

BOARD OF COUNTY COMMISSIONERS

Lee Hearn, Chairman
Edward Gibbons, Vice Chairman
Eric K. Maxwell
Charles D. Rousseau
Charles W. Oddo



FAYETTE COUNTY, GEORGIA

Steve Rapson, County Administrator
Dennis A. Davenport, County Attorney
Tameca P. Smith, County Clerk
Marlena Edwards, Chief Deputy County Clerk

140 Stonewall Avenue West
Public Meeting Room
Fayetteville, GA 30214



AGENDA

March 26, 2026
5:00 p.m.

Welcome to the meeting of your Fayette County Board of Commissioners. Your participation in County government is appreciated. All regularly scheduled Board meetings are open to the public and are held on the 2nd and 4th Thursday of each month at 5:00 p.m.

OFFICIAL SESSION:

Call to Order
Invocation and Pledge of Allegiance by Commissioner Eric Maxwell
Acceptance of Agenda

PROCLAMATION/RECOGNITION:

1. Recognition of the Fayette Fire Foundation for 10-Years of continued service to the Fayette County Fire & Emergency Services, and the Citizens of Fayette County. (pages 3-5)
2. Recognition of two Fayette County public safety employees selected by Veterans of Foreign Wars Post 3650 as nominees for state-level awards honoring outstanding emergency services and 911 communications excellence. (page 6)

PUBLIC HEARING:

3. Consideration of Petition 1374-25, Joseph Reeves Akin Jr, Owner; Xavier Hill Applicant; Randy Boyd, Agent, request to rezone 3.1 acres from R-40 (Single Family) to A-R (Agricultural Residential Single Family); property located in Land Lots 198 of the 13th District, behind 1252 Highway 314. (pages 7-54)
4. Consideration of amendment to Fayette County Code of Ordinance Chapter 110.-Zoning; Article VII. – Zoning Board of Appeals.; Sec. 110-238 – Membership. (a) Membership and appointments. (pages 55-74)
5. Consideration of amendment to Fayette County Code of Ordinance Chapter 110.- Zoning; Article X. – Planning Commission.; Sec. 110-325. – Planning commission.; (1) Membership and appointments. (pages 75-91)
6. Consideration of amendment to Fayette County Code of Ordinance Chapter 110. Zoning; Article V. – Conditional Uses, Nonconformances, and Transportation Corridor Overlay Zone. - Sec. 110-169. -Conditional use approval. (2)n.5. – Uses and/or Structures incidental to a Church to add Off-Site Parking as an incidental use to churches. (pages 92-135)

7. Consideration of amendment to Fayette County Code of Ordinance Chapter 110. Zoning; Article V. – Conditional Uses, Nonconformances, and Transportation Corridor Overlay Zone.; Sec. 110-169. Conditional use approval.; (2) Conditional uses allowed. to add Supporting Off -Site Parking as a conditional use in O-I (Office- Institutional) zoning district. (pages 136-178)

PUBLIC COMMENT:

Speakers will be given a five (5) minute maximum time limit to speak before the Board of Commissioners about various topics, issues, and concerns. Speakers must direct comments to the Board. Responses are reserved at the discretion of the Board.

CONSENT AGENDA:

8. Approval to accept the donation of 56 Thermal Imaging Cameras, in the valued amount of \$55,152.85, from the Fayette Fire Foundation for use during emergency operations during structural firefighting, victim rescue, and firefighter safety. (pages 179-186)
9. Approval of Peachtree City's reappointment of Tricia Steamsto, as the Peachtree City appointment, to the Fayette County Library Board for a four-year term beginning January 1, 2026 and expiring December 31, 2030. (page 187)
10. Approval to accept the right-of-way deed and multi-use path easement for the Windsor Court subdivision per Fayette County Code, Chapter 104; ARTICLE III - Street Design Standards and Specifications; Section 104-52 (b);(c) - Right of Way; Article XV. - Subdivision Regulations; Section 104-595 (2)(k). and Section 104-596 (c);(32). (pages 188-205)
11. Approval of the March 12, 2026, Board of Commissioners Meeting Minutes. (pages 206-209)

OLD BUSINESS:

NEW BUSINESS:

12. Request to award Bid #26109-B to Ten-8 Fire & Safety, LLC for MSA G-1 Self-Contained Breathing Apparatus (SCBA) and associated accessory parts and safety devices in the amount of \$1,418,964.40 and allow for the department to auction existing used SCBAs and associated devices. (pages 210-213)

ADMINISTRATOR'S REPORTS:

- A. Contract #26071-B Justice Center Roof Replacement (pages 214-216)

ATTORNEY'S REPORTS:

COMMISSIONERS' REPORTS:

EXECUTIVE SESSION:

ADJOURNMENT:

COUNTY AGENDA REQUEST

Department:

Presenter(s):

Meeting Date:

Type of Request:

Wording for the Agenda:

Recognition of the Fayette Fire Foundation for 10-Years of continued service to the Fayette County Fire & Emergency Services, and the Citizens of Fayette County.

Background/History/Details:

The mission of the Fayette Fire Foundation is to aid, support, and assist by gifts, contributions or otherwise, Fayette County Fire and Emergency Services. The Board of Directors meet periodically and discuss and vote on expenditures and projects that will enhance and improve the ability of the Fayette County Fire and Emergency Services, and its personnel, to provide fire and emergency medical services to the community. Some of the many accomplishments of the Foundation:
Purchase of Video Laryngoscopes for advanced airway procedures.
Established the Maurice Worth Memorial Scholarship to increase fire service-related educational opportunities for employees of FPDFES
Purchase of LUCUS CPR Devices for ambulance units
Received funding to purchase 4-Wheel Drive UTV (Utility Task Vehicle)
Purchase of Thermal Image Cameras
Purchase of Helmet flashlights
Purchased each member a Snagger Tool for rescue operations
Secure donations for the complete renovation and build-out of the Fayette County Fire Safety Education Bus., and many other projects.
100% of all donations go to support The Citizens and Community via the Fayette County Fire and Emergency Services.

What action are you seeking from the Board of Commissioners?

Recognition of the Fayette Fire Foundation for 10-Years of continued service to the Fayette County Fire & Emergency Services, and the Citizens of Fayette County.

If this item requires funding, please describe:

Not applicable.

Has this request been considered within the past two years?

If so, when?

Is Audio-Visual Equipment Required for this Request?*

Backup Provided with Request?

*** All audio-visual material must be submitted to the County Clerk's Office no later than 48 hours prior to the meeting. It is also your department's responsibility to ensure all third-party audio-visual material is submitted at least 48 hours in advance.**

Approved by Finance

Reviewed by Legal

Approved by Purchasing

County Clerk's Approval

Administrator's Approval

Staff Notes:

Request the website fayettefirefoundation.org to be displayed on the meeting room monitors during the presentation, specifically the "Our Accomplishments" section. Fayette Fire Foundation Board Vice-Chair Michael Hofrichter will make the presentation on behalf of the Board of Directors.

**FAYETTE FIRE FOUNDATION
EQUIPMENT PURCHASES**

DATE	EQUIPMENT	COST	CHECK #
4-Nov-16	Laryngoscopes	\$10,030.00	Check Card
7/18/2017	Physio-Control (Lucas Device)	\$15,028.07	Official Check
12/14/2017	Physio-Control (Lucas Device)(2)	\$29,556.26	Official Check
9/17/2018	Polaris ATV	\$26,265.03	CC,118, 121, 128
6/18/2019	Thermal Cameras	\$17,700.00	124
10/21/2019	MunicipalEng Services (Helmet Lights)	\$10,614.11	127
5/26/2020	Brian's Paint and Body (School Bus)	\$5,784.00	131
12/4/2020	Motis Fire Rescue	\$7,910.00	140
2/16/2021	Brown Camping (Bus AC)	\$1,550.00	144
5/7/2021	Bound Tree (Raptors)	\$8,390.40	Check Card
10/6/2021	Stryker Medical (Lucas Device)	\$14,215.52	Official Check
1/12/2021	Child Safety	\$1,230.00	147
11/22/2022	Gator Moto Utility (EMS Golf Cart)	\$24,190.00	Wire Transfer
9/12/2023	Harbor Freight (Generator)	\$2,499.99	Check Card
11/21/2023	Smith Warren (Uniform Pins)	\$701.91	Check Card
11/16/2023	Alert All (Kids Safety Paraphernalia)	\$4,980.00	Check Card
10/18/2023	Roll n Rack	\$10,665.00	1012
4/3/2024	Roll n Rack	\$10,665.00	1019
8/26/2024	Fire and EMS (35 Helmet Cameras & 1 Dash)	\$11,658.20	Check Card
1/28/2025	StrykerMedical (9 Docking Stations)	\$18,720.00	1041
3/25/3025	StrykerMedical (11 Modems)	\$13,728.00	1043
7/8/2025	Bound Tree (Insulated Chamber & Lifeflow)	\$1,539.98	1047
7/17/2025	Cole Palmer (Refrigerator for Blood)	\$1,166.33	Check Card
9/2/2025	Bound Tree (Insulated Chamber)	\$1,505.18	1063
10/23/2025	Bound Tree (Warmer)	\$7,273.48	1064
2/11/2026	MES Seek Fire Pro 300 Thermal Imager (56)	\$55,152.85	1066
		\$312,719.31	

Scholarship amounts by year:

\$1000 per scholarship in 2016, 2017, 2018

\$2000 per scholarship in 2021, 2022 and 2023

\$2500 per scholarship in 2024 and 2025

Scholarships awarded by year:

2016 -- 2

2017 -- 1

2018 -- 2

2019 – none (no applications submitted)

2020 -- none (program not offered)

2021 -- 10

2022 – 8

2023 – 8

2024 – 12

2025 – 13

Total – 56 (2016 to 2024)

Total scholarship amounts awarded by year:

2016 -- \$2000

2017 -- \$1000

2018 -- \$2000

2019 -- \$0

2020 -- \$0

2021 -- \$20000

2022 -- \$16000

2023 -- \$16000

2024 -- \$30000

2025 – \$32500

Total -- \$119,500 (2016 to 2025)

COUNTY AGENDA REQUEST

Department:

Presenter(s):

Meeting Date:

Type of Request:

Wording for the Agenda:

Recognition of two Fayette County public safety employees selected by Veterans of Foreign Wars Post 3650 as nominees for state-level awards honoring outstanding emergency services and 911 communications excellence.

Background/History/Details:

Request approval to recognize recipients of the Veterans of Foreign Wars (VFW) awards for outstanding public service. VFW Post 3650 in Fayetteville selected two individuals from Fayette County departments to represent the Post in state-level competition. These honors include the Emergency Services Award and the 911 Dispatcher Award.

The Emergency Services Award nominee for the Post is Kevonte Slaughter of Fayette County Fire and Emergency Services. This award recognizes an individual who actively provides emergency medical treatment, rescue services, or civil disaster assistance as a member of a public or volunteer organization serving the community.

The 911 Dispatcher Award nominee for the Post is Stephanie Harkins of Fayette County 911 Communications. This award honors an individual who serves as the critical link between callers in distress and emergency response teams by gathering essential information and ensuring the appropriate resources are dispatched quickly and accurately.

These individuals represent the highest standards of professionalism, dedication, and service to the citizens of Fayette County, and their recognition reflects the vital role public safety personnel play in protecting and supporting the community.

What action are you seeking from the Board of Commissioners?

Recognition of two Fayette County public safety employees selected by Veterans of Foreign Wars Post 3650 as nominees for state-level awards honoring outstanding emergency services and 911 communications excellence.

If this item requires funding, please describe:

Not applicable.

Has this request been considered within the past two years?

If so, when?

Is Audio-Visual Equipment Required for this Request?*

Backup Provided with Request?

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Approved by Finance

Reviewed by Legal

Approved by Purchasing

County Clerk's Approval

Administrator's Approval

Staff Notes:

Mr. Larry Dell of the Fayette County VFW, will give the presentation.

COUNTY AGENDA REQUEST

Department:

Presenter(s):

Meeting Date:

Type of Request:

Wording for the Agenda:

Consideration of Petition 1374-25, Joseph Reeves Akin Jr, Owner; Xavier Hill Applicant; Randy Boyd, Agent, request to rezone 3.1 acres from R-40 (Single Family) to A-R (Agricultural Residential Single Family); property located in Land Lots 198 of the 13th District, behind 1252 Highway 314.

Background/History/Details:

The applicant proposes to rezone parcel 1306 030 and combine it with parcels 1306 011 and 1306 117, for a total of 53.15 acres, from R-40 (Single-Family Residential) to A-R (Agricultural-Residential) for the purposes of use as a single-family residence and for operating an A-R Wedding/Event Venue. The lot is a legal, nonconforming lot; combining the parcels will resolve all nonconformities. The subject property lies within an area designated for Low Density Residential uses on the Future Land Use Plan map. This request conforms to the Fayette County Future Land Use Plan, in that the proposed zoning is a less intense use.

Staff recommends **CONDITIONAL APPROVAL**: Condition 1. All parcels that are the subject of this petition shall be combined by a recorded final plat within 180 days of the approval of the petition or prior to the submittal of a site development plan, whichever comes first.

Jim Oliver made the motion to recommend **CONDITIONAL APPROVAL** of Petition 1374-25. Virgil Hooper seconded the motion. The motion passed 3-2. Vice-Chair Boris Thomas and John Kruzan opposed.

What action are you seeking from the Board of Commissioners?

Consideration of Petition 1374-25, Joseph Reeves Akin Jr, Owner; Xavier Hill Applicant; Randy Boyd, Agent, request to rezone 3.1 acres from R-40 (Single Family) to A-R (Agricultural Residential Single Family); property located in Land Lots 198 of the 13th District, behind 1252 Highway 314, with one (1) condition.

If this item requires funding, please describe:

Not applicable.

Has this request been considered within the past two years?

If so, when?

Is Audio-Visual Equipment Required for this Request?*

Backup Provided with Request?

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Approved by Finance

Reviewed by Legal

Approved by Purchasing

County Clerk's Approval

Administrator's Approval

Staff Notes:

PETITION NO: 1374-25

REQUESTED ACTION: Rezone Parcel No.1306 030 (3.1 acres) from R-40 (Single-Family Residential) to A-R (Agriculture-Residential).

PROPOSED USE: Single-Family Residential and A-R Wedding/Event Facility

EXISTING USE: Vacant Land

LOCATION: 1252 Hwy 314 N

DISTRICT/LAND LOT(S): 13th District, Land Lot 198

ACREAGE: 3.1

OWNER(S): Joseph R. Akin

APPLICANT(S): Xavier Hill

AGENT(S): Randy Boyd

PLANNING COMMISSION PUBLIC HEARING: March 5, 2026, 7:00 PM

BOARD OF COMMISSIONERS PUBLIC HEARING: March 26, 2026, 5:00 PM

APPLICANT'S INTENT

The applicant proposes to rezone this parcel and combine it with parcels 1306 011 and 1306 117, for a total of 53.15 acres, from R-40 (Single-Family Residential) to A-R (Agricultural-Residential) for the purposes of use as a single-family residence and for operating an A-R Wedding/Event Venue.

PLANNING COMMISSION RECOMMENDATION: On March 5, 2026, the Planning Commission voted to recommend **CONDITIONAL APPROVAL** of the request to rezone from R-40 to A-R. Jim Oliver made a motion to recommend conditional approval of Petition 1374-25, subject to conditions as presented by staff. Virgil Hooper seconded the motion. The motion carried 3-2. Boris Thomas and John Kruzan opposed the motion.

STAFF RECOMMENDATION

As defined in the Fayette County Comprehensive Plan's Future Land Use Plan, Low Density Residential is designated for this area, so the request for A-R zoning, which is a lower density district, is appropriate. Parcel 1306 030 does not meet the minimum lot size for the A-R zoning. Therefore, a condition is recommended to ensure it is combined with the larger parcel, which will resolve this issue. Based on the Investigation and Staff Analysis, Planning & Zoning Staff recommends **CONDITIONAL APPROVAL** of the request for a zoning of A-R, Agricultural-Residential, subject to the following:

1. All parcels that are the subject of this petition shall be combined by a recorded final plat within 180 days of the approval of the petition or prior to the submittal of a site development plan, whichever comes first.

INVESTIGATION**A. GENERAL PROPERTY INFORMATION**

Parcel 1306 011 is a legal nonconforming lot. The parcel does not meet the requirements of A-R zoning unless it is combined with the adjoining parcels. It is also a landlocked parcel. Combining this parcel with the adjoining parcels removes the nonconforming status associated with the property.

GDOT will review and approve access engineering & construction plans within their jurisdiction if the site is developed further. GDOT is in charge of all driveways on the State Route.

B. ZONING & DEVELOPMENT HISTORY:

The R-40 zoning was part of a blanket zoning approved in 1971.

This property is located in the General State Route Overlay Zone. All developments are required to meet the Overlay criteria. One requirement under this Overlay is that all access points for a development shall be on the State Route. The Overlay Zone also provides architectural, parking, enhanced landscaping requirements and increased building setbacks.

C. SURROUNDING ZONING AND USES

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

Direction	Acreage	Zoning	Use	Comprehensive Plan/Future Land Use Map
North	60.03; 26.27	G-B; R-40	Undeveloped; Fairbrook Subdivision Single-Family Residential	Low Density residential
East	8.6	R-40	Single-Family Residential	Low Density Residential
West	60.03	G-B	Undeveloped	Low Density Residential
South	45.3	R-40 – Applied for A-R	Single-Family Residential	Low Density Residential

D. COMPREHENSIVE PLAN

Future Land Use Plan: The subject property lies within an area designated for Low Density Residential uses on the Future Land Use Plan map. This request **DOES** conform to the Fayette County Future Land Use Plan, in that the proposed zoning is a less intense use.

E. DEPARTMENTAL COMMENTS

- Water System** – FCWS has no objections to the rezoning.
- Public Works**
 - **Road Frontage Right of Way Dedication** – State Route 314 right of way governed by GDOT.
 - **Traffic Data** -- In 2023 GDOT reports State Route 314 had 10,400 vehicles per day north the intersection of Hwy 279.
 - **Sight Distance and access** -- GDOT will issue all driveway permits.
- Environmental Management**
 - **Floodplain Management** -- The property **DOES NOT** contain floodplain per FEMA FIRM panel 13113C0037E dated September 26, 2008. The property **DOES** contain floodplain delineated in the Fayette County 2013 Limited Dewberry Flood Study.
 - **Wetlands** -- The property **DOES** contain wetlands per the U.S. Department of the Interior, Fish and Wildlife Service 1994 National Wetland Inventory Map.
 - **Watershed Protection** -- There **ARE** state waters located on the subject property, and it **WILL BE** subject to the Fayette County Article VII Watershed Protection Ordinance. The owner should reference the various sections of the document prior to any development within buffered areas.
 - **Groundwater** -- The property **IS NOT** within a groundwater recharge area.
 - **Post Construction Stormwater Management** -- This development **WILL BE** subject to the Post-Development Stormwater Management Ordinance if re-zoned and developed with more than 5,000 square feet of impervious surface, or as applicable if developed as an A-R Wedding/Event venue.
 - **Dams and Impoundment** -- Dickson Lake Dam located on the property requesting to be rezoned has been assessed by Georgia Department of Natural Resources EPD Safe Dams Program to be a Class 1, high hazard dam. Property owner(s) are required to meet all safe dam requirements by EPD Safe Dams Program.
 - **Landscape and Tree Replacement Plan** -- This development **WILL BE** subject to the landscaping requirements of the conditional use permit if developed as an A-R Wedding/Event Venue.
- Environmental Health Department** – This office has no objection to the proposed rezoning.
- Fire** – No comment.

STANDARDS

Sec. 110-300. - Standards for map amendment (rezoning) evaluation.

All proposed map amendments shall be evaluated with special emphasis being placed on the relationship of the proposal to the land use plan and related development policies of the county. The following factors shall be considered by the planning and zoning department, the planning commission and the board of commissioners when reviewing a request for rezoning:

- (1) Whether the zoning proposal is in conformity with the land use plan and policies contained therein;
- (2) Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property;
- (3) Whether the 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;
- (4) 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 zoning proposal.

STAFF ANALYSIS

1. The subject property lies within an area designated for Residential Uses. This request does conform to the Fayette County Comprehensive Plan in terms of the Land Use Plan as A-R is a less intense use than the Low Density residential defined on the Future Land Use Plan.
2. The area around the subject property is an area that already has various residential uses. It is staff's opinion that the zoning proposal is not likely to have an adverse impact on nearby residential uses.
3. It is staff's opinion that an agricultural-residential use would not generate a greater number of daily vehicle trips than would a single-family residential use situated on this same parcel. Staff does not think this development will have an adverse impact on utilities or schools.
4. The proposal is consistent in character and use with the immediate surrounding uses, as these are medium to large lot residential uses, with a trend toward rural character.

ZONING DISTRICT STANDARDS

Sec. 110-125. A-R, Agricultural-Residential District.

(a) *Description of district.* This district is composed of certain lands and structures having a very low density single-family residential and agricultural character and designed to protect against the depreciating effects of small lot, residential development and those uses which are incompatible with such a residential and agricultural environment.

(b) *Permitted uses.* The following permitted uses shall be allowed in the A-R zoning district:

- (1) Single-family dwelling;
- (2) Residential accessory structures and uses (see article III of this chapter);
- (3) Growing of crops and the on-premises sale of produce and agricultural products, provided 50 percent of the produce/products sold shall be grown on-premises;
- (4) Plant nurseries and greenhouses (no sales of related garden supplies);
- (5) Raising of livestock; aquaculture, including pay fishing; apiary (all beehives shall comply with the required setbacks); and the sale thereof; and
- (6) One semi-trailer/box truck utilized as a farm outbuilding, provided the property is a minimum of five acres and the semi-trailer/box truck is only used to store agricultural items.

(c) *Conditional uses.* The following conditional uses shall be allowed in the A-R zoning district provided that all conditions specified in article VII of this chapter. Conditional uses, nonconformances, transportation corridor overlay zone, and commercial development standards are met:

- (1) Aircraft landing area;
- (2) Animal hospital, kennel or veterinary clinic;
- (3) A-R bed and breakfast inn;
- (4) A-R wedding/event facility;
- (5) Cemetery;
- (6) Church and/or other place of worship;
- (7) Colleges and university, including, but not limited to: classrooms, administration, housing, athletic fields, gymnasium, and/or stadium;
- (8) Commercial driving range and related accessories;
- (9) Child care facility;
- (10) Deer processing facility.
- (11) Developed residential recreational/amenity areas;
- (12) Farm outbuildings, including horse stables, auxiliary structures, and greenhouses (permanent or temporary);
- (13) Golf course (minimum 18-hole regulation) and related accessories;
- (14) Home occupation;
- (15) Horse show, rodeo, carnival, and/or community fair;

- (16) Hospital;
- (17) Kennel (see animal hospital, kennel, and/or veterinary clinic);
- (18) Private school, including, but not limited to: classrooms, administration, playground, housing, athletic fields, gymnasium, and stadium;
- (19) Processing, packaging, or handling of perishable agricultural products (i.e. fruits and vegetables) which are grown on premises;
- (20) Recreation centers and similar institutions owned by nonprofit organizations as so registered with the state secretary of state office;
- (21) Religious tent meeting; and
- (22) Shooting range, outdoor.

(d) *Dimensional requirements.* The minimum dimensional requirements in the A-R zoning district shall be as follows:

- (1) Lot area: 217,800 square feet (five acres).
- (2) Lot width: 250 feet.
- (3) Floor area: 1,200 square feet.
- (4) Front yard setback:
 - a. Major thoroughfare:
 - 1. Arterial: 100 feet.
 - 2. Collector: 100 feet.
 - b. Minor thoroughfare: 75 feet.
- (5) Rear yard setback: 75 feet.
- (6) Side yard setback: 50 feet.
- (7) Building height.
 - a. 35 feet as defined in article III of this chapter.
 - b. The limitation on height shall not apply to agricultural structures such as storage barns, silos, or other types of structure not normally designed for human occupation except that when an agricultural structure exceeds the maximum building height the minimum distance from property lines to any building shall be increased one foot for every two feet or part thereof of building height over 35 feet.

(e) *Special regulations.* Prior to the issuance of development and/or building permits, a site plan, as applicable, shall be submitted to the zoning administrator and approved by the appropriate county officials. This requirement shall apply to all permitted uses and conditional uses allowed in the AR zoning district except single-family dwellings; residential accessory structures; growing crops and the on-premises sale of produce at agricultural stands of 100 square feet or less of floor area; growing and seasonal sale of Christmas trees; plant nursery, landscape tree farm, or greenhouse operations existing prior to the effective date of June 26, 2003; and the raising and/or selling of livestock.

(Code 1992, § 20-6-1; Ord. of 7-28-2011; Ord. No. 2012-09, § 4, 5-24-2012; Ord. No. 2012-13, § 4, 12-13-2012; Ord. No. 2012-14, § 3, 12-13-2012; Ord. No. 2014-19, § 6,7, 12-11-2014; Ord. No. 2015-05, § 2, 3-26-2015; Ord. No. 2016-12, § 3, 7-28-2016; Ord. No. 2017-04, § 2, 3-23-2017; Ord. No. 2018-03, §§ 11, 12, 9-22-2018)

Sec. 110-169. - Conditional use approval.

(2) Conditional uses allowed.

g. A-R wedding/event facility. The facility shall be utilized for private and public weddings and events by a third party who provides some form of consideration to the owner or his/her agent. The facility shall not be utilized for concerts, sporting events, or vehicle racing. A horse show, rodeo, carnival, community fair, and/or religious tent meeting shall also be allowed as regulated in this article and this section and the most restrictive conditions shall apply. A business office and/or structures utilized for event preparation and sanitation shall be allowed in conjunction with the A-R wedding and event facility. Allowed in the A-R zoning district.

1. Minimum lot size: fifteen acres.
2. These facilities shall not be permitted on a lot which accesses a road designated as an internal local road by the county thoroughfare plan and/or the county engineer.
3. Facilities which access an unpaved county-maintained road are limited to 12 weddings/events per calendar year. A wedding/event permit from the planning and zoning department is required prior to holding the wedding/event.
4. A minimum 100 foot setback shall separate all buildings and areas utilized for weddings and events from any abutting residential zoning district. Otherwise all buildings and areas utilized for weddings and events shall meet the minimum A-R setbacks.
5. Adequate off-street parking shall be required and a 50-foot setback shall separate parking areas from any abutting residential zoning district. A prepared surface is not required for the parking areas. However, any parking area with a prepared surface 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. Grassed and gravel parking areas shall be exempt from nonresidential development landscape requirements of the 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 canopy tree, six feet high at planting, is required per landscape island.

Paved parking areas shall meet Article V, pertaining to "Non-residential development landscape requirements," of the county development regulations.

6. Hours of operation for weddings and events shall be between the hours of 9:00 a.m. and 10:00 p.m. on weekdays and 9:00 a.m. and 11:00 p.m. on weekends. These hours of operation shall not limit the setup and cleanup time before and after the wedding or event.

7. All structures utilized in association with weddings and events shall meet all applicable building and fire codes.

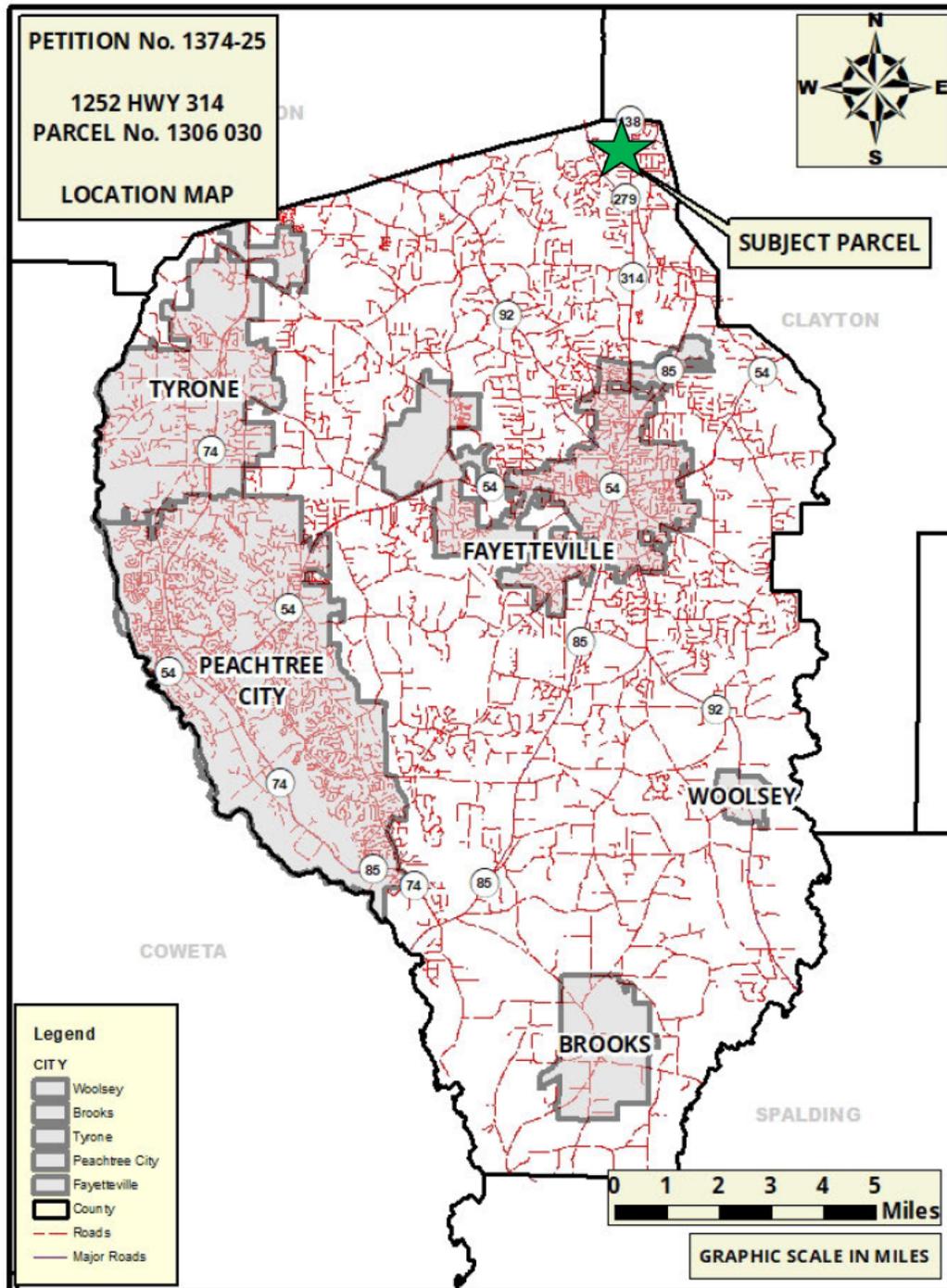
8. Sanitation facilities shall be approved by the environmental health department.

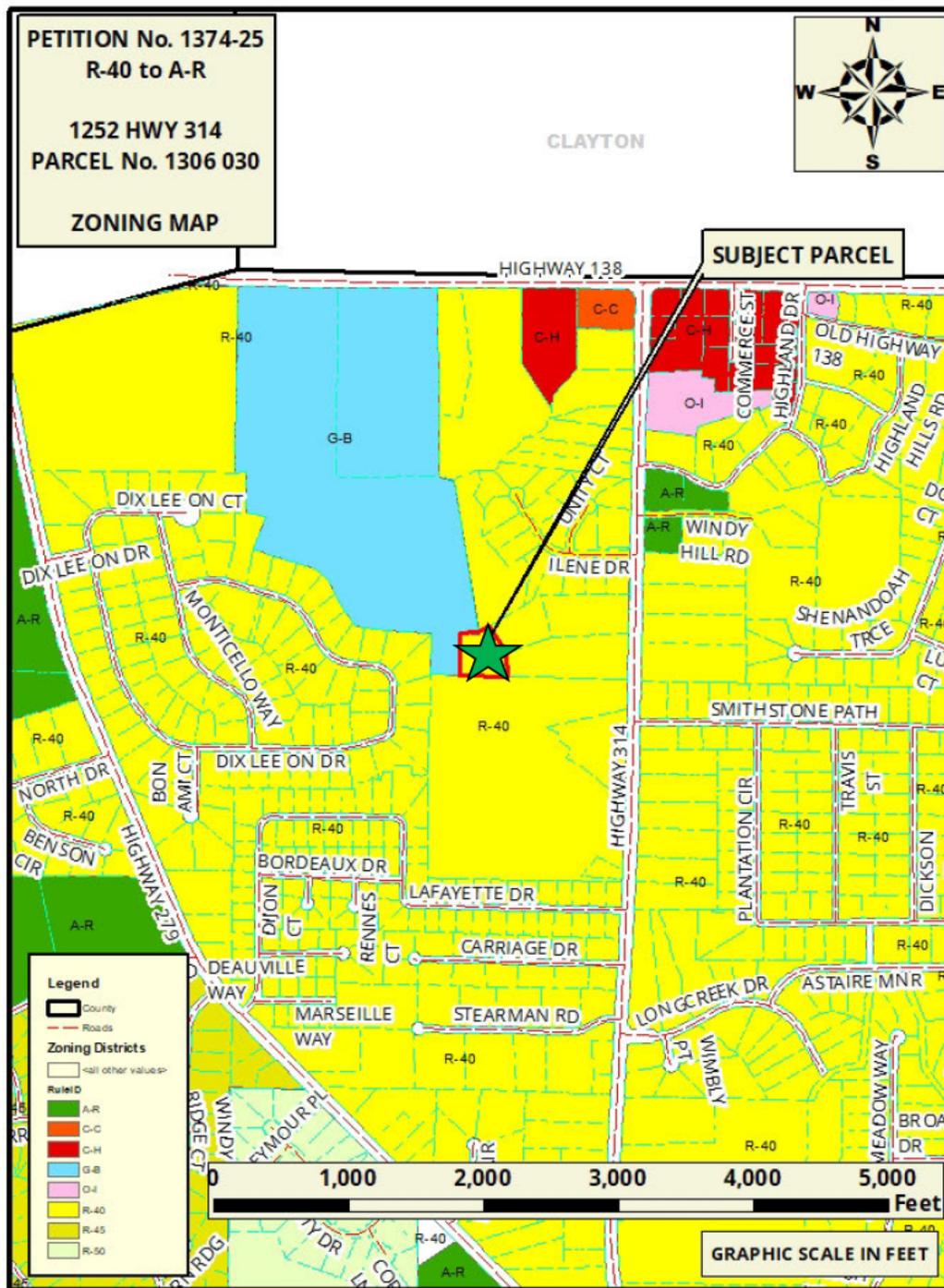
9. Food service shall meet all state and local requirements.

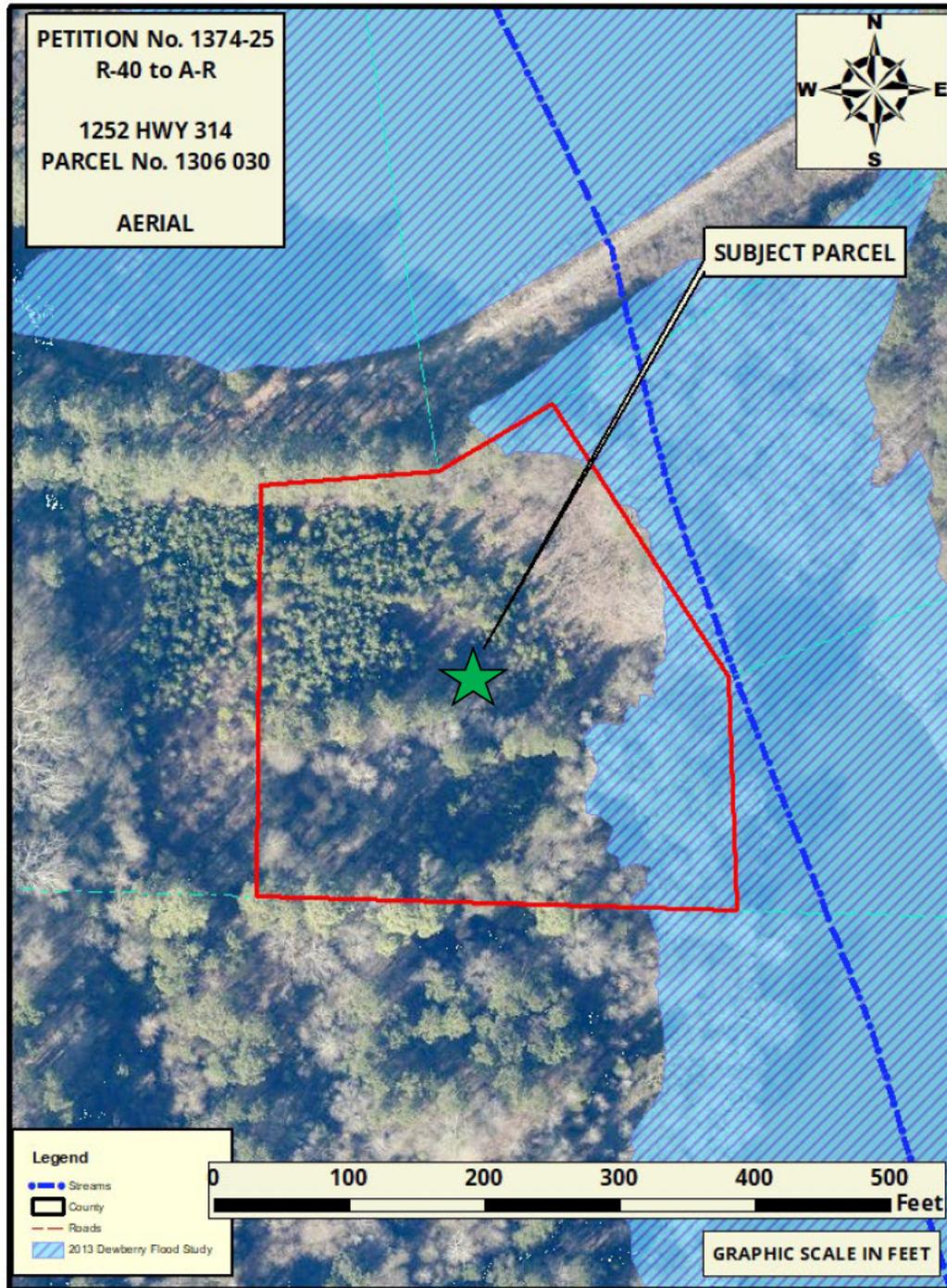
10. Tourist accommodations shall not be allowed in conjunction with an A-R wedding and event facility with exception of an A-R Bed and Breakfast Inn that is compliant with [section 110-169](#) and Article VI, pertaining to "Tourist Accommodations," of [Chapter 8](#) of the County Code.

