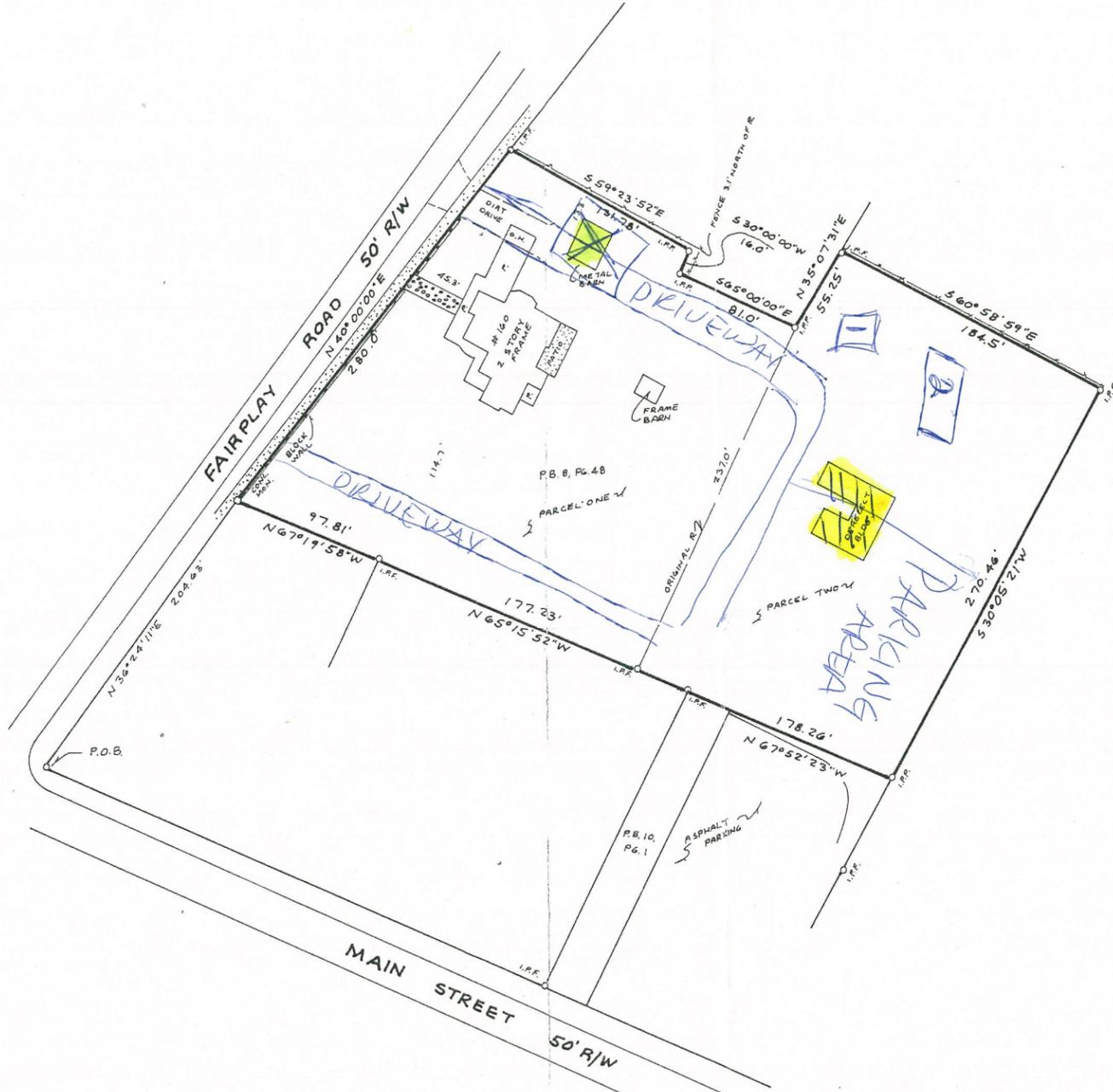
parking will be located. The guest number could change if an arrangement could be made with the Methodist Church to use their parking lot or if additional property (Bailey) was added to the Event Facility.

