

INFILL



CITY CODE OF ORDINANCES

Part 10

PROCEDURES & REQUIREMENTS FOR PUBLIC PARTICIPATION

THE CODE OF ORDINANCES FOR THE CITY OF EAST POINT, GEORGIA, TO PROVIDE AN EFFECTIVE DATE, TO REPEAL CONFLICTING ORDINANCES AND FOR OTHER PURPOSES.

ARTICLE J. INFILL

Sec. 10-4091. DEFINITIONS

1. For the purposes of this section, the term "Infill" shall apply to all residential zoning categories excluding Townhomes (TH) and Apartments.
2. For the purposes of this section, Accessory Structure shall mean- detached garages, carports, storage sheds, etc. and shall meet the minimum setback requirements prescribed by the applicable zoning district. Said structures shall be constructed of similar building materials and orientation of the principal structure.
3. For the purposes of this section, the term "Infill Development" shall mean the construction and/or reconstruction of at least twenty-five (25) percent of the exterior of a residential structure. Infill Development shall be required if a developer is building five (5) or less homes. A single-family detached structure constructed on three (3) acres or more is exempt from this ordinance.
4. For purposes of this section, the term "Survey Area" shall mean:
 - a. The three (3) nearest homes on both sides of the lot to be developed;
 - b. Any home directly to the rear of the lot to be developed; and
 - c. The six (6) homes directly across the public right-of-way to the front of the lot to be developed.

In the event that topography, zoning district boundaries, city limits, or other logistical matters render strict compliance with a. and/or b. above impossible, the Director of Planning and Community Development shall determine the Survey Area as strictly as possible in compliance with 4a. and 4b. as stated above.

- (i) In order to establish and maintain compatibility among residential developments and to preserve the aesthetic qualities of neighborhoods, which serves to preserve the property values of all residential land owners and developers, promote the health, welfare and safety of neighborhoods, and preserve the tax base of the City of East Point, the following design requirements are hereby mandated for all residential infill developments, in addition to all other construction standards contained in this Code.

- (ii) The developer of a proposed Infill Development shall submit to the Planning and Community Development Department, an Infill Compatibility Survey, on the form provided by the Planning and Community Development Department that illustrates the size, scale, and overall visual character of the structure including setbacks, height and basic architectural features of homes in the survey area. The applicant shall also submit labeled pictures of the survey area.
5. The minimum requirements for residential Infill Development, to be shown on the Will Compatibility Survey, shall be as follows:
- (a) *Height.* The maximum height is measured between the highest point along a roof or highest ridge line of a proposed home, and the slab or crawl space on grade. The height shall comply with the requirements of the applicable zoning district. For purposes of building height, chimneys, as well as flues, vents, pipes, antennae, and other small projections less than twenty-four (24) inches in width/diameter (measured at the widest point) shall not be included in the above measurement.
 - (b) *Number of stories.* The number of stores shall comply with the height requirements of the applicable zoning district.
 - (c) *Orientation of the front door.* The home shall have its front entrance facing the street (if the lot faces more than one (1) street, then facing the street that existing homes in the survey area face), and shall have no less than twenty-five (25) square feet of framed window facing said street, or no less than eighty-five (85) percent of the average square footage of framed window facing said street for homes within the survey area, whichever is less.
 - (d) *Orientation of the house.* The Infill home shall have the same orientation to the streets as the majority (51%) of the existing homes within the survey area. Where the dimensions of the lot, or other site-specific obstacles, do not permit the same orientation as a majority of existing structures in the survey area, the property owner, or his or her representatives, may file for a variance with the Planning and Zoning Commission, which variance shall be considered in conformance with the procedures and standards contained in City Code Part 10, Planning and Development, Chapter 1, Planning and Zoning Commission Powers and Duties in Administration of Zoning Regulations.
 - (e) *Garages and carports.* Where a majority (51%) of existing homes have garages or carports within the survey area, the Infill home shall include a garage or carport. The garage or carport frontage shall meet all setback requirements of the applicable zoning district. The orientation of garages and carports shall be consistent with the majority (51%) of such structures within the survey area. Where possible, garages and carports shall be oriented and entered from the side or rear of the Infill home, and out of view of the public way. A detached garage within an Infill Development is considered an accessory structure and must comply with the Infill standards and applicable zoning district.
 - (f) *Exterior materials.* The exterior materials of an Infill Development, including garages, carports and other accessory structures, shall conform to the following requirements:
 - (i). All exterior finishes shall be either brick, stone, masonry, wood, masonry composite, or such other similar exterior finish as may be approved by the Director of Planning and Community Development.