11. Tents shall require county fire marshal approval, as applicable.

12. A site plan meeting the full requirements of the county development regulations is not required. A sketch, drawn to scale on a survey of the lot depicting all existing buildings and specific areas utilized for weddings and events shall be required. The survey shall also depict FEMA and MNGWPD floodplain and elevations, and watershed protection buffers and setbacks as applicable. In the event that 5,000 or more square feet of impervious surface is added in conjunction with a wedding and event facility, a site plan compliant with stormwater requirements of the county development regulations shall be required. The site will be exempt from the nonresidential development landscape requirements and tree retention, protection, and replacement of the county development regulations. A site located on a state route shall comply with the applicable transportation corridor overlay zone ([Sec. 110-173](#)) with the exception of the architectural standards.







BOARD MEMBERS

Danny England, Chairman
Boris Thomas, Vice-Chairman
John Kruzan
Jim Oliver
Virgil Hooper

STAFF

Deborah L. Bell, Planning and Zoning Director
Deborah Sims, Zoning Administrator
Maria Binns, Planning and Zoning Coordinator
E. Allison Ivey Cox, County Attorney

**AGENDA OF ACTIONS
FAYETTE COUNTY PLANNING COMMISSION MEETING
140 STONEWALL AVENUE WEST
March 05, 2026
7:00 pm**

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

NEW BUSINESS

1. Call to Order. *Chairman Danny England called the March 5, 2026, meeting to order at 7:00 pm.*
2. Pledge of Allegiance. *Chairman Danny England offered the invocation and led the audience in the Pledge of Allegiance.*
3. Approval of Agenda. *Ms. Deborah Bell amended the agenda to change items numbers 10, 11, 12, and 13 (Petitions for Sec. 110-238(a). – Membership; Sec. 110-325(1). – Membership; Sec. 110-169(2)n.5. – Uses and/or Structures incidental to a Church and Sec. 110-169(2) – Add Supporting Off -Site Parking as a conditional use in O-I zoning.) to numbers 6 through 9. Jim Oliver made a motion to approve the agenda as amended. John Kruzan seconded the motion. The motion carried 5-0.*
4. Consideration of the Minutes of the meeting held on February 5, 2026. *John Kruzan made a motion to approve the minutes of the meeting held on February 5, 2026. Jim Oliver seconded the motion. The motion carried 5-0.*
5. Plats
 - a. Minor Final Plat of Free Land. *Jim Oliver made a motion to approve the Minor Final Plat of Freeland. John Kruzan seconded the motion. The motion passed 5-0.*

PUBLIC HEARING

6. Consideration of amendment to Chapter 110. Zoning Ordinance, Regarding Article VII. – Zoning Board of Appeals. - Sec. 110-238(a). – Membership. ***Virgil Hooper made the motion to recommend APPROVAL of the Consideration of Amendment to Chapter 110. Zoning Ordinance, regarding Article VII.- Zoning Board of Appeals. Sec.110-238(a).- Membership. Jim Oliver seconded the motion. The motion passed unanimously.***
7. Consideration of amendment to Chapter 110. Zoning Ordinance, Regarding Article X. – Planning Commission. - Sec. 110-325(1). – Membership. ***Jim Oliver made the motion to recommend APPROVAL of the Consideration of Amendment to Chapter 110. Zoning Ordinance, regarding Article X.- Planning Commission. Sec. 110-325(1).- Membership. John Kruzan seconded the motion. The motion carried 5-0.***
8. Consideration of amendment to Chapter 110. Zoning Ordinance, Regarding Article V. – Conditional Uses, Nonconformances, and Transportation Corridor Overlay Zone. - Sec. 110-169(2)n.5. – Uses and/or Structures incidental to a Church. Add Off-Site Parking as an incidental use to churches. ***Jim Oliver made the motion to recommend CONDITIONAL APPROVAL and also added an 8th Condition: To Add a CONDITIONAL TRAFFIC CONTROL PLAN for the consideration of Amendment to Chapter 110. Zoning Ordinance, regarding Article V.- Conditional Uses, Nonconformances, and Transportation Corridor Overlay Zone. - Sec. 110-169(2)n.5. – Uses and/or Structures incidental to a Church. Add Off-Site Parking as an incidental use to churches. Virgil Hooper seconded the motion. The motion carried 4-1. Vice- Chairman Boris Thomas abstained.***

CONDITIONS:

1. *Application shall be made to the zoning administrator as described in Sec 110-169 hereof for use as off-site parking;*
2. *At all times the property is in use as off-site Parking it shall exclusively serve one principal/primary use off-site;*
3. *The written lease/agreement evidencing the exclusive use as off-site parking by a single primary/principal use off-site, including a term not to exceed eight (8) years and all other terms and conditions of the lease/agreement for parking between the parties, shall be included with the application for use as off-site parking;*
4. *The property shall not be held open to the public for use;*
5. *Use of the property for off-site parking shall end when the term of the submitted lease/agreement expires;*
6. *All parking shall be exclusively in areas approved for parking of the church and/or other place of worship conditionally permitted under 110-169 of the Fayette County Zoning Code. No parking shall be permitted in other than approved spaces.*
7. *The parking facilities available for lease as off-site parking shall not be extended beyond the facilities available on the parcel at the time application was made for conditional use as*

a church and/or other place of worship. The property shall not be improved or otherwise altered in any way to accommodate the off-site parking use.

8 . *A Traffic Control Plan is required for the off-site parking use.*

9. Consideration of amendment to Chapter 110. Zoning Ordinance, Regarding Article V. – Conditional Uses, Nonconformances, and Transportation Corridor Overlay Zone. - Sec. 110-169(2) – Add Supporting Off -Site Parking as a conditional use in O-I (Office- Institutional) zoning district. ***Jim Oliver made the motion to recommend DENIAL of Consideration of Amendment to Chapter 110. Zoning Ordinance, regarding Article V.- Conditional Uses, Nonconformances, and Transportation Corridor Overlay Zone. - Sec. 110-169(2). – Add Supporting Off -Site Parking as a conditional use in O-I (Office- Institutional) zoning district. John Kruzan seconded the motion. The motion carried 5-0.***
10. Consideration of Petition 1374-25, Joseph Reeves Akin Jr, Owner. Applicant requests to rezone 3.1 acres from R-40 (Single Family) to A-R (Agricultural Residential Single Family). Property is located in Land Lots 198 of the 13th District, and it's behind 1252 Highway 314. ***Jim Oliver made the motion to recommend CONDITIONAL APPROVAL of Petition 1374-25. Virgil Hooper seconded the motion. The motion passed 3-2. Vice-Chair Boris Thomas and John Kruzan opposed.***

CONDITION:

1. ***All parcels that are the subject of this petition shall be combined by a recorded final plat within 180 days of the approval of the petition or prior to the submittal of a site development plan, whichever comes first.***
11. Consideration of Petition 1375-26-A, William Jerry Cleveland, Owner. Applicant requests to rezone Parcel No. 0704 002 (10.62 acres) from M-H-P (Manufactured Home Park) to C-C (Community Commercial). Property is located in Land Lots 26 of the 7th District and fronts Highway 54 West. ***John Kruzan made a motion to APPROVE TO TABLE Petition No. 1375-26-A to APRIL 2nd, 2026. The motion carried 4-0. Virgil Hooper was not present for that vote.***
12. Consideration of Petition 1375-26-B, William Jerry Cleveland, Owner. Applicant request to rezone Parcel No. 0704 004 (2.81 acres), from M-H-P (Manufactured Home Park) to C-C (Community Commercial). Property is located in Land Lots 26 of the 7th District and fronts Highway 54 West. ***John Kruzan made a motion to APPROVE TO TABLE Petition No. 1375-26-B to APRIL 2nd, 2026. Jim Oliver seconded the motion. The motion carried 5-0.***
13. Consideration of Petition 1376-26, US Management Association, LLC, Owner. Applicant request to rezone 13.32 acres from M-H-P (Manufactured Home Park) to C-C (Community Commercial). Property is located in Land Lots 26 of the 7th District and fronts Highway 54 West. ***John Kruzan made a motion to APPROVE TO TABLE Petition No. 1376-26 to APRIL 2nd, 2026. Jim Oliver seconded the motion. The motion carried 5-0.***

Jim Oliver moved to adjourn the March 6, 2026, Planning Commission meeting. John Kruzan seconded. The motion passed 5-0.

The meeting adjourned at 8:34 pm.

Meeting Minutes 3/5/2026

THE FAYETTE COUNTY PLANNING COMMISSION met on March 5th, 2026, at 7:00 P.M. in the Fayette County Administrative Complex, 140 Stonewall Avenue West, Fayetteville, Georgia.

MEMBERS PRESENT: Danny England, Chairman
Boris Thomas, Vice-Chairman
John Kruzan
Jim Oliver
Virgil Hooper

STAFF PRESENT: Debbie Bell, Planning and Zoning Director
Deborah Sims, Zoning Administrator
Maria Binns, Zoning Secretary
E. Allison Ivey Cox, County Attorney

1. Call to Order. *Chairman Danny England called the March 5, 2026, meeting to order at 7:00 pm.*
2. Pledge of Allegiance. *Chairman Danny England offered the invocation and led the audience in the Pledge of Allegiance.*
3. Approval of Agenda. *Ms. Deborah Bell amended the agenda to change items numbers 10, 11, 12, and 13 (Petitions for Sec. 110-238(a). – Membership; Sec. 110-325(1). – Membership; Sec. 110-169(2)n.5. – Uses and/or Structures incidental to a Church and Sec. 110-169(2) – Add Supporting Off -Site Parking as a conditional use in O-I zoning.) to numbers 6 through 9. Jim Oliver made a motion to approve the agenda as amended. John Kruzan seconded the motion. The motion carried 5-0.*
4. Consideration of the Minutes of the meeting held on February 5, 2026. *John Kruzan made a motion to approve the minutes of the meeting held on February 5, 2026. Jim Oliver seconded the motion. The motion carried 5-0.*
5. Plats.
 - a. Minor Final Plat of Free Land.

Ms. Debbie Bell stated the Plat has been received and approved by staff.

Chairman Danny England asked if the petitioner was present.

Virgil Hooper asked staff what are the asking for.

Ms. Bell stated the applicant rezoned and combined property for parcel facing

Adams Road.

After no further comments, Chairman England asked for a motion.

Jim Oliver made a motion to approve the Minor Final Plat of Freeland. John Kruzan seconded the motion. The motion passed 5-0.

PUBLIC HEARING

6. Consideration of amendment to Chapter 110. Zoning Ordinance, Regarding Article VII. – Zoning Board of Appeals. - Sec. 110-238(a). – Membership.

Ms. Bell stated that this amendment that addresses the candidates who are appointed to the Zoning Board of Appeals, might also serve on other boards within the county.

Chairman Danny England asked whether anyone in the audience supported or opposed this petition. With no response, he brought the item back to the Board for comments or a motion.

Virgil Hooper made the motion to recommend APPROVAL of Consideration of Amendment to Chapter 110. Zoning Ordinance, regarding Article VII.- Zoning Board of Appeals. Sec.110-238(a).- Membership. Jim Oliver seconded the motion. The motion passed unanimously.

7. Consideration of amendment to Chapter 110. Zoning Ordinance, Regarding Article X. – Planning Commission. - Sec. 110-325(1). – Membership.

Ms. Bell explained that this amendment also addresses the candidates who are appointed to the Planning Commission, might also serve on other boards within the county.

Chairman Danny England asked whether anyone in the audience supported or opposed this petition. With no response, he brought the item back to the Board for comments or a motion.

Jim Oliver made the motion to recommend APPROVAL of the Consideration of Amendment to Chapter 110. Zoning Ordinance, regarding Article X.- Planning Commission. Sec. 110-325(1).- Membership. John Kruzan seconded the motion. The motion carried 5-0.

8. Consideration of amendment to Chapter 110. Zoning Ordinance, Regarding Article V. – Conditional Uses, Nonconformances, and Transportation Corridor Overlay Zone. - Sec. 110-169(2)n.5. – Uses and/or Structures incidental to a Church. Add Off-Site Parking as an incidental use to churches.

Ms. Bell discussed the recommendation for Sec. 110-169(2)n.5, which proposes adding Off-Site Parking as an incidental use for churches. She noted that churches are classified as a conditional use, and according to Sec. 110-169 on Conditional Use Approval, they may use their parking areas for off-site purposes, provided they do not expand the current parking capacity.

Chairman England asked if anyone in the audience was in support or opposition of the petition. With no response, he brought the item back to the board.

Mr. Jim Oliver asked staff if this was related to a problem or something existing.

Ms. Bell replied that QTS is currently under construction and seeking off-site parking areas not used during the week, by using the church parking areas. And related to parking lot at churches.

Chairman England asked staff if this was something not allowed before.

Chairman England asked if parking at a church was not allowed before, or if that's something we need to allow.

Allison Cox, County Attorney responded parking wasn't allowed as a use, and they wanted to make sure it is not outside of their use and they are not violating any rules.

Vice-Chairman Boris Thomas asked what if they have food trucks and festivals.

Ms. Bell responded that those are normal activities that a church already has.

Chairman England asked if the film industry could use that, too.

Ms. Bell responded that they could.

Ms. Cox added that it will be exclusively used on a lease term.

Vice-Chair Thomas commented on what can be used to prohibit commercial traffic during rush hour.

Ms. Cox responded that it will be handled once they get there, by QTS, providing measures like hiring security or parking details.

Chairman England asked if the county has the ability to review it or say no, by submitting a site plan, etc.

Ms. Cox responded that they met everything that's in the condition, in addition to all of the church's conditions, then no. She explained that this is specifically off-site parking, and it has to be attached to a principal use that's local. She suggested that if the board wanted, they could add extra conditions.

Mr. John Kruzan asked this for the existing parking area they have today, which would not add any more property, and convert it into more parking.

Ms. Cox responded that this will only apply to the parking area that currently exists.

Vice-Chair Thomas asked when the date would be for this to go into effect. He was concerned that some of the churches might apply to expand their parking space before this goes into effect.

Ms. Bell responded that the county doesn't currently have any churches that plan to enlarge their parking lot.

Vice-Chair Thomas asked if we would be restricting churches from improving their parking lots due to the concern that they will be rented out to commercial entities.

Ms. Bell responded that if they currently have an active parking lease, they will not be approved to expand their existing parking. If a church comes in and wants to expand its parking, as long as they meet all of the site development requirements, they will be reviewed and approved; they will have to wait for that lease to be over to make any additions.

Ms. Cox added that any of those changes will have to meet what's allowed for churches; they cannot add an industrial lot, which will not be allowed.

Mr. Virgil Hooper asked if the county has a limit on the number of parking spaces per church/congregation.

Ms. Bell responded that there is no cap on the number of parking spaces, but there is a cap on the maximum percentage of impervious areas on a parcel.

Mr. John Kruzan asked if this will be an eight year term, as shown in the staff report.

Ms. Cox responded that it cannot exceed eight years. Because the build up will take eight years, that's where the number comes from to make sure there is determination, and it does not continue.

Chairman England asked the board didn't have any other comments, he requested a motion.

Jim Oliver made the motion to recommend CONDITIONAL APPROVAL and also added an 8th Condition: To Add a CONDITIONAL TRAFFIC CONTROL PLAN for the consideration of Amendment to Chapter 110. Zoning Ordinance, regarding Article V.- Conditional Uses, Nonconformances, and Transportation Corridor Overlay Zone. - Sec. 110-169(2)n.5. – Uses and/or Structures incidental to a Church. Add Off-Site Parking as an incidental use to churches. Virgil Hooper seconded the motion. The motion carried 4-1. Vice- Chairman Boris Thomas abstained.

CONDITIONS:

1. *Application shall be made to the zoning administrator as described in Sec 110-169 hereof for use as off-site parking;*
 2. *At all times the property is in use as off-site Parking it shall exclusively serve one principal/primary use off-site;*
 3. *The written lease/agreement evidencing the exclusive use as off-site parking by a single primary/principal use off-site, including a term not to exceed eight (8) years and all other terms and conditions of the lease/agreement for parking between the parties, shall be included with the application for use as off-site parking;*
 4. *The property shall not be held open to the public for use;*
 5. *Use of the property for off-site parking shall end when the term of the submitted lease/agreement expires;*
 6. *All parking shall be exclusively in areas approved for parking of the church and/or other place of worship conditionally permitted under 110-169 of the Fayette County Zoning Code. No parking shall be permitted in other than approved spaces.*
 7. *The parking facilities available for lease as off-site parking shall not be extended beyond the facilities available on the parcel at the time application was made for conditional use as a church and/or other place of worship. The property shall not be improved or otherwise altered in any way to accommodate the off-site parking use.*
 8. ***Added a Conditional Traffic Control Plan.***
9. Consideration of amendment to Chapter 110. Zoning Ordinance, Regarding Article V. – Conditional Uses, Nonconformances, and Transportation Corridor Overlay Zone. - Sec. 110-169(2) – Add Supporting Off -Site Parking as a conditional use in O-I (Office-Institutional) zoning district.

Ms. Bell explained that this will be an addition to adding off-site parking as a conditional use - Conditional use permits have specific requirements they have to meet under that use, and they are not eligible for variances. Ms. Bell stated this is specifically for off-site parking serving a specific use within one thousand feet of the property that it serves.

Chairman England asked if anyone in the audience was in support or opposition of the petition.

Spoke in opposition:

Mr. Ben Loggins commented in opposition and expressed his concern about the traffic this will create for the residents at Canoe Club, by submitting another traffic light or otherwise.

Mr. Chris Covington, resident of Lester Road, also commented about his concerns about adding more traffic and proposed that adding some source of surveillance would be helpful.

Mr. Wayne Knight, a resident of the Canoe Club, spoke about the traffic concerns and asked for the median to be cut back to allow for a left turn to allow people to go north.

With no further comments, the Chairman brought the item back to the board for questions or a motion.

Ms. Bell responded to the last comment, stating that the property was recently annexed to the city, and the county has development plans for that property, which is not the subject of this particular petition.

Chairman England added that there is more traffic coming, so there is more parking, and it affects that entrance, and the more people we have, the hardest is to control that.

Ms. Cox commented that the area for the petition the board is hearing is subject to commercial development, which changes the roadways. Ms. Cox explained that the effort is to keep it a conditional use and O-I to be managed as a parking lot for the time that is needed as a commercial use.

Mr. Jim Oliver expressed his concern that this will be tailored for a specific use.

Ms. Cox responded that we need the use of the county, and it's something allowed, stating they could do a commercial parking in a commercial area, but outside parking will come later on other places too, and the county wants to make sure it can be managed.

Mr. Oliver asked why we are trying to accommodate QTS's needs when they have four hundred acres to do a parking lot.

Ms. Cox responded that they are trying to control the traffic problem.

Mr. Oliver responded that they could keep it on their campus; they have all of those buses traveling all over the place, and they think this will make it any better, but it is going to make it worse.

Chairman England commented that the problem he sees is that in a church, they only use it half a day on Sunday and Wednesday, and asked staff if there is anything that will exclude an O-I zoned constructed building.

Ms. Cox responded that if you are an O-I group and you have principal use on that property, you must have a lease, and they need to set the terms; we need to see a lease.

Vice-Chair Thomas commented that it seems like we are trying to control the fire instead of saying you can't make a fire and just construct a parking deck and solve the problem; they are not ready for the impact of the traffic this might create.

Mr. John Kruzan commented that they couldn't do it on this consideration, so now we are going to do it on this new one.

Chairman England asked for a motion if there were no further questions from the board.

Jim Oliver made the motion to recommend DENIAL of Consideration of Amendment to Chapter 110. Zoning Ordinance, regarding Article V.- Conditional Uses, Nonconformances, and Transportation Corridor Overlay Zone. - Sec. 110-169(2). – Add Supporting Off -Site Parking as a conditional use in O-I (Office- Institutional) zoning district. Vice -Chairman Boris Thomas seconded the motion. The motion carried 5-0.

10. Consideration of Petition 1374-25, Joseph Reeves Akin Jr, Owner. Applicant requests to rezone 3.1 acres from R-40 (Single Family) to A-R (Agricultural Residential Single Family). Property is located in Land Lots 198 of the 13th District, and it's located behind 1252 Highway 314.

Ms. Bell read the petition above and explained that the applicant is proposing to rezone the parcel to A-R combine it with additional property already rezoned A-R, for the purposes of use as a single-family residence and for operating an A-R Wedding/Event Venue. The parcel does not meet the minimum lot size for the A-R zoning. Therefore, a condition is recommended to ensure it is combined with the larger parcel, which will resolve this issue. Staff recommended conditional approval.

Chairman England asked staff if they had previously encountered this application. What is the difference this time?

Ms. Bell responded that the only way they could rezone this parcel is if the other parcels adjacent to it were rezoned to A-R first.

Mr. Randy Boyd, agent representing Mr. Akin and Mr. Hill, is not sure how this parcel was created, which is on the west side of the lake; you cannot get to it, and can't do much with it, either, sitting half in a floodplain and being less than five acres. Mr. Akin wants to sell it to Mr. Hill, who would like to add it to the recently rezoned A-R parcels adjacent to his. Mr. Boyd asked the board for approval, stating will be downzoning.

Chairman England asked for anyone in support of the petition to speak, with no comments asked for anyone in opposition to speak.

Ms. English expressed her concern about Mr. Akin selling the piece of property to Mr. Hill to convert it into a wedding venue.

No one else spoke in opposition and Chairman England brought the item back to the board for questions.

Mr. Hooper asked if they had changed the classification on the larger parcel so that they could incorporate the smaller one; he wasn't present on the previous requests.

Chairman England responded yes.

Mr. Oliver asked the petitioner if they agreed with the conditions for the petition.

Mr. Boyd responded that they had no problem with it.

Jim Oliver made the motion to recommend CONDITIONAL APPROVAL of Petition 1374-25. Virgil Hooper seconded the motion. The motion passed 3-2. Vice-Chair Boris Thomas and John Kruzan opposed.

CONDITION:

1. All parcels that are the subject of this petition shall be combined by a recorded final plat within 180 days of the approval of the petition or prior to the submittal of a site development plan, whichever comes first.

11. Consideration of Petition 1375-26-A, William Jerry Cleveland, Owner. Applicant requests to rezone Parcel No. 0704 002 (10.62 acres) from M-H-P (Manufactured Home Park) to C-C (Community Commercial). Property is located in Land Lots 26 of the 7th District and fronts Highway 54 West.

Ms. Debbie Bell stated that applicants are requesting to rezone these two parcels and parcel 0704 052 to C-C to operate a parking center for vehicles driven by construction workers and other personnel working at the data center. Once completed, the site will be developed for an office site. The subject properties are currently zoned MHP. They were rezoned from A-R to MHP, which was approved in March 1967. It could be zoned commercial, but it also could be rezoned to O-I. Staff recommended conditional approval.

Chairman England asked if the petitioner was present.

Mr. Alan Kachin, Agent, representing Ace Group Corp, stated the property was currently zoned for mobile homes, and they are seeking to rezone it for commercial purposes. The initial use will be for a parking lot for the workers at the data center, and once no longer needed, it will be converted into an office building, solving the problems previously discussed with the churches. Mr. Kachin explained if the property were developed as a mobile home park with the approximation of fifty homes, it would also bring more traffic to the area. He stated that his client will meet all of the requirements to obtain the appropriate permits.

Chairman England asked whether anyone supported the petition.

Mr. John Saena recommended adding a condition to be a previous surface to protect the runoff, since this will be temporary until the next development.

Mr. Joe Peavy expressed his concern about the runoff and complained about the lighting and the noise he already has across the street with the data center and would like for the board to include a barrier wall or something where the lights in the proposed

parking lot do not shine directly into their subdivision.

Chairman England asked for anyone in support or opposition, but no one responded. He brought the item back to the board for comments or motion.

Mr. Alan Kachin came back for rebuttal, stating that the parking lot will have buffers and his client will comply with all requirements.

Vice- Chairman Thomas asked if the data center would ever be completed. He asked for a time of completion.

Mr. Kachin responded that he does know, and he couldn't speak for them.

Chairman England commented that eight years will be the max.

Mr. Jim Oliver asked staff if the board's denial of the petition would do to this petition in the O-I part?

Ms. Bell responded that staff will recommend that this be rezoned to O-I instead of C-C, as it is a less intense use, it's a criteria of Highway 54 west corridor and off-site parking is not a conditional or permanent use in C-C.

Chairman England they could move forward with the rezoning. The problem is that they couldn't use it as a parking lot.

Mr. Oliver asked the petitioner if they couldn't do the parking in O-I, instead of C-C, what would it do to your petition?

Mr. Kachin responded that his client is not interested in building a mobile home park; the intention is to develop it anyway. He doesn't know what his client would want it to do if they couldn't use it for off-site parking.

Mr. Oliver responded to Mr. Kachin that his presentation is leaving him with more questions than answers, he questioned the agent mentioning he does know what his client cant do if no using the property for off-site parking, that this is a better use than a mobile home park and responded that the price for the property is making it financially not feasible to build a mobile home park and this will be better to control traffic, that will be regardless. He finished by stating he is not giving the board any assurance of what's going to happen.

The board asked if the applicant could withdraw the petition or table it. The petitioner responded that they would like to table it.

John Kruzan made a motion to APPROVE TO TABLE Petition No. 1375-26-A to APRIL 2nd, 2026. The motion carried 4-0. Virgil Hooper was not present for that vote.

- 12. Consideration of Petition 1375-26-B, William Jerry Cleveland, Owner. Applicant request to rezone Parcel No. 0704 004 (2.81 acres), from M-H-P (Manufactured Home Park) to C-C (Community Commercial). Property is located in Land Lots 26 of the 7th District and fronts Highway 54 West.

Ms. Bell explained that this is part of petition 1375-26-B and needs to be tabled for April 2, 2026.

The Board moved for a motion.

John Kruzan made a motion to APPROVE TO TABLE Petition No. 1375-26-B to APRIL 2nd, 2026. Jim Oliver seconded the motion. The motion carried 5-0.

- 13. Consideration of Petition 1376-26, US Management Association, LLC, Owner. Applicant request to rezone 13.32 acres from M-H-P (Manufactured Home Park) to C-C (Community Commercial). Property is located in Land Lots 26 of the 7th District and fronts Highway 54 West.

Ms. Bell explained that this is part of petition 1376-26 and needs to be tabled for April 2, 2026.

The Board moved for a motion.

John Kruzan made a motion to APPROVE TO TABLE Petition No. 1376-26 to APRIL 2nd, 2026. Jim Oliver seconded the motion. The motion carried 5-0.

Jim Oliver moved to adjourn the March 6, 2026, Planning Commission meeting. John Kruzan seconded. The motion passed 5-0.

The meeting adjourned at 8:34 pm.

**PLANNING COMMISSION
OF
FAYETTE COUNTY**

ATTEST:

DANNY ENGLAND, CHAIRMAN

PC Minutes
March 5, 2026

**MARIA BINNS,
PC SECRETARY**

DRAFT

PLANNING COMMISSION RECOMMENDATION

DATE: March 5, 2026

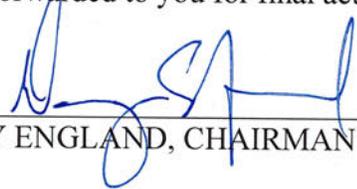
TO: Fayette County Commissioners

The Fayette County Planning Commission recommends that Petition No. 1374-25, the application of Joseph Reeves Akin Jr, Owner, proposes to rezone 3.1 acres from R-40 (Single Family) to A-R (Agricultural Residential Single Family), be:

3-2

Approved Withdrawn Denied
 Tabled until _____
 Approved with Conditions _____

This is forwarded to you for final action.



DANNY ENGLAND, CHAIRMAN

 (opposed)

BORIS THOMAS, VICE CHAIRMAN

 (opposed)

JOHN J. KRUZAN



JIM OLIVER



VIRGIL HOOPER

Remarks:

STATE OF GEORGIA
COUNTY OF FAYETTE

**RESOLUTION
NO. 1374-25**

WHEREAS, Joseph Reeves Akin Jr, Owner, having come before the Fayette County Planning Commission on March 5, 2026, requesting an amendment to the Fayette County Zoning Map pursuant to "The Zoning Ordinance of Fayette County, Georgia, 2010"; and

WHEREAS, said request being as follows: Applicant proposes the following: To Rezone Parcel No.1306-030 (3.1 acres) from R-40 (Single Family) to A-R (Agricultural Residential Single Family). Property is located in Land Lot 198 of the 13th District and fronts Highway 314; and

WHEREAS, the Fayette County Planning Commission having duly convened, and considered said request;

BE IT RESOLVED that the decision of the Fayette County Planning Commission, that said request be **APPROVED WITH CONDITIONS**.

RECOMMENDED CONDITIONS FOR PETITION No. 1374-25:

1. All parcels that are the subject of this petition shall be combined by a recorded final plat within 180 days of the approval of the petition or prior to the submittal of a site development plan, whichever comes first.

This decision is based on the following reasons:

In compliance with the Fayette County Comprehensive Plan.
Compatible with the surrounding area.

STATE OF GEORGIA
COUNTY OF FAYETTE

RESOLUTION
NO. 1374-25

PLANNING COMMISSION
OF
FAYETTE COUNTY

ATTEST:



DANNY ENGLAND, CHAIRMAN



MARIA BINNS, PC SECRETARY

PETITION No (s): 1374-25

SAGES REFERENCE No.: RE ZONE-11-25-090723-1374-25

STAFF USE ONLY

APPLICANT INFORMATION 1246 Hwy 314 Fayetteville LLC

Name Xavier Hill
Address 1246 Hwy 314
City Fayetteville
State GA Zip 30214
Email [REDACTED]
Phone 6786379790

PROPERTY OWNER INFORMATION

Name JOSEPH R AKIN
Address 195 BROOKS WOODKEY RD
City FAYETTEVILLE
State GA Zip 30215
Email [REDACTED]
Phone _____

AGENT(S) (if applicable)

Name Xavier Hill
Address 1246 Hwy 314
City Fayetteville
State GA Zip 30214
Email Xavier Hill
Phone 6786379790

Name RANDY M. BOYD
Address PO Box 64
City ZEPHURUS
State GA Zip 30295
Email boyd2027@gmail.com
Phone 404-225-1677

(THIS AREA TO BE COMPLETED BY STAFF)

[] Application Insufficient due to lack of:

Staff: _____ Date: _____

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

Staff: Maria Binns Date: 11/10/2025

DATE OF PLANNING COMMISSION HEARING: PC JANUARY 2, 2026

DATE OF COUNTY COMMISSIONERS HEARING: BOC January 22, 2026

Received from Xavier Hill Construction a check in the amount of \$ 250.00 for application filing fee, and \$ 20.00 for deposit on frame for public hearing sign(s).

Date Paid: 11/07/2025 Receipt Number: #025675

PETITION No.: 1374-25 Fees Due: 250.⁰⁰ Sign Deposit Due: 20.⁰⁰

STAFF USE ONLY

PROPERTY INFORMATION (please provide information for each parcel)

Parcel # (Tax ID): 1306 030 (Tract 2) Acreage: 3.1
Land District(s): 13th Land Lot(s): 198
Road Name/Frontage L.F.: _____ Road Classification: _____
Existing Use: Residential Proposed Use: Residential
Structure(s): _____ Type: _____ Size in SF: _____
Existing Zoning: R-40 Proposed Zoning: A-R
Existing Land Use: _____ Proposed Land Use: _____
Water Availability: _____ Distance to Water Line: _____ Distance to Hydrant: _____

PETITION No.: _____ Fees Due: _____ Sign Deposit Due: _____

STAFF USE ONLY

PROPERTY INFORMATION (please provide information for each parcel)

Parcel # (Tax ID): _____ Acreage: _____
Land District(s): _____ Land Lot(s): _____
Road Name/Frontage L.F.: _____ Road Classification: _____
Existing Use: _____ Proposed Use: _____
Structure(s): _____ Type: _____ Size in SF: _____
Existing Zoning: _____ Proposed Zoning: _____
Existing Land Use: _____ Proposed Land Use: _____
Water Availability: _____ Distance to Water Line: _____ Distance to Hydrant: _____

PETITION No.: _____ Fees Due: _____ Sign Deposit Due: _____

STAFF USE ONLY

PROPERTY INFORMATION (please provide information for each parcel)

Parcel # (Tax ID): _____ Acreage: _____
Land District(s): _____ Land Lot(s): _____
Road Name/Frontage L.F.: _____ Road Classification: _____
Existing Use: _____ Proposed Use: _____
Structure(s): _____ Type: _____ Size in SF: _____
Existing Zoning: _____ Proposed Zoning: _____
Existing Land Use: _____ Proposed Land Use: _____
Water Availability: _____ Distance to Water Line: _____ Distance to Hydrant: _____

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:

JOE AKIN JR

(Please Print)

Property Tax Identification Number(s) of Subject Property: 1306 030

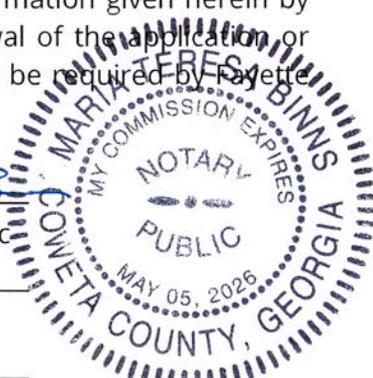
(I am) (we are) the sole owner(s) of the above-referenced property requested to be rezoned. Subject property is located in Land Lot(s) 198 of the 13 District, and (if applicable to more than one land district) Land Lot(s) _____ of the ___ District, and said property consists of a total of 3.1 acres (legal description corresponding to most recent recorded plat for the subject property is attached herewith).

(I) (We) hereby delegate authority to _____ 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.

(X) Joseph Akin
Signature of Property Owner 1
195 BROOKS WOODSEY RD
Address

Maria T. Binns
Signature of Notary Public
11/06/2025
Date



Signature of Property Owner 2

Address

Signature of Notary Public

Date

Signature of Property Owner 3

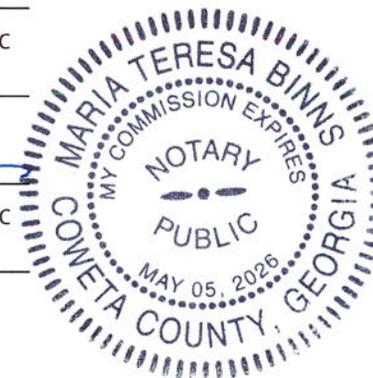
Address

Signature of Notary Public

Date

Signature of Authorized Agent
Jamie Hill
Address
1246 Hwy 344
Fayetteville Ga 30214

Maria T. Binns
Signature of Notary Public
11/06/2025
Date



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:

Joseph R. Akin

(Please Print)

Property Tax Identification Number(s) of Subject Property: 1306 030

(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) 198 of the 13th 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 XAVIER HILL & JOSEPH R. AKIN 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.

(II) _____
Signature of Property Owner 1

Signature of Notary Public

Address

Date

Signature of Property Owner 2

Signature of Notary Public

Address

Date

Signature of Property Owner 3

Signature of Notary Public

Address

Date

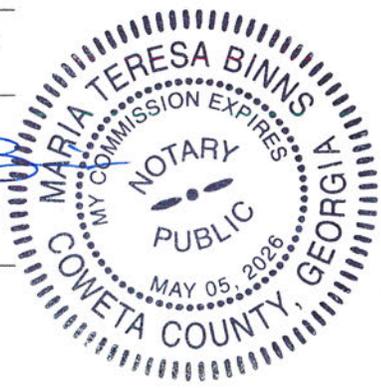
Randy M. Boyd
Signature of Authorized Agent

[Signature]
Signature of Notary Public

P.O. Box 64
Address

01/07/2026
Date

EBULON, GA. 30295



PETITION No.: _____

OWNER'S AFFIDAVIT

(Please complete an affidavit for each parcel being rezoned; ALL property owners must sign.)

NAME: Joe R Akin Jr

ADDRESS: 195 Brooks Woolsey Rd Fayetteville Ga 30215

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

Joe R Akin Jr affirms that he is the owner or the specifically authorized agent of the property described below. Said property is located in a(n) _____ Zoning District. He/She respectfully petitions the County to rezone the property from its present classification and tenders herewith the sum of \$ _____ to cover all expenses of public hearing. He/She petitions the above named to change its classification to _____.

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 day of January 2, 2026 at 7:00 P.M.

PUBLIC HEARING to be held by the Board of Commissioners of Fayette County on the day of January 22, 2026 at 5:00 P.M.

SWORN TO AND SUBSCRIBED BEFORE ME THIS 6th DAY OF Nov, 2025

Joseph B. Church
SIGNATURE OF PROPERTY OWNER

SIGNATURE OF PROPERTY OWNER
Maria T. Binns
NOTARY PUBLIC May 05, 2026



AGREEMENT TO DEDICATE PROPERTY FOR FUTURE RIGHT-OF-WAY

I/We, JOE R AKIN JR, said property owner(s) of subject property requested to be rezoned, hereby agree to dedicate, at no cost to Fayette County, feet of right-of-way along _____ 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 6th day of NOV, 2025.