2. Scheduling of events: Due to the close proximity of residences and the church, consideration should be given to the times events are allowed. In particular, Sunday nights, when church is in service and weeknights when people are preparing for work/school, could be an issue.
3. Buffer between the facility and church: If approved, a physical buffer should be erected between the church and the Event Facility property.
4. Retaining wall modification: In order to retain as much historical character as possible, the retaining wall should be modified in a way that preserves as much wall as possible and maintains the location of the columns and ball finials.
5. Lighting: Special care should be taken with the lighting for night events due to the proximity of the Hard Labor Creek Observatory. All lights used should be directed downwards to prevent night sky lighting.

Based on these concerns and information in the staff report, Staff offers the following conditions, should a recommendation for approval be given:

1. Attendance for events in the house shall be limited to 99 guests. Attendance for events held in the yard (rear or side) shall be limited to 250 guests. This number limit shall be removed if additional property is added to the Event Facility property in the future.
2. No outdoor events shall be allowed on Sunday nights. No outdoor events shall be allowed on weeknights past 10pm.
3. A privacy fence shall be placed between the Methodist Church and the Event Facility.
4. The maximum amount of retaining wall should be preserved for historical character. No columns or ball finials shall be removed.
5. All lighting shall be directed down to prevent interference with the Hard Labor Creek Observatory.
6. All life safety and ADA compliance issues must be resolved prior to the issuance of a Certificate of Occupancy.

LEGEND
 TP - FROM P.M. POINT
 L.P. - FROM P.M. SET
 S.W. - STOP OF WAY
 B.L. - BUILDING LINE
 C. - CENTERLINE
 L.L. - LANE LOT
 L.L.L. - LANE LOT LINE
 D.E. - DRAINAGE EASEMENT
 S.E. - SANITARY SEWER EASEMENT
 ALL CORNERS ARE 1" BEHIND
 UNLESS NOTED

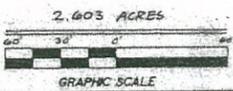


 No longer exists
Burned 1996

 - Storage Shed
 - Green house
Potting Shed

 tear down old
garage

 Proposed Circular
Driveway



I HAVE THIS DATE EXAMINED THE
 "FLOOD HAZARD MAP"
 AND FOUND REFERENCED HOUSE (NOT)
 IN AN AREA HAVING SPECIAL FLOOD HAZARDS.

THE FIELD DATA UPON WHICH THIS MAP OR PLAT IS BASED HAS
 A CLOSURE PRECISION OF ONE FOOT IN 4999 FEET AND AN
 ANGULAR ERROR OF SECONDS PER ANGLE POINT, AND WAS
 ADJUSTED USING CRANDALL RULE. THIS MAP OR PLAT HAS
 BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCUR-
 ATE WITHIN ONE FOOT IN 50,000 FEET.

EQUIPMENT USED:
 TOPCON GTS-2(B) 5 TRANSIT W/200' STEEL TAPE
 IN MY OPINION THIS PLAT IS A CORRECT
 REPRESENTATION OF THE LAND PLATTED AND
 HAS BEEN PREPARED IN CONFORMITY WITH
 THE MINIMUM STANDARDS AND REQUIREMENTS OF LAW.

Robert C. Busbee
BUSBEE SURVEYING CO., INC.
 LAND SURVEYING
 DULUTH, GEORGIA
 PH. 497-9886
 FAX 497-9881



SURVEY FOR:

MICHELLE STROTT

LOT	REVISIONS
PLAT BK. B, PG. 48	
LAND LOT	CC 7th
G.M. DISTRICT 283	DRWN 56
MORGAN COUNTY, GEORGIA	CHKD 88
DATE: 1-4-95	JOB #
SCALE: 1" = 60'	922476

From the Desk of Michelle Strott

July 13, 2015

160 Fairplay Street, Rutledge, Ga 30663

Morgan County TAX ID numbers: R01 077 and R02 003

Morgan County Planning and Zoning Committee

Dear Committee,

Tom and I are seeking a Conditional Use Permit in conjunction with the approval of the text amendments requested in our Text Amendment Application.

We agree to adhere to the Zoning Restrictions and Requirements outlined in Chapter 12.17 for Event Facilities.

We want to be able to have wedding receptions, corporate parties and business retreats at our property.

Thank you for your consideration in hearing this matter.

Respectfully submitted,

A handwritten signature in cursive script that reads "Michelle Strott". The signature is written in black ink and is positioned above the printed name.

Michelle Strott