(ii). Where either brick, stone, masonry, wood, or masonry composite is used on a majority (51%) of existing homes in the survey area, the Infill Development shall include and reflect the majority (51%) of the homes' building materials on the front, sides and rear of the structure as demonstrated in the community and if visible from a public right-of-way.

(g) *Square footage requirements.* The footprint for Infill homes shall be no greater than fifty (50) percent larger than the average footprint for all homes within the survey area, and shall be no smaller than (10) percent of the average footprint for all homes within the survey area. The total heated floor area of an Infill home shall be equal to or greater than a majority (51%) of the existing homes in the survey area.

(h) *Foundations.* Foundations shall reflect the character and style of homes in the survey area. However, no foundation shall have exposed concrete. Concrete foundations, where exposed, must be covered in stucco, brick or other approved masonry material used in the majority of the homes in the survey area.

(i) *Fireplaces and chimneys.* Where the majority (51%) of existing homes in the survey area have fireplaces and chimneys, the Infill home shall include fireplaces and chimneys to reflect the character and style of homes in the survey area. Chimneys shall be covered in stucco, brick or other approved masonry material, unless a different material is used in the majority (51%) of the existing homes in the survey area and shall terminate at finished grade.

(j) *Front porch or stoops.* Where the majority (51%) of existing homes in the survey area have a functional front porch or stoop, or similar front entry feature, the Infill home shall have such a feature. The inclusion of these features shall be consistent with the setbacks of the applicable zoning district. Architectural features and dimensions shall conform to those of the majority (51%) of homes in the survey area.

(k) *Overhangs.* The roofs of all Infill homes shall be constructed in such a manner as to provide soffits (i.e. the horizontal underside of the eaves) that extend a maximum horizontal distance of one (1) foot beyond the face of the exterior walls.

(l) *Lot frontage.* Lot frontage for Infill homes shall not vary more than ten (10) percent from the average lot frontage of existing homes in the survey area.

6. Relief. To apply for relief from any of these requirements, the property owner, or his or her representatives, may file for a variance with the Planning and Zoning Commission. That variance shall be considered in conformance with the procedures and standards contained in City Code Part 10, Planning and Development, Chapter 1, Planning and Zoning Commission.

Sec. 10-4092. PUBLIC PARTICIPATION PROGRAM

The public participation program is in place to ensure that applicants pursue early effective public involvement in conjunction with their petitions, ensure that the citizens of East Point have an adequate opportunity to learn about petitions that may affect them, and to ensure ongoing communication between applicants, adjoining property owners, neighborhood groups, community associations and other organizations, elected officials and city staff. A minimum target area for public participation shall be a 500-foot radius from the affected property. At the Director of Planning and Community Development's discretion, a greater distance may be required. Applicants are required to submit a public participation plan for meeting with interested citizens to advise residents of residential infill applications and to allow citizens the opportunity to discuss concerns and provide input about project design or development. An applicant's responsibilities are to inform the public, solicit input, and provide a summary of these activities in the form of a written report.

The requirement for a public participation plan does not give communities decision making powers. Applicants are encouraged to listen to the concerns of the community and seek to reach a consensus on the outstanding issues. A refusal by the community to meet with applicants or to return the completed and signed Departmental documents does not mean that the applicants fail to meet the requirements of the public participation program.

Public participation plans are required with all residential infill applications and must be filed simultaneously with the application. An application for building permit may be denied by the Department of Planning and Community Development if the report is not submitted as required.

Sec. 10-4093. PUBLIC PARTICIPATION PLAN

Every application for residential infill shall include a public participation plan.