Joseph B Akin

SIGNATURE OF PROPERTY OWNER

SIGNATURE OF PROPERTY OWNER

Maria Teresa Binns
NOTARY PUBLIC
May 05, 2026



DEVELOPMENTS OF REGIONAL IMPACT (DRI)

Rezoning Applicant:

- A. Please review the attached "Developments of Regional Impact Tiers and Development Thresholds" established by the Georgia Department of Community Affairs (DCA) to determine if the proposed project meets or exceeds these thresholds. If the proposed project does not meet the established thresholds (is less than those listed) then skip to section C. below and complete.

- B. If the project does meet or exceed the established thresholds for the type of development proposed, the Georgia Department of Community Affairs (DCA) "Developments of Regional Impact: Request for Review Form" is available online at the following website address: www.dca.state.ga.us/DRI/.

- C. I have reviewed and understand the attached "Thresholds: Developments of Regional Impact".
 The proposed project related to this rezoning request DOES NOT meet or exceed the established DRI thresholds .
 The proposed project related to this rezoning request DOES meet or exceed the established DRI thresholds and documentation regarding the required DRI Request for Review Form is attached.

Signed this 6th day of Nov, 2025.
Joseph R. Clarke

APPLICANT'S SIGNATURE

Developments of Regional Impact - Tiers and Development Thresholds

Type of Development	Metropolitan Regions	Non-metropolitan Regions
(1) Office	Greater than 400,000 gross square feet	Greater than 125,000 gross square feet
(2) Commercial	Greater than 300 000 gross square feet	Greater than 175,000 gross square feet
(3) Wholesale & Distribution	Greater than 500 000 gross square feet	Greater than 175,000 gross square feet
(4) Hospitals and Health Care Facilities	Greater than 300 new beds; or generating more than 375 peak hour vehicle trips per day	Greater than 200 new beds; or generating more than 250 peak hour vehicle trips per day
(5) Housing	Greater than 400 new lots or units	Greater than 125 new lots or units
(6) Industrial	Greater than 500,000 gross square feet; or employing more than 1, 600 workers; or covering more than 400 acres	Greater than 175,000 gross square feet; or employing more than 500 workers; or covering more than 125 acres
(7) Hotels	Greater than 400 rooms	Greater than 250 rooms
(8) Mixed Use	Gross square feet greater than 400,000 (with residential units calculated at 1800 square feet per unit toward the total gross square footage); or covering more than 120 acres; or if any of the individual uses meets or exceeds a threshold as identified herein	Gross square feet greater than 125,000 (with residential units calculated at 1800 square feet per unit toward the total gross square footage); or covering more than 40 acres; or if any of the individual uses meets or exceeds a threshold as identified herein
(9) Airports	All new airports runways and runway extensions	Any new airport with a paved runway; or runway additions of more than 25% of existing runway length
(10) Attractions & Recreational Facilities	Greater than 1, 500 parking spaces or a seating capacity of more than 6, 000	Greater than 1, 500 parking spaces or a seating capacity of more than 6, 000
(11) Post-Secondary School	New school with a capacity of more than 2,400 students or expansion by at least 25 percent of capacity	New school with a capacity of more than 750 students or expansion by at least 25 percent of capacity
(12) Waste Handling Facilities	New facility or expansion of use of an existing facility by 50 percent or more	New facility or expansion of use of an existing facility by 50 percent or more
(13) Quarries, Asphalt &, Cement Plants	New facility or expansion of existing facility by more than 50 percent	New facility or expansion of existing facility by more than 50 percent
(14) Wastewater Treatment Facilities	New facility or expansion of existing facility by more than 50 percent	New facility or expansion of existing facility by more than 50 percent
(15) Petroleum Storage Facilities	Storage greater than 50, 000 barrels if within 1, 000 feet of any water supply; otherwise storage capacity greater than 200, 000 barrels	Storage greater than 50, 000 barrels if within 1, 000 feet of any water supply; otherwise storage capacity greater than 200, 000 barrels
(16) Water Supply, Intakes/Reservoirs	New Facilities	New Facilities
(17) Intermodal Terminals	New Facilities	New Facilities
(18) Truck Stops	A new facility with more than three diesel fuel pumps; or spaces.	A new facility with more than three diesel fuel pumps; or containing a half acre of truck parking or 10 truck parking spaces.
(19) Any other development types not identified above (includes parking facilities)	1000 parking spaces	1000 parking spaces

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DISCLOSURE STATEMENT**(Please check one)****Campaign contributions:** ___ **No** ___ **Yes (see attached disclosure report)**

TITLE 36. LOCAL GOVERNMENT
 PROVISIONS APPLICABLE TO COUNTIES AND MUNICIPAL CORPORATIONS
 CHAPTER 67A. CONFLICT OF INTEREST IN ZONING ACTIONS

O.C.G.A. § 36-67A-3 (2011)

§ 36-67A-3. Disclosure of campaign contributions

(a) When any applicant for rezoning action has made, within two years immediately preceding the filing of that applicant's application for the rezoning action, campaign contributions aggregating \$250.00 or more to a local government official who will consider the application, it shall be the duty of the applicant to file a disclosure report with the governing authority of the respective local government showing:

(1) The name and official position of the local government official to whom the campaign contribution was made; and

(2) The dollar amount and description of each campaign contribution made by the applicant to the local government official during the two years immediately preceding the filing of the application for the rezoning action and the date of each such contribution.

(b) The disclosures required by subsection (a) of this Code section shall be filed within ten days after the application for the rezoning action is first filed.

(c) When any opponent of a rezoning action has made, within two years immediately preceding the filing of the rezoning action being opposed, campaign contributions aggregating \$250.00 or more to a local government official of the local government which will consider the application, it shall be the duty of the opponent to file a disclosure with the governing authority of the respective local government showing:

(1) The name and official position of the local government official to whom the campaign contribution was made; and

(2) The dollar amount and description of each campaign contribution made by the opponent to the local government official during the two years immediately preceding the filing of the application for the rezoning action and the date of each such contribution.

(d) The disclosure required by subsection (c) of this Code section shall be filed at least five calendar days prior to the first hearing by the local government or any of its agencies on the rezoning application.

HISTORY: Code 1981, § 36-67A-3, enacted by Ga. L. 1986, p. 1269, § 1; Ga. L. 1991, p. 1365, § 1; Ga. L. 1993, p. 91, § 36.

CHECKLIST OF ITEMS REQUIRED FOR REZONING REQUEST

(All applications/documentation must be complete at the time of application submittal or the application will not be accepted)

- Application form and all required attachments completed, signed, and notarized, as applicable.
- Copy of latest recorded deed, including legal description of the boundaries of the subject property to be rezoned.
- Boundary Survey (Separate from Conceptual Plan; 1 paper copy and 1 electronic copy in .pdf format), drawn to scale, showing north arrow, land lot and district, dimensions, and street location of the property, prepared (signed & sealed) by a land surveyor.
- Legal Description (must have metes and bounds) – 1 paper copy and 1 electronic copy in Microsoft Word .docx format
- A letter from the ownership of the homeowners' association (HOA) in a residential subdivision, or a property owner's association (POA) or developer/property management entity in a nonresidential subdivision, granting this application
- Conceptual Plan (1 paper copy and 1 electronic file in .pdf format). The Conceptual Plan is not required to be signed and sealed by a registered surveyor, engineer or architect. The Conceptual Plan may be prepared on the boundary line survey; however it is required to be drawn to scale, and include all applicable items below:
 - _____ a. The total area of the subject property to be rezoned (to the nearest one-hundredth of an acre), the existing zoning district(s) of the subject property, and the area within each zoning district if more than one district.
 - _____ b. Approximate location and size of proposed structures, use areas and improvements (parking spaces, and aisles, drives, etc.) on the subject property for non-residential rezoning requests, including labeling the proposed use of each proposed structure/use area.
 - _____ c. General layout of a proposed subdivision (residential or non-residential) including the delineation of streets and lots. The items of b. above are not required in this instance but may be included if known.
 - _____ d. Approximate location and size of existing structures and improvements on the parcel, if such are to remain. Structures to be removed must be indicated and labeled as such.
 - _____ e. Minimum zoning setbacks and buffers, as applicable.
 - _____ f. Location of all existing and proposed easements and streets on or adjacent to the subject property, indicating type and width of existing and proposed easements and centerline of streets including width of right-of-way.
 - _____ g. Location and dimensions of exits/entrances to the subject property.
 - _____ h. Approximate location and elevation of the 100-year flood plain and Watershed Protection Ordinance requirements, as applicable.
 - _____ i. Approximate location of proposed on-site stormwater facilities, including detention or retention facilities.
- A letter of intent for a non-residential rezoning request, including the proposed use(s).

AFTER RECORDING, RETURN TO:
M. Barrett Law
225 N Jeff Davis Drive
Fayetteville, GA 30214

STATE OF GEORGIA
COUNTY OF FAYETTE
PARCEL ID: 1306 030

EXECUTOR'S DEED

This INDENTURE made this 10 day of December, 2024, between JOSEPH REEVES AKIN, JR., as Executor to the Last Will and Testament of JANE T. AKIN, as the party of the first part, herein called Grantor, and JOSEPH REEVES AKIN, JR., as the party of the second part, hereinafter called Grantee (the words "Grantor" and "Grantee" to include the respective heirs, successors, and assigns where the context requires or permits).

WITNESSETH that: said Grantor, acting under and by virtue of the power of authority contained in the said Will, the same having been duly probated and recorded in the Probate Court of Fayette County, Georgia, to asset to the devise in said Will, has granted, transferred and conveyed, and by these presents does grant, transfer, and convey unto the said Grantee, any and all interest in the following described property:

All those tracts and parcels of land being more particularly described as Exhibit "A" attached hereto and incorporated herein by reference.

Subject Property: 1252 Highway 314

This deed is given subject to all easements and restrictions of record, if any.

TO HAVE AND TO HOLD the said tracts and or parcels of land, with all rights, members and appurtenances thereof, to the same being, belonging, or in any otherwise appertaining, to the only proper use, benefit and behoof of the said Grantee forever, in FEE SIMPLE.

AND THE SAID, Grantor will warrant and forever defend the right and title to the above-described property unto the said Grantee against the claims of all persons whatsoever;

IN WITNESS WHEREOF, Grantor has hereunto set the Grantee's hand and seal this day and year first above written.

Signed, Sealed, and delivered in the presence of:

[Handwritten Signature]
Witness

[Handwritten Signature]
JOSEPH REEVES AKIN, JR., as the Executor to the Estate of Jane T. Akin, Estate No. 24-18637

[Handwritten Signature]
Notary Public
Commission Expires: _____

(Notary Public Seal Affixed)

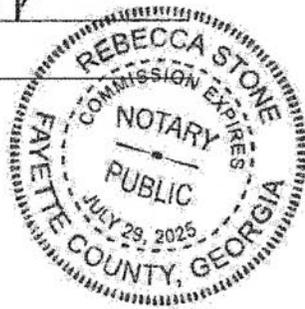


EXHIBIT "A"

TRACT 1

ALL THAT TRACT AND PARCEL OF LAND LYING AND BEING IN LAND LOTS 198 AND 199 OF THE 13TH. DISTRICT OF FAYETTE COUNTY, GEORGIA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE WEST SIDE OF HIGHWAY 314, A DISTANCE OF 24.8 FEET NORTH FROM THE SOUTH LINE OF LAND LOT 199; RUNNING THENCE NORTH ALONG THE WEST SIDE OF HIGHWAY 314 A DISTANCE OF 323 FEET TO AN IRON PIN; THENCE SOUTH 86 DEGREES 03 MINUTES WEST 560 FEET TO A POINT; THENCE SOUTH 68 DEGREES 03 MINUTES WEST TO THE MIDDLE OF A LAKE; THENCE SOUTHEASTERLY DOWN THE MIDDLE OF THE LAKE 210 FEET TO AN IRON PIN ON THE SOUTH LINE OF LAND LOT 198; THENCE EAST ALONG THE SOUTH LINE OF LAND LOT 198 A DISTANCE OF 497 FEET TO A POINT; THENCE NORTH 84 DEGREES 16 MINUTES EAST 303.6 FEET MORE OR LESS TO THE WEST SIDE OF HIGHWAY 314 AND THE POINT OF BEGINNING; BEING A 5.77 ACRE TRACT ACCORDING TO A PLAT OF SURVEY BY C.E. LEE, REGISTERED SURVEYOR, DATED SEPTEMBER 22, 1964.

BEING THE PROPERTY CONVEYED BY WARRANTY DEED DATED SEPTEMBER 29, 1964 FROM CECIL TRAVIS TO LUCILE O. ADAMS, RECORDED IN BOOK 54, PAGE 138, FAYETTE COUNTY, GEORGIA RECORDS.

TRACT 2

ALL THAT TRACT OR PARCEL OF LAND LYING IN LAND LOT 198 OF THE 13TH. DISTRICT OF FAYETTE COUNTY, GEORGIA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

TO REACH THE TRUE POINT OF BEGINNING, BEGIN AT AN IRON PIN ON THE WEST SIDE OF GEORGIA STATE HIGHWAY 314 (100 FOOT RIGHT-OF-WAY) 24.8 FEET NORTH FROM THE INTERSECTION FORMED BY THE WEST SIDE OF SAID HIGHWAY WITH THE SOUTH LINE OF LAND LOT 198; RUNNING THENCE SOUTH 84 DEGREES 16 MINUTES WEST 306.6 FEET TO THE SOUTH LINE OF LAND LOT 198; THENCE SOUTH 89 DEGREES WEST ALONG THE SOUTH LINE OF LAND LOT 497 FEET TO AN IRON PIN MARKING THE SOUTHWEST CORNER OF THE PROPERTY PRESENTLY OWNED BY MRS. LUCILE O. ADAMS AND THE TRUE POINT OF BEGINNING RUNNING THENCE NORTH 20 DEGREES WEST, ALONG THE SOUTHWESTERLY LINE OF SAID ADAMS PROPERTY AND THE SOUTHWESTERLY LINE OF THE PROPERTY PRESENTLY OWNED BY MRS. HORTENSE O. THOMPSON, 360 FEET TO AN IRON PIN; RUNNING THENCE IN A NORTHWESTERLY DIRECTION, ALONG THE SOUTHWESTERLY SIDE OF A 1.19 ACRE TRACT OF LAND CONVEYED TO MRS. HORTENSE O. THOMPSON BY CECIL H. TRAVIS, 130 FEET TO AN IRON PIN; RUNNING SOUTH 61 DEGREES 03 MINUTES WEST 100 FEET TO AN IRON PIN; RUNNING THENCE NORTH 74 DEGREES 45 MINUTES WEST 150 FEET TO AN IRON PIN; RUNNING THENCE IN A SOUTHERLY DIRECTION 320 FEET, MORE OR LESS, TO THE SOUTH LINE OF LAND LOT 198, THE LATTER MENTIONED IRON PIN ALSO BEING LOCATED 660 FEET EAST, AS MEASURED ALONG THE SOUTH LINE OF SAID LAND LOT FROM THE ORIGINAL SOUTHWEST CORNER OF SAID LAND LOT 198; RUNNING THENCE NORTH 89 DEGREES EAST, ALONG THE SOUTH LINE OF SAID LAND LOT, 484 FEET TO THE IRON PIN AT THE POINT OF BEGINNING, BEING A 3.1 ACRE, MORE OR LESS, TRACT OF LAND ACCORDING THE PLAT OF SURVEY DATED JANUARY 12, 1967, PREPARED FOR "C.H. TRAVIS" BY C.E. LEE, REGISTERED LAND SURVEYOR.

BEING THE SAME PROPERTY CONVEYED BY WARRANTY DEED DATED FEBRUARY 14, 1967 FROM CECIL H. TRAVIS TO MRS. LUCILLE O. ADAMS, RECORDED IN BOOK 64, PAGE 228, FAYETTE COUNTY, GEORGIA RECORDS.

B4 Fayette County News

Continued from page B3

PETITION FOR REZONING
CERTAIN PROPERTIES IN
UNINCORPORATED AREAS OF
FAYETTE COUNTY, GEORGIA
PUBLIC HEARING to be held be-
fore the Fayette County Planning
Commission on Thursday, March
5, 2026, at 7:00 P.M., and before
the Fayette County Board of Com-
missioners on Thursday, March 26,
2026, at 5:00 P.M., in the Fayette
County Administrative Complex,
140 Stonewall Avenue West, Public
Meeting Room, First Floor, Fay-
etteville, Georgia.

Petition No:1374-25

Parcel No:1306 030

Owner:Joseph Revees Akin Jr.

Agent(s):Randy Boyd

Zoning District:R-40

Area of Property: 3.1 acres

Land Lot(s)/District:Land Lot 198
of the 13th District

Fronts on:Rear of Highway 314

Proposed: Applicant proposes the
following: To rezone 3.1 acres from
R-40 (Single Family) to A-R (Agric-
ultural Residential Single Family).
A copy of the above is available
in the office of the Fayette County
Planning and Zoning Department,
140 Stonewall Avenue West, Suite
202, Fayetteville, Georgia.

Legal Description

EXHIBIT "A"

TRACT 2:

ALL THAT TRACT OR PARCEL
OF LAND LYING IN LAND LOT
198 OF THE 13TH, DISTRICT OF
FAYETTE COUNTY, GEORGIA
AND BEING MORE PARTICU-
LARLY DESCRIBED AS FOL-
LWS: TO REACH THE TRUE
POINT OF BEGINNING, BEGIN
AT AN IRON PIN ON THE WEST
SIDE OF GEORGIA STATE HIGH-
WAY 314 (100 FOOT RIGHT-OF-
WAY) 24.8 FEET NORTH FROM
THE INTERSECTION FORMED
BY THE WEST SIDE OF SAID
HIGHWAY WITH THE SOUTH
LINE OF LAND LOT 198; RUN-
NING THENCE SOUTH 84 DE-
GREES 16 MINUTES WEST 306.6
FEET TO THE SOUTH LINE OF
LAND LOT 198; THENCE SOUTH
89 DEGREES WEST ALONG THE
SOUTH LINE OF LAND LOT 497
FEET TO AN IRON PIN MARK-
ING THE SOUTHWEST CORNER
OF THE PROPERTY PRESENTLY
OWNED BY MRS LUCILE O. AD-
AMS AND THE TRUE POINT OF
BEGINNING RUNNING THENCE
NORTH 20 DEGREES WEST,
ALONG THE SOUTHWESTERLY
LINE OF SAID ADAMS PROP-
ERTY AND THE SOUTHWEST-
ERLY LINE OF THE PROPERTY
PRESENTLY OWNED BY MRS.
HORTENSE O. THOMPSON 360
FEET TO AN IRON PIN; RUN-
NING THENCE IN A NORTH-
WESTERLY DIRECTION, ALONG
THE SOUTHWESTERLY SIDE
OF A 1.19 ACRE TRACT OF LAND
CONVEYED TO MRS. HORTENSE
THOMPSON BY CECIL H. TRA-
VIS, 130 FEET TO AN IRON PIN;
RUNNING SOUTH 61DEGREES

Wednesday, February 18, 2026

03 MINUTES WEST 100 FEET
TO AN IRON PIN; RUNNING
THENCE NORTH 74 DEGREES 45
MINUTES WEST 150 FEET TO AN
IRON PIN; RUNNING THENCE
IN A SOUTHERLY DIRECTION
320 FEET, MORE OR LESS, TO
THE SOUTH LINE OF LAND LOT
198 THE LATTER MENTIONED
IRON PIN ALSO BEING LOCAT-
ED 660 FEET EAST, AS MEA-
SURED ALONG THE SOUTH
LINE OF SAID LAND LOT FROM
THE ORIGINAL SOUTHWEST
CORNER OF SAID LAND LOT
198; RUNNING THENCE NORTH
89 DEGREES EAST, ALONG THE
SOUTH LINE OF SAID LAND
LOT, 484 FEET TO THE IRON
PIN AT THE POINT OF BEGIN-
NING, BEING A 3.1 ACRE, MORE
OR LESS, TRACT OF LAND AC-
CORDING THE PLAT OF SUR-
VEY DATED JANUARY 12, 1967,
PREPARED FOR "C.H. TRAVIS"
BY C.E. LEE, REGISTERED LAND
SURVEYOR.

BEING SAME PROPERTY CON-
VEYED BY WARRANTY DEED
DATED FEBRUARY 14, 1967
FROM CECIL H. TRAVIS TO MRS.
LUCILLE O. ADAMS, RECORDED
IN BOOK 64, PAGE 228, FAYETTE
COUNTY, GEORGIA RECORDS.

02/18

Legals continued page B5

COUNTY AGENDA REQUEST

Department:

Presenter(s):

Meeting Date:

Type of Request:

Wording for the Agenda:

Consideration of amendment to Fayette County Code of Ordinance Chapter 110.-Zoning; Article VII. – Zoning Board of Appeals.; Sec. 110-238 – Membership. (a) Membership and appointments.

Background/History/Details:

This amendment clarifies the qualifications for membership on the Zoning Board of Appeals. It allows members to sit on other boards so long as those positions are not also appointments by the Fayette County Board of Commissioners.

STAFF RECOMMENDATION: Staff recommends approval of the amendment as presented.

PLANNING COMMISSION RECOMMENDATION: On March 5, 2026, the Planning Commission voted to recommend APPROVAL of Consideration of Amendments to Sec. 110-238(a). – Membership. Virgil Hooper made the motion to recommend APPROVAL of the Consideration of Amendment to Chapter 110. Zoning Ordinance, regarding Article VII.- Zoning Board of Appeals. Sec.110-238(a).- Membership. Jim Oliver seconded the motion. The motion passed unanimously.

What action are you seeking from the Board of Commissioners?

Consideration of amendment to Fayette County Code of Ordinance Chapter 110.-Zoning; Article VII. – Zoning Board of Appeals.; Sec. 110-238 – Membership. (a) Membership and appointments.

If this item requires funding, please describe:

Not applicable.

Has this request been considered within the past two years?

If so, when?

Is Audio-Visual Equipment Required for this Request?*

Backup Provided with Request?

*** All audio-visual material must be submitted to the County Clerk's Office no later than 48 hours prior to the meeting. It is also your department's responsibility to ensure all third-party audio-visual material is submitted at least 48 hours in advance.**

Approved by Finance

Reviewed by Legal

Approved by Purchasing

County Clerk's Approval

Administrator's Approval

Staff Notes:

PETITION No: TA-0010-26

PLANNING COMMISSION PUBLIC HEARING: March 5, 2026

BOARD OF COMMISSIONERS PUBLIC HEARING: March 26, 2026

REQUESTED ACTION: Consideration of amendment to Chapter 110. Zoning Ordinance, Regarding Article VII. – Zoning Board of Appeals. - Sec. 110-238(a). – Membership.

This amendment addresses the qualification for membership on the Zoning Board of Appeals. Please refer to the subsequent pages for details of the proposed amended language.

STAFF ANALYSIS: This amendment clarifies the qualifications for membership on the Zoning Board of Appeals. It allows members to sit on other boards so long as those positions are not also appointments by the Fayette County Board of Commissioners.

STAFF RECOMMENDATION: Staff recommends approval of the amendment as presented.

PLANNING COMMISSION RECOMMENDATION: On March 5, 2026, the Planning Commission voted to recommend **APPROVAL** of Consideration of Amendments to Sec. 110-238(a). – Membership. Virgil Hooper made the motion to recommend **APPROVAL** of the Consideration of Amendment to Chapter 110. Zoning Ordinance, regarding Article VII.- Zoning Board of Appeals. Sec.110-238(a).- Membership. Jim Oliver seconded the motion. The motion passed unanimously.

Chapter 110 – Fayette County Zoning Code

ARTICLE VII. - ZONING BOARD OF APPEALS[2]

Sec. 110-238. - Membership.

(a) Membership and appointments. The zoning board of appeals shall consist of five members residing within the county and shall be appointed by the board of commissioners. None of the board members shall hold any other public office that is populated by appointment of either the Fayette County Board of Commissioners or Fayette County staff, except that one member of zoning board of appeals may also be a member of the planning commission. The zoning board of appeals members shall be removed by the board of commissioners for cause, upon written charges, and after public hearing. Any member of the zoning board of appeals shall be disqualified to act upon a matter before the zoning board of appeals with respect to property in which the member has an interest. It may be deemed cause for removal should any zoning board of appeals member fail, without proper reason, to attend three consecutive meetings.

(b) Term of office. The term of office for each member of the zoning board of appeals shall be for three years and the member shall remain on the board until reappointed or a successor is appointed. It is the intent of this section that their terms be staggered with no term limitation.

(c) Compensation. The zoning board of appeals members shall receive compensation for their service as determined by the board of commissioners.

(Ord. No. 2015-06, § 1, 3-26-2015)

BOARD MEMBERS

Danny England, Chairman
Boris Thomas, Vice-Chairman
John Kruzan
Jim Oliver
Virgil Hooper

STAFF

Deborah L. Bell, Planning and Zoning Director
Deborah Sims, Zoning Administrator
Maria Binns, Planning and Zoning Coordinator
E. Allison Ivey Cox, County Attorney

**AGENDA OF ACTIONS
FAYETTE COUNTY PLANNING COMMISSION MEETING
140 STONEWALL AVENUE WEST
March 05, 2026
7:00 pm**

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

NEW BUSINESS

1. Call to Order. *Chairman Danny England called the March 5, 2026, meeting to order at 7:00 pm.*
2. Pledge of Allegiance. *Chairman Danny England offered the invocation and led the audience in the Pledge of Allegiance.*
3. Approval of Agenda. *Ms. Deborah Bell amended the agenda to change items numbers 10, 11, 12, and 13 (Petitions for Sec. 110-238(a). – Membership; Sec. 110-325(1). – Membership; Sec. 110-169(2)n.5. – Uses and/or Structures incidental to a Church and Sec. 110-169(2) – Add Supporting Off -Site Parking as a conditional use in O-I zoning.) to numbers 6 through 9. Jim Oliver made a motion to approve the agenda as amended. John Kruzan seconded the motion. The motion carried 5-0.*
4. Consideration of the Minutes of the meeting held on February 5, 2026. *John Kruzan made a motion to approve the minutes of the meeting held on February 5, 2026. Jim Oliver seconded the motion. The motion carried 5-0.*
5. Plats
 - a. Minor Final Plat of Free Land. *Jim Oliver made a motion to approve the Minor Final Plat of Freeland. John Kruzan seconded the motion. The motion passed 5-0.*

PUBLIC HEARING

6. Consideration of amendment to Chapter 110. Zoning Ordinance, Regarding Article VII. – Zoning Board of Appeals. - Sec. 110-238(a). – Membership. ***Virgil Hooper made the motion to recommend APPROVAL of the Consideration of Amendment to Chapter 110. Zoning Ordinance, regarding Article VII.- Zoning Board of Appeals. Sec.110-238(a).- Membership. Jim Oliver seconded the motion. The motion passed unanimously.***
7. Consideration of amendment to Chapter 110. Zoning Ordinance, Regarding Article X. – Planning Commission. - Sec. 110-325(1). – Membership. ***Jim Oliver made the motion to recommend APPROVAL of the Consideration of Amendment to Chapter 110. Zoning Ordinance, regarding Article X.- Planning Commission. Sec. 110-325(1).- Membership. John Kruzan seconded the motion. The motion carried 5-0.***
8. Consideration of amendment to Chapter 110. Zoning Ordinance, Regarding Article V. – Conditional Uses, Nonconformances, and Transportation Corridor Overlay Zone. - Sec. 110-169(2)n.5. – Uses and/or Structures incidental to a Church. Add Off-Site Parking as an incidental use to churches. ***Jim Oliver made the motion to recommend CONDITIONAL APPROVAL and also added an 8th Condition: To Add a CONDITIONAL TRAFFIC CONTROL PLAN for the consideration of Amendment to Chapter 110. Zoning Ordinance, regarding Article V.- Conditional Uses, Nonconformances, and Transportation Corridor Overlay Zone. - Sec. 110-169(2)n.5. – Uses and/or Structures incidental to a Church. Add Off-Site Parking as an incidental use to churches. Virgil Hooper seconded the motion. The motion carried 4-1. Vice- Chairman Boris Thomas abstained.***

CONDITIONS:

1. *Application shall be made to the zoning administrator as described in Sec 110-169 hereof for use as off-site parking;*
2. *At all times the property is in use as off-site Parking it shall exclusively serve one principal/primary use off-site;*
3. *The written lease/agreement evidencing the exclusive use as off-site parking by a single primary/principal use off-site, including a term not to exceed eight (8) years and all other terms and conditions of the lease/agreement for parking between the parties, shall be included with the application for use as off-site parking;*
4. *The property shall not be held open to the public for use;*
5. *Use of the property for off-site parking shall end when the term of the submitted lease/agreement expires;*
6. *All parking shall be exclusively in areas approved for parking of the church and/or other place of worship conditionally permitted under 110-169 of the Fayette County Zoning Code. No parking shall be permitted in other than approved spaces.*
7. *The parking facilities available for lease as off-site parking shall not be extended beyond the facilities available on the parcel at the time application was made for conditional use as*

a church and/or other place of worship. The property shall not be improved or otherwise altered in any way to accommodate the off-site parking use.

8 . *A Traffic Control Plan is required for the off-site parking use.*

9. Consideration of amendment to Chapter 110. Zoning Ordinance, Regarding Article V. – Conditional Uses, Nonconformances, and Transportation Corridor Overlay Zone. - Sec. 110-169(2) – Add Supporting Off -Site Parking as a conditional use in O-I (Office- Institutional) zoning district. ***Jim Oliver made the motion to recommend DENIAL of Consideration of Amendment to Chapter 110. Zoning Ordinance, regarding Article V.- Conditional Uses, Nonconformances, and Transportation Corridor Overlay Zone. - Sec. 110-169(2). – Add Supporting Off -Site Parking as a conditional use in O-I (Office- Institutional) zoning district. John Kruzan seconded the motion. The motion carried 5-0.***
10. Consideration of Petition 1374-25, Joseph Reeves Akin Jr, Owner. Applicant requests to rezone 3.1 acres from R-40 (Single Family) to A-R (Agricultural Residential Single Family). Property is located in Land Lots 198 of the 13th District, and it's behind 1252 Highway 314. ***Jim Oliver made the motion to recommend CONDITIONAL APPROVAL of Petition 1374-25. Virgil Hooper seconded the motion. The motion passed 3-2. Vice-Chair Boris Thomas and John Kruzan opposed.***

CONDITION:

1. ***All parcels that are the subject of this petition shall be combined by a recorded final plat within 180 days of the approval of the petition or prior to the submittal of a site development plan, whichever comes first.***
11. Consideration of Petition 1375-26-A, William Jerry Cleveland, Owner. Applicant requests to rezone Parcel No. 0704 002 (10.62 acres) from M-H-P (Manufactured Home Park) to C-C (Community Commercial). Property is located in Land Lots 26 of the 7th District and fronts Highway 54 West. ***John Kruzan made a motion to APPROVE TO TABLE Petition No. 1375-26-A to APRIL 2nd, 2026. The motion carried 4-0. Virgil Hooper was not present for that vote.***
12. Consideration of Petition 1375-26-B, William Jerry Cleveland, Owner. Applicant request to rezone Parcel No. 0704 004 (2.81 acres), from M-H-P (Manufactured Home Park) to C-C (Community Commercial). Property is located in Land Lots 26 of the 7th District and fronts Highway 54 West. ***John Kruzan made a motion to APPROVE TO TABLE Petition No. 1375-26-B to APRIL 2nd, 2026. Jim Oliver seconded the motion. The motion carried 5-0.***
13. Consideration of Petition 1376-26, US Management Association, LLC, Owner. Applicant request to rezone 13.32 acres from M-H-P (Manufactured Home Park) to C-C (Community Commercial). Property is located in Land Lots 26 of the 7th District and fronts Highway 54 West. ***John Kruzan made a motion to APPROVE TO TABLE Petition No. 1376-26 to APRIL 2nd, 2026. Jim Oliver seconded the motion. The motion carried 5-0.***

Jim Oliver moved to adjourn the March 6, 2026, Planning Commission meeting. John Kruzan seconded. The motion passed 5-0.

The meeting adjourned at 8:34 pm.

Meeting Minutes 3/5/2026

THE FAYETTE COUNTY PLANNING COMMISSION met on March 5th, 2026, at 7:00 P.M. in the Fayette County Administrative Complex, 140 Stonewall Avenue West, Fayetteville, Georgia.

MEMBERS PRESENT: Danny England, Chairman
Boris Thomas, Vice-Chairman
John Kruzan
Jim Oliver
Virgil Hooper

STAFF PRESENT: Debbie Bell, Planning and Zoning Director
Deborah Sims, Zoning Administrator
Maria Binns, Zoning Secretary
E. Allison Ivey Cox, County Attorney

1. Call to Order. *Chairman Danny England called the March 5, 2026, meeting to order at 7:00 pm.*
2. Pledge of Allegiance. *Chairman Danny England offered the invocation and led the audience in the Pledge of Allegiance.*
3. Approval of Agenda. *Ms. Deborah Bell amended the agenda to change items numbers 10, 11, 12, and 13 (Petitions for Sec. 110-238(a). – Membership; Sec. 110-325(1). – Membership; Sec. 110-169(2)n.5. – Uses and/or Structures incidental to a Church and Sec. 110-169(2) – Add Supporting Off -Site Parking as a conditional use in O-I zoning.) to numbers 6 through 9. Jim Oliver made a motion to approve the agenda as amended. John Kruzan seconded the motion. The motion carried 5-0.*
4. Consideration of the Minutes of the meeting held on February 5, 2026. *John Kruzan made a motion to approve the minutes of the meeting held on February 5, 2026. Jim Oliver seconded the motion. The motion carried 5-0.*
5. Plats.

- a. Minor Final Plat of Free Land.

Ms. Debbie Bell stated the Plat has been received and approved by staff.

Chairman Danny England asked if the petitioner was present.

Virgil Hooper asked staff what are the asking for.

Ms. Bell stated the applicant rezoned and combined property for parcel facing

Adams Road.

After no further comments, Chairman England asked for a motion.

Jim Oliver made a motion to approve the Minor Final Plat of Freeland. John Kruzan seconded the motion. The motion passed 5-0.

PUBLIC HEARING

6. Consideration of amendment to Chapter 110. Zoning Ordinance, Regarding Article VII. – Zoning Board of Appeals. - Sec. 110-238(a). – Membership.

Ms. Bell stated that this amendment that addresses the candidates who are appointed to the Zoning Board of Appeals, might also serve on other boards within the county.

Chairman Danny England asked whether anyone in the audience supported or opposed this petition. With no response, he brought the item back to the Board for comments or a motion.

Virgil Hooper made the motion to recommend APPROVAL of Consideration of Amendment to Chapter 110. Zoning Ordinance, regarding Article VII.- Zoning Board of Appeals. Sec.110-238(a).- Membership. Jim Oliver seconded the motion. The motion passed unanimously.

7. Consideration of amendment to Chapter 110. Zoning Ordinance, Regarding Article X. – Planning Commission. - Sec. 110-325(1). – Membership.

Ms. Bell explained that this amendment also addresses the candidates who are appointed to the Planning Commission, might also serve on other boards within the county.

Chairman Danny England asked whether anyone in the audience supported or opposed this petition. With no response, he brought the item back to the Board for comments or a motion.

Jim Oliver made the motion to recommend APPROVAL of the Consideration of Amendment to Chapter 110. Zoning Ordinance, regarding Article X.- Planning Commission. Sec. 110-325(1).- Membership. John Kruzan seconded the motion. The motion carried 5-0.

8. Consideration of amendment to Chapter 110. Zoning Ordinance, Regarding Article V. – Conditional Uses, Nonconformances, and Transportation Corridor Overlay Zone. - Sec. 110-169(2)n.5. – Uses and/or Structures incidental to a Church. Add Off-Site Parking as an incidental use to churches.

Ms. Bell discussed the recommendation for Sec. 110-169(2)n.5, which proposes adding Off-Site Parking as an incidental use for churches. She noted that churches are classified as a conditional use, and according to Sec. 110-169 on Conditional Use Approval, they may use their parking areas for off-site purposes, provided they do not expand the current parking capacity.

Chairman England asked if anyone in the audience was in support or opposition of the petition. With no response, he brought the item back to the board.

Mr. Jim Oliver asked staff if this was related to a problem or something existing.

Ms. Bell replied that QTS is currently under construction and seeking off-site parking areas not used during the week, by using the church parking areas. And related to parking lot at churches.

Chairman England asked staff if this was something not allowed before.

Chairman England asked if parking at a church was not allowed before, or if that's something we need to allow.

Allison Cox, County Attorney responded parking wasn't allowed as a use, and they wanted to make sure it is not outside of their use and they are not violating any rules.

Vice-Chairman Boris Thomas asked what if they have food trucks and festivals.

Ms. Bell responded that those are normal activities that a church already has.

Chairman England asked if the film industry could use that, too.

Ms. Bell responded that they could.

Ms. Cox added that it will be exclusively used on a lease term.

Vice-Chair Thomas commented on what can be used to prohibit commercial traffic during rush hour.

Ms. Cox responded that it will be handled once they get there, by QTS, providing measures like hiring security or parking details.

Chairman England asked if the county has the ability to review it or say no, by submitting a site plan, etc.

Ms. Cox responded that they met everything that's in the condition, in addition to all of the church's conditions, then no. She explained that this is specifically off-site parking, and it has to be attached to a principal use that's local. She suggested that if the board wanted, they could add extra conditions.

Mr. John Kruzan asked this for the existing parking area they have today, which would not add any more property, and convert it into more parking.

Ms. Cox responded that this will only apply to the parking area that currently exists.

Vice-Chair Thomas asked when the date would be for this to go into effect. He was concerned that some of the churches might apply to expand their parking space before this goes into effect.

Ms. Bell responded that the county doesn't currently have any churches that plan to enlarge their parking lot.

Vice-Chair Thomas asked if we would be restricting churches from improving their parking lots due to the concern that they will be rented out to commercial entities.

Ms. Bell responded that if they currently have an active parking lease, they will not be approved to expand their existing parking. If a church comes in and wants to expand its parking, as long as they meet all of the site development requirements, they will be reviewed and approved; they will have to wait for that lease to be over to make any additions.

Ms. Cox added that any of those changes will have to meet what's allowed for churches; they cannot add an industrial lot, which will not be allowed.

Mr. Virgil Hooper asked if the county has a limit on the number of parking spaces per church/congregation.

Ms. Bell responded that there is no cap on the number of parking spaces, but there is a cap on the maximum percentage of impervious areas on a parcel.

Mr. John Kruzan asked if this will be an eight year term, as shown in the staff report.

Ms. Cox responded that it cannot exceed eight years. Because the build up will take eight years, that's where the number comes from to make sure there is determination, and it does not continue.

Chairman England asked the board didn't have any other comments, he requested a motion.

Jim Oliver made the motion to recommend CONDITIONAL APPROVAL and also added an 8th Condition: To Add a CONDITIONAL TRAFFIC CONTROL PLAN for the consideration of Amendment to Chapter 110. Zoning Ordinance, regarding Article V.- Conditional Uses, Nonconformances, and Transportation Corridor Overlay Zone. - Sec. 110-169(2)n.5. – Uses and/or Structures incidental to a Church. Add Off-Site Parking as an incidental use to churches. Virgil Hooper seconded the motion. The motion carried 4-1. Vice- Chairman Boris Thomas abstained.

CONDITIONS:

1. *Application shall be made to the zoning administrator as described in Sec 110-169 hereof for use as off-site parking;*
2. *At all times the property is in use as off-site Parking it shall exclusively serve one principal/primary use off-site;*
3. *The written lease/agreement evidencing the exclusive use as off-site parking by a single primary/principal use off-site, including a term not to exceed eight (8) years and all other terms and conditions of the lease/agreement for parking between the parties, shall be included with the application for use as off-site parking;*
4. *The property shall not be held open to the public for use;*
5. *Use of the property for off-site parking shall end when the term of the submitted lease/agreement expires;*
6. *All parking shall be exclusively in areas approved for parking of the church and/or other place of worship conditionally permitted under 110-169 of the Fayette County Zoning Code. No parking shall be permitted in other than approved spaces.*
7. *The parking facilities available for lease as off-site parking shall not be extended beyond the facilities available on the parcel at the time application was made for conditional use as a church and/or other place of worship. The property shall not be improved or otherwise altered in any way to accommodate the off-site parking use.*
8. ***Added a Conditional Traffic Control Plan.***
9. Consideration of amendment to Chapter 110. Zoning Ordinance, Regarding Article V. – Conditional Uses, Nonconformances, and Transportation Corridor Overlay Zone. - Sec. 110-169(2) – Add Supporting Off -Site Parking as a conditional use in O-I (Office-Institutional) zoning district.

Ms. Bell explained that this will be an addition to adding off-site parking as a conditional use - Conditional use permits have specific requirements they have to meet under that use, and they are not eligible for variances. Ms. Bell stated this is specifically for off-site parking serving a specific use within one thousand feet of the property that it serves.

Chairman England asked if anyone in the audience was in support or opposition of the petition.

Spoke in opposition:

Mr. Ben Loggins commented in opposition and expressed his concern about the traffic this will create for the residents at Canoe Club, by submitting another traffic light or otherwise.

Mr. Chris Covington, resident of Lester Road, also commented about his concerns about adding more traffic and proposed that adding some source of surveillance would be helpful.

Mr. Wayne Knight, a resident of the Canoe Club, spoke about the traffic concerns and asked for the median to be cut back to allow for a left turn to allow people to go north.

With no further comments, the Chairman brought the item back to the board for questions or a motion.

Ms. Bell responded to the last comment, stating that the property was recently annexed to the city, and the county has development plans for that property, which is not the subject of this particular petition.

Chairman England added that there is more traffic coming, so there is more parking, and it affects that entrance, and the more people we have, the hardest is to control that.

Ms. Cox commented that the area for the petition the board is hearing is subject to commercial development, which changes the roadways. Ms. Cox explained that the effort is to keep it a conditional use and O-I to be managed as a parking lot for the time that is needed as a commercial use.

Mr. Jim Oliver expressed his concern that this will be tailored for a specific use.

Ms. Cox responded that we need the use of the county, and it's something allowed, stating they could do a commercial parking in a commercial area, but outside parking will come later on other places too, and the county wants to make sure it can be managed.

Mr. Oliver asked why we are trying to accommodate QTS's needs when they have four hundred acres to do a parking lot.

Ms. Cox responded that they are trying to control the traffic problem.

Mr. Oliver responded that they could keep it on their campus; they have all of those buses traveling all over the place, and they think this will make it any better, but it is going to make it worse.

Chairman England commented that the problem he sees is that in a church, they only use it half a day on Sunday and Wednesday, and asked staff if there is anything that will exclude an O-I zoned constructed building.

Ms. Cox responded that if you are an O-I group and you have principal use on that property, you must have a lease, and they need to set the terms; we need to see a lease.

Vice-Chair Thomas commented that it seems like we are trying to control the fire instead of saying you can't make a fire and just construct a parking deck and solve the problem; they are not ready for the impact of the traffic this might create.

Mr. John Kruzan commented that they couldn't do it on this consideration, so now we are going to do it on this new one.

Chairman England asked for a motion if there were no further questions from the board.

Jim Oliver made the motion to recommend DENIAL of Consideration of Amendment to Chapter 110. Zoning Ordinance, regarding Article V.- Conditional Uses, Nonconformances, and Transportation Corridor Overlay Zone. - Sec. 110-169(2). – Add Supporting Off -Site Parking as a conditional use in O-I (Office- Institutional) zoning district. Vice -Chairman Boris Thomas seconded the motion. The motion carried 5-0.

10. Consideration of Petition 1374-25, Joseph Reeves Akin Jr, Owner. Applicant requests to rezone 3.1 acres from R-40 (Single Family) to A-R (Agricultural Residential Single Family). Property is located in Land Lots 198 of the 13th District, and it's located behind 1252 Highway 314.

Ms. Bell read the petition above and explained that the applicant is proposing to rezone the parcel to A-R combine it with additional property already rezoned A-R, for the purposes of use as a single-family residence and for operating an A-R Wedding/Event Venue. The parcel does not meet the minimum lot size for the A-R zoning. Therefore, a condition is recommended to ensure it is combined with the larger parcel, which will resolve this issue. Staff recommended conditional approval.

Chairman England asked staff if they had previously encountered this application. What is the difference this time?

Ms. Bell responded that the only way they could rezone this parcel is if the other parcels adjacent to it were rezoned to A-R first.

Mr. Randy Boyd, agent representing Mr. Akin and Mr. Hill, is not sure how this parcel was created, which is on the west side of the lake; you cannot get to it, and can't do much with it, either, sitting half in a floodplain and being less than five acres. Mr. Akin wants to sell it to Mr. Hill, who would like to add it to the recently rezoned A-R parcels adjacent to his. Mr. Boyd asked the board for approval, stating will be downzoning.

Chairman England asked for anyone in support of the petition to speak, with no comments asked for anyone in opposition to speak.

Ms. English expressed her concern about Mr. Akin selling the piece of property to Mr. Hill to convert it into a wedding venue.

No one else spoke in opposition and Chairman England brought the item back to the board for questions.

Mr. Hooper asked if they had changed the classification on the larger parcel so that they could incorporate the smaller one; he wasn't present on the previous requests.

Chairman England responded yes.

Mr. Oliver asked the petitioner if they agreed with the conditions for the petition.

Mr. Boyd responded that they had no problem with it.

Jim Oliver made the motion to recommend CONDITIONAL APPROVAL of Petition 1374-25. Virgil Hooper seconded the motion. The motion passed 3-2. Vice-Chair Boris Thomas and John Kruzan opposed.

CONDITION:

1. All parcels that are the subject of this petition shall be combined by a recorded final plat within 180 days of the approval of the petition or prior to the submittal of a site development plan, whichever comes first.

11. Consideration of Petition 1375-26-A, William Jerry Cleveland, Owner. Applicant requests to rezone Parcel No. 0704 002 (10.62 acres) from M-H-P (Manufactured Home Park) to C-C (Community Commercial). Property is located in Land Lots 26 of the 7th District and fronts Highway 54 West.

Ms. Debbie Bell stated that applicants are requesting to rezone these two parcels and parcel 0704 052 to C-C to operate a parking center for vehicles driven by construction workers and other personnel working at the data center. Once completed, the site will be developed for an office site. The subject properties are currently zoned MHP. They were rezoned from A-R to MHP, which was approved in March 1967. It could be zoned commercial, but it also could be rezoned to O-I. Staff recommended conditional approval.

Chairman England asked if the petitioner was present.

Mr. Alan Kachin, Agent, representing Ace Group Corp, stated the property was currently zoned for mobile homes, and they are seeking to rezone it for commercial purposes. The initial use will be for a parking lot for the workers at the data center, and once no longer needed, it will be converted into an office building, solving the problems previously discussed with the churches. Mr. Kachin explained if the property were developed as a mobile home park with the approximation of fifty homes, it would also bring more traffic to the area. He stated that his client will meet all of the requirements to obtain the appropriate permits.

Chairman England asked whether anyone supported the petition.

Mr. John Saena recommended adding a condition to be a previous surface to protect the runoff, since this will be temporary until the next development.

Mr. Joe Peavy expressed his concern about the runoff and complained about the lighting and the noise he already has across the street with the data center and would like for the board to include a barrier wall or something where the lights in the proposed

parking lot do not shine directly into their subdivision.

Chairman England asked for anyone in support or opposition, but no one responded. He brought the item back to the board for comments or motion.

Mr. Alan Kachin came back for rebuttal, stating that the parking lot will have buffers and his client will comply with all requirements.

Vice- Chairman Thomas asked if the data center would ever be completed. He asked for a time of completion.

Mr. Kachin responded that he does know, and he couldn't speak for them.

Chairman England commented that eight years will be the max.

Mr. Jim Oliver asked staff if the board's denial of the petition would do to this petition in the O-I part?

Ms. Bell responded that staff will recommend that this be rezoned to O-I instead of C-C, as it is a less intense use, it's a criteria of Highway 54 west corridor and off-site parking is not a conditional or permanent use in C-C.

Chairman England they could move forward with the rezoning. The problem is that they couldn't use it as a parking lot.

Mr. Oliver asked the petitioner if they couldn't do the parking in O-I, instead of C-C, what would it do to your petition?

Mr. Kachin responded that his client is not interested in building a mobile home park; the intention is to develop it anyway. He doesn't know what his client would want it to do if they couldn't use it for off-site parking.

Mr. Oliver responded to Mr. Kachin that his presentation is leaving him with more questions than answers, he questioned the agent mentioning he does know what his client cant do if no using the property for off-site parking, that this is a better use than a mobile home park and responded that the price for the property is making it financially not feasible to build a mobile home park and this will be better to control traffic, that will be regardless. He finished by stating he is not giving the board any assurance of what's going to happen.

The board asked if the applicant could withdraw the petition or table it. The petitioner responded that they would like to table it.

John Kruzan made a motion to APPROVE TO TABLE Petition No. 1375-26-A to APRIL 2nd, 2026. The motion carried 4-0. Virgil Hooper was not present for that vote.

- 12. Consideration of Petition 1375-26-B, William Jerry Cleveland, Owner. Applicant request to rezone Parcel No. 0704 004 (2.81 acres), from M-H-P (Manufactured Home Park) to C-C (Community Commercial). Property is located in Land Lots 26 of the 7th District and fronts Highway 54 West.

Ms. Bell explained that this is part of petition 1375-26-B and needs to be tabled for April 2, 2026.

The Board moved for a motion.

John Kruzan made a motion to APPROVE TO TABLE Petition No. 1375-26-B to APRIL 2nd, 2026. Jim Oliver seconded the motion. The motion carried 5-0.

- 13. Consideration of Petition 1376-26, US Management Association, LLC, Owner. Applicant request to rezone 13.32 acres from M-H-P (Manufactured Home Park) to C-C (Community Commercial). Property is located in Land Lots 26 of the 7th District and fronts Highway 54 West.

Ms. Bell explained that this is part of petition 1376-26 and needs to be tabled for April 2, 2026.

The Board moved for a motion.

John Kruzan made a motion to APPROVE TO TABLE Petition No. 1376-26 to APRIL 2nd, 2026. Jim Oliver seconded the motion. The motion carried 5-0.

Jim Oliver moved to adjourn the March 6, 2026, Planning Commission meeting. John Kruzan seconded. The motion passed 5-0.

The meeting adjourned at 8:34 pm.

**PLANNING COMMISSION
OF
FAYETTE COUNTY**

ATTEST:

DANNY ENGLAND, CHAIRMAN

PC Minutes
March 5, 2026

**MARIA BINNS,
PC SECRETARY**

DRAFT

PLANNING COMMISSION

Consideration of Amendments to Chapter 110. Zoning Ordinance, Regarding Article VII. – Zoning Board of Appeals. - Sec. 110-238(a). – Membership. This amendment addresses the qualification for membership on the Zoning Board of Appeals.

5-0 ✓

Recommended for approval to the BOC

Recommended for denial to the BOC

Tabled until _____

Per the Fayette County Planning Commission on this 5th day of March 2026.



DANNY ENGLAND, CHAIRMAN



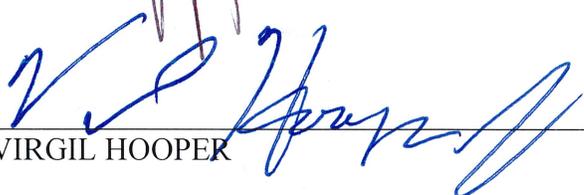
BORIS THOMAS, VICE- CHAIRMAN



JOHN J. KRUZAN



JIM OLIVER



VIRGIL HOOPER

Remarks:

**NOTICE OF PUBLIC HEARING
FOR AN AMENDMENT OF THE
FAYETTE COUNTY CODE OF
ORDINANCES, CHAPTER 110.
ZONING ORDINANCE.**

PUBLIC HEARING to be held before the Fayette County Planning Commission on March 5, 2026, at 7:00 P.M. and before the Fayette County Board of Commissioners on March 26, 2026, at 5:00 P.M. in the Fayette County Administrative

Complex, 140 Stonewall Avenue West, Public Meeting Room, First Floor, Fayetteville, Georgia.

CONSIDERATION OF AMENDMENTS TO CHAPTER 110. ZONING ORDINANCE, REGARDING ARTICLE VII. – ZONING BOARD OF APPEALS. – SEC. 110-238(a). – MEMBERSHIP.

A copy of the above is available in the office of the Fayette County Planning and Zoning Department, 140 Stonewall Avenue West, Suite 202, Fayetteville, Georgia.

This 12th day of February 2026.

Deborah Bell, Director
Planning and Zoning
02/18

COUNTY AGENDA REQUEST

Department:

Presenter(s):

Meeting Date:

Type of Request:

Wording for the Agenda:

Consideration of amendment to Fayette County Code of Ordinance Chapter 110.- Zoning; Article X. – Planning Commission.; Sec. 110-325. – Planning commission.; (1) Membership and appointments.

Background/History/Details:

This amendment clarifies the qualifications for membership on the Planning Commission. It allows members to sit on other boards so long as those positions are not also appointments by the Fayette County Board of Commissioners.

STAFF RECOMMENDATION: Staff recommends approval of the amendment as presented.

PLANNING COMMISSION RECOMMENDATION: On March 5, 2026, the Planning Commission voted to recommend APPROVAL of Consideration of Amendments to Sec. 110-325(1). – Membership. Jim Oliver made the motion to recommend APPROVAL of the Consideration of Amendment to Chapter 110. Zoning Ordinance, regarding Article X.- Planning Commission. Sec. 110-325(1).- Membership. John Kruzan seconded the motion. The motion carried 5-0.

What action are you seeking from the Board of Commissioners?

Consideration of amendment to Fayette County Code of Ordinance Chapter 110.- Zoning; Article X. – Planning Commission.; Sec. 110-325. – Planning commission.; (1) Membership and appointments.

If this item requires funding, please describe:

Not applicable.

Has this request been considered within the past two years?

If so, when?

Is Audio-Visual Equipment Required for this Request?*

Backup Provided with Request?

*** All audio-visual material must be submitted to the County Clerk's Office no later than 48 hours prior to the meeting. It is also your department's responsibility to ensure all third-party audio-visual material is submitted at least 48 hours in advance.**

Approved by Finance

Reviewed by Legal

Approved by Purchasing

County Clerk's Approval

Administrator's Approval

Staff Notes:

PETITION No: TA-0011-26

PLANNING COMMISSION PUBLIC HEARING: March 5, 2026

BOARD OF COMMISSIONERS PUBLIC HEARING: March 26, 2026

REQUESTED ACTION: Consideration of amendment to Chapter 110. Zoning Ordinance, Regarding Article X. – Planning Commission. - Sec. 110-325(1). – Membership.

This amendment addresses the qualification for membership on the Planning Commission. Please refer to the subsequent pages for details of the proposed amended language.

STAFF ANALYSIS: This amendment clarifies the qualifications for membership on the Planning Commission. It allows members to sit on other boards so long as those positions are not also appointments by the Fayette County Board of Commissioners.

STAFF RECOMMENDATION: Staff recommends approval of the amendment as presented.

PLANNING COMMISSION RECOMMENDATION: On March 5, 2026, the Planning Commission voted to recommend APPROVAL of Consideration of Amendments to Sec. 110-325(1). – Membership. Jim Oliver made the motion to recommend **APPROVAL** of the Consideration of Amendment to Chapter 110. Zoning Ordinance, regarding Article X.- Planning Commission. Sec. 110-325(1).- Membership. John Kruzan seconded the motion. The motion carried 5-0.

Chapter 110 – Fayette County Zoning Code

ARTICLE X. - PLANNING COMMISSION

Sec. 110-325. - Planning commission.

The planning commission consists of that body of members appointed by the board of commissioners to carry out the directives of this and other ordinances and to carry out any

other duties which may from time to time be assigned to the planning commission by the board of commissioners.

(1)Membership and appointments. The planning commission shall consist of five members residing within the county and shall be appointed by the board of commissioners of the county. None of the planning commission members shall hold any other public office that is populated by appointment of either the Fayette County Board of Commissioners or Fayette County staff, except that one member of the planning commission may also be a member of the zoning board of appeals. The planning commission members shall be removed by the board of commissioners for cause, upon written charges, and after public hearing. Any member of the planning commission shall be disqualified to act upon a matter before the planning commission with respect to property in which the member has an interest. It may be deemed cause for removal should any planning commission member fail, without proper reason, to attend three consecutive meetings.

PLANNING COMMISSION

Consideration of Amendments to Chapter 110. Zoning Ordinance, Regarding Article X. – Planning Commission. - Sec. 110-325(1). – Membership.

5-0 ✓

 ✓ Recommended for approval to the BOC

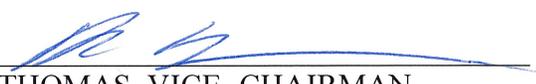
 Recommended for denial to the BOC

 Tabled until _____

Per the Fayette County Planning Commission on this 5th day of March 2026.



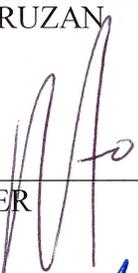
DANNY ENGLAND, CHAIRMAN



BORIS THOMAS, VICE- CHAIRMAN



JOHN J. KRUZAN



JIM OLIVER



VIRGIL HOOPER

Remarks:

Meeting Minutes 3/5/2026

THE FAYETTE COUNTY PLANNING COMMISSION met on March 5th, 2026, at 7:00 P.M. in the Fayette County Administrative Complex, 140 Stonewall Avenue West, Fayetteville, Georgia.

MEMBERS PRESENT: Danny England, Chairman
Boris Thomas, Vice-Chairman
John Kruzan
Jim Oliver
Virgil Hooper

STAFF PRESENT: Debbie Bell, Planning and Zoning Director
Deborah Sims, Zoning Administrator
Maria Binns, Zoning Secretary
E. Allison Ivey Cox, County Attorney

1. Call to Order. *Chairman Danny England called the March 5, 2026, meeting to order at 7:00 pm.*
2. Pledge of Allegiance. *Chairman Danny England offered the invocation and led the audience in the Pledge of Allegiance.*
3. Approval of Agenda. *Ms. Deborah Bell amended the agenda to change items numbers 10, 11, 12, and 13 (Petitions for Sec. 110-238(a). – Membership; Sec. 110-325(1). – Membership; Sec. 110-169(2)n.5. – Uses and/or Structures incidental to a Church and Sec. 110-169(2) – Add Supporting Off -Site Parking as a conditional use in O-I zoning.) to numbers 6 through 9. Jim Oliver made a motion to approve the agenda as amended. John Kruzan seconded the motion. The motion carried 5-0.*
4. Consideration of the Minutes of the meeting held on February 5, 2026. *John Kruzan made a motion to approve the minutes of the meeting held on February 5, 2026. Jim Oliver seconded the motion. The motion carried 5-0.*
5. Plats.
 - a. Minor Final Plat of Free Land.

Ms. Debbie Bell stated the Plat has been received and approved by staff.

Chairman Danny England asked if the petitioner was present.

Virgil Hooper asked staff what are the asking for.

Ms. Bell stated the applicant rezoned and combined property for parcel facing

Adams Road.

After no further comments, Chairman England asked for a motion.

Jim Oliver made a motion to approve the Minor Final Plat of Freeland. John Kruzan seconded the motion. The motion passed 5-0.

PUBLIC HEARING

6. Consideration of amendment to Chapter 110. Zoning Ordinance, Regarding Article VII. – Zoning Board of Appeals. - Sec. 110-238(a). – Membership.

Ms. Bell stated that this amendment that addresses the candidates who are appointed to the Zoning Board of Appeals, might also serve on other boards within the county.

Chairman Danny England asked whether anyone in the audience supported or opposed this petition. With no response, he brought the item back to the Board for comments or a motion.

Virgil Hooper made the motion to recommend APPROVAL of Consideration of Amendment to Chapter 110. Zoning Ordinance, regarding Article VII.- Zoning Board of Appeals. Sec.110-238(a).- Membership. Jim Oliver seconded the motion. The motion passed unanimously.

7. Consideration of amendment to Chapter 110. Zoning Ordinance, Regarding Article X. – Planning Commission. - Sec. 110-325(1). – Membership.

Ms. Bell explained that this amendment also addresses the candidates who are appointed to the Planning Commission, might also serve on other boards within the county.

Chairman Danny England asked whether anyone in the audience supported or opposed this petition. With no response, he brought the item back to the Board for comments or a motion.

Jim Oliver made the motion to recommend APPROVAL of the Consideration of Amendment to Chapter 110. Zoning Ordinance, regarding Article X.- Planning Commission. Sec. 110-325(1).- Membership. John Kruzan seconded the motion. The motion carried 5-0.

8. Consideration of amendment to Chapter 110. Zoning Ordinance, Regarding Article V. – Conditional Uses, Nonconformances, and Transportation Corridor Overlay Zone. - Sec. 110-169(2)n.5. – Uses and/or Structures incidental to a Church. Add Off-Site Parking as an incidental use to churches.

Ms. Bell discussed the recommendation for Sec. 110-169(2)n.5, which proposes adding Off-Site Parking as an incidental use for churches. She noted that churches are classified as a conditional use, and according to Sec. 110-169 on Conditional Use Approval, they may use their parking areas for off-site purposes, provided they do not expand the current parking capacity.

Chairman England asked if anyone in the audience was in support or opposition of the petition. With no response, he brought the item back to the board.

Mr. Jim Oliver asked staff if this was related to a problem or something existing.

Ms. Bell replied that QTS is currently under construction and seeking off-site parking areas not used during the week, by using the church parking areas. And related to parking lot at churches.

Chairman England asked staff if this was something not allowed before.

Chairman England asked if parking at a church was not allowed before, or if that's something we need to allow.

Allison Cox, County Attorney responded parking wasn't allowed as a use, and they wanted to make sure it is not outside of their use and they are not violating any rules.

Vice-Chairman Boris Thomas asked what if they have food trucks and festivals.

Ms. Bell responded that those are normal activities that a church already has.

Chairman England asked if the film industry could use that, too.

Ms. Bell responded that they could.

Ms. Cox added that it will be exclusively used on a lease term.

Vice-Chair Thomas commented on what can be used to prohibit commercial traffic during rush hour.

Ms. Cox responded that it will be handled once they get there, by QTS, providing measures like hiring security or parking details.

Chairman England asked if the county has the ability to review it or say no, by submitting a site plan, etc.

Ms. Cox responded that they met everything that's in the condition, in addition to all of the church's conditions, then no. She explained that this is specifically off-site parking, and it has to be attached to a principal use that's local. She suggested that if the board wanted, they could add extra conditions.

Mr. John Kruzan asked this for the existing parking area they have today, which would not add any more property, and convert it into more parking.

Ms. Cox responded that this will only apply to the parking area that currently exists.

Vice-Chair Thomas asked when the date would be for this to go into effect. He was concerned that some of the churches might apply to expand their parking space before this goes into effect.

Ms. Bell responded that the county doesn't currently have any churches that plan to enlarge their parking lot.

Vice-Chair Thomas asked if we would be restricting churches from improving their parking lots due to the concern that they will be rented out to commercial entities.

Ms. Bell responded that if they currently have an active parking lease, they will not be approved to expand their existing parking. If a church comes in and wants to expand its parking, as long as they meet all of the site development requirements, they will be reviewed and approved; they will have to wait for that lease to be over to make any additions.

Ms. Cox added that any of those changes will have to meet what's allowed for churches; they cannot add an industrial lot, which will not be allowed.

Mr. Virgil Hooper asked if the county has a limit on the number of parking spaces per church/congregation.

Ms. Bell responded that there is no cap on the number of parking spaces, but there is a cap on the maximum percentage of impervious areas on a parcel.

Mr. John Kruzan asked if this will be an eight year term, as shown in the staff report.

Ms. Cox responded that it cannot exceed eight years. Because the build up will take eight years, that's where the number comes from to make sure there is determination, and it does not continue.

Chairman England asked the board didn't have any other comments, he requested a motion.

Jim Oliver made the motion to recommend CONDITIONAL APPROVAL and also added an 8th Condition: To Add a CONDITIONAL TRAFFIC CONTROL PLAN for the consideration of Amendment to Chapter 110. Zoning Ordinance, regarding Article V.- Conditional Uses, Nonconformances, and Transportation Corridor Overlay Zone. - Sec. 110-169(2)n.5. – Uses and/or Structures incidental to a Church. Add Off-Site Parking as an incidental use to churches. Virgil Hooper seconded the motion. The motion carried 4-1. Vice- Chairman Boris Thomas abstained.

CONDITIONS:

1. *Application shall be made to the zoning administrator as described in Sec 110-169 hereof for use as off-site parking;*
2. *At all times the property is in use as off-site Parking it shall exclusively serve one principal/primary use off-site;*
3. *The written lease/agreement evidencing the exclusive use as off-site parking by a single primary/principal use off-site, including a term not to exceed eight (8) years and all other terms and conditions of the lease/agreement for parking between the parties, shall be included with the application for use as off-site parking;*
4. *The property shall not be held open to the public for use;*
5. *Use of the property for off-site parking shall end when the term of the submitted lease/agreement expires;*
6. *All parking shall be exclusively in areas approved for parking of the church and/or other place of worship conditionally permitted under 110-169 of the Fayette County Zoning Code. No parking shall be permitted in other than approved spaces.*
7. *The parking facilities available for lease as off-site parking shall not be extended beyond the facilities available on the parcel at the time application was made for conditional use as a church and/or other place of worship. The property shall not be improved or otherwise altered in any way to accommodate the off-site parking use.*
8. ***Added a Conditional Traffic Control Plan.***
9. Consideration of amendment to Chapter 110. Zoning Ordinance, Regarding Article V. – Conditional Uses, Nonconformances, and Transportation Corridor Overlay Zone. - Sec. 110-169(2) – Add Supporting Off -Site Parking as a conditional use in O-I (Office-Institutional) zoning district.

Ms. Bell explained that this will be an addition to adding off-site parking as a conditional use - Conditional use permits have specific requirements they have to meet under that use, and they are not eligible for variances. Ms. Bell stated this is specifically for off-site parking serving a specific use within one thousand feet of the property that it serves.

Chairman England asked if anyone in the audience was in support or opposition of the petition.

Spoke in opposition:

Mr. Ben Loggins commented in opposition and expressed his concern about the traffic this will create for the residents at Canoe Club, by submitting another traffic light or otherwise.

Mr. Chris Covington, resident of Lester Road, also commented about his concerns about adding more traffic and proposed that adding some source of surveillance would be helpful.

Mr. Wayne Knight, a resident of the Canoe Club, spoke about the traffic concerns and asked for the median to be cut back to allow for a left turn to allow people to go north.

With no further comments, the Chairman brought the item back to the board for questions or a motion.

Ms. Bell responded to the last comment, stating that the property was recently annexed to the city, and the county has development plans for that property, which is not the subject of this particular petition.

Chairman England added that there is more traffic coming, so there is more parking, and it affects that entrance, and the more people we have, the hardest is to control that.

Ms. Cox commented that the area for the petition the board is hearing is subject to commercial development, which changes the roadways. Ms. Cox explained that the effort is to keep it a conditional use and O-I to be managed as a parking lot for the time that is needed as a commercial use.

Mr. Jim Oliver expressed his concern that this will be tailored for a specific use.

Ms. Cox responded that we need the use of the county, and it's something allowed, stating they could do a commercial parking in a commercial area, but outside parking will come later on other places too, and the county wants to make sure it can be managed.

Mr. Oliver asked why we are trying to accommodate QTS's needs when they have four hundred acres to do a parking lot.

Ms. Cox responded that they are trying to control the traffic problem.

Mr. Oliver responded that they could keep it on their campus; they have all of those buses traveling all over the place, and they think this will make it any better, but it is going to make it worse.

Chairman England commented that the problem he sees is that in a church, they only use it half a day on Sunday and Wednesday, and asked staff if there is anything that will exclude an O-I zoned constructed building.

Ms. Cox responded that if you are an O-I group and you have principal use on that property, you must have a lease, and they need to set the terms; we need to see a lease.

Vice-Chair Thomas commented that it seems like we are trying to control the fire instead of saying you can't make a fire and just construct a parking deck and solve the problem; they are not ready for the impact of the traffic this might create.

Mr. John Kruzan commented that they couldn't do it on this consideration, so now we are going to do it on this new one.

Chairman England asked for a motion if there were no further questions from the board.

Jim Oliver made the motion to recommend DENIAL of Consideration of Amendment to Chapter 110. Zoning Ordinance, regarding Article V.- Conditional Uses, Nonconformances, and Transportation Corridor Overlay Zone. - Sec. 110-169(2). – Add Supporting Off -Site Parking as a conditional use in O-I (Office- Institutional) zoning district. Vice -Chairman Boris Thomas seconded the motion. The motion carried 5-0.

10. Consideration of Petition 1374-25, Joseph Reeves Akin Jr, Owner. Applicant requests to rezone 3.1 acres from R-40 (Single Family) to A-R (Agricultural Residential Single Family). Property is located in Land Lots 198 of the 13th District, and it's located behind 1252 Highway 314.

Ms. Bell read the petition above and explained that the applicant is proposing to rezone the parcel to A-R combine it with additional property already rezoned A-R, for the purposes of use as a single-family residence and for operating an A-R Wedding/Event Venue. The parcel does not meet the minimum lot size for the A-R zoning. Therefore, a condition is recommended to ensure it is combined with the larger parcel, which will resolve this issue. Staff recommended conditional approval.

Chairman England asked staff if they had previously encountered this application. What is the difference this time?

Ms. Bell responded that the only way they could rezone this parcel is if the other parcels adjacent to it were rezoned to A-R first.

Mr. Randy Boyd, agent representing Mr. Akin and Mr. Hill, is not sure how this parcel was created, which is on the west side of the lake; you cannot get to it, and can't do much with it, either, sitting half in a floodplain and being less than five acres. Mr. Akin wants to sell it to Mr. Hill, who would like to add it to the recently rezoned A-R parcels adjacent to his. Mr. Boyd asked the board for approval, stating will be downzoning.

Chairman England asked for anyone in support of the petition to speak, with no comments asked for anyone in opposition to speak.

Ms. English expressed her concern about Mr. Akin selling the piece of property to Mr. Hill to convert it into a wedding venue.

No one else spoke in opposition and Chairman England brought the item back to the board for questions.

Mr. Hooper asked if they had changed the classification on the larger parcel so that they could incorporate the smaller one; he wasn't present on the previous requests.

Chairman England responded yes.

Mr. Oliver asked the petitioner if they agreed with the conditions for the petition.

Mr. Boyd responded that they had no problem with it.

Jim Oliver made the motion to recommend CONDITIONAL APPROVAL of Petition 1374-25. Virgil Hooper seconded the motion. The motion passed 3-2. Vice-Chair Boris Thomas and John Kruzan opposed.

CONDITION:

1. All parcels that are the subject of this petition shall be combined by a recorded final plat within 180 days of the approval of the petition or prior to the submittal of a site development plan, whichever comes first.

11. Consideration of Petition 1375-26-A, William Jerry Cleveland, Owner. Applicant requests to rezone Parcel No. 0704 002 (10.62 acres) from M-H-P (Manufactured Home Park) to C-C (Community Commercial). Property is located in Land Lots 26 of the 7th District and fronts Highway 54 West.

Ms. Debbie Bell stated that applicants are requesting to rezone these two parcels and parcel 0704 052 to C-C to operate a parking center for vehicles driven by construction workers and other personnel working at the data center. Once completed, the site will be developed for an office site. The subject properties are currently zoned MHP. They were rezoned from A-R to MHP, which was approved in March 1967. It could be zoned commercial, but it also could be rezoned to O-I. Staff recommended conditional approval.

Chairman England asked if the petitioner was present.

Mr. Alan Kachin, Agent, representing Ace Group Corp, stated the property was currently zoned for mobile homes, and they are seeking to rezone it for commercial purposes. The initial use will be for a parking lot for the workers at the data center, and once no longer needed, it will be converted into an office building, solving the problems previously discussed with the churches. Mr. Kachin explained if the property were developed as a mobile home park with the approximation of fifty homes, it would also bring more traffic to the area. He stated that his client will meet all of the requirements to obtain the appropriate permits.

Chairman England asked whether anyone supported the petition.

Mr. John Saena recommended adding a condition to be a previous surface to protect the runoff, since this will be temporary until the next development.

Mr. Joe Peavy expressed his concern about the runoff and complained about the lighting and the noise he already has across the street with the data center and would like for the board to include a barrier wall or something where the lights in the proposed

parking lot do not shine directly into their subdivision.

Chairman England asked for anyone in support or opposition, but no one responded. He brought the item back to the board for comments or motion.

Mr. Alan Kachin came back for rebuttal, stating that the parking lot will have buffers and his client will comply with all requirements.

Vice- Chairman Thomas asked if the data center would ever be completed. He asked for a time of completion.

Mr. Kachin responded that he does know, and he couldn't speak for them.

Chairman England commented that eight years will be the max.

Mr. Jim Oliver asked staff if the board's denial of the petition would do to this petition in the O-I part?

Ms. Bell responded that staff will recommend that this be rezoned to O-I instead of C-C, as it is a less intense use, it's a criteria of Highway 54 west corridor and off-site parking is not a conditional or permanent use in C-C.

Chairman England they could move forward with the rezoning. The problem is that they couldn't use it as a parking lot.

Mr. Oliver asked the petitioner if they couldn't do the parking in O-I, instead of C-C, what would it do to your petition?

Mr. Kachin responded that his client is not interested in building a mobile home park; the intention is to develop it anyway. He doesn't know what his client would want it to do if they couldn't use it for off-site parking.

Mr. Oliver responded to Mr. Kachin that his presentation is leaving him with more questions than answers, he questioned the agent mentioning he does know what his client cant do if no using the property for off-site parking, that this is a better use than a mobile home park and responded that the price for the property is making it financially not feasible to build a mobile home park and this will be better to control traffic, that will be regardless. He finished by stating he is not giving the board any assurance of what's going to happen.

The board asked if the applicant could withdraw the petition or table it. The petitioner responded that they would like to table it.

John Kruzan made a motion to APPROVE TO TABLE Petition No. 1375-26-A to APRIL 2nd, 2026. The motion carried 4-0. Virgil Hooper was not present for that vote.

- 12. Consideration of Petition 1375-26-B, William Jerry Cleveland, Owner. Applicant request to rezone Parcel No. 0704 004 (2.81 acres), from M-H-P (Manufactured Home Park) to C-C (Community Commercial). Property is located in Land Lots 26 of the 7th District and fronts Highway 54 West.

Ms. Bell explained that this is part of petition 1375-26-B and needs to be tabled for April 2, 2026.

The Board moved for a motion.

John Kruzan made a motion to APPROVE TO TABLE Petition No. 1375-26-B to APRIL 2nd, 2026. Jim Oliver seconded the motion. The motion carried 5-0.

- 13. Consideration of Petition 1376-26, US Management Association, LLC, Owner. Applicant request to rezone 13.32 acres from M-H-P (Manufactured Home Park) to C-C (Community Commercial). Property is located in Land Lots 26 of the 7th District and fronts Highway 54 West.

Ms. Bell explained that this is part of petition 1376-26 and needs to be tabled for April 2, 2026.

The Board moved for a motion.