Minimum Standards:

1. Identification of all property owners within 500-foot radius of the site, area neighborhood groups, community associations, other organizations and any political subdivision of the state (elected council ward representatives) which may be affected by an application.
2. Detailed explanation of how interested parties will be informed of a residential infill.
3. Methods for providing opportunities for discussion with interested parties before meetings are held. Applicants are required to schedule at least one meeting at a convenient location and time and notify all interested parties of the purpose, place and time of meeting.
4. Applicant's schedule for completion of the public participation plan.
5. Site plan and sketches, including at least the building footprint and front and side elevations, of any structure to be built.

Sec. 10-4094. PUBLIC PARTICIPATION PLAN REPORT

Every application for residential infill is required to provide a public participation report which shall include the items listed below:

1. Provide a list of all parties that were contacted, the methods of notification that were used, and copies of all notification letters.
2. Provide a copy of letter of notification to impacted adjacent property owner.
3. Provide dates and locations of all community and/or other meetings that were attended by the applicant to discuss an application (Attach meeting notices, letters, etc.)
4. Provide the number of people who participated in meetings held to discuss an application. (Attach sign-in sheets)
5. A summary of concerns and issues expressed by interested parties.
6. A summary of the applicant's response to concerns and issues.
7. A signed copy of the Notification form, signed by both the applicant and a representative of the community presented to.

8. Applicant shall attach a copy of the development plan presented to the community representative.
9. Applicant shall bring to the community meeting copies of the plan which can be distributed and kept by the community. (Size not to exceed 11 x 17 inches)
10. Applicant shall conduct an additional community meeting if any modifications are made to the application after it has been reviewed by the appropriate property owners, neighborhood groups, community associations other organizations and any political subdivision of the state (elected council ward representatives) affected by the application.

Sec. 10-4095. COMMUNITY RESPONSIBILITY

The affected community shall also fax, mail, e-mail or hand deliver to the Department of Planning and Community Development a copy of the signed form by both parties in order to insure that the information submitted by the applicant reflects what was presented to the community. The form must be submitted within five (5) days after the scheduled community meeting.



Department of Planning & Community Development @ Jefferson Station

1526 E. Forrest Avenue

Suite 100

East Point, GA 30344

404.270.7029 (Phone)

404.209.5148 (Fax)

www.eastpointcity.org

NEIGHBORHOOD COMMENT FORM

PROJECT NAME _____ DATE _____

PROJECT LOCATION _____ WARD _____

PROJECT DESCRIPTION _____

-

This portion to be completed by authorized neighborhood representative

NEIGHBORHOOD ASSOCIATION _____

ASSOCIATION CONTACT INFORMATION:

NAME _____

DAYTIME PHONE _____ E-MAIL ADDRESS _____

MEETING DATE _____ NUMBER OF ATTENDEES _____

Did the developer/builder/owner make a presentation before the Neighborhood Association? Yes No

COMMENTS _____

Please mail Comment Form to the Department of Planning & Community Development, City Hall Annex, 1526 e. Forrest Avenue, Suite 100, East Point, GA 30344, or for quickest results, fax the form to (404) 209.5148. Thank you for your participation.

This form is intended to express the neighborhood association's level of support for the proposed development. It is important that we receive your comments in a timely manner in order to be incorporated into the decision of the City to permit the proposed development.



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APPLICANT ACKNOWLEDGEMENT FOR PUBLIC PARTICIPATION

I/we acknowledge that I/we have received and understand the Public Participation requirements for meeting with interested citizens to advise residents of pending zoning, variance, special use permit, residential infill, or subdivision of property applications and to allow citizens the opportunity to discuss concerns and provide input about project design or development.

Moreover, I/we attest that all information provided herein is true and correct to the best of my knowledge and belief.