John Kruzan made a motion to APPROVE TO TABLE Petition No. 1376-26 to APRIL 2nd, 2026. Jim Oliver seconded the motion. The motion carried 5-0.

Jim Oliver moved to adjourn the March 6, 2026, Planning Commission meeting. John Kruzan seconded. The motion passed 5-0.

The meeting adjourned at 8:34 pm.

**PLANNING COMMISSION
OF
FAYETTE COUNTY**

ATTEST:

DANNY ENGLAND, CHAIRMAN

PC Minutes
March 5, 2026

**MARIA BINNS,
PC SECRETARY**

DRAFT

PLANNING COMMISSION

Consideration of Amendments to Chapter 110. Zoning Ordinance, Regarding Article X. – Planning Commission. - Sec. 110-325(1). – Membership.

5-0 ✓

Recommended for approval to the BOC

Recommended for denial to the BOC

Tabled until _____

Per the Fayette County Planning Commission on this 5th day of March 2026.



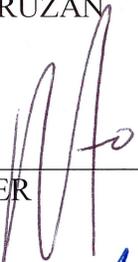
DANNY ENGLAND, CHAIRMAN



BORIS THOMAS, VICE- CHAIRMAN



JOHN J. KRUZAN



JIM OLIVER



VIRGIL HOOPER

Remarks:

**NOTICE OF PUBLIC HEARING
FOR AN AMENDMENT OF THE
FAYETTE COUNTY CODE OF
ORDINANCES, CHAPTER 110.
ZONING ORDINANCE.**

PUBLIC HEARING to be held before the Fayette County Planning Commission on March 5, 2026, at 7:00 P.M. and before the Fayette County Board of Commissioners on March 26, 2026, at 5:00 P.M. in the Fayette County Administrative Complex, 140 Stonewall Avenue West, Public Meeting Room, First Floor, Fayetteville, Georgia.

CONSIDERATION OF AMENDMENTS TO CHAPTER 110. ZONING ORDINANCE, REGARDING ARTICLE X. - PLANNING COMMISSION. - SEC. 110-325(1). - MEMBERSHIP.

A copy of the above is available in the office of the Fayette County Planning and Zoning Department, 140 Stonewall Avenue West, Suite 202, Fayetteville, Georgia.

This 12th day of February 2026.

Deborah Bell, Director
Planning and Zoning

02/18

COUNTY AGENDA REQUEST

Department:

Presenter(s):

Meeting Date:

Type of Request:

Wording for the Agenda:

Consideration of amendment to Fayette County Code of Ordinance Chapter 110. Zoning; Article V. – Conditional Uses, Nonconformances, and Transportation Corridor Overlay Zone. - Sec. 110-169. -Conditional use approval. (2)n.5. – Uses and/or Structures incidental to a Church to add Off-Site Parking as an incidental use to churches.

Background/History/Details:

This amendment adds a use under Conditional Use criteria for churches & places of worship to provide for an incidental use for off-site parking, subject to specific conditions. Legal determined that, for clarity, this amendment should be separately enumerated in Sec. 110-169(2)n. as Item 14 since it contains specific requirements for the use. Please refer to report for full text. Staff recommends APPROVAL of the amendment as amended by the Planning Commission.

On March 5, 2026, Planning Commission voted to recommend APPROVAL of an amended version of Sec. 110-169(2).n.14., to add condition to require a traffic plan. Jim Oliver made the motion to recommend CONDITIONAL APPROVAL and also added an 8th Condition: To Add a CONDITION TO REQUIRE A TRAFFIC CONTROL PLAN for the consideration of Amendment to Chapter 110. Zoning Ordinance, regarding Article V.- Conditional Uses, Nonconformances, and Transportation Corridor Overlay Zone. - Sec. 110-169 (2)n.5. – Uses and/or Structures incidental to a Church. To Sec. 110-169(2)n.1 – Uses and/or Structures incidental to a Church. To Sec. 110-169(2)n.14.,Add Off-Site Parking as an incidental use to churches. Virgil Hooper seconded motion. Motion carried 4-1. Vice-Chairman Boris Thomas abstained.

What action are you seeking from the Board of Commissioners?

Consideration of amendment to Chapter 110. Zoning Ordinance, Regarding Article V. – Conditional Uses, Nonconformances, and Transportation Corridor Overlay Zone. - Sec. 110-169(2)n.5. – Uses and/or Structures incidental to a Church. Add Off-Site Parking as an incidental use to churches.

If this item requires funding, please describe:

Not applicable.

Has this request been considered within the past two years?

If so, when?

Is Audio-Visual Equipment Required for this Request?*

Backup Provided with Request?

*** All audio-visual material must be submitted to the County Clerk's Office no later than 48 hours prior to the meeting. It is also your department's responsibility to ensure all third-party audio-visual material is submitted at least 48 hours in advance.**

Approved by Finance

Reviewed by Legal

Approved by Purchasing

County Clerk's Approval

Administrator's Approval

Staff Notes:

PETITION No: TA-0012-26

PLANNING COMMISSION PUBLIC HEARING: March 5, 2026

BOARD OF COMMISSIONERS PUBLIC HEARING: March 26, 2026

REQUESTED ACTION: Consideration of amendment to Chapter 110. Zoning Ordinance, Regarding Article V. – Conditional Uses, Nonconformances, and Transportation Corridor Overlay Zone. - Sec. 110-169(2)n.5. – Uses and/or Structures incidental to a Church. Add Off-Site Parking as an incidental use to churches.

Legal determined that, for clarity, this amendment should be separately enumerated in Sec. 110-169(2)n. as Item 14 since it contains specific requirements for the use. Please refer to the subsequent pages for details of the proposed amended language.

STAFF ANALYSIS: This amendment adds a use under the Conditional Use criteria for churches and other places of worship to provide for an incidental use for off-site parking, subject to specific conditions as listed in the proposed amendment on the following page.

STAFF RECOMMENDATION: Staff recommends APPROVAL of the amendment as amended by the Planning Commission.

PLANNING COMMISSION RECOMMENDATION: On March 5, 2026, the Planning Commission voted to recommend **APPROVAL** of an amended version of the Sec. 110-169(2)n.14., to add a condition to require a traffic control plan. Jim Oliver made the motion to recommend CONDITIONAL APPROVAL and also added an 8th Condition: To Add a CONDITION TO REQUIRE A TRAFFIC CONTROL PLAN for the consideration of Amendment to Chapter 110. Zoning Ordinance, regarding Article V.- Conditional Uses, Nonconformances, and Transportation Corridor Overlay Zone. - Sec. 110-169(2)n.5. – Uses and/or Structures incidental to a Church. To Sec. 110-169(2)n.14.,Add Off-Site Parking as an incidental use to churches. Virgil Hooper seconded the motion. The motion carried 4-1. Vice- Chairman Boris Thomas abstained.

n. *Church and/or other place of worship*

14. *Off-Site Parking*. Property that is currently permitted for use as a Church and/or other place of worship may also qualify for use as off-site parking when such use does not increase the infrastructure burden of the current facilities. A parcel permitted for use as a Church and/or other place of worship may lease parking to another parcel if, in addition to the conditions met for conditional use as a Church and/or other place, the following conditions are met:

1. Application shall be made to the zoning administrator as described in Sec 110-169 hereof for use as off-site parking;
2. At all times the property is in use as off-site Parking it shall exclusively serve one principal/primary use off-site;
3. The written lease/agreement evidencing the exclusive use as off-site parking by a single primary/principal use off-site, including a term not to exceed eight (8) years and all other terms and conditions of the lease/agreement for parking between the parties, shall be included with the application for use as off-site parking;
4. The property shall not be held open to the public for use;
5. Use of the property for off-site parking shall end when the term of the submitted lease/agreement expires;
6. All parking shall be exclusively in areas approved for parking of the church and/or other place of worship conditionally permitted under 110-169 of the Fayette County Zoning Code. No parking shall be permitted in other than approved spaces.
7. The parking facilities available for lease as off-site parking shall not be extended beyond the facilities available on the parcel at the time application was made for conditional use as a church

and/or other place of worship. The property shall not be improved or otherwise altered in any way to accommodate the off-site parking use.

Sec. 110-169. Conditional use approval.

Conditional uses include certain uses which are allowed in a particular zoning district, provided that all conditions specified under this chapter are met. The zoning administrator shall issue a conditional use permit for each use listed below upon compliance with all specified conditions and approvals by the appropriate county officials.

- (1) *Special regulations.* Prior to the issuance of a conditional use permit and/or building permit, a site plan, as applicable to demonstrate compliance shall be submitted to the zoning administrator and approved by the applicable departments. This requirement shall apply to all conditional uses allowed within the various zoning districts except for: farm outbuildings, home occupations, single-family residences, and temporary meetings and/or events which are conducted no longer than 14 calendar days per year.
- (2) *Conditional uses allowed.*
 - a. *Adult day care facility.* Allowed in the C-C, C-H, and O-I zoning districts and church or other place of worship (see article V of this chapter).
 1. The facility shall comply with all applicable licensing requirements of the state.
 2. The hours of operation shall be limited to: 6:00 a.m. to 10:00 p.m.
 - b. *Aircraft landing area.* Allowed in the A-R, M-1, and M-2 zoning districts. The intent of these rules and regulations is to provide a safer environment for the operation of aircraft.
 1. FAA air space clearance approval for visual flying flight operations and landing areas shall be required, where applicable.
 2. For any newly developed landing area for fixed wing aircraft, a 1,000-foot clear zone as defined by the FAA extending from the end of all runways shall be maintained through ownership or easement, and in no case, shall the end of a runway be closer than 200 feet from the property line.
 3. Any newly developed landing area for fixed wing aircraft shall be located at least 300 feet, as measured from the centerline of the runway, from all property lines.
 4. Any on-site roofed structure shall be set back at least 200 feet from the nearest point on the centerline of the runway.
 5. Heliport. These regulations shall not apply to a hospital which maintains a heliport for medical purposes.
 - (i) FAA air space clearance approval for visual flying flight operations and landing areas shall be required, where applicable.
 - (ii) A site plan, prepared by a registered surveyor, indicating the heliport landing area and center point on the lot and setbacks shall be required. The center point of the heliport landing area shall be indicated on the lot.
 - (iii) A heliport shall be a minimum of 300 feet from all property lines as measured from the center point of the heliport landing area.
 6. Aircraft hangar. Allowed in the A-R, M-1 and M-2 zoning districts.
 - (i) An aircraft hangar shall comply with all of the criteria of subsection (2)b.1 through 5 of this section.

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- (ii) Use of an aircraft hangar shall be limited to storage and maintenance of aircraft. Outdoor storage of aircraft parts is prohibited. An aircraft hangar shall not include any living quarters or be used for residential purposes.
 - (iii) In the A-R zoning district, on lots of less than ten acres in size, there shall be a maximum of one detached hangar allowed.
 - 7. In the A-R zoning district, no trade or business of any kind shall be conducted from an aircraft hangar.
 - 8. In the A-R zoning district, a detached aircraft hangar shall be subject to the following:
 - (i) A detached hangar is an accessory structure which shall require a building permit, and shall comply with minimum building setbacks.
 - (ii) A detached hangar shall not be constructed prior to construction of the single-family dwelling.
 - (iii) A detached hangar shall be located to the side or rear of the principal dwelling.
 - (iv) A detached hangar shall not exceed 5,000 square feet in size including workshop, restroom, and storage areas.
 - c. *Amphitheater*. Allowed C-H and M-1 zoning districts.
 - 1. Hours of operation shall be limited to between the hours of 12:00 noon and 9:00 p.m. weekdays and 10:00 p.m. weekends.
 - 2. The outdoor amphitheater shall not be located closer than 300 feet from any A-R or residential zoning districts.
 - 3. Such use shall only be permitted on a lot which fronts on a major thoroughfare as designated by the county thoroughfare plan. All access is limited to the major thoroughfare only unless such use is within a nonresidential development which has access to a major thoroughfare.
 - d. *Animal hospital, kennel, and/or veterinary clinic*. Allowed in A-R, C-C, C-H, and M-1 zoning districts. All structures, pens, runs, or enclosures shall not be located closer than 300 feet from any A-R or residential zoning district.
 - e. *Animal hospital and/or veterinary clinic*. Excludes commercial and noncommercial kennel. Allowed in O-1 zoning district. All structures shall not be located closer than 55 feet (30-foot buffer and 25-foot setback) from any A-R or residential zoning district. No outside activity (runs, pens, or enclosures) or boarding is allowed except during the convalescent period.
 - f. *A-R bed and breakfast inn*. Allowed in the A-R zoning district.
 - 1. Minimum lot size: ten (10) acres.
 - 2. The bed and breakfast inn shall be limited to no more than five guestrooms and no more than 10 occupants. Maximum permitted capacity shall be set by the Fayette County Health Department and/or Fayette County Fire Marshal, as applicable.
 - 3. Ownership.
 - i. If the A-R bed and breakfast inn is not owned by a corporation or partnership, the A-R bed and breakfast inn operator shall be the owner/occupant of the property.

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- ii. If the property and the A-R bed and breakfast inn business are owned by a corporation or partnership, the operator/occupant shall be an officer of the corporation or a partner in the case of a partnership.
 - 4. These facilities shall not be permitted on a lot which accesses a road designated as an internal local road by the county thoroughfare plan and/or the county engineer.
 - 5. These facilities shall meet the requirements of the County Code, Chapter 8, Article VI, Tourist Accommodations.
 - 6. Adequate off-street parking shall be required. A prepared surface is not required for the parking areas. Parking areas shall be exempt from Nonresidential Development Landscape Requirements of the Fayette County Development Regulations.
- g. *A-R wedding/event facility.* The facility shall be utilized for private and public weddings and events by a third party who provides some form of consideration to the owner or his/her agent. The facility shall not be utilized for concerts, sporting events, or vehicle racing. A horse show, rodeo, carnival, community fair, and/or religious tent meeting shall also be allowed as regulated in this article and this section and the most restrictive conditions shall apply. A business office and/or structures utilized for event preparation and sanitation shall be allowed in conjunction with the A-R wedding and event facility. Allowed in the A-R zoning district.
- 1. Minimum lot size: fifteen acres.
 - 2. These facilities shall not be permitted on a lot which accesses a road designated as an internal local road by the county thoroughfare plan and/or the county engineer.
 - 3. Facilities which access an unpaved county-maintained road are limited to 12 weddings/events per calendar year. A wedding/event permit from the planning and zoning department is required prior to holding the wedding/event.
 - 4. A minimum 100 foot setback shall separate all buildings and areas utilized for weddings and events from any abutting residential zoning district. Otherwise all buildings and areas utilized for weddings and events shall meet the minimum A-R setbacks.
 - 5. Adequate off-street parking shall be required and a 50-foot setback shall separate parking areas from any abutting residential zoning district. A prepared surface is not required for the parking areas. However, any parking area with a prepared surface 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. Grassed and gravel parking areas shall be exempt from nonresidential development landscape requirements of the 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 canopy tree, six feet high at planting, is required per landscape island.
 Paved parking areas shall meet Article V, pertaining to "Non-residential development landscape requirements," of the county development regulations.
 - 6. Hours of operation for weddings and events shall be between the hours of 9:00 a.m. and 10:00 p.m. on weekdays and 9:00 a.m. and 11:00 p.m. on weekends. These hours of operation shall not limit the setup and cleanup time before and after the wedding or event.

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7. All structures utilized in association with weddings and events shall meet all applicable building and fire codes.
 8. Sanitation facilities shall be approved by the environmental health department.
 9. Food service shall meet all state and local requirements.
 10. Tourist accommodations shall not be allowed in conjunction with an A-R wedding and event facility with exception of an A-R Bed and Breakfast Inn that is compliant with section 110-169 and Article VI, pertaining to "Tourist Accommodations," of Chapter 8 of the County Code.
 11. Tents shall require county fire marshal approval, as applicable.
 12. A site plan meeting the full requirements of the county development regulations is not required. A sketch, drawn to scale on a survey of the lot depicting all existing buildings and specific areas utilized for weddings and events shall be required. The survey shall also depict FEMA and MNGWPD floodplain and elevations, and watershed protection buffers and setbacks as applicable. In the event that 5,000 or more square feet of impervious surface is added in conjunction with a wedding and event facility, a site plan compliant with stormwater requirements of the county development regulations shall be required. The site will be exempt from the nonresidential development landscape requirements and tree retention, protection, and replacement of the county development regulations. A site located on a state route shall comply with the applicable transportation corridor overlay zone (Sec. 110-173) with the exception of the architectural standards.
- h. *Automobile service station, including gasoline sales and/or inside or outside emission testing, in conjunction with a convenience store.* Allowed in C-C and C-H zoning districts.
1. Service areas, facilities, and gasoline pump islands shall not be located closer than 75 feet from a residential or A-R zoning district.
 2. Underground storage tanks shall be set back no closer than 20 feet from all property lines.
 3. A dynamometer shall not be utilized in conjunction with outside emission testing.
- i. *Campground facilities.* Allowed in the C-H zoning district.
1. Campsites shall be utilized by recreational vehicles (as defined herein) and by tents (normally associated with outdoor camping), but not by manufactured housing (as defined herein).
 2. Each campsite shall be utilized for short-term occupancy not to exceed 15 calendar days; provided, however, that the property owner or resident manager may permanently occupy one single-family dwelling.
 3. Campground facilities shall be permitted only on a lot which fronts on a major thoroughfare (as designated by the county thoroughfare plan). All access is limited to the major thoroughfare only.
 4. The lot area shall be at least ten acres.
 5. The maximum density shall not exceed four campsites per gross acre.
 6. A minimum 50-foot planted buffer plus all required setbacks shall be established around the perimeter of the entire development. Buffer areas shall be continuous except for approved access, utility casements, and signs (see chapter 108).

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7. Minimum setbacks for structures and use areas (including campsites) as measured from required buffers:
 - (i) Front yard: 75 feet.
 - (ii) Side yard: 25 feet.
 - (iii) Rear yard: 25 feet.
 8. At least ten percent of the gross acreage shall be reserved for recreational areas.
 9. Accessory uses shall be allowed provided that the following requirements are met:
 - (i) Such uses and structures shall be restricted to the use of occupants of the park and their guests.
 - (ii) All structures and use areas shall meet the minimum buffer and setback requirements found in subsections (2)h.6 and 7 of this section.
 - (iii) Such uses and structures shall be limited to the following: rental offices; shower and restroom facilities; coin-operated laundry facilities; convenience stores; and snack bars.
 - (iv) Total floor area for all structures listed in subsection (2)h.9(iii) of this section shall not exceed 3,000 square feet.
 - (v) The sale of alcoholic beverages and/or automotive gasoline shall be prohibited.
 10. The site plan for the proposed campground (including all accessory structures) shall be approved by the county environmental health department.
- j. *Care home, convalescent center and/or nursing home.* Allowed in the C-C, C-H, and O-I zoning districts.
1. Minimum lot size: three acres.
 2. Such use shall only be permitted on a lot which fronts on a major thoroughfare as designated by the county thoroughfare plan. All access is limited to the major thoroughfare only unless such use is within a nonresidential development which has access to a major thoroughfare.
 3. A minimum 50-foot buffer plus the required setbacks shall separate all buildings from any residential or A-R zoning district. The setback shall be measured from the buffer.
 4. Minimum setbacks:
 - (i) Front yard: 100 feet.
 - (ii) Side yard: 50 feet.
 - (iii) Rear yard: 50 feet.
 5. The facility shall comply with all licensing requirements of the state.
 6. Rooms and/or suites may be designed for housekeeping purposes; however, a central kitchen, central dining facilities to accommodate a minimum of 50 percent of the residential capacity at one seating, and central recreational facilities shall be provided.
 7. Twenty-four-hour staff shall be required.
 8. All rooms and/or suites shall be connected to the aforementioned central facilities through internal passageways (i.e., hallways, corridors, etc.).

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- k. *Cemetery, human or pet.* Allowed in A-R and C-H zoning districts. A human cemetery is also allowed in conjunction with a church or other place of worship.
1. *Human cemetery.*
 - (i) The facility shall comply with all requirements of the state.
 - (ii) Minimum lot area shall be ten acres.
 - (iii) A crematorium or mausoleum/columbaria shall be allowed only in conjunction with a cemetery.
 - (iv) A crematorium shall be set back 300 feet from all property lines.
 - (v) Allowed uses and/or structures incidental to a cemetery shall include a funeral establishment building/office (where funeral services may be provided), maintenance/storage building, pavilion, chapel, restroom facility and statues/monuments.
 - (v) Grave sites shall meet the setbacks and buffers applicable to the underlying zoning district. A buffer shall not be required along the common boundary where the side or rear yard abuts property developed for the following Conditional uses in a residential or A-R zoning district as regulated in sec. 110-169: cemetery, human or pet; child care facility; church and/or other place of worship; college and/or university; hospital; private school; or recreation centers owned by nonprofit organizations as so registered with the secretary of state office.
 - (vi) Landscape areas shall be required and planted in accordance with chapter 104.
 - (vii) Graves for pets shall meet the requirements of subsection (2)k.2(ii), (iii) and (iv) of this section.
 2. *Pet cemetery.*
 - (i) Minimum lot area shall be five acres.
 - (ii) The remains of only one pet shall be buried in a single grave site and shall not be stacked one above another.
 - (iii) The remains shall be a minimum of three feet below the grade.
 - (iv) Cemetery plots shall be of sufficient size to provide for a minimum one foot undisturbed area between graves.
 - (v) The owner/operator shall maintain and post a copy of the cemetery rules and regulations and a current burial plot diagram at all times.
 - (vi) A pet cemetery shall be maintained in perpetuity via deed restrictions.
 - (vii) Grave sites shall meet the setbacks and buffers applicable to the underlying zoning district. A buffer shall not be required along the common boundary where the side or rear yard abuts property developed for the following Conditional uses in a residential or A-R zoning district as regulated in sec. 110-169: cemetery, human or pet; child care facility; church and/or other place of worship; college and/or university; hospital; private school; or recreation centers owned by nonprofit organizations as so registered with the secretary of state office.
 - (viii) Landscape areas shall be required and planted in accordance with chapter 104.

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- i. *Charter motor coach service.* Allowed in C-H zoning district.
1. All motor coaches shall be parked to the rear of the principal structure.
 2. All motor coaches shall be screened in accordance with article III of this chapter.
 3. Overhead bay doors shall not be open to the street.
 4. The following uses shall be allowed: administrative office, passenger pickup, and storage of motor coaches.
 5. On-site maintenance/repairs are prohibited.
- m. *Child care facility.* Allowed in C-C, C-H, O-I, A-R, and MHP zoning districts, and church and/or other place of worship.
1. The facility shall comply with all applicable licensing requirements of the state.
 2. Outdoor play areas shall be located to the side or rear of the principal building.
 3. At least 100 square feet of outdoor play area shall be provided for each child during the period of maximum attendance.
 4. A fence measuring at least four feet in height shall enclose the entire play area.
 5. If the side or rear yard abuts a residential or A-R zoning district, a minimum 50-foot buffer shall be provided adjacent to the lot line. The side yard setback shall be 50 feet. The rear yard setback shall be 75 feet. The setback shall be measured from the buffer. Said requirements shall apply to all structures and outdoor play areas. A buffer shall not be required along the common boundary where the side or rear yard abuts property developed for the following Conditional uses in a residential or A-R zoning district as regulated in sec. 110-169: cemetery, human or pet; child care facility; church and/or other place of worship; college and/or university; hospital; private school; or recreation centers owned by nonprofit organizations as so registered with the secretary of state office.
 6. If adjoining a residential or A-R zoning district, the hours of operation shall be limited to: Monday through Saturday from 6:00 a.m. to 7:00 p.m., except that all exterior activities shall only occur from 9:30 a.m. to 4:00 p.m.
 7. A convenient vehicle drop-off area shall be provided which fully covers the vehicle when doors are open on both sides of the vehicle, permitting vehicles to re-enter the public street in a forward manner.
 8. Such use shall only be permitted on a lot which fronts on a major thoroughfare as designated by the county thoroughfare plan. All access is limited to the major thoroughfare only unless such use is within a nonresidential development which has access to a major thoroughfare.
- n. *Church and/or other place of worship.* Allowed in O-I, C-C, C-H, A-R, R-85, R-80, R-78, R-75, R-72, R-70, R-55, R-50, R-45, R-40, R-20, and DR-15 zoning districts.
1. The lot area shall be at least five acres, and the lot width at the building line shall be at least 400 feet.
 2. Such uses shall be permitted only on a lot which fronts on a major thoroughfare as designated by the county thoroughfare plan. All access is limited to the major thoroughfare only.
 3. A minimum 50-foot buffer plus the required setbacks listed below shall separate all buildings and use areas from any residential or A-R zoning district. The setback shall be

measured from the buffer. However, off-street parking areas and an unlit tot lot with a maximum size of 2,400 square feet may be located within the setback areas. A walking/running path or track may be located in the front yard setback. A buffer shall not be required along the common boundary where the side or rear yard abuts property developed for the following Conditional uses in a residential or A-R zoning district as regulated in sec. 110-169: cemetery, human or pet; child care facility; church and/or other place of worship; college and/or university; hospital; private school; or recreation centers owned by nonprofit organizations as so registered with the secretary of state office.

4. Minimum setbacks for structures and use areas (excluding parking areas and tot lots as defined herein).
 - (i) Front yard: 100 feet.
 - (ii) Side yard: 50 feet.
 - (iii) Rear yard: 75 feet.
5. Uses and/or structures incidental to a church shall be limited to: a private school, parsonage, gymnasium, pool, playground, tot lot, outdoor athletic facility, child care facility, adult day care facility, administration, human cemetery (provided that all requirements for a cemetery herein are met), broadcast facility, including a tower (see article III of this chapter, general provisions), and seasonal sales (see this article, seasonal sales as outdoor displays) shall be allowed provided all buildings and use areas meet the minimum setback and buffer requirements.
6. Only portable temporary lighting for athletic facilities shall be permitted and the athletic facility shall not be lighted or used after 10:00 p.m.
7. Child care facilities shall be allowed provided that all requirements for child care facilities herein are met (see this article, child care facility).
8. Adult day care facilities shall be allowed provided that all requirements for adult day care facilities herein are met (see this article, adult day care facility).
9. Landscape areas shall be required in accordance with chapter 104.
10. All buildings, other than storage buildings, shall maintain a decorative facing on those portions of the building which face public streets and any property zoned residential or agricultural-residential. The decorative facing shall consist of brick, stone, stucco, wood, or similar building materials compatible with the area.
11. Accessory structures such as a storage building, detached garage, pavilion, and/or pool shall comply with the buffer and/or setback requirements and shall be located to the side/rear of the main sanctuary building.
12. The construction of one open air pavilion utilized for picnics/social gatherings only is allowed under the following conditions:
 - (i) The pavilion shall be constructed following the construction of the main sanctuary building;
 - (ii) The floor area shall not exceed 40 percent of the square footage of the main sanctuary building; and
 - (iii) The pavilion shall not be lighted or used after 10:00 p.m.

If the open air pavilion is built in conjunction with lighted restrooms and/or an attached storage building, the overall square footage shall not exceed 40 percent of the main sanctuary building square footage.

- 13. Use of existing structure. When property containing legal structures (conforming or nonconforming), under the current zoning, is utilized as a church and/or place of worship under this section, the setback requirements only shall be reduced to the extent of, but only at the location of, any encroachment by the structures and said structures shall be considered legally nonconforming structures. The use of these structures shall be limited to administration, parsonage/residence, storage building, or detached garage.

14. Off-Site Parking. Property that is currently permitted for use as a Church and/or other place of worship may also qualify for use as off-site parking when such use does not increase the infrastructure burden of the current facilities. A parcel permitted for use as a Church and/or other place of worship may lease parking to another parcel if, in addition to the conditions met for conditional use as a Church and/or other place, the following conditions are met:

1. Application shall be made to the zoning administrator as described in Sec 110-169 hereof for use as off-site parking;

2. At all times the property is in use as off-site Parking it shall exclusively serve one principal/primary use off-site;

3. The written lease/agreement evidencing the exclusive use as off-site parking by a single primary/principal use off-site, including a term not to exceed eight (8) years and all other terms and conditions of the lease/agreement for parking between the parties, shall be included with the application for use as off-site parking;

4. The property shall not be held open to the public for use;

5. Use of the property for off-site parking shall end when the term of the submitted lease/agreement expires;

6. All parking shall be exclusively in areas approved for parking of the church and/or other place of worship conditionally permitted under 110-169 of the Fayette County Zoning Code. No parking shall be permitted in other than approved spaces.

7. The parking facilities available for lease as off-site parking shall not be extended beyond the facilities available on the parcel at the time application was made for conditional use as a church and/or other place of worship. The property shall not be improved or otherwise altered in any way to accommodate the off-site parking use.

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- o. *College and/or university, including, but not limited to: classrooms, administration, housing, athletic facility, gymnasium, and/or stadium.* Allowed in the A-R, BTP, G-B, O-I, C-C, and C-H zoning districts.
 - 1. The lot area shall be at least ten acres.
 - 2. Such use shall only be permitted on a lot which fronts on a major thoroughfare as designated by the county thoroughfare plan. All access is limited to the major thoroughfare only unless such use is within a nonresidential development which has access to a major thoroughfare.
 - 3. If the side or rear yard abuts a residential or A-R zoning district, a minimum 50-foot buffer shall be provided adjacent to the lot line. A buffer shall not be required along the common boundary where the side or rear yard abuts property developed for the following

Conditional uses in a residential or A-R zoning district as regulated in sec. 110-169: cemetery, human or pet; child care facility; church and/or other place of worship; college and/or university; hospital; private school; or recreation centers owned by nonprofit organizations as so registered with the secretary of state office.

4. Minimum setbacks for structures and use areas (excluding parking areas) are as follows and shall be measured from the buffer, if applicable:
 - (i) Front yard: 100 feet.
 - (ii) Side yard: 50 feet.
 - (iii) Rear yard: 75 feet.
 5. Uses and/or structures incidental to colleges and universities, such as a gymnasium, dormitory, fraternity, sorority, and/or outdoor athletic facility shall be allowed, provided all buildings and use areas meet the minimum setback and buffer requirements specified above.
 6. All buildings, other than storage buildings, shall maintain a decorative facing on those portions of the building which face public streets and any property zoned residential or agricultural-residential. The decorative facing shall consist of brick, stone, stucco, wood, or similar building materials compatible with the area.
 7. Accessory structures such as a storage building, detached garage, pavilion, and/or pool shall comply with the buffer and/or setback requirements and shall be located to the side/rear of the main building.
- p. *Commercial driving range and related accessories.* Related accessories limited to: putting green, chipping green, sand traps, artificial/natural surface, bunkers, pro shop, and snack bar. Allowed in C-C, C-H, and A-R zoning districts.
1. All structures, greens, fairways, and parking areas shall be set back at least 100 feet from any A-R or residential zoning district.
 2. All greens, fairways, and driving areas shall be set back at least 50 feet from any nonresidential zoning district.
 3. Said facilities shall be for daytime use only, except that lighting may be provided for facilities which are located more than 350 feet from a single-family or multifamily residence, provided that lighting is not directly visible from said residence.
 4. No outside loudspeaker system shall be utilized.
- q. *Convenience commercial establishment.* Allowed in the L-C-2 zoning district.
1. Maximum floor area: 3,500 square feet.
 2. Accessory structures, including service area canopies used in conjunction with the sale of gasoline, shall maintain the same architectural character of the principal structure including the pitched roof, and shall be constructed of the same materials or materials which simulate same. An elevation drawing denoting compliance with this requirement shall be submitted as part of the site plan. Properties within an Overlay Zone shall comply with the applicable Architectural Standards of the Overlay Zone.
 3. Motor vehicle vacuum cleaners shall be located to the side or rear of the principal structure.
 4. Underground storage tanks shall be set back at least 20 feet from all property lines.

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5. The number of gasoline pumps shall be limited to no more than six with a total of 12 pumping stations.
- r. *Deer processing facility.* The facility shall only be utilized for deer processing. The facility shall not be utilized for the processing of livestock or other wild game. Allowed in the A-R zoning district.
1. Minimum lot size: five acres;
 2. These facilities shall not be permitted on a lot which accesses a road designated as an internal local road by the county thoroughfare plan and/or the county engineer. Sale of the processed venison to the general public shall be prohibited. This provision shall not prohibit the processing of meat in conjunction with the department of natural resources' "Hunters for the Hungry" program;
 3. All deer processing, including the storage of processing waste, shall take place within an enclosed structure. Said structure shall be at least 100 feet from all property lines and to the side or rear of the principal structure, as applicable. The deer processing facility shall comply with regulations for auxiliary structures (see sec. 110-169(u));
 4. The deer processing facility shall have a current Wildlife Storage Permit from the state department of natural resources, wildlife resources division;
 5. The deer processing facility shall have a NPDES permit, as applicable, from the environmental protection division of the state department of natural resources and said permit shall be filed with the department of environmental management;
 6. All deer processing waste, not being routed to a rendering plant or other vendors, shall be disposed of in compliance with the guidance document Disposal of Deer Processing Waste from the state department of natural resources, environmental protection division. Deer processing waste shall be treated as "commercial solid waste" and shall only be disposed of in municipal solid waste landfills (MSWL). The burial of any deer processing waste is prohibited;
 7. A vehicle drop-off area shall be provided with a circulation pattern permitting vehicles to re-enter the public street in a forward manner. The parking area shall comply with article VIII. Off-street parking and service requirements of the development regulations. Graveled parking areas shall be exempt from nonresidential development landscape requirements of the county development regulations, but shall provide the following:
 - (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 county development regulations.
 8. A site plan meeting the full requirements of the county development regulations is not required. A sketch, drawn to scale, on a survey of the lot depicting all buildings utilized for the processing facility, parking area, drop-off area/circulation pattern and any waste containment facilities/structures shall be required. The survey shall also depict FEMA and MNGWPD floodplain and elevations, and watershed protection buffers and setbacks, as applicable. In the event that 5,000 or more square feet of impervious surface is added in

conjunction with a deer processing facility, a site plan compliant with stormwater requirements of the county development regulations shall be required. The site will be exempt from the nonresidential development landscape requirements and tree retention, protection, and replacement of the county development regulations. A site located on a state route shall comply with the applicable transportation corridor overlay zone (sec. 110-173) with the exception of the architectural standards.

- s. *Developed residential recreation/amenity areas, including, but not limited to: club house, pool, tennis/sports courts, sports fields, playground, mail CBUs and picnic areas.* Allowed in subdivisions in the A-R, EST, R-85, R-80, R-78, R-75, R-72, R-70, R-55, R-50, R-45, R-40, R-20. DR-15, PUD-PRD and C-S zoning districts, with final plat or minor subdivision plat approval.
1. Lot area: Per zoning district.
 2. Said area shall be shown on the preliminary plat and final plat or minor subdivision plat and labeled as follows: "Not a residential building lot, for recreational purposes only."
 3. Landscape areas shall be required and planted in accordance with chapter 104.
 4. In addition to the required landscape areas, a six-foot landscape area shall be required along the rear property line where adjacent to an A-R or residential zoning district and planted in accordance with side yard requirements in chapter 104.
 5. Paved parking area is required per chapter 104.
 6. The construction of one open air pavilion up to 900 square feet utilized for picnics and social gatherings shall be allowed.
- t. *Dry cleaning plant.* Allowed in the C-C and C-H zoning districts.
1. Dry cleaning plants using cleaning systems which make use of solvents rated at above 40 by the Underwriter's Laboratories, Inc., standard of classification known as Class I systems shall be prohibited;
 2. Dry cleaning plants which use cleaning systems which make use of solvents rated at more than five but not less than 40 according to the Underwriter's Laboratories, Inc., standard classification, known as Class II and Class III systems, shall meet all requirements of the National Fire Safety Association Code;
 3. The building for a dry cleaning plant shall not contain more than 4,000 square feet of floor area inclusive of dry cleaning pickup facility within the building;
 4. Fuel for operation of the equipment shall be smokeless fuel; and
 5. Central water and central sanitary sewage systems are required. This shall not apply to recyclable hydrocarbon or silicone dry cleaning machinery that does not discharge water into the central sanitary sewage system.
- u. *Experimental labs.* Allowed in the C-H, M-1, and M-2 zoning districts.
1. Minimum lot area: three acres if use is hazardous as defined by the Environmental Protection Agency (EPA).
 2. Said use shall comply with all applicable state and/or federal licensing requirements.
- v. *Farm outbuildings, including horse stables, auxiliary structures, and greenhouses.* Allowed in the A-R zoning district. These aforementioned buildings/structures shall be exempt from Sec. 110-79, pertaining to "Residential accessory structures and their uses".

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1. *Farm outbuilding.* All structures permitted in this category shall be structures related to a bona fide farming operation and shall be utilized as a barn for livestock, storing farm equipment, and any other agricultural purposes.
 2. *Greenhouses.* All structures permitted in this category shall be structures related to a bona fide cultivation or production of landscape planting materials.
 3. *Horse stables.* All structures permitted in this category shall be related to the bona fide shelter and/or boarding of horses. Riding lessons and boarding only shall be permitted; however, a site plan shall be required for these uses.
 4. *Auxiliary structures.* All structures permitted in this category shall comply with the following:
 - (i) Auxiliary structures shall be utilized for personal use only by the residents of the principal structure.
 - (ii) Auxiliary structures may be utilized as a noncommercial indoor training facility and/or artist studio.
 - (iii) Commercial/retail activity shall not be permitted.
 - (iv) An auxiliary structure shall not be utilized in conjunction with a home occupation.
 5. Lot size over ten acres, no restriction of size or number of farm outbuildings, horse stables, auxiliary structures, and greenhouses.
 6. Lot size five to ten acres, one detached farm outbuilding, auxiliary structure, greenhouse, or horse stable consisting of a maximum of 3,600 square feet in size.
 7. Lot size two to less than five acres, one detached farm outbuilding, auxiliary structure, greenhouse, or horse stable consisting of a maximum of 2,600 square feet in size.
 8. Farm outbuildings, auxiliary structures, horse stables and greenhouses may have plumbing and electricity. A farm outbuilding, auxiliary structure or horse stable may include up to 700 square feet of heated and finished floor area to be utilized as a guesthouse. Said guesthouse shall meet all applicable building codes. Only one guesthouse is allowed per individual lot (see also section 110-79). A guesthouse shall not be used as tenant space. Farm outbuildings, auxiliary structures, horse stables, and/or greenhouses may be constructed prior to the principal residential structure.
 - x. *Feed lot and/or commercial barn.* Barns and feed lots shall be located at least 100 feet from all property lines. Allowed in the M-1 zoning district.
 - x. *Golf course (minimum 18-hole regulation) and related accessories.* Related accessories are limited to: putting green, chipping green, sand trap, artificial/natural surface, bunker, clubhouse, pro shop, and snack bar. Allowed in the C-C, C-H, and A-R zoning districts.
 1. Said facilities shall be for daytime use only.
 2. All structures, greens, and fairways shall be set back at least 100 feet from any property line.
 3. No outside loudspeaker systems shall be utilized.
 - y. *Heavy manufacturing, packaging, processing or handling of materials.* (Allowed in the M-2 zoning district) Any uses such as the manufacturing of corrosive acids, bone distillation, drop forge industry, fat rendering, fertilizer manufacturing, organic material reduction, meat processing

plants, and similar operations which produce noise, odors, dust, fumes, fire hazards, or other nuisance features shall be set back no less than 500 feet from any property line.

- z. *Home occupation.* Allowed in A-R, EST, C-S, R-85, R-80, R-78, R-75, R-72, R-70, R-55, R-50, R-45, R-40, R-20, DR-15, RMF, MHP, PUD-PRD, PUD-PRL, PUD-PEF, O-I, C-C, C-H, L-C, G-B, M-1, M-2, and BTP zoning districts. The intent of these rules and regulations is to protect the health, safety and welfare of the general public and ensure that home occupations are regulated in a manner so they do not adversely impact surrounding residential properties, as residential areas and uses are normally separated from nonresidential areas and uses.
1. *Residents.* Only residents of the dwelling may be engaged in the home occupation within the dwelling. All nonresident individuals, including employees, contractors, or part owners, associated with the home occupation shall not be engaged in the home occupation within the dwelling or on the premises.
 2. *Incidental use.* The home occupation shall be clearly incidental to the residential use of the dwelling and shall not change the essential residential character of the building.
 3. *Display, sale.* No display of products shall be visible from the street, and only products produced on the premises may be sold on the premises. The on-premises sale of products produced off the premises shall be prohibited.
 4. *Clients/customers/students.* The number of clients/customers/students on premises shall not exceed more than two at a time nor more than a total of eight clients in any one day and all services rendered shall take place only within the dwelling. The hours of operation, in the context of clients/customers/students shall be limited to 9:00 a.m. to 7:00 p.m., Monday through Saturday.
 5. *Area.* Use of the dwelling, for the purpose of the home occupation, shall not exceed a total of 25 percent of the dwelling.
 6. *Number.* No more than four home occupations may be issued per dwelling and the cumulative area devoted to the home occupations shall not exceed 25 percent of the dwelling.
 7. *Alterations.* No internal or external alterations inconsistent with the residential use of the building shall be permitted.
 8. *Accessory buildings.* No accessory buildings or outside storage shall be used, except as otherwise provided herein.
 9. *Instructions and/or tutoring.* Instruction and/or tutoring including, but not limited to: music, art, crafts, dance, academic, computer, martial arts, and speech.
 10. *Day care, child/adult.* Daycare shall be limited to no more than three children or three adults at any time.
 11. *Vehicles.* Only customary passenger vehicles, vans and pick-up trucks shall be permitted to remain on the premises in association with a home occupation. Said vehicles cannot exceed two axles, 22 feet in length, ten feet in height, and/or 8,000 pounds (curb weight). No tow and/or rollback trucks shall be allowed to remain on the premises. A trailer used in association with the home occupation shall be permitted to remain on the premises. The aforementioned vehicles or trailer used in association with the home occupation may be stored in a detached garage.

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12. *In-home beauty salon or barbershop.* An in-home beauty salon or barbershop shall be limited to one chair and shall be subject to the department of environmental health's approval. It shall also comply with 4 above, in regards to the number of customers.
13. *Uses.* The following and similar uses shall not be considered home occupations: automobile service station; automobile and related vehicular sales lot on-premises; on-premises automobile, motorcycle, and/or farm/heavy construction equipment repair or service/maintenance; ambulance service; rescue squad; on-premises amusement or recreational activities (commercial); animal hospital; commercial kennel, veterinarian clinic with or without animal boarding place; pawn shops; acid storage and manufacturing; heavy manufacturing; fortune teller; palm reader; taxidermy, on-premises welding; on-premises pet grooming; on-premises medical/dental facilities; on-premises repair service (bicycle, lawn mower, small engine, and appliance); tire sales and storage; tanning salon; funeral services; tattooing; and on-premises massage therapy.
- aa. *Horse quarters in residential zoning districts.* Allowed in EST, R-85, R-80, R-78, R-75, R-72, R-70, R-55, R-50, R-45, R-40, R-20, C-S, and PUD-PRD zoning districts.
1. Minimum lot size: ten acres.
 2. Minimum side yard setback: 50 feet.
 3. Minimum rear yard setback: 75 feet.
 4. Horse quarters shall not be located within 100 feet of the principal residential structure or connected to any structures on site; however, horse quarters may be constructed prior to the principal residential structure.
 5. Horse quarters shall not exceed the square footage of the principal dwelling or 2,400 square feet, whichever is less.
 6. Only one horse quarter structure shall be permitted and shall not be counted as an accessory structure.
 7. Riding lessons and boarding are prohibited.
 8. Number of horses (see article III of this chapter).
- bb. *Horse show, rodeo, carnival, car show, and/or community fair or festival.* Allowed in the A-Rand C-H zoning districts. Private social gatherings (i.e., birthday party, wedding reception) that do not charge admission or advertise to the general public are not subject to this section.
- The following requirements shall apply:
1. No single event may exceed three days in duration and be conducted not more than once per calendar quarter, excluding preparation and cleanup. No events may be held at a location for more than five consecutive days.
 2. Schematic site plan showing event activity areas, parking & traffic circulation must be included with the application. Off-street parking is required. Site plan shall also address noise abatement concerns by strategically locating noisy activities to minimize their impact on adjacent properties.
 3. All events are subject to the county's noise control ordinance.
 4. Depending on the size and use of the element, tents, temporary structures such as stages and other elements may require building and electrical permits and/or fire marshal approval.

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5. Events and event activities, including all productions and shows, shall end at 10:00 p.m.
 6. Production and entertainment lighting shall not be permitted after 10:00 p.m. This restriction does not apply to safety and security lighting.
 7. Safety plan, including emergency access points, on-site first aid station, fire safety plan, law enforcement communications and coordination, and off-site traffic management, as necessary.
 8. Sanitation plan, including restroom facilities, trash collection & post-event cleanup.
 9. Food services require approval from the department of environmental health.
 10. Events that charge admission fees or sell admission tickets shall be considered a commercial business activity and shall obtain an appropriate occupational tax certificate with the county.
 11. Applications for events shall be submitted at least 60 days prior to the proposed event but not more than six months prior to the proposed event date.
- cc. *Hospital*. Allowed in the C-C, C-H, O-I, and A-R zoning districts.
1. Minimum lot size: ten acres.
 2. Such use shall only be permitted on a lot which fronts on a major arterial as designated by the county thoroughfare plan. All access is limited to the major arterial only unless such use is within a nonresidential development which has access to a major arterial.
 3. A minimum 50-foot buffer plus the required setbacks shall separate all buildings from any residential or A-R zoning district. A buffer shall not be required along the common boundary where the side or rear yard abuts property developed for the following Conditional uses in a residential or A-R zoning district as regulated in sec. 110-169: cemetery, human or pet; child care facility; church and/or other place of worship; college and/or university; hospital; private school; or recreation centers owned by nonprofit organizations as so registered with the secretary of state office.
 4. Minimum setbacks:
 - (i) Front yard: 100 feet.
 - (ii) Side yard: 50 feet.
 - (iii) Rear yard: 50 feet.
 5. Support services, such as pharmacies, public cafeterias, and gift shops are allowed, provided such services are in conjunction with and accessory to, the hospital structure. Such businesses shall be conducted within the primary use structure and shall not exceed ten percent of the primary structure floor area. No outside advertising is allowed.
 6. Heliport.
- dd. *Junkyard and/or auto graveyard*. Allowed in the M-2 zoning district.
1. Minimum lot size: ten acres.
 2. Maximum site area: 25 acres.
 3. A minimum 100-foot buffer shall be provided along every property line, including public rights-of-way, so that junk is not visible from a public street or adjoining properties.

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4. All structures and storage areas shall be set back at least 200 feet from a public street and/or adjoining residential or A-R zoning districts.
- ee. *Kenel*. See animal hospital, kennel (commercial or noncommercial) and/or veterinary clinic.
- ff. *Landfill*. Allowed in the M-2 zoning district.
1. Minimum lot size: 20 acres.
 2. A minimum 100-foot buffer shall be provided around the entire site so that landfill operation activities are not visible from adjoining properties or any public street. Said buffer shall provide 100 percent screening from adjoining residences prior to commencing operations.
 3. Landfill operations shall be set back at least 200 feet from a major thoroughfare as designated by the county thoroughfare plan.
 4. The landfill shall comply with all of the state and federal requirements.
 5. Such uses shall be permitted only on a lot which fronts on a major thoroughfare as designated by the county thoroughfare plan. All access is limited to the major thoroughfare only.
- gg. *Laundromat, self-service or otherwise*. Allowed in the C-C and C-H zoning districts. Central water and central sanitary sewage systems are required.
- hh. *Mining and/or quarrying*. Allowed in the M-2 zoning district.
1. Ingress and egress to and from the facility shall be limited to an arterial as designated by the county thoroughfare plan.
 2. A minimum 100-foot buffer shall be required adjacent to residential or A-R zoning districts.
 3. No activity involving blasting or the operating of machinery shall occur within 500 feet of a residential or A-R zoning district.
 4. All activity involving blasting or the operating of machinery shall be limited to daylight hours.
 5. The operation shall comply fully with all of the state and federal requirements.
- ii. *Non-emergency medical transport service*. Allowed in the O-I zoning district.
1. The service shall comply with all licensing requirements of the state.
 2. Parking of all medical transport vehicles is allowed in the side and/or rear yard only in designated parking spaces. Medical transport vehicles shall be screened from the street via a fence or wall. The fence or wall shall be located between the designated parking spaces and the street. Said fence or wall shall be limited to wood, brick, stone, or concrete/concrete block with architectural treatment, or other architecturally engineered facades which match these materials and shall be a minimum height of eight feet.
 3. No on-site vehicle maintenance or fueling facilities are allowed.
- jj. Off-Site Parking. Off-Site Parking is the use of property to meet the temporary parking needs of a primary/principal use on a nearby parcel of property. Allowed in the O-I district.
1. The property served by the off-site parking shall be located within one thousand (1000) feet of the property upon which the off-site parking is located, (regardless of jurisdiction) as measured from the nearest point of the property line of the property to be served to the nearest point of the property line on which the off-site parking is located;

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- 2. At all times a property is used for off-site parking, it shall exclusively serve one principal/primary use off site;
- 3. The written lease/agreement evidencing the exclusive use as off-site parking by a single primary/principal use off-site, including a term not to exceed eight (8) years and all other terms and conditions of the lease/agreement for parking between the parties, shall be included with the application for use as off-site parking;
- 4. Properties used for off-site parking shall not be held open to the public for use;
- 5. If the side or rear yard abuts a residential or A-R zoning district, a minimum 50-foot vegetative buffer shall be installed and maintained adjacent to the property line;
- 6. If the side or rear yard abuts a residential or A-R zoning district, a sound attenuating, commercial grade, black-vinyl coated chain-link fence shall be installed along the 50-foot vegetative 2/26/2026buffer;
- 7. A decorative/ornamental iron fence line shall be placed along all road frontage;
- 8. Use of the property for off-site parking shall end when the term of the submitted lease/agreement expires AND
- 9. All surfacing/paving and/or development of the property used for off-site parking shall be removed and the property returned to as near its natural state as possible upon expiration of the lease/agreement, submitted with application for this use.

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jjkk. *Outdoor amusement facilities, rides, structures over 35 feet in height, including, but not limited to bungee and parachute jumping.* Allowed in the C-H and M-1 zoning districts.

- 1. Where applicable, all state codes, rules, and regulations shall apply. Verification that state requirements are met shall accompany the application for a conditional use permit.
- 2. All structural and support parts shall not be located closer than 300 feet from any A-R or residential zoning district.
- 3. Any structure, ride, etc., erected in connection with an outdoor amusement activity, over 35 feet in height, shall be dismantled upon the closing of the business or activity in question.
- 4. Any structure, ride, etc. over 35 feet in height, or with elements over 35 feet in height, shall be surrounded by a six-foot-high fence with a locked gate when the facility is not in use. A four-inch sphere shall not be able to pass through any section of the fence or gate.
- 5. The structure shall be designed to fall entirely within the boundaries of the site should structural failure occur.

llkk. *Private school, including, but not limited to: classrooms, administration, playground, housing, athletic facility, gymnasium, and/or stadium.* Allowed in A-R, R-85, R-80, R-78, R-75, R-72, R-70, R-55, R-50, R-45, R-40, R-20, DR-15, O-I, C-C, G-B, and C-H zoning districts.

- 1. Minimum lot size: five acres.
- 2. Such use shall only be permitted on a lot which fronts on a major thoroughfare as designated by the county thoroughfare plan. All access is limited to the major thoroughfare only unless such use is within a nonresidential development which has access to a major thoroughfare.

3. If the side or rear yard abuts a residential or A-R zoning district, a minimum 50-foot buffer shall be provided adjacent to the lot line. The side yard setback shall be 50 feet. The rear yard setback shall be 75 feet. The setback shall be measured from the buffer. Said requirements shall apply to all structures, outdoor playground areas, and/or athletic facilities. A buffer shall not be required along the common boundary where the side or rear yard abuts property developed for the following Conditional uses in a residential or A-R zoning district as regulated in section 110-169: Cemetery, human or pet, child care facility, church and/or other place of worship, college and/or university, hospital, private school, or recreation centers owned by nonprofit organizations as so registered with the Georgia Secretary of State Office.
4. Lighting for outdoor athletic facilities shall not be permitted after 10:00 p.m.
5. Student drop-off and vehicular turn-around facilities shall be provided on the site.
6. All buildings, other than storage buildings, shall maintain a decorative facing on those portions of the building which face public streets and any property zoned residential or agricultural-residential. The decorative facing shall consist of brick, stone, stucco, wood, or similar building materials compatible with the area.
7. Accessory structures such as a storage building, detached garage, pavilion, and/or pool shall comply with the buffer and/or setback requirements and shall be located to the side/rear of the main building.
8. The construction of one open air pavilion utilized for picnics/social gatherings only is allowed under the following conditions:
 - (i) The pavilion shall be constructed following the construction of the main school building;
 - (ii) The floor area cannot exceed 40 percent of the square footage of the main school building; and
 - (iii) The pavilion may not be lighted or used after 10:00 p.m. If the open air pavilion is built in conjunction with an attached storage building, the overall square footage shall not exceed 40 percent of the main school building square footage.

H-mm. *Processing, packaging or handling of perishable agricultural products grown on premises (i.e., fruits and vegetables).* Allowed in the A-R zoning district.

1. Minimum lot area: five acres.
2. All structures shall be set back at least 100 feet from any property line.
3. No structure shall exceed 5,000 square feet of floor area (interior measurements).
4. There shall be no outside storage of packaging materials, pallets, and all other items involved in the processing and packaging of said agricultural products.

mmmm. *Recreation centers owned by nonprofit organizations as so registered with the Georgia Secretary of State Office.* Allowed in the A-R zoning district.

1. The lot area shall be at least five acres, and the lot width at the building line shall be at least 400 feet.
2. Such uses shall be permitted only on a lot which fronts on a major thoroughfare as designated by the county thoroughfare plan. All access is limited to the major thoroughfare only.

3. A minimum 50-foot buffer plus the required setbacks listed below shall separate all buildings from any residential or A-R zoning district. The setback shall be measured from the buffer. A buffer shall not be required along the common boundary where the side or rear yard abuts property developed for the following conditional uses in a residential or A-R zoning district as regulated in sec. 110-169: Cemetery, human or pet; child care facility; church and/or other place of worship; college and/or university; hospital; private school; or recreation centers owned by nonprofit organizations as so registered with the secretary of state office.
4. Minimum setbacks for structures and use areas:
 - (i) Front yard: 100 feet.
 - (ii) Side yard: 50 feet.
 - (iii) Rear yard: 75 feet.
5. All buildings, other than storage buildings, shall maintain a decorative facing on those portions of the building which face public streets and any property zoned residential or agricultural-residential. The decorative facing shall consist of brick, stone, stucco, wood, or similar building materials compatible with the area.
6. Accessory structures such as a storage building, detached garage, pavilion, and/or pool shall comply with the buffer and/or setback requirements and shall be located to the side/rear of the main building.
7. The construction of one open air pavilion shall not exceed 1,800 square feet, shall be utilized for picnics/social gatherings and shall not be lighted or utilized after 10:00 p.m.

~~0000~~. *Religious tent meeting*. Allowed in A-R, C-C, C-H, and O-I zoning districts.

1. Said meetings shall not exceed 14 days per year at the same site.
2. Tents shall require the approval of the county fire marshal.
3. Off-street parking areas shall be required.
4. All activities shall cease by 10:00 p.m.

~~0000~~. *Recycling facility*. Allowed in the M-1 zoning district.

1. All separation and processing (baling, compacting, grinding, or shredding) shall occur entirely within an enclosed building.
2. A convenient paved drop-off area shall be provided, permitting vehicles to re-enter the public street in a forward manner. Traffic circulation patterns shall be indicated on the site plan.
3. All outside storage of recyclable materials shall be on a paved surface within fully enclosed bins with hinged lids or other access points which can be closed.
4. All outside storage areas shall be totally screened according to chapter 104. Storage bins cannot be a greater height than the screening.

~~0000~~. *Seasonal sales, outdoor*. Allowed in C-C and C-H zoning districts and church and/or other place of worship (see this article).

1. Seasonal sales shall be limited to: October 1 to January 31; limited to properties zoned C-C and C-H; and on-site church or other places of worship. The A-R zoning district, which has a bona fide farming operation, is exempt from seasonal sales requirements;

2. Location of seasonal sales and outdoor display, as well as, the temporary stand or tent, shall be exempt from article III of this chapter, except as provided herein;
3. Location of seasonal sales as outdoor displays, as well as, structures (temporary stand or tent), shall comply with zoning requirements for setbacks;
4. Outdoor sales of seasonal agricultural products shall be limited to: natural Christmas trees, natural wreaths, pumpkins and gourds, hay, straw, fruits, vegetables, nuts, and natural plants;
5. Outdoor lighting for activities shall not be permitted before 7:00 a.m. or after 10:00 p.m.;
6. Off-street parking shall be required;
7. Along with the completed application, a sketch or diagram of the proposed site showing dimensions of the area utilized, the proximity to buildings, parking lots, right-of-way, setbacks, and any proposed structure (temporary stand or tent) and temporary signage as regulated by chapter 108 shall be submitted to the planning and zoning department; and
8. Location of seasonal sales and outdoor display, as well as, the temporary stand or tent, shall be removed and cleared within 48 hours of the end of operation as indicated on the conditional use permit.

rrrq. *Self-storage facility (external and/or internal access).* Allowed in G-B, M-1 and C-H zoning districts.

1. Single story self-storage buildings may have exterior access to the individual storage units. This exterior access shall not directly face a street.

Multistory self-storage buildings shall not have direct exterior access to individual storage units; all individual storage unit access shall be internal. A vehicle loading/unloading area utilizing a bay door and/or a loading dock shall only be located on the side or rear of the multistory self-storage building not facing a street. A vehicle loading/unloading area utilizing a bay door and/or a loading dock located on the side of the multistory self-storage building shall require a canopy covering the loading/unloading area.
2. All buildings shall maintain a decorative facing on those portions of the building which face public streets and any property zoned residential or agricultural-residential. The decorative facing shall consist of fiber-cement siding (i.e., Hardiplank), wood siding, brick/brick veneer, rock, stone, cast-stone, stucco (including synthetic stucco), or metal siding which establishes a horizontal pattern. The transportation corridor overlay zone architectural requirements shall control when applicable.
3. The maximum size of an individual storage unit shall be 600 square feet.
4. The facility may contain one on-site single-family dwelling unit.
5. Aisle ways adjacent to storage unit bays doors shall be used both for circulation and temporary customer parking while using storage units. The minimum width of these aisle ways shall be 25 feet as measured from the closest part of the structure including any overhang.
6. No open outside storage of items, other than vehicles, boats, recreational vehicles and trailers, shall be allowed. Open storage of vehicles, boats, recreational vehicles and trailers, shall be located to the rear of the self-storage buildings. Covered vehicle storage structures shall be allowed provided they do not exceed 25 percent of the overall gross square footage of all storage buildings and shall maintain a similar architectural character of the principal self-storage buildings.

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7. All outdoor lighting shall be shielded away from adjacent residential areas.
8. No exterior loudspeakers or paging equipment shall be permitted on the site.

fssf. *Shooting range, outdoor.* Allowed in A-R and M-1 zoning districts.

1. The outdoor shooting range shall meet all applicable standards established in the NRA Range Source Book. Documentation indicating compliance with the aforementioned standards shall be submitted with the site plan.
2. The outdoor shooting range shall meet all applicable state and federal regulations including, but not limited to: the state department of natural resources, Environmental Protection Agency and Occupational Safety and Health Administration. Documentation indicating compliance with the aforementioned regulations shall be submitted with the site plan.
3. The outdoor shooting range shall meet the requirements of section 16-4 and chapter 16, article II.

ttss. *Single-family residence and residential accessory structures and/or uses.* Allowed in the C-C, C-H, L-C-1, L-C-2, M-1, M-2, O-I, G-B, and BTP zoning districts.

1. Said residence shall be a single-family detached residence.
2. Said residence shall not be less than 1,200 square feet, and said residence shall not be allowed in subdivision developments as defined in chapter 104, article XV.
3. All residential accessory structures shall comply with Sec. 110-79, pertaining to "Residential accessory structures and their uses".

uuft. *Stadium, athletic.* Allowed in the C-H and M-1 zoning districts. The athletic stadium shall not be located closer than 300 feet from any A-R or residentially zoned property.

vvvt. *Temporary tent sales.* Allowed in the C-C and C-H zoning districts.

1. Said tent sales shall not be operated longer than 28 calendar days per year;
2. Tents shall require the approval of the county fire marshal;
3. Off-street parking shall be required;
4. Outdoor lighting for activities shall not be permitted before 7:00 a.m. or after 10:00 p.m.;
5. Location of outdoor sales, as well as a temporary tent:
 - (i) Shall comply with zoning requirements for setbacks.
 - (ii) Shall be exempt from screening (see article III of this chapter), except where provided herein.
 - (iii) Shall be removed and cleared within 48 hours of the end of operation as indicated on the permit.

wwwv. *Transfer station for household/commercial garbage and/or recyclable materials (including processing and handling).* Allowed in the M-2 zoning district.

1. Minimum lot size: ten acres.
2. Transfer station operations shall be set back at least 200 feet from an arterial as designated by the county thoroughfare plan.
3. The transfer station shall comply with all licensing requirements of the state.

4. Such uses shall be permitted only on a lot which fronts on a major thoroughfare as designated by the county thoroughfare plan. All access is limited to the major thoroughfare only.

~~xxxw.~~ *Wind farm.* Allowed in the M-1 and M-2 zoning districts. The setbacks shall be equal to the height of the wind turbine, including the blades, or the applicable zoning district setbacks, whichever are greater.

~~yy**.~~ *Vehicle/boat sales.* Allowed in C-C and C-H zoning district.

1. All vehicle/boat sales facilities must comply with the following conditions:
 - (i) All activities except sales shall be conducted indoors.
 - (ii) No outside storage of equipment or parts shall be permitted.
 - (iii) No external loudspeakers allowed.
2. A full range of repairs shall be allowed incidental to a sales use and shall comply with the following:
 - (i) All repair activities shall be conducted indoors.
 - (ii) No outside storage of equipment or parts shall be permitted.
 - (iii) All overhead doors shall face the side and/or rear yard or be screened from view from the street per article III of this chapter or utilizing vegetative materials.
 - (iv) All wrecked vehicles stored for repair shall be screened in accordance with article III of this chapter.
 - (v) Facilities located adjacent to a residentially zoned area shall not operate between the hours of 7:00 p.m. and 7:00 a.m.
 - (vi) No external loudspeakers allowed.

(Code 1992, § 20-7-1; Ord. No. 2012-09, § 5, 5-24-2012; Ord. No. 2012-13, § 5, 12-13-2012; Ord. No. 2012-14, § 6, 12-13-2012; Ord. No. 2013-02, § 4, 4-25-2013; Ord. No. 2013-08, § 1, 7-25-2013; Ord. No. 2014-19, § 8, 12-11-2014; Ord. No. 2015-05, § 3, 3-26-2015; Ord. No. 2015-12, § 1, 10-22-2015; Ord. No. 2015-13, §§ 1—7, 12-10-2015; Ord. No. 2016-12, §§ 4, 5, 7-28-2015; Ord. No. 2016-15, § 4, 7-28-2016; Ord. No. 2017-04, § 7, 3-23-2017; Ord. No. 2018-03, §§ 16—19, 9-22-2018; Ord. No. 2018-11, §§ 7—9, 10-25-2018; Ord. No. 2020-02, §§ 14—19, 5-28-2020; Ord. No. 2021-05, § 4, 3-25-2021; Ord. No. 2021-06, § 2, 3-25-2021; Ord. No. 2021-09, § 7, 5-27-2021; Ord. No. 2024-01, § 1, 2-25-2024)

BOARD MEMBERS

Danny England, Chairman
Boris Thomas, Vice-Chairman
John Kruzan
Jim Oliver
Virgil Hooper

STAFF

Deborah L. Bell, Planning and Zoning Director
Deborah Sims, Zoning Administrator
Maria Binns, Planning and Zoning Coordinator
E. Allison Ivey Cox, County Attorney

**AGENDA OF ACTIONS
FAYETTE COUNTY PLANNING COMMISSION MEETING
140 STONEWALL AVENUE WEST
March 05, 2026
7:00 pm**

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

NEW BUSINESS

1. Call to Order. *Chairman Danny England called the March 5, 2026, meeting to order at 7:00 pm.*
2. Pledge of Allegiance. *Chairman Danny England offered the invocation and led the audience in the Pledge of Allegiance.*
3. Approval of Agenda. *Ms. Deborah Bell amended the agenda to change items numbers 10, 11, 12, and 13 (Petitions for Sec. 110-238(a). – Membership; Sec. 110-325(1). – Membership; Sec. 110-169(2)n.5. – Uses and/or Structures incidental to a Church and Sec. 110-169(2) – Add Supporting Off -Site Parking as a conditional use in O-I zoning.) to numbers 6 through 9. Jim Oliver made a motion to approve the agenda as amended. John Kruzan seconded the motion. The motion carried 5-0.*
4. Consideration of the Minutes of the meeting held on February 5, 2026. *John Kruzan made a motion to approve the minutes of the meeting held on February 5, 2026. Jim Oliver seconded the motion. The motion carried 5-0.*
5. Plats
 - a. Minor Final Plat of Free Land. *Jim Oliver made a motion to approve the Minor Final Plat of Freeland. John Kruzan seconded the motion. The motion passed 5-0.*

PUBLIC HEARING

6. Consideration of amendment to Chapter 110. Zoning Ordinance, Regarding Article VII. – Zoning Board of Appeals. - Sec. 110-238(a). – Membership. ***Virgil Hooper made the motion to recommend APPROVAL of the Consideration of Amendment to Chapter 110. Zoning Ordinance, regarding Article VII.- Zoning Board of Appeals. Sec.110-238(a).- Membership. Jim Oliver seconded the motion. The motion passed unanimously.***
7. Consideration of amendment to Chapter 110. Zoning Ordinance, Regarding Article X. – Planning Commission. - Sec. 110-325(1). – Membership. ***Jim Oliver made the motion to recommend APPROVAL of the Consideration of Amendment to Chapter 110. Zoning Ordinance, regarding Article X.- Planning Commission. Sec. 110-325(1).- Membership. John Kruzan seconded the motion. The motion carried 5-0.***
8. Consideration of amendment to Chapter 110. Zoning Ordinance, Regarding Article V. – Conditional Uses, Nonconformances, and Transportation Corridor Overlay Zone. - Sec. 110-169(2)n.5. – Uses and/or Structures incidental to a Church. Add Off-Site Parking as an incidental use to churches. ***Jim Oliver made the motion to recommend CONDITIONAL APPROVAL and also added an 8th Condition: To Add a CONDITIONAL TRAFFIC CONTROL PLAN for the consideration of Amendment to Chapter 110. Zoning Ordinance, regarding Article V.- Conditional Uses, Nonconformances, and Transportation Corridor Overlay Zone. - Sec. 110-169(2)n.5. – Uses and/or Structures incidental to a Church. Add Off-Site Parking as an incidental use to churches. Virgil Hooper seconded the motion. The motion carried 4-1. Vice- Chairman Boris Thomas abstained.***

CONDITIONS:

1. *Application shall be made to the zoning administrator as described in Sec 110-169 hereof for use as off-site parking;*
2. *At all times the property is in use as off-site Parking it shall exclusively serve one principal/primary use off-site;*
3. *The written lease/agreement evidencing the exclusive use as off-site parking by a single primary/principal use off-site, including a term not to exceed eight (8) years and all other terms and conditions of the lease/agreement for parking between the parties, shall be included with the application for use as off-site parking;*
4. *The property shall not be held open to the public for use;*
5. *Use of the property for off-site parking shall end when the term of the submitted lease/agreement expires;*
6. *All parking shall be exclusively in areas approved for parking of the church and/or other place of worship conditionally permitted under 110-169 of the Fayette County Zoning Code. No parking shall be permitted in other than approved spaces.*
7. *The parking facilities available for lease as off-site parking shall not be extended beyond the facilities available on the parcel at the time application was made for conditional use as*

a church and/or other place of worship. The property shall not be improved or otherwise altered in any way to accommodate the off-site parking use.

8 . *A Traffic Control Plan is required for the off-site parking use.*

9. Consideration of amendment to Chapter 110. Zoning Ordinance, Regarding Article V. – Conditional Uses, Nonconformances, and Transportation Corridor Overlay Zone. - Sec. 110-169(2) – Add Supporting Off -Site Parking as a conditional use in O-I (Office- Institutional) zoning district. ***Jim Oliver made the motion to recommend DENIAL of Consideration of Amendment to Chapter 110. Zoning Ordinance, regarding Article V.- Conditional Uses, Nonconformances, and Transportation Corridor Overlay Zone. - Sec. 110-169(2). – Add Supporting Off -Site Parking as a conditional use in O-I (Office- Institutional) zoning district. John Kruzan seconded the motion. The motion carried 5-0.***
10. Consideration of Petition 1374-25, Joseph Reeves Akin Jr, Owner. Applicant requests to rezone 3.1 acres from R-40 (Single Family) to A-R (Agricultural Residential Single Family). Property is located in Land Lots 198 of the 13th District, and it's behind 1252 Highway 314. ***Jim Oliver made the motion to recommend CONDITIONAL APPROVAL of Petition 1374-25. Virgil Hooper seconded the motion. The motion passed 3-2. Vice-Chair Boris Thomas and John Kruzan opposed.***

CONDITION:

1. ***All parcels that are the subject of this petition shall be combined by a recorded final plat within 180 days of the approval of the petition or prior to the submittal of a site development plan, whichever comes first.***
11. Consideration of Petition 1375-26-A, William Jerry Cleveland, Owner. Applicant requests to rezone Parcel No. 0704 002 (10.62 acres) from M-H-P (Manufactured Home Park) to C-C (Community Commercial). Property is located in Land Lots 26 of the 7th District and fronts Highway 54 West. ***John Kruzan made a motion to APPROVE TO TABLE Petition No. 1375-26-A to APRIL 2nd, 2026. The motion carried 4-0. Virgil Hooper was not present for that vote.***
12. Consideration of Petition 1375-26-B, William Jerry Cleveland, Owner. Applicant request to rezone Parcel No. 0704 004 (2.81 acres), from M-H-P (Manufactured Home Park) to C-C (Community Commercial). Property is located in Land Lots 26 of the 7th District and fronts Highway 54 West. ***John Kruzan made a motion to APPROVE TO TABLE Petition No. 1375-26-B to APRIL 2nd, 2026. Jim Oliver seconded the motion. The motion carried 5-0.***
13. Consideration of Petition 1376-26, US Management Association, LLC, Owner. Applicant request to rezone 13.32 acres from M-H-P (Manufactured Home Park) to C-C (Community Commercial). Property is located in Land Lots 26 of the 7th District and fronts Highway 54 West. ***John Kruzan made a motion to APPROVE TO TABLE Petition No. 1376-26 to APRIL 2nd, 2026. Jim Oliver seconded the motion. The motion carried 5-0.***

Jim Oliver moved to adjourn the March 6, 2026, Planning Commission meeting. John Kruzan seconded. The motion passed 5-0.

The meeting adjourned at 8:34 pm.

Meeting Minutes 3/5/2026

THE FAYETTE COUNTY PLANNING COMMISSION met on March 5th, 2026, at 7:00 P.M. in the Fayette County Administrative Complex, 140 Stonewall Avenue West, Fayetteville, Georgia.

MEMBERS PRESENT: Danny England, Chairman
Boris Thomas, Vice-Chairman
John Kruzan
Jim Oliver
Virgil Hooper

STAFF PRESENT: Debbie Bell, Planning and Zoning Director
Deborah Sims, Zoning Administrator
Maria Binns, Zoning Secretary
E. Allison Ivey Cox, County Attorney

1. Call to Order. *Chairman Danny England called the March 5, 2026, meeting to order at 7:00 pm.*
2. Pledge of Allegiance. *Chairman Danny England offered the invocation and led the audience in the Pledge of Allegiance.*
3. Approval of Agenda. *Ms. Deborah Bell amended the agenda to change items numbers 10, 11, 12, and 13 (Petitions for Sec. 110-238(a). – Membership; Sec. 110-325(1). – Membership; Sec. 110-169(2)n.5. – Uses and/or Structures incidental to a Church and Sec. 110-169(2) – Add Supporting Off -Site Parking as a conditional use in O-I zoning.) to numbers 6 through 9. Jim Oliver made a motion to approve the agenda as amended. John Kruzan seconded the motion. The motion carried 5-0.*
4. Consideration of the Minutes of the meeting held on February 5, 2026. *John Kruzan made a motion to approve the minutes of the meeting held on February 5, 2026. Jim Oliver seconded the motion. The motion carried 5-0.*
5. Plats.

- a. Minor Final Plat of Free Land.

Ms. Debbie Bell stated the Plat has been received and approved by staff.

Chairman Danny England asked if the petitioner was present.

Virgil Hooper asked staff what are the asking for.

Ms. Bell stated the applicant rezoned and combined property for parcel facing

Adams Road.

After no further comments, Chairman England asked for a motion.

Jim Oliver made a motion to approve the Minor Final Plat of Freeland. John Kruzan seconded the motion. The motion passed 5-0.

PUBLIC HEARING

6. Consideration of amendment to Chapter 110. Zoning Ordinance, Regarding Article VII. – Zoning Board of Appeals. - Sec. 110-238(a). – Membership.

Ms. Bell stated that this amendment that addresses the candidates who are appointed to the Zoning Board of Appeals, might also serve on other boards within the county.

Chairman Danny England asked whether anyone in the audience supported or opposed this petition. With no response, he brought the item back to the Board for comments or a motion.

Virgil Hooper made the motion to recommend APPROVAL of Consideration of Amendment to Chapter 110. Zoning Ordinance, regarding Article VII.- Zoning Board of Appeals. Sec.110-238(a).- Membership. Jim Oliver seconded the motion. The motion passed unanimously.

7. Consideration of amendment to Chapter 110. Zoning Ordinance, Regarding Article X. – Planning Commission. - Sec. 110-325(1). – Membership.

Ms. Bell explained that this amendment also addresses the candidates who are appointed to the Planning Commission, might also serve on other boards within the county.

Chairman Danny England asked whether anyone in the audience supported or opposed this petition. With no response, he brought the item back to the Board for comments or a motion.

Jim Oliver made the motion to recommend APPROVAL of the Consideration of Amendment to Chapter 110. Zoning Ordinance, regarding Article X.- Planning Commission. Sec. 110-325(1).- Membership. John Kruzan seconded the motion. The motion carried 5-0.

8. Consideration of amendment to Chapter 110. Zoning Ordinance, Regarding Article V. – Conditional Uses, Nonconformances, and Transportation Corridor Overlay Zone. - Sec. 110-169(2)n.5. – Uses and/or Structures incidental to a Church. Add Off-Site Parking as an incidental use to churches.

Ms. Bell discussed the recommendation for Sec. 110-169(2)n.5, which proposes adding Off-Site Parking as an incidental use for churches. She noted that churches are classified as a conditional use, and according to Sec. 110-169 on Conditional Use Approval, they may use their parking areas for off-site purposes, provided they do not expand the current parking capacity.

Chairman England asked if anyone in the audience was in support or opposition of the petition. With no response, he brought the item back to the board.

Mr. Jim Oliver asked staff if this was related to a problem or something existing.