Applicant Name (Print)

Applicant Name (Print)

Signature

Signature

Date

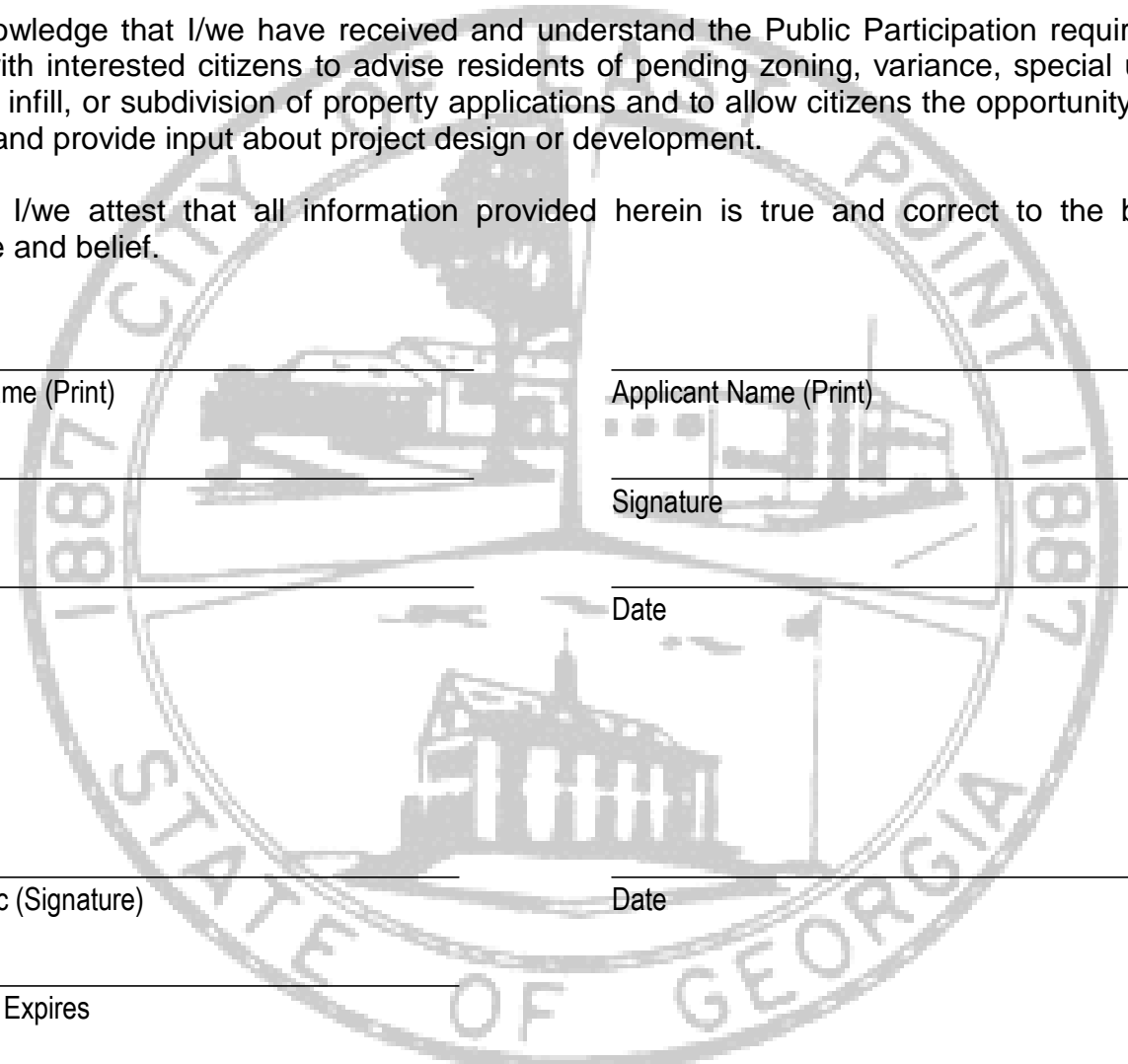
Date

ATTEST:

Notary Public (Signature)

Date

Commission Expires



NOTICE OF DEVELOPMENT INTENT

Location of Property: _____

Applicant's Name: _____

For the purpose of: _____

A presentation has been scheduled for _____ at _____ p.m.

At the following location _____

Neighborhood Association _____

Association President Name/Phone Number: _____

NOTICE OF DEVELOPMENT INTENT

Location of Property: _____

Applicant's Name: _____

For the purpose of: _____

A presentation has been scheduled for _____ at _____ p.m.