Ms. Bell replied that QTS is currently under construction and seeking off-site parking areas not used during the week, by using the church parking areas. And related to parking lot at churches.

Chairman England asked staff if this was something not allowed before.

Chairman England asked if parking at a church was not allowed before, or if that's something we need to allow.

Allison Cox, County Attorney responded parking wasn't allowed as a use, and they wanted to make sure it is not outside of their use and they are not violating any rules.

Vice-Chairman Boris Thomas asked what if they have food trucks and festivals.

Ms. Bell responded that those are normal activities that a church already has.

Chairman England asked if the film industry could use that, too.

Ms. Bell responded that they could.

Ms. Cox added that it will be exclusively used on a lease term.

Vice-Chair Thomas commented on what can be used to prohibit commercial traffic during rush hour.

Ms. Cox responded that it will be handled once they get there, by QTS, providing measures like hiring security or parking details.

Chairman England asked if the county has the ability to review it or say no, by submitting a site plan, etc.

Ms. Cox responded that they met everything that's in the condition, in addition to all of the church's conditions, then no. She explained that this is specifically off-site parking, and it has to be attached to a principal use that's local. She suggested that if the board wanted, they could add extra conditions.

Mr. John Kruzan asked this for the existing parking area they have today, which would not add any more property, and convert it into more parking.

Ms. Cox responded that this will only apply to the parking area that currently exists.

Vice-Chair Thomas asked when the date would be for this to go into effect. He was concerned that some of the churches might apply to expand their parking space before this goes into effect.

Ms. Bell responded that the county doesn't currently have any churches that plan to enlarge their parking lot.

Vice-Chair Thomas asked if we would be restricting churches from improving their parking lots due to the concern that they will be rented out to commercial entities.

Ms. Bell responded that if they currently have an active parking lease, they will not be approved to expand their existing parking. If a church comes in and wants to expand its parking, as long as they meet all of the site development requirements, they will be reviewed and approved; they will have to wait for that lease to be over to make any additions.

Ms. Cox added that any of those changes will have to meet what's allowed for churches; they cannot add an industrial lot, which will not be allowed.

Mr. Virgil Hooper asked if the county has a limit on the number of parking spaces per church/congregation.

Ms. Bell responded that there is no cap on the number of parking spaces, but there is a cap on the maximum percentage of impervious areas on a parcel.

Mr. John Kruzan asked if this will be an eight year term, as shown in the staff report.

Ms. Cox responded that it cannot exceed eight years. Because the build up will take eight years, that's where the number comes from to make sure there is determination, and it does not continue.

Chairman England asked the board didn't have any other comments, he requested a motion.

Jim Oliver made the motion to recommend CONDITIONAL APPROVAL and also added an 8th Condition: To Add a CONDITIONAL TRAFFIC CONTROL PLAN for the consideration of Amendment to Chapter 110. Zoning Ordinance, regarding Article V.- Conditional Uses, Nonconformances, and Transportation Corridor Overlay Zone. - Sec. 110-169(2)n.5. – Uses and/or Structures incidental to a Church. Add Off-Site Parking as an incidental use to churches. Virgil Hooper seconded the motion. The motion carried 4-1. Vice- Chairman Boris Thomas abstained.

CONDITIONS:

1. *Application shall be made to the zoning administrator as described in Sec 110-169 hereof for use as off-site parking;*
2. *At all times the property is in use as off-site Parking it shall exclusively serve one principal/primary use off-site;*
3. *The written lease/agreement evidencing the exclusive use as off-site parking by a single primary/principal use off-site, including a term not to exceed eight (8) years and all other terms and conditions of the lease/agreement for parking between the parties, shall be included with the application for use as off-site parking;*
4. *The property shall not be held open to the public for use;*
5. *Use of the property for off-site parking shall end when the term of the submitted lease/agreement expires;*
6. *All parking shall be exclusively in areas approved for parking of the church and/or other place of worship conditionally permitted under 110-169 of the Fayette County Zoning Code. No parking shall be permitted in other than approved spaces.*
7. *The parking facilities available for lease as off-site parking shall not be extended beyond the facilities available on the parcel at the time application was made for conditional use as a church and/or other place of worship. The property shall not be improved or otherwise altered in any way to accommodate the off-site parking use.*
8. ***Added a Conditional Traffic Control Plan.***
9. Consideration of amendment to Chapter 110. Zoning Ordinance, Regarding Article V. – Conditional Uses, Nonconformances, and Transportation Corridor Overlay Zone. - Sec. 110-169(2) – Add Supporting Off -Site Parking as a conditional use in O-I (Office-Institutional) zoning district.

Ms. Bell explained that this will be an addition to adding off-site parking as a conditional use - Conditional use permits have specific requirements they have to meet under that use, and they are not eligible for variances. Ms. Bell stated this is specifically for off-site parking serving a specific use within one thousand feet of the property that it serves.

Chairman England asked if anyone in the audience was in support or opposition of the petition.

Spoke in opposition:

Mr. Ben Loggins commented in opposition and expressed his concern about the traffic this will create for the residents at Canoe Club, by submitting another traffic light or otherwise.

Mr. Chris Covington, resident of Lester Road, also commented about his concerns about adding more traffic and proposed that adding some source of surveillance would be helpful.

Mr. Wayne Knight, a resident of the Canoe Club, spoke about the traffic concerns and asked for the median to be cut back to allow for a left turn to allow people to go north.

With no further comments, the Chairman brought the item back to the board for questions or a motion.

Ms. Bell responded to the last comment, stating that the property was recently annexed to the city, and the county has development plans for that property, which is not the subject of this particular petition.

Chairman England added that there is more traffic coming, so there is more parking, and it affects that entrance, and the more people we have, the hardest is to control that.

Ms. Cox commented that the area for the petition the board is hearing is subject to commercial development, which changes the roadways. Ms. Cox explained that the effort is to keep it a conditional use and O-I to be managed as a parking lot for the time that is needed as a commercial use.

Mr. Jim Oliver expressed his concern that this will be tailored for a specific use.

Ms. Cox responded that we need the use of the county, and it's something allowed, stating they could do a commercial parking in a commercial area, but outside parking will come later on other places too, and the county wants to make sure it can be managed.

Mr. Oliver asked why we are trying to accommodate QTS's needs when they have four hundred acres to do a parking lot.

Ms. Cox responded that they are trying to control the traffic problem.

Mr. Oliver responded that they could keep it on their campus; they have all of those buses traveling all over the place, and they think this will make it any better, but it is going to make it worse.

Chairman England commented that the problem he sees is that in a church, they only use it half a day on Sunday and Wednesday, and asked staff if there is anything that will exclude an O-I zoned constructed building.

Ms. Cox responded that if you are an O-I group and you have principal use on that property, you must have a lease, and they need to set the terms; we need to see a lease.

Vice-Chair Thomas commented that it seems like we are trying to control the fire instead of saying you can't make a fire and just construct a parking deck and solve the problem; they are not ready for the impact of the traffic this might create.

Mr. John Kruzan commented that they couldn't do it on this consideration, so now we are going to do it on this new one.

Chairman England asked for a motion if there were no further questions from the board.

Jim Oliver made the motion to recommend DENIAL of Consideration of Amendment to Chapter 110. Zoning Ordinance, regarding Article V.- Conditional Uses, Nonconformances, and Transportation Corridor Overlay Zone. - Sec. 110-169(2). – Add Supporting Off -Site Parking as a conditional use in O-I (Office- Institutional) zoning district. Vice -Chairman Boris Thomas seconded the motion. The motion carried 5-0.

10. Consideration of Petition 1374-25, Joseph Reeves Akin Jr, Owner. Applicant requests to rezone 3.1 acres from R-40 (Single Family) to A-R (Agricultural Residential Single Family). Property is located in Land Lots 198 of the 13th District, and it's located behind 1252 Highway 314.

Ms. Bell read the petition above and explained that the applicant is proposing to rezone the parcel to A-R combine it with additional property already rezoned A-R, for the purposes of use as a single-family residence and for operating an A-R Wedding/Event Venue. The parcel does not meet the minimum lot size for the A-R zoning. Therefore, a condition is recommended to ensure it is combined with the larger parcel, which will resolve this issue. Staff recommended conditional approval.

Chairman England asked staff if they had previously encountered this application. What is the difference this time?

Ms. Bell responded that the only way they could rezone this parcel is if the other parcels adjacent to it were rezoned to A-R first.

Mr. Randy Boyd, agent representing Mr. Akin and Mr. Hill, is not sure how this parcel was created, which is on the west side of the lake; you cannot get to it, and can't do much with it, either, sitting half in a floodplain and being less than five acres. Mr. Akin wants to sell it to Mr. Hill, who would like to add it to the recently rezoned A-R parcels adjacent to his. Mr. Boyd asked the board for approval, stating will be downzoning.

Chairman England asked for anyone in support of the petition to speak, with no comments asked for anyone in opposition to speak.

Ms. English expressed her concern about Mr. Akin selling the piece of property to Mr. Hill to convert it into a wedding venue.

No one else spoke in opposition and Chairman England brought the item back to the board for questions.

Mr. Hooper asked if they had changed the classification on the larger parcel so that they could incorporate the smaller one; he wasn't present on the previous requests.

Chairman England responded yes.

Mr. Oliver asked the petitioner if they agreed with the conditions for the petition.

Mr. Boyd responded that they had no problem with it.

Jim Oliver made the motion to recommend CONDITIONAL APPROVAL of Petition 1374-25. Virgil Hooper seconded the motion. The motion passed 3-2. Vice-Chair Boris Thomas and John Kruzan opposed.

CONDITION:

1. All parcels that are the subject of this petition shall be combined by a recorded final plat within 180 days of the approval of the petition or prior to the submittal of a site development plan, whichever comes first.

11. Consideration of Petition 1375-26-A, William Jerry Cleveland, Owner. Applicant requests to rezone Parcel No. 0704 002 (10.62 acres) from M-H-P (Manufactured Home Park) to C-C (Community Commercial). Property is located in Land Lots 26 of the 7th District and fronts Highway 54 West.

Ms. Debbie Bell stated that applicants are requesting to rezone these two parcels and parcel 0704 052 to C-C to operate a parking center for vehicles driven by construction workers and other personnel working at the data center. Once completed, the site will be developed for an office site. The subject properties are currently zoned MHP. They were rezoned from A-R to MHP, which was approved in March 1967. It could be zoned commercial, but it also could be rezoned to O-I. Staff recommended conditional approval.

Chairman England asked if the petitioner was present.

Mr. Alan Kachin, Agent, representing Ace Group Corp, stated the property was currently zoned for mobile homes, and they are seeking to rezone it for commercial purposes. The initial use will be for a parking lot for the workers at the data center, and once no longer needed, it will be converted into an office building, solving the problems previously discussed with the churches. Mr. Kachin explained if the property were developed as a mobile home park with the approximation of fifty homes, it would also bring more traffic to the area. He stated that his client will meet all of the requirements to obtain the appropriate permits.

Chairman England asked whether anyone supported the petition.

Mr. John Saena recommended adding a condition to be a previous surface to protect the runoff, since this will be temporary until the next development.

Mr. Joe Peavy expressed his concern about the runoff and complained about the lighting and the noise he already has across the street with the data center and would like for the board to include a barrier wall or something where the lights in the proposed

parking lot do not shine directly into their subdivision.

Chairman England asked for anyone in support or opposition, but no one responded. He brought the item back to the board for comments or motion.

Mr. Alan Kachin came back for rebuttal, stating that the parking lot will have buffers and his client will comply with all requirements.

Vice- Chairman Thomas asked if the data center would ever be completed. He asked for a time of completion.

Mr. Kachin responded that he does know, and he couldn't speak for them.

Chairman England commented that eight years will be the max.

Mr. Jim Oliver asked staff if the board's denial of the petition would do to this petition in the O-I part?

Ms. Bell responded that staff will recommend that this be rezoned to O-I instead of C-C, as it is a less intense use, it's a criteria of Highway 54 west corridor and off-site parking is not a conditional or permanent use in C-C.

Chairman England they could move forward with the rezoning. The problem is that they couldn't use it as a parking lot.

Mr. Oliver asked the petitioner if they couldn't do the parking in O-I, instead of C-C, what would it do to your petition?

Mr. Kachin responded that his client is not interested in building a mobile home park; the intention is to develop it anyway. He doesn't know what his client would want it to do if they couldn't use it for off-site parking.

Mr. Oliver responded to Mr. Kachin that his presentation is leaving him with more questions than answers, he questioned the agent mentioning he does know what his client cant do if no using the property for off-site parking, that this is a better use than a mobile home park and responded that the price for the property is making it financially not feasible to build a mobile home park and this will be better to control traffic, that will be regardless. He finished by stating he is not giving the board any assurance of what's going to happen.

The board asked if the applicant could withdraw the petition or table it. The petitioner responded that they would like to table it.

John Kruzan made a motion to APPROVE TO TABLE Petition No. 1375-26-A to APRIL 2nd, 2026. The motion carried 4-0. Virgil Hooper was not present for that vote.

- 12. Consideration of Petition 1375-26-B, William Jerry Cleveland, Owner. Applicant request to rezone Parcel No. 0704 004 (2.81 acres), from M-H-P (Manufactured Home Park) to C-C (Community Commercial). Property is located in Land Lots 26 of the 7th District and fronts Highway 54 West.

Ms. Bell explained that this is part of petition 1375-26-B and needs to be tabled for April 2, 2026.

The Board moved for a motion.

John Kruzan made a motion to APPROVE TO TABLE Petition No. 1375-26-B to APRIL 2nd, 2026. Jim Oliver seconded the motion. The motion carried 5-0.

- 13. Consideration of Petition 1376-26, US Management Association, LLC, Owner. Applicant request to rezone 13.32 acres from M-H-P (Manufactured Home Park) to C-C (Community Commercial). Property is located in Land Lots 26 of the 7th District and fronts Highway 54 West.

Ms. Bell explained that this is part of petition 1376-26 and needs to be tabled for April 2, 2026.

The Board moved for a motion.

John Kruzan made a motion to APPROVE TO TABLE Petition No. 1376-26 to APRIL 2nd, 2026. Jim Oliver seconded the motion. The motion carried 5-0.

Jim Oliver moved to adjourn the March 6, 2026, Planning Commission meeting. John Kruzan seconded. The motion passed 5-0.

The meeting adjourned at 8:34 pm.

**PLANNING COMMISSION
OF
FAYETTE COUNTY**

ATTEST:

DANNY ENGLAND, CHAIRMAN

PC Minutes
March 5, 2026

**MARIA BINNS,
PC SECRETARY**

DRAFT

PLANNING COMMISSION

Consideration of Amendments to Chapter 110. Zoning Ordinance, Regarding Article V. – Conditional Uses, Nonconformances, and Transportation Corridor Overlay Zone. - Sec. 110-169(2)n.5. – Uses and/or structures Incidental to a Church. Add Off-Site Parking as an incidental use to churches.

H-1

8-Add a Conditional Traffic control plan

Recommended for approval to the BOC

Recommended for denial to the BOC

Tabled until _____

Per the Fayette County Planning Commission on this 5th day of March 2026.



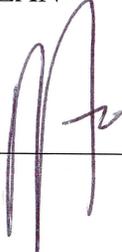
DANNY ENGLAND, CHAIRMAN

 (opposed)

BORIS THOMAS, VICE- CHAIRMAN



JOHN J. KRUZAN



JIM OLIVER



VIRGIL HOOPER

Remarks:

**NOTICE OF PUBLIC HEARING
FOR AN AMENDMENT OF THE
FAYETTE COUNTY CODE OF
ORDINANCES, CHAPTER 110.
ZONING ORDINANCE.**

PUBLIC HEARING to be held before the Fayette County Planning Commission on March 5, 2026, at 7:00 P.M. and before the Fayette County Board of Commissioners on March 26, 2026, at 5:00 P.M. in the Fayette County Administrative Complex, 140 Stonewall Avenue West, Public Meeting Room, First Floor, Fayetteville, Georgia.

CONSIDERATION OF AMENDMENTS TO CHAPTER 110. ZONING ORDINANCE, REGARDING ARTICLE V. - CONDITIONAL USES, NONCONFORMANCES, AND TRANSPORTATION CORRIDOR OVERLAY ZONE. - SEC. 110-169(2)n. 5. - USES AND/OR STRUCTURES INCIDENTAL TO A CHURCH. Add Off-Site Parking as an incidental use to churches.

A copy of the above is available in the office of the Fayette County Planning and Zoning Department, 140 Stonewall Avenue West, Suite 202, Fayetteville, Georgia.
This 12th day of February 2026.

Deborah Bell, Director
Planning and Zoning
02/18

COUNTY AGENDA REQUEST

Department:

Presenter(s):

Meeting Date:

Type of Request:

Wording for the Agenda:

Consideration of amendment to Fayette County Code of Ordinance Chapter 110. Zoning; Article V. – Conditional Uses, Nonconformances, and Transportation Corridor Overlay Zone.; Sec. 110-169. Conditional use approval.; (2) Conditional uses allowed. to add Supporting Off -Site Parking as a conditional use in O-I (Office- Institutional) zoning district.

Background/History/Details:

STAFF ANALYSIS: This amendment is to add a Conditional Use to allow Off-Site Parking as a Conditional Use in the O-I (Office-Institutional) zoning district.

STAFF RECOMMENDATION: Staff recommends APPROVAL of the amendment as presented.

PLANNING COMMISSION RECOMMENDATION: On March 5, 2026, the Planning Commission voted to recommend DENIAL of an amendment to add Off-Site parking as a Conditional Use in O-I. Jim Oliver made the motion to recommend DENIAL of Consideration of Amendment to Chapter 110. Zoning Ordinance, regarding Article V.- Conditional Uses, Nonconformances, and Transportation Corridor Overlay Zone. - Sec. 110-169(2). – Add Supporting Off -Site Parking as a conditional use in O-I (Office- Institutional) zoning district. John Kruzan seconded the motion. The motion carried 5-0.

What action are you seeking from the Board of Commissioners?

Consideration of amendment to Fayette County Code of Ordinance Chapter 110. Zoning; Article V. – Conditional Uses, Nonconformances, and Transportation Corridor Overlay Zone.; Sec. 110-169. Conditional use approval.; (2) Conditional uses allowed. to add Supporting Off -Site Parking as a conditional use in O-I (Office- Institutional) zoning district.

If this item requires funding, please describe:

Not applicable.

Has this request been considered within the past two years?

If so, when?

Is Audio-Visual Equipment Required for this Request?*

Backup Provided with Request?

*** All audio-visual material must be submitted to the County Clerk's Office no later than 48 hours prior to the meeting. It is also your department's responsibility to ensure all third-party audio-visual material is submitted at least 48 hours in advance.**

Approved by Finance

Reviewed by Legal

Approved by Purchasing

County Clerk's Approval

Administrator's Approval

Staff Notes:

PETITION No: TA-0013-26

PLANNING COMMISSION PUBLIC HEARING: March 5, 2026

BOARD OF COMMISSIONERS PUBLIC HEARING: March 26, 2026

REQUESTED ACTION: Consideration of amendment to Chapter 110. Zoning Ordinance, Regarding Article V. – Conditional Uses, Nonconformances, and Transportation Corridor Overlay Zone. - Sec. 110-169(2) – Add Supporting Off -Site Parking as a conditional use in O-I (Office- Institutional) zoning district.

Please refer to the subsequent pages for details of the proposed amended language and requirements.

STAFF ANALYSIS: This amendment is to add a Conditional Use to allow Off-Site Parking as a Conditional Use in the O-I (Office-Institutional) zoning district.

STAFF RECOMMENDATION: Staff recommends APPROVAL of the amendment as presented.

PLANNING COMMISSION RECOMMENDATION: On March 5, 2026, the Planning Commission voted to recommend **DENIAL** of an amendment to add Off-Site parking as a Conditional Use in O-I. Jim Oliver made the motion to recommend DENIAL of Consideration of Amendment to Chapter 110. Zoning Ordinance, regarding Article V.- Conditional Uses, Nonconformances, and Transportation Corridor Overlay Zone. - Sec. 110-169(2). – Add Supporting Off -Site Parking as a conditional use in O-I (Office- Institutional) zoning district. John Kruzan seconded the motion. The motion carried 5-0.

- jj. *Off-Site Parking*. Off-Site Parking is the use of property to meet the temporary parking needs of a primary/principal use on a nearby parcel of property. Allowed in the O-I district.
1. The property served by the off-site parking shall be located within one thousand (1000) feet of the property upon which the off-site parking is located, (regardless of jurisdiction) as measured from the nearest point of the property line of the property to be served to the nearest point of the property line on which the off-site parking is located;
 2. At all times a property is used for off-site parking, it shall exclusively serve one principal/primary use off site;
 3. The written lease/agreement evidencing the exclusive use as off-site parking by a single primary/principal use off-site, including a term not to exceed eight (8) years and all other terms and conditions of the lease/agreement for parking between the parties, shall be included with the application for use as off-site parking;
 4. Properties used for off-site parking shall not be held open to the public for use;
 5. If the side or rear yard abuts a residential or A-R zoning district, a minimum 50-foot vegetative buffer shall be installed and maintained adjacent to the property line;
 6. If the side or rear yard abuts a residential or A-R zoning district, a sound attenuating, commercial grade, black-vinyl coated chain-link fence shall be installed along the 50-foot vegetative buffer;
 7. A decorative/ornamental iron fence line shall be placed along all road frontage;
 8. Use of the property for off-site parking shall end when the term of the submitted lease/agreement expires AND
 9. All surfacing/paving and/or development of the property used for off-site parking shall be removed and the property returned to as near its natural state as possible upon expiration of the lease/agreement, submitted with application for this use.

Sec. 110-169. Conditional use approval.

Conditional uses include certain uses which are allowed in a particular zoning district, provided that all conditions specified under this chapter are met. The zoning administrator shall issue a conditional use permit for each use listed below upon compliance with all specified conditions and approvals by the appropriate county officials.

- (1) *Special regulations.* Prior to the issuance of a conditional use permit and/or building permit, a site plan, as applicable to demonstrate compliance shall be submitted to the zoning administrator and approved by the applicable departments. This requirement shall apply to all conditional uses allowed within the various zoning districts except for: farm outbuildings, home occupations, single-family residences, and temporary meetings and/or events which are conducted no longer than 14 calendar days per year.
- (2) *Conditional uses allowed.*
 - a. *Adult day care facility.* Allowed in the C-C, C-H, and O-I zoning districts and church or other place of worship (see article V of this chapter).
 1. The facility shall comply with all applicable licensing requirements of the state.
 2. The hours of operation shall be limited to: 6:00 a.m. to 10:00 p.m.
 - b. *Aircraft landing area.* Allowed in the A-R, M-1, and M-2 zoning districts. The intent of these rules and regulations is to provide a safer environment for the operation of aircraft.
 1. FAA air space clearance approval for visual flying flight operations and landing areas shall be required, where applicable.
 2. For any newly developed landing area for fixed wing aircraft, a 1,000-foot clear zone as defined by the FAA extending from the end of all runways shall be maintained through ownership or easement, and in no case, shall the end of a runway be closer than 200 feet from the property line.
 3. Any newly developed landing area for fixed wing aircraft shall be located at least 300 feet, as measured from the centerline of the runway, from all property lines.
 4. Any on-site roofed structure shall be set back at least 200 feet from the nearest point on the centerline of the runway.
 5. Heliport. These regulations shall not apply to a hospital which maintains a heliport for medical purposes.
 - (i) FAA air space clearance approval for visual flying flight operations and landing areas shall be required, where applicable.
 - (ii) A site plan, prepared by a registered surveyor, indicating the heliport landing area and center point on the lot and setbacks shall be required. The center point of the heliport landing area shall be indicated on the lot.
 - (iii) A heliport shall be a minimum of 300 feet from all property lines as measured from the center point of the heliport landing area.
 6. Aircraft hangar. Allowed in the A-R, M-1 and M-2 zoning districts.
 - (i) An aircraft hangar shall comply with all of the criteria of subsection (2)b.1 through 5 of this section.

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- (ii) Use of an aircraft hangar shall be limited to storage and maintenance of aircraft. Outdoor storage of aircraft parts is prohibited. An aircraft hangar shall not include any living quarters or be used for residential purposes.
 - (iii) In the A-R zoning district, on lots of less than ten acres in size, there shall be a maximum of one detached hangar allowed.
 - 7. In the A-R zoning district, no trade or business of any kind shall be conducted from an aircraft hangar.
 - 8. In the A-R zoning district, a detached aircraft hangar shall be subject to the following:
 - (i) A detached hangar is an accessory structure which shall require a building permit, and shall comply with minimum building setbacks.
 - (ii) A detached hangar shall not be constructed prior to construction of the single-family dwelling.
 - (iii) A detached hangar shall be located to the side or rear of the principal dwelling.
 - (iv) A detached hangar shall not exceed 5,000 square feet in size including workshop, restroom, and storage areas.
 - c. *Amphitheater*. Allowed C-H and M-1 zoning districts.
 - 1. Hours of operation shall be limited to between the hours of 12:00 noon and 9:00 p.m. weekdays and 10:00 p.m. weekends.
 - 2. The outdoor amphitheater shall not be located closer than 300 feet from any A-R or residential zoning districts.
 - 3. Such use shall only be permitted on a lot which fronts on a major thoroughfare as designated by the county thoroughfare plan. All access is limited to the major thoroughfare only unless such use is within a nonresidential development which has access to a major thoroughfare.
 - d. *Animal hospital, kennel, and/or veterinary clinic*. Allowed in A-R, C-C, C-H, and M-1 zoning districts. All structures, pens, runs, or enclosures shall not be located closer than 300 feet from any A-R or residential zoning district.
 - e. *Animal hospital and/or veterinary clinic*. Excludes commercial and noncommercial kennel. Allowed in O-1 zoning district. All structures shall not be located closer than 55 feet (30-foot buffer and 25-foot setback) from any A-R or residential zoning district. No outside activity (runs, pens, or enclosures) or boarding is allowed except during the convalescent period.
 - f. *A-R bed and breakfast inn*. Allowed in the A-R zoning district.
 - 1. Minimum lot size: ten (10) acres.
 - 2. The bed and breakfast inn shall be limited to no more than five guestrooms and no more than 10 occupants. Maximum permitted capacity shall be set by the Fayette County Health Department and/or Fayette County Fire Marshal, as applicable.
 - 3. Ownership.
 - i. If the A-R bed and breakfast inn is not owned by a corporation or partnership, the A-R bed and breakfast inn operator shall be the owner/occupant of the property.

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- ii. If the property and the A-R bed and breakfast inn business are owned by a corporation or partnership, the operator/occupant shall be an officer of the corporation or a partner in the case of a partnership.
 - 4. These facilities shall not be permitted on a lot which accesses a road designated as an internal local road by the county thoroughfare plan and/or the county engineer.
 - 5. These facilities shall meet the requirements of the County Code, Chapter 8, Article VI, Tourist Accommodations.
 - 6. Adequate off-street parking shall be required. A prepared surface is not required for the parking areas. Parking areas shall be exempt from Nonresidential Development Landscape Requirements of the Fayette County Development Regulations.
- g. *A-R wedding/event facility.* The facility shall be utilized for private and public weddings and events by a third party who provides some form of consideration to the owner or his/her agent. The facility shall not be utilized for concerts, sporting events, or vehicle racing. A horse show, rodeo, carnival, community fair, and/or religious tent meeting shall also be allowed as regulated in this article and this section and the most restrictive conditions shall apply. A business office and/or structures utilized for event preparation and sanitation shall be allowed in conjunction with the A-R wedding and event facility. Allowed in the A-R zoning district.
- 1. Minimum lot size: fifteen acres.
 - 2. These facilities shall not be permitted on a lot which accesses a road designated as an internal local road by the county thoroughfare plan and/or the county engineer.
 - 3. Facilities which access an unpaved county-maintained road are limited to 12 weddings/events per calendar year. A wedding/event permit from the planning and zoning department is required prior to holding the wedding/event.
 - 4. A minimum 100 foot setback shall separate all buildings and areas utilized for weddings and events from any abutting residential zoning district. Otherwise all buildings and areas utilized for weddings and events shall meet the minimum A-R setbacks.
 - 5. Adequate off-street parking shall be required and a 50-foot setback shall separate parking areas from any abutting residential zoning district. A prepared surface is not required for the parking areas. However, any parking area with a prepared surface 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. Grassed and gravel parking areas shall be exempt from nonresidential development landscape requirements of the 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 canopy tree, six feet high at planting, is required per landscape island.
 Paved parking areas shall meet Article V, pertaining to "Non-residential development landscape requirements," of the county development regulations.
 - 6. Hours of operation for weddings and events shall be between the hours of 9:00 a.m. and 10:00 p.m. on weekdays and 9:00 a.m. and 11:00 p.m. on weekends. These hours of operation shall not limit the setup and cleanup time before and after the wedding or event.

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7. All structures utilized in association with weddings and events shall meet all applicable building and fire codes.
 8. Sanitation facilities shall be approved by the environmental health department.
 9. Food service shall meet all state and local requirements.
 10. Tourist accommodations shall not be allowed in conjunction with an A-R wedding and event facility with exception of an A-R Bed and Breakfast Inn that is compliant with section 110-169 and Article VI, pertaining to "Tourist Accommodations," of Chapter 8 of the County Code.
 11. Tents shall require county fire marshal approval, as applicable.
 12. A site plan meeting the full requirements of the county development regulations is not required. A sketch, drawn to scale on a survey of the lot depicting all existing buildings and specific areas utilized for weddings and events shall be required. The survey shall also depict FEMA and MNGWPD floodplain and elevations, and watershed protection buffers and setbacks as applicable. In the event that 5,000 or more square feet of impervious surface is added in conjunction with a wedding and event facility, a site plan compliant with stormwater requirements of the county development regulations shall be required. The site will be exempt from the nonresidential development landscape requirements and tree retention, protection, and replacement of the county development regulations. A site located on a state route shall comply with the applicable transportation corridor overlay zone (Sec. 110-173) with the exception of the architectural standards.
- h. *Automobile service station, including gasoline sales and/or inside or outside emission testing, in conjunction with a convenience store.* Allowed in C-C and C-H zoning districts.
1. Service areas, facilities, and gasoline pump islands shall not be located closer than 75 feet from a residential or A-R zoning district.
 2. Underground storage tanks shall be set back no closer than 20 feet from all property lines.
 3. A dynamometer shall not be utilized in conjunction with outside emission testing.
- i. *Campground facilities.* Allowed in the C-H zoning district.
1. Campsites shall be utilized by recreational vehicles (as defined herein) and by tents (normally associated with outdoor camping), but not by manufactured housing (as defined herein).
 2. Each campsite shall be utilized for short-term occupancy not to exceed 15 calendar days; provided, however, that the property owner or resident manager may permanently occupy one single-family dwelling.
 3. Campground facilities shall be permitted only on a lot which fronts on a major thoroughfare (as designated by the county thoroughfare plan). All access is limited to the major thoroughfare only.
 4. The lot area shall be at least ten acres.
 5. The maximum density shall not exceed four campsites per gross acre.
 6. A minimum 50-foot planted buffer plus all required setbacks shall be established around the perimeter of the entire development. Buffer areas shall be continuous except for approved access, utility casements, and signs (see chapter 108).

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7. Minimum setbacks for structures and use areas (including campsites) as measured from required buffers:
 - (i) Front yard: 75 feet.
 - (ii) Side yard: 25 feet.
 - (iii) Rear yard: 25 feet.
 8. At least ten percent of the gross acreage shall be reserved for recreational areas.
 9. Accessory uses shall be allowed provided that the following requirements are met:
 - (i) Such uses and structures shall be restricted to the use of occupants of the park and their guests.
 - (ii) All structures and use areas shall meet the minimum buffer and setback requirements found in subsections (2)h.6 and 7 of this section.
 - (iii) Such uses and structures shall be limited to the following: rental offices; shower and restroom facilities; coin-operated laundry facilities; convenience stores; and snack bars.
 - (iv) Total floor area for all structures listed in subsection (2)h.9(iii) of this section shall not exceed 3,000 square feet.
 - (v) The sale of alcoholic beverages and/or automotive gasoline shall be prohibited.
 10. The site plan for the proposed campground (including all accessory structures) shall be approved by the county environmental health department.
- j. *Care home, convalescent center and/or nursing home.* Allowed in the C-C, C-H, and O-I zoning districts.
1. Minimum lot size: three acres.
 2. Such use shall only be permitted on a lot which fronts on a major thoroughfare as designated by the county thoroughfare plan. All access is limited to the major thoroughfare only unless such use is within a nonresidential development which has access to a major thoroughfare.
 3. A minimum 50-foot buffer plus the required setbacks shall separate all buildings from any residential or A-R zoning district. The setback shall be measured from the buffer.
 4. Minimum setbacks:
 - (i) Front yard: 100 feet.
 - (ii) Side yard: 50 feet.
 - (iii) Rear yard: 50 feet.
 5. The facility shall comply with all licensing requirements of the state.
 6. Rooms and/or suites may be designed for housekeeping purposes; however, a central kitchen, central dining facilities to accommodate a minimum of 50 percent of the residential capacity at one seating, and central recreational facilities shall be provided.
 7. Twenty-four-hour staff shall be required.
 8. All rooms and/or suites shall be connected to the aforementioned central facilities through internal passageways (i.e., hallways, corridors, etc.).

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- k. *Cemetery, human or pet.* Allowed in A-R and C-H zoning districts. A human cemetery is also allowed in conjunction with a church or other place of worship.
1. *Human cemetery.*
 - (i) The facility shall comply with all requirements of the state.
 - (ii) Minimum lot area shall be ten acres.
 - (iii) A crematorium or mausoleum/columbaria shall be allowed only in conjunction with a cemetery.
 - (iv) A crematorium shall be set back 300 feet from all property lines.
 - (v) Allowed uses and/or structures incidental to a cemetery shall include a funeral establishment building/office (where funeral services may be provided), maintenance/storage building, pavilion, chapel, restroom facility and statues/monuments.
 - (v) Grave sites shall meet the setbacks and buffers applicable to the underlying zoning district. A buffer shall not be required along the common boundary where the side or rear yard abuts property developed for the following Conditional uses in a residential or A-R zoning district as regulated in sec. 110-169: cemetery, human or pet; child care facility; church and/or other place of worship; college and/or university; hospital; private school; or recreation centers owned by nonprofit organizations as so registered with the secretary of state office.
 - (vi) Landscape areas shall be required and planted in accordance with chapter 104.
 - (vii) Graves for pets shall meet the requirements of subsection (2)k.2(ii), (iii) and (iv) of this section.
 2. *Pet cemetery.*
 - (i) Minimum lot area shall be five acres.
 - (ii) The remains of only one pet shall be buried in a single grave site and shall not be stacked one above another.
 - (iii) The remains shall be a minimum of three feet below the grade.
 - (iv) Cemetery plots shall be of sufficient size to provide for a minimum one foot undisturbed area between graves.
 - (v) The owner/operator shall maintain and post a copy of the cemetery rules and regulations and a current burial plot diagram at all times.
 - (vi) A pet cemetery shall be maintained in perpetuity via deed restrictions.
 - (vii) Grave sites shall meet the setbacks and buffers applicable to the underlying zoning district. A buffer shall not be required along the common boundary where the side or rear yard abuts property developed for the following Conditional uses in a residential or A-R zoning district as regulated in sec. 110-169: cemetery, human or pet; child care facility; church and/or other place of worship; college and/or university; hospital; private school; or recreation centers owned by nonprofit organizations as so registered with the secretary of state office.
 - (viii) Landscape areas shall be required and planted in accordance with chapter 104.

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- i. *Charter motor coach service.* Allowed in C-H zoning district.
1. All motor coaches shall be parked to the rear of the principal structure.
 2. All motor coaches shall be screened in accordance with article III of this chapter.
 3. Overhead bay doors shall not be open to the street.
 4. The following uses shall be allowed: administrative office, passenger pickup, and storage of motor coaches.
 5. On-site maintenance/repairs are prohibited.
- m. *Child care facility.* Allowed in C-C, C-H, O-I, A-R, and MHP zoning districts, and church and/or other place of worship.
1. The facility shall comply with all applicable licensing requirements of the state.
 2. Outdoor play areas shall be located to the side or rear of the principal building.
 3. At least 100 square feet of outdoor play area shall be provided for each child during the period of maximum attendance.
 4. A fence measuring at least four feet in height shall enclose the entire play area.
 5. If the side or rear yard abuts a residential or A-R zoning district, a minimum 50-foot buffer shall be provided adjacent to the lot line. The side yard setback shall be 50 feet. The rear yard setback shall be 75 feet. The setback shall be measured from the buffer. Said requirements shall apply to all structures and outdoor play areas. A buffer shall not be required along the common boundary where the side or rear yard abuts property developed for the following Conditional uses in a residential or A-R zoning district as regulated in sec. 110-169: cemetery, human or pet; child care facility; church and/or other place of worship; college and/or university; hospital; private school; or recreation centers owned by nonprofit organizations as so registered with the secretary of state office.
 6. If adjoining a residential or A-R zoning district, the hours of operation shall be limited to: Monday through Saturday from 6:00 a.m. to 7:00 p.m., except that all exterior activities shall only occur from 9:30 a.m. to 4:00 p.m.
 7. A convenient vehicle drop-off area shall be provided which fully covers the vehicle when doors are open on both sides of the vehicle, permitting vehicles to re-enter the public street in a forward manner.
 8. Such use shall only be permitted on a lot which fronts on a major thoroughfare as designated by the county thoroughfare plan. All access is limited to the major thoroughfare only unless such use is within a nonresidential development which has access to a major thoroughfare.
- n. *Church and/or other place of worship.* Allowed in O-I, C-C, C-H, A-R, R-85, R-80, R-78, R-75, R-72, R-70, R-55, R-50, R-45, R-40, R-20, and DR-15 zoning districts.
1. The lot area shall be at least five acres, and the lot width at the building line shall be at least 400 feet.
 2. Such uses shall be permitted only on a lot which fronts on a major thoroughfare as designated by the county thoroughfare plan. All access is limited to the major thoroughfare only.
 3. A minimum 50-foot buffer plus the required setbacks listed below shall separate all buildings and use areas from any residential or A-R zoning district. The setback shall be

measured from the buffer. However, off-street parking areas and an unlit tot lot with a maximum size of 2,400 square feet may be located within the setback areas. A walking/running path or track may be located in the front yard setback. A buffer shall not be required along the common boundary where the side or rear yard abuts property developed for the following Conditional uses in a residential or A-R zoning district as regulated in sec. 110-169: cemetery, human or pet; child care facility; church and/or other place of worship; college and/or university; hospital; private school; or recreation centers owned by nonprofit organizations as so registered with the secretary of state office.