At the following location _____

Neighborhood Association _____

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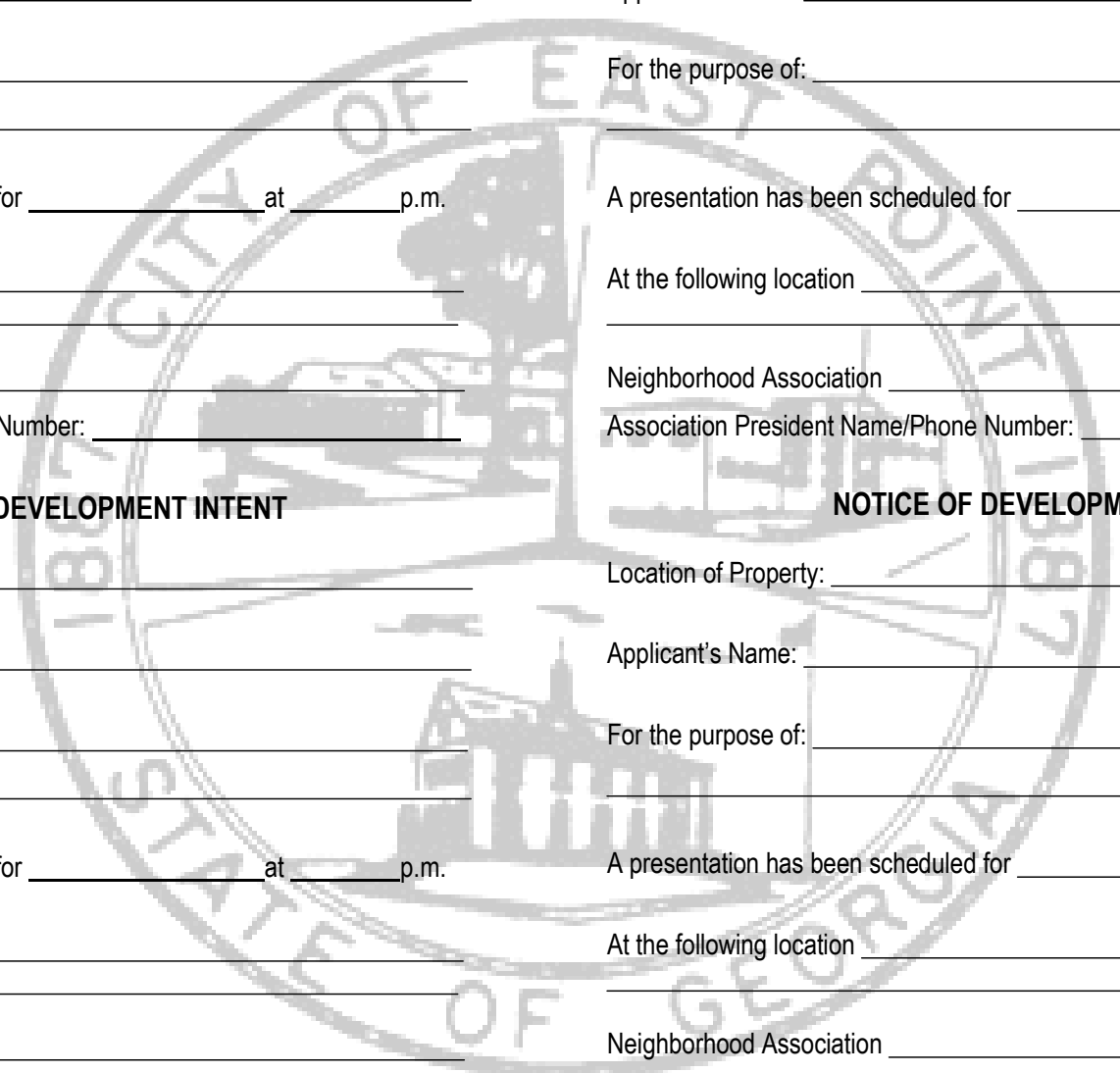
For the purpose of: _____

A presentation has been scheduled for _____ at _____ p.m.

At the following location _____

Neighborhood Association _____

Association President Name/Phone Number: _____





Department of Planning & Community Development
1526 E. Forrest Avenue, Suite 100
East Point, GA 30344

POST
OFFICE
WILL NOT
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WITHOUT
STAMP



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Current Resident

Current Resident



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