4. Minimum setbacks for structures and use areas (excluding parking areas and tot lots as defined herein).
 - (i) Front yard: 100 feet.
 - (ii) Side yard: 50 feet.
 - (iii) Rear yard: 75 feet.
5. Uses and/or structures incidental to a church shall be limited to: a private school, parsonage, gymnasium, pool, playground, tot lot, outdoor athletic facility, child care facility, adult day care facility, administration, human cemetery (provided that all requirements for a cemetery herein are met), broadcast facility, including a tower (see article III of this chapter, general provisions), and seasonal sales (see this article, seasonal sales as outdoor displays) shall be allowed provided all buildings and use areas meet the minimum setback and buffer requirements.
6. Only portable temporary lighting for athletic facilities shall be permitted and the athletic facility shall not be lighted or used after 10:00 p.m.
7. Child care facilities shall be allowed provided that all requirements for child care facilities herein are met (see this article, child care facility).
8. Adult day care facilities shall be allowed provided that all requirements for adult day care facilities herein are met (see this article, adult day care facility).
9. Landscape areas shall be required in accordance with chapter 104.
10. All buildings, other than storage buildings, shall maintain a decorative facing on those portions of the building which face public streets and any property zoned residential or agricultural-residential. The decorative facing shall consist of brick, stone, stucco, wood, or similar building materials compatible with the area.
11. Accessory structures such as a storage building, detached garage, pavilion, and/or pool shall comply with the buffer and/or setback requirements and shall be located to the side/rear of the main sanctuary building.
12. The construction of one open air pavilion utilized for picnics/social gatherings only is allowed under the following conditions:
 - (i) The pavilion shall be constructed following the construction of the main sanctuary building;
 - (ii) The floor area shall not exceed 40 percent of the square footage of the main sanctuary building; and
 - (iii) The pavilion shall not be lighted or used after 10:00 p.m.

If the open air pavilion is built in conjunction with lighted restrooms and/or an attached storage building, the overall square footage shall not exceed 40 percent of the main sanctuary building square footage.

13. Use of existing structure. When property containing legal structures (conforming or nonconforming), under the current zoning, is utilized as a church and/or place of worship under this section, the setback requirements only shall be reduced to the extent of, but only at the location of, any encroachment by the structures and said structures shall be considered legally nonconforming structures. The use of these structures shall be limited to administration, parsonage/residence, storage building, or detached garage.
14. Off-Site Parking. Property that is currently permitted for use as a Church and/or other place of worship may also qualify for use as off-site parking when such use does not increase the infrastructure burden of the current facilities. A parcel permitted for use as a Church and/or other place of worship may lease parking to another parcel if, in addition to the conditions met for conditional use as a Church and/or other place, the following conditions are met:
 1. Application shall be made to the zoning administrator as described in Sec 110-169 hereof for use as off-site parking;
 2. At all times the property is in use as off-site Parking it shall exclusively serve one principal/primary use off-site;
 3. The written lease/agreement evidencing the exclusive use as off-site parking by a single primary/principal use off-site, including a term not to exceed eight (8) years and all other terms and conditions of the lease/agreement for parking between the parties, shall be included with the application for use as off-site parking;
 4. The property shall not be held open to the public for use;
 5. Use of the property for off-site parking shall end when the term of the submitted lease/agreement expires;
 6. All parking shall be exclusively in areas approved for parking of the church and/or other place of worship conditionally permitted under 110-169 of the Fayette County Zoning Code. No parking shall be permitted in other than approved spaces.
 7. The parking facilities available for lease as off-site parking shall not be extended beyond the facilities available on the parcel at the time application was made for conditional use as a church and/or other place of worship. The property shall not be improved or otherwise altered in any way to accommodate the off-site parking use.
- o. *College and/or university, including, but not limited to: classrooms, administration, housing, athletic facility, gymnasium, and/or stadium.* Allowed in the A-R, BTP, G-B, O-I, C-C, and C-H zoning districts.
 1. The lot area shall be at least ten acres.
 2. Such use shall only be permitted on a lot which fronts on a major thoroughfare as designated by the county thoroughfare plan. All access is limited to the major thoroughfare only unless such use is within a nonresidential development which has access to a major thoroughfare.
 3. If the side or rear yard abuts a residential or A-R zoning district, a minimum 50-foot buffer shall be provided adjacent to the lot line. A buffer shall not be required along the common boundary where the side or rear yard abuts property developed for the following

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Conditional uses in a residential or A-R zoning district as regulated in sec. 110-169: cemetery, human or pet; child care facility; church and/or other place of worship; college and/or university; hospital; private school; or recreation centers owned by nonprofit organizations as so registered with the secretary of state office.

4. Minimum setbacks for structures and use areas (excluding parking areas) are as follows and shall be measured from the buffer, if applicable:
 - (i) Front yard: 100 feet.
 - (ii) Side yard: 50 feet.
 - (iii) Rear yard: 75 feet.
 5. Uses and/or structures incidental to colleges and universities, such as a gymnasium, dormitory, fraternity, sorority, and/or outdoor athletic facility shall be allowed, provided all buildings and use areas meet the minimum setback and buffer requirements specified above.
 6. All buildings, other than storage buildings, shall maintain a decorative facing on those portions of the building which face public streets and any property zoned residential or agricultural-residential. The decorative facing shall consist of brick, stone, stucco, wood, or similar building materials compatible with the area.
 7. Accessory structures such as a storage building, detached garage, pavilion, and/or pool shall comply with the buffer and/or setback requirements and shall be located to the side/rear of the main building.
- p. *Commercial driving range and related accessories.* Related accessories limited to: putting green, chipping green, sand traps, artificial/natural surface, bunkers, pro shop, and snack bar. Allowed in C-C, C-H, and A-R zoning districts.
1. All structures, greens, fairways, and parking areas shall be set back at least 100 feet from any A-R or residential zoning district.
 2. All greens, fairways, and driving areas shall be set back at least 50 feet from any nonresidential zoning district.
 3. Said facilities shall be for daytime use only, except that lighting may be provided for facilities which are located more than 350 feet from a single-family or multifamily residence, provided that lighting is not directly visible from said residence.
 4. No outside loudspeaker system shall be utilized.
- q. *Convenience commercial establishment.* Allowed in the L-C-2 zoning district.
1. Maximum floor area: 3,500 square feet.
 2. Accessory structures, including service area canopies used in conjunction with the sale of gasoline, shall maintain the same architectural character of the principal structure including the pitched roof, and shall be constructed of the same materials or materials which simulate same. An elevation drawing denoting compliance with this requirement shall be submitted as part of the site plan. Properties within an Overlay Zone shall comply with the applicable Architectural Standards of the Overlay Zone.
 3. Motor vehicle vacuum cleaners shall be located to the side or rear of the principal structure.
 4. Underground storage tanks shall be set back at least 20 feet from all property lines.

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5. The number of gasoline pumps shall be limited to no more than six with a total of 12 pumping stations.
- r. *Deer processing facility.* The facility shall only be utilized for deer processing. The facility shall not be utilized for the processing of livestock or other wild game. Allowed in the A-R zoning district.
1. Minimum lot size: five acres;
 2. These facilities shall not be permitted on a lot which accesses a road designated as an internal local road by the county thoroughfare plan and/or the county engineer. Sale of the processed venison to the general public shall be prohibited. This provision shall not prohibit the processing of meat in conjunction with the department of natural resources' "Hunters for the Hungry" program;
 3. All deer processing, including the storage of processing waste, shall take place within an enclosed structure. Said structure shall be at least 100 feet from all property lines and to the side or rear of the principal structure, as applicable. The deer processing facility shall comply with regulations for auxiliary structures (see sec. 110-169(u));
 4. The deer processing facility shall have a current Wildlife Storage Permit from the state department of natural resources, wildlife resources division;
 5. The deer processing facility shall have a NPDES permit, as applicable, from the environmental protection division of the state department of natural resources and said permit shall be filed with the department of environmental management;
 6. All deer processing waste, not being routed to a rendering plant or other vendors, shall be disposed of in compliance with the guidance document Disposal of Deer Processing Waste from the state department of natural resources, environmental protection division. Deer processing waste shall be treated as "commercial solid waste" and shall only be disposed of in municipal solid waste landfills (MSWL). The burial of any deer processing waste is prohibited;
 7. A vehicle drop-off area shall be provided with a circulation pattern permitting vehicles to re-enter the public street in a forward manner. The parking area shall comply with article VIII. Off-street parking and service requirements of the development regulations. Graveled parking areas shall be exempt from nonresidential development landscape requirements of the county development regulations, but shall provide the following:
 - (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 county development regulations.
 8. A site plan meeting the full requirements of the county development regulations is not required. A sketch, drawn to scale, on a survey of the lot depicting all buildings utilized for the processing facility, parking area, drop-off area/circulation pattern and any waste containment facilities/structures shall be required. The survey shall also depict FEMA and MNGWPD floodplain and elevations, and watershed protection buffers and setbacks, as applicable. In the event that 5,000 or more square feet of impervious surface is added in

conjunction with a deer processing facility, a site plan compliant with stormwater requirements of the county development regulations shall be required. The site will be exempt from the nonresidential development landscape requirements and tree retention, protection, and replacement of the county development regulations. A site located on a state route shall comply with the applicable transportation corridor overlay zone (sec. 110-173) with the exception of the architectural standards.

- s. *Developed residential recreation/amenity areas, including, but not limited to: club house, pool, tennis/sports courts, sports fields, playground, mail CBUs and picnic areas.* Allowed in subdivisions in the A-R, EST, R-85, R-80, R-78, R-75, R-72, R-70, R-55, R-50, R-45, R-40, R-20. DR-15, PUD-PRD and C-S zoning districts, with final plat or minor subdivision plat approval.
1. Lot area: Per zoning district.
 2. Said area shall be shown on the preliminary plat and final plat or minor subdivision plat and labeled as follows: "Not a residential building lot, for recreational purposes only."
 3. Landscape areas shall be required and planted in accordance with chapter 104.
 4. In addition to the required landscape areas, a six-foot landscape area shall be required along the rear property line where adjacent to an A-R or residential zoning district and planted in accordance with side yard requirements in chapter 104.
 5. Paved parking area is required per chapter 104.
 6. The construction of one open air pavilion up to 900 square feet utilized for picnics and social gatherings shall be allowed.
- t. *Dry cleaning plant.* Allowed in the C-C and C-H zoning districts.
1. Dry cleaning plants using cleaning systems which make use of solvents rated at above 40 by the Underwriter's Laboratories, Inc., standard of classification known as Class I systems shall be prohibited;
 2. Dry cleaning plants which use cleaning systems which make use of solvents rated at more than five but not less than 40 according to the Underwriter's Laboratories, Inc., standard classification, known as Class II and Class III systems, shall meet all requirements of the National Fire Safety Association Code;
 3. The building for a dry cleaning plant shall not contain more than 4,000 square feet of floor area inclusive of dry cleaning pickup facility within the building;
 4. Fuel for operation of the equipment shall be smokeless fuel; and
 5. Central water and central sanitary sewage systems are required. This shall not apply to recyclable hydrocarbon or silicone dry cleaning machinery that does not discharge water into the central sanitary sewage system.
- u. *Experimental labs.* Allowed in the C-H, M-1, and M-2 zoning districts.
1. Minimum lot area: three acres if use is hazardous as defined by the Environmental Protection Agency (EPA).
 2. Said use shall comply with all applicable state and/or federal licensing requirements.
- v. *Farm outbuildings, including horse stables, auxiliary structures, and greenhouses.* Allowed in the A-R zoning district. These aforementioned buildings/structures shall be exempt from Sec. 110-79, pertaining to "Residential accessory structures and their uses".

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1. *Farm outbuilding.* All structures permitted in this category shall be structures related to a bona fide farming operation and shall be utilized as a barn for livestock, storing farm equipment, and any other agricultural purposes.
 2. *Greenhouses.* All structures permitted in this category shall be structures related to a bona fide cultivation or production of landscape planting materials.
 3. *Horse stables.* All structures permitted in this category shall be related to the bona fide shelter and/or boarding of horses. Riding lessons and boarding only shall be permitted; however, a site plan shall be required for these uses.
 4. *Auxiliary structures.* All structures permitted in this category shall comply with the following:
 - (i) Auxiliary structures shall be utilized for personal use only by the residents of the principal structure.
 - (ii) Auxiliary structures may be utilized as a noncommercial indoor training facility and/or artist studio.
 - (iii) Commercial/retail activity shall not be permitted.
 - (iv) An auxiliary structure shall not be utilized in conjunction with a home occupation.
 5. Lot size over ten acres, no restriction of size or number of farm outbuildings, horse stables, auxiliary structures, and greenhouses.
 6. Lot size five to ten acres, one detached farm outbuilding, auxiliary structure, greenhouse, or horse stable consisting of a maximum of 3,600 square feet in size.
 7. Lot size two to less than five acres, one detached farm outbuilding, auxiliary structure, greenhouse, or horse stable consisting of a maximum of 2,600 square feet in size.
 8. Farm outbuildings, auxiliary structures, horse stables and greenhouses may have plumbing and electricity. A farm outbuilding, auxiliary structure or horse stable may include up to 700 square feet of heated and finished floor area to be utilized as a guesthouse. Said guesthouse shall meet all applicable building codes. Only one guesthouse is allowed per individual lot (see also section 110-79). A guesthouse shall not be used as tenant space. Farm outbuildings, auxiliary structures, horse stables, and/or greenhouses may be constructed prior to the principal residential structure.
 - x. *Feed lot and/or commercial barn.* Barns and feed lots shall be located at least 100 feet from all property lines. Allowed in the M-1 zoning district.
 - x. *Golf course (minimum 18-hole regulation) and related accessories.* Related accessories are limited to: putting green, chipping green, sand trap, artificial/natural surface, bunker, clubhouse, pro shop, and snack bar. Allowed in the C-C, C-H, and A-R zoning districts.
 1. Said facilities shall be for daytime use only.
 2. All structures, greens, and fairways shall be set back at least 100 feet from any property line.
 3. No outside loudspeaker systems shall be utilized.
 - y. *Heavy manufacturing, packaging, processing or handling of materials.* (Allowed in the M-2 zoning district) Any uses such as the manufacturing of corrosive acids, bone distillation, drop forge industry, fat rendering, fertilizer manufacturing, organic material reduction, meat processing

plants, and similar operations which produce noise, odors, dust, fumes, fire hazards, or other nuisance features shall be set back no less than 500 feet from any property line.

- z. *Home occupation.* Allowed in A-R, EST, C-S, R-85, R-80, R-78, R-75, R-72, R-70, R-55, R-50, R-45, R-40, R-20, DR-15, RMF, MHP, PUD-PRD, PUD-PRL, PUD-PEF, O-I, C-C, C-H, L-C, G-B, M-1, M-2, and BTP zoning districts. The intent of these rules and regulations is to protect the health, safety and welfare of the general public and ensure that home occupations are regulated in a manner so they do not adversely impact surrounding residential properties, as residential areas and uses are normally separated from nonresidential areas and uses.
1. *Residents.* Only residents of the dwelling may be engaged in the home occupation within the dwelling. All nonresident individuals, including employees, contractors, or part owners, associated with the home occupation shall not be engaged in the home occupation within the dwelling or on the premises.
 2. *Incidental use.* The home occupation shall be clearly incidental to the residential use of the dwelling and shall not change the essential residential character of the building.
 3. *Display, sale.* No display of products shall be visible from the street, and only products produced on the premises may be sold on the premises. The on-premises sale of products produced off the premises shall be prohibited.
 4. *Clients/customers/students.* The number of clients/customers/students on premises shall not exceed more than two at a time nor more than a total of eight clients in any one day and all services rendered shall take place only within the dwelling. The hours of operation, in the context of clients/customers/students shall be limited to 9:00 a.m. to 7:00 p.m., Monday through Saturday.
 5. *Area.* Use of the dwelling, for the purpose of the home occupation, shall not exceed a total of 25 percent of the dwelling.
 6. *Number.* No more than four home occupations may be issued per dwelling and the cumulative area devoted to the home occupations shall not exceed 25 percent of the dwelling.
 7. *Alterations.* No internal or external alterations inconsistent with the residential use of the building shall be permitted.
 8. *Accessory buildings.* No accessory buildings or outside storage shall be used, except as otherwise provided herein.
 9. *Instructions and/or tutoring.* Instruction and/or tutoring including, but not limited to: music, art, crafts, dance, academic, computer, martial arts, and speech.
 10. *Day care, child/adult.* Daycare shall be limited to no more than three children or three adults at any time.
 11. *Vehicles.* Only customary passenger vehicles, vans and pick-up trucks shall be permitted to remain on the premises in association with a home occupation. Said vehicles cannot exceed two axles, 22 feet in length, ten feet in height, and/or 8,000 pounds (curb weight). No tow and/or rollback trucks shall be allowed to remain on the premises. A trailer used in association with the home occupation shall be permitted to remain on the premises. The aforementioned vehicles or trailer used in association with the home occupation may be stored in a detached garage.

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12. *In-home beauty salon or barbershop.* An in-home beauty salon or barbershop shall be limited to one chair and shall be subject to the department of environmental health's approval. It shall also comply with 4 above, in regards to the number of customers.
13. *Uses.* The following and similar uses shall not be considered home occupations: automobile service station; automobile and related vehicular sales lot on-premises; on-premises automobile, motorcycle, and/or farm/heavy construction equipment repair or service/maintenance; ambulance service; rescue squad; on-premises amusement or recreational activities (commercial); animal hospital; commercial kennel, veterinarian clinic with or without animal boarding place; pawn shops; acid storage and manufacturing; heavy manufacturing; fortune teller; palm reader; taxidermy, on-premises welding; on-premises pet grooming; on-premises medical/dental facilities; on-premises repair service (bicycle, lawn mower, small engine, and appliance); tire sales and storage; tanning salon; funeral services; tattooing; and on-premises massage therapy.
- aa. *Horse quarters in residential zoning districts.* Allowed in EST, R-85, R-80, R-78, R-75, R-72, R-70, R-55, R-50, R-45, R-40, R-20, C-S, and PUD-PRD zoning districts.
1. Minimum lot size: ten acres.
 2. Minimum side yard setback: 50 feet.
 3. Minimum rear yard setback: 75 feet.
 4. Horse quarters shall not be located within 100 feet of the principal residential structure or connected to any structures on site; however, horse quarters may be constructed prior to the principal residential structure.
 5. Horse quarters shall not exceed the square footage of the principal dwelling or 2,400 square feet, whichever is less.
 6. Only one horse quarter structure shall be permitted and shall not be counted as an accessory structure.
 7. Riding lessons and boarding are prohibited.
 8. Number of horses (see article III of this chapter).
- bb. *Horse show, rodeo, carnival, car show, and/or community fair or festival.* Allowed in the A-Rand C-H zoning districts. Private social gatherings (i.e., birthday party, wedding reception) that do not charge admission or advertise to the general public are not subject to this section.
- The following requirements shall apply:
1. No single event may exceed three days in duration and be conducted not more than once per calendar quarter, excluding preparation and cleanup. No events may be held at a location for more than five consecutive days.
 2. Schematic site plan showing event activity areas, parking & traffic circulation must be included with the application. Off-street parking is required. Site plan shall also address noise abatement concerns by strategically locating noisy activities to minimize their impact on adjacent properties.
 3. All events are subject to the county's noise control ordinance.
 4. Depending on the size and use of the element, tents, temporary structures such as stages and other elements may require building and electrical permits and/or fire marshal approval.

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5. Events and event activities, including all productions and shows, shall end at 10:00 p.m.
 6. Production and entertainment lighting shall not be permitted after 10:00 p.m. This restriction does not apply to safety and security lighting.
 7. Safety plan, including emergency access points, on-site first aid station, fire safety plan, law enforcement communications and coordination, and off-site traffic management, as necessary.
 8. Sanitation plan, including restroom facilities, trash collection & post-event cleanup.
 9. Food services require approval from the department of environmental health.
 10. Events that charge admission fees or sell admission tickets shall be considered a commercial business activity and shall obtain an appropriate occupational tax certificate with the county.
 11. Applications for events shall be submitted at least 60 days prior to the proposed event but not more than six months prior to the proposed event date.
- cc. *Hospital*. Allowed in the C-C, C-H, O-I, and A-R zoning districts.
1. Minimum lot size: ten acres.
 2. Such use shall only be permitted on a lot which fronts on a major arterial as designated by the county thoroughfare plan. All access is limited to the major arterial unless such use is within a nonresidential development which has access to a major arterial.
 3. A minimum 50-foot buffer plus the required setbacks shall separate all buildings from any residential or A-R zoning district. A buffer shall not be required along the common boundary where the side or rear yard abuts property developed for the following Conditional uses in a residential or A-R zoning district as regulated in sec. 110-169: cemetery, human or pet; child care facility; church and/or other place of worship; college and/or university; hospital; private school; or recreation centers owned by nonprofit organizations as so registered with the secretary of state office.
 4. Minimum setbacks:
 - (i) Front yard: 100 feet.
 - (ii) Side yard: 50 feet.
 - (iii) Rear yard: 50 feet.
 5. Support services, such as pharmacies, public cafeterias, and gift shops are allowed, provided such services are in conjunction with and accessory to, the hospital structure. Such businesses shall be conducted within the primary use structure and shall not exceed ten percent of the primary structure floor area. No outside advertising is allowed.
 6. Heliport.
- dd. *Junkyard and/or auto graveyard*. Allowed in the M-2 zoning district.
1. Minimum lot size: ten acres.
 2. Maximum site area: 25 acres.
 3. A minimum 100-foot buffer shall be provided along every property line, including public rights-of-way, so that junk is not visible from a public street or adjoining properties.

- 4. All structures and storage areas shall be set back at least 200 feet from a public street and/or adjoining residential or A-R zoning districts.
- ee. *Kenel*. See animal hospital, kennel (commercial or noncommercial) and/or veterinary clinic.
- ff. *Landfill*. Allowed in the M-2 zoning district.
 - 1. Minimum lot size: 20 acres.
 - 2. A minimum 100-foot buffer shall be provided around the entire site so that landfill operation activities are not visible from adjoining properties or any public street. Said buffer shall provide 100 percent screening from adjoining residences prior to commencing operations.
 - 3. Landfill operations shall be set back at least 200 feet from a major thoroughfare as designated by the county thoroughfare plan.
 - 4. The landfill shall comply with all of the state and federal requirements.
 - 5. Such uses shall be permitted only on a lot which fronts on a major thoroughfare as designated by the county thoroughfare plan. All access is limited to the major thoroughfare only.
- gg. *Laundromat, self-service or otherwise*. Allowed in the C-C and C-H zoning districts. Central water and central sanitary sewage systems are required.
- hh. *Mining and/or quarrying*. Allowed in the M-2 zoning district.
 - 1. Ingress and egress to and from the facility shall be limited to an arterial as designated by the county thoroughfare plan.
 - 2. A minimum 100-foot buffer shall be required adjacent to residential or A-R zoning districts.
 - 3. No activity involving blasting or the operating of machinery shall occur within 500 feet of a residential or A-R zoning district.
 - 4. All activity involving blasting or the operating of machinery shall be limited to daylight hours.
 - 5. The operation shall comply fully with all of the state and federal requirements.
- ii. *Non-emergency medical transport service*. Allowed in the O-I zoning district.
 - 1. The service shall comply with all licensing requirements of the state.
 - 2. Parking of all medical transport vehicles is allowed in the side and/or rear yard only in designated parking spaces. Medical transport vehicles shall be screened from the street via a fence or wall. The fence or wall shall be located between the designated parking spaces and the street. Said fence or wall shall be limited to wood, brick, stone, or concrete/concrete block with architectural treatment, or other architecturally engineered facades which match these materials and shall be a minimum height of eight feet.
 - 3. No on-site vehicle maintenance or fueling facilities are allowed.
- jj. Off-Site Parking. Off-Site Parking is the use of property to meet the temporary parking needs of a primary/principal use on a nearby parcel of property. Allowed in the O-I district.
 - 1. The property served by the off-site parking shall be located within one thousand (1000) feet of the property upon which the off-site parking is located, (regardless of jurisdiction) as measured from the nearest point of the property line of the property to be served to the nearest point of the property line on which the off-site parking is located;

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2. At all times a property is used for off-site parking, it shall exclusively serve one principal/primary use off site;
3. The written lease/agreement evidencing the exclusive use as off-site parking by a single primary/principal use off-site, including a term not to exceed eight (8) years and all other terms and conditions of the lease/agreement for parking between the parties, shall be included with the application for use as off-site parking;
4. Properties used for off-site parking shall not be held open to the public for use;
5. If the side or rear yard abuts a residential or A-R zoning district, a minimum 50-foot vegetative buffer shall be installed and maintained adjacent to the property line;
6. If the side or rear yard abuts a residential or A-R zoning district, a sound attenuating, commercial grade, black-vinyl coated chain-link fence shall be installed along the 50-foot vegetative 2/26/2026buffer;
7. A decorative/ornamental iron fence line shall be placed along all road frontage;
8. Use of the property for off-site parking shall end when the term of the submitted lease/agreement expires AND
9. All surfacing/paving and/or development of the property used for off-site parking shall be removed and the property returned to as near its natural state as possible upon expiration of the lease/agreement, submitted with application for this use.

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jjkk. *Outdoor amusement facilities, rides, structures over 35 feet in height, including, but not limited to bungee and parachute jumping.* Allowed in the C-H and M-1 zoning districts.

1. Where applicable, all state codes, rules, and regulations shall apply. Verification that state requirements are met shall accompany the application for a conditional use permit.
2. All structural and support parts shall not be located closer than 300 feet from any A-R or residential zoning district.
3. Any structure, ride, etc., erected in connection with an outdoor amusement activity, over 35 feet in height, shall be dismantled upon the closing of the business or activity in question.
4. Any structure, ride, etc. over 35 feet in height, or with elements over 35 feet in height, shall be surrounded by a six-foot-high fence with a locked gate when the facility is not in use. A four-inch sphere shall not be able to pass through any section of the fence or gate.
5. The structure shall be designed to fall entirely within the boundaries of the site should structural failure occur.

llkk. *Private school, including, but not limited to: classrooms, administration, playground, housing, athletic facility, gymnasium, and/or stadium.* Allowed in A-R, R-85, R-80, R-78, R-75, R-72, R-70, R-55, R-50, R-45, R-40, R-20, DR-15, O-I, C-C, G-B, and C-H zoning districts.

1. Minimum lot size: five acres.
2. Such use shall only be permitted on a lot which fronts on a major thoroughfare as designated by the county thoroughfare plan. All access is limited to the major thoroughfare only unless such use is within a nonresidential development which has access to a major thoroughfare.

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3. If the side or rear yard abuts a residential or A-R zoning district, a minimum 50-foot buffer shall be provided adjacent to the lot line. The side yard setback shall be 50 feet. The rear yard setback shall be 75 feet. The setback shall be measured from the buffer. Said requirements shall apply to all structures, outdoor playground areas, and/or athletic facilities. A buffer shall not be required along the common boundary where the side or rear yard abuts property developed for the following Conditional uses in a residential or A-R zoning district as regulated in section 110-169: Cemetery, human or pet, child care facility, church and/or other place of worship, college and/or university, hospital, private school, or recreation centers owned by nonprofit organizations as so registered with the Georgia Secretary of State Office.
4. Lighting for outdoor athletic facilities shall not be permitted after 10:00 p.m.
5. Student drop-off and vehicular turn-around facilities shall be provided on the site.
6. All buildings, other than storage buildings, shall maintain a decorative facing on those portions of the building which face public streets and any property zoned residential or agricultural-residential. The decorative facing shall consist of brick, stone, stucco, wood, or similar building materials compatible with the area.
7. Accessory structures such as a storage building, detached garage, pavilion, and/or pool shall comply with the buffer and/or setback requirements and shall be located to the side/rear of the main building.
8. The construction of one open air pavilion utilized for picnics/social gatherings only is allowed under the following conditions:
 - (i) The pavilion shall be constructed following the construction of the main school building;
 - (ii) The floor area cannot exceed 40 percent of the square footage of the main school building; and
 - (iii) The pavilion may not be lighted or used after 10:00 p.m. If the open air pavilion is built in conjunction with an attached storage building, the overall square footage shall not exceed 40 percent of the main school building square footage.

h.mm. *Processing, packaging or handling of perishable agricultural products grown on premises (i.e., fruits and vegetables).* Allowed in the A-R zoning district.

1. Minimum lot area: five acres.
2. All structures shall be set back at least 100 feet from any property line.
3. No structure shall exceed 5,000 square feet of floor area (interior measurements).
4. There shall be no outside storage of packaging materials, pallets, and all other items involved in the processing and packaging of said agricultural products.

mm.n. *Recreation centers owned by nonprofit organizations as so registered with the Georgia Secretary of State Office.* Allowed in the A-R zoning district.

1. The lot area shall be at least five acres, and the lot width at the building line shall be at least 400 feet.
2. Such uses shall be permitted only on a lot which fronts on a major thoroughfare as designated by the county thoroughfare plan. All access is limited to the major thoroughfare only.

3. A minimum 50-foot buffer plus the required setbacks listed below shall separate all buildings from any residential or A-R zoning district. The setback shall be measured from the buffer. A buffer shall not be required along the common boundary where the side or rear yard abuts property developed for the following conditional uses in a residential or A-R zoning district as regulated in sec. 110-169: Cemetery, human or pet; child care facility; church and/or other place of worship; college and/or university; hospital; private school; or recreation centers owned by nonprofit organizations as so registered with the secretary of state office.
4. Minimum setbacks for structures and use areas:
 - (i) Front yard: 100 feet.
 - (ii) Side yard: 50 feet.
 - (iii) Rear yard: 75 feet.
5. All buildings, other than storage buildings, shall maintain a decorative facing on those portions of the building which face public streets and any property zoned residential or agricultural-residential. The decorative facing shall consist of brick, stone, stucco, wood, or similar building materials compatible with the area.
6. Accessory structures such as a storage building, detached garage, pavilion, and/or pool shall comply with the buffer and/or setback requirements and shall be located to the side/rear of the main building.
7. The construction of one open air pavilion shall not exceed 1,800 square feet, shall be utilized for picnics/social gatherings and shall not be lighted or utilized after 10:00 p.m.

~~ooaa~~. *Religious tent meeting*. Allowed in A-R, C-C, C-H, and O-I zoning districts.

1. Said meetings shall not exceed 14 days per year at the same site.
2. Tents shall require the approval of the county fire marshal.
3. Off-street parking areas shall be required.
4. All activities shall cease by 10:00 p.m.

~~pppp~~. *Recycling facility*. Allowed in the M-1 zoning district.

1. All separation and processing (baling, compacting, grinding, or shredding) shall occur entirely within an enclosed building.
2. A convenient paved drop-off area shall be provided, permitting vehicles to re-enter the public street in a forward manner. Traffic circulation patterns shall be indicated on the site plan.
3. All outside storage of recyclable materials shall be on a paved surface within fully enclosed bins with hinged lids or other access points which can be closed.
4. All outside storage areas shall be totally screened according to chapter 104. Storage bins cannot be a greater height than the screening.

~~qqqq~~. *Seasonal sales, outdoor*. Allowed in C-C and C-H zoning districts and church and/or other place of worship (see this article).

1. Seasonal sales shall be limited to: October 1 to January 31; limited to properties zoned C-C and C-H; and on-site church or other places of worship. The A-R zoning district, which has a bona fide farming operation, is exempt from seasonal sales requirements;

2. Location of seasonal sales and outdoor display, as well as, the temporary stand or tent, shall be exempt from article III of this chapter, except as provided herein;
3. Location of seasonal sales as outdoor displays, as well as, structures (temporary stand or tent), shall comply with zoning requirements for setbacks;
4. Outdoor sales of seasonal agricultural products shall be limited to: natural Christmas trees, natural wreaths, pumpkins and gourds, hay, straw, fruits, vegetables, nuts, and natural plants;
5. Outdoor lighting for activities shall not be permitted before 7:00 a.m. or after 10:00 p.m.;
6. Off-street parking shall be required;
7. Along with the completed application, a sketch or diagram of the proposed site showing dimensions of the area utilized, the proximity to buildings, parking lots, right-of-way, setbacks, and any proposed structure (temporary stand or tent) and temporary signage as regulated by chapter 108 shall be submitted to the planning and zoning department; and
8. Location of seasonal sales and outdoor display, as well as, the temporary stand or tent, shall be removed and cleared within 48 hours of the end of operation as indicated on the conditional use permit.

rrrq. *Self-storage facility (external and/or internal access).* Allowed in G-B, M-1 and C-H zoning districts.

1. Single story self-storage buildings may have exterior access to the individual storage units. This exterior access shall not directly face a street.

Multistory self-storage buildings shall not have direct exterior access to individual storage units; all individual storage unit access shall be internal. A vehicle loading/unloading area utilizing a bay door and/or a loading dock shall only be located on the side or rear of the multistory self-storage building not facing a street. A vehicle loading/unloading area utilizing a bay door and/or a loading dock located on the side of the multistory self-storage building shall require a canopy covering the loading/unloading area.
2. All buildings shall maintain a decorative facing on those portions of the building which face public streets and any property zoned residential or agricultural-residential. The decorative facing shall consist of fiber-cement siding (i.e., Hardiplank), wood siding, brick/brick veneer, rock, stone, cast-stone, stucco (including synthetic stucco), or metal siding which establishes a horizontal pattern. The transportation corridor overlay zone architectural requirements shall control when applicable.
3. The maximum size of an individual storage unit shall be 600 square feet.
4. The facility may contain one on-site single-family dwelling unit.
5. Aisle ways adjacent to storage unit bays doors shall be used both for circulation and temporary customer parking while using storage units. The minimum width of these aisle ways shall be 25 feet as measured from the closest part of the structure including any overhang.
6. No open outside storage of items, other than vehicles, boats, recreational vehicles and trailers, shall be allowed. Open storage of vehicles, boats, recreational vehicles and trailers, shall be located to the rear of the self-storage buildings. Covered vehicle storage structures shall be allowed provided they do not exceed 25 percent of the overall gross square footage of all storage buildings and shall maintain a similar architectural character of the principal self-storage buildings.

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7. All outdoor lighting shall be shielded away from adjacent residential areas.
8. No exterior loudspeakers or paging equipment shall be permitted on the site.

fssf. *Shooting range, outdoor.* Allowed in A-R and M-1 zoning districts.

1. The outdoor shooting range shall meet all applicable standards established in the NRA Range Source Book. Documentation indicating compliance with the aforementioned standards shall be submitted with the site plan.
2. The outdoor shooting range shall meet all applicable state and federal regulations including, but not limited to: the state department of natural resources, Environmental Protection Agency and Occupational Safety and Health Administration. Documentation indicating compliance with the aforementioned regulations shall be submitted with the site plan.
3. The outdoor shooting range shall meet the requirements of section 16-4 and chapter 16, article II.

ttss. *Single-family residence and residential accessory structures and/or uses.* Allowed in the C-C, C-H, L-C-1, L-C-2, M-1, M-2, O-I, G-B, and BTP zoning districts.

1. Said residence shall be a single-family detached residence.
2. Said residence shall not be less than 1,200 square feet, and said residence shall not be allowed in subdivision developments as defined in chapter 104, article XV.
3. All residential accessory structures shall comply with Sec. 110-79, pertaining to "Residential accessory structures and their uses".

uuft. *Stadium, athletic.* Allowed in the C-H and M-1 zoning districts. The athletic stadium shall not be located closer than 300 feet from any A-R or residentially zoned property.

vvvt. *Temporary tent sales.* Allowed in the C-C and C-H zoning districts.

1. Said tent sales shall not be operated longer than 28 calendar days per year;
2. Tents shall require the approval of the county fire marshal;
3. Off-street parking shall be required;
4. Outdoor lighting for activities shall not be permitted before 7:00 a.m. or after 10:00 p.m.;
5. Location of outdoor sales, as well as a temporary tent:
 - (i) Shall comply with zoning requirements for setbacks.
 - (ii) Shall be exempt from screening (see article III of this chapter), except where provided herein.
 - (iii) Shall be removed and cleared within 48 hours of the end of operation as indicated on the permit.

wwwv. *Transfer station for household/commercial garbage and/or recyclable materials (including processing and handling).* Allowed in the M-2 zoning district.

1. Minimum lot size: ten acres.
2. Transfer station operations shall be set back at least 200 feet from an arterial as designated by the county thoroughfare plan.
3. The transfer station shall comply with all licensing requirements of the state.

- 4. Such uses shall be permitted only on a lot which fronts on a major thoroughfare as designated by the county thoroughfare plan. All access is limited to the major thoroughfare only.

~~xxxw.~~ *Wind farm.* Allowed in the M-1 and M-2 zoning districts. The setbacks shall be equal to the height of the wind turbine, including the blades, or the applicable zoning district setbacks, whichever are greater.

~~yy**.~~ *Vehicle/boat sales.* Allowed in C-C and C-H zoning district.

- 1. All vehicle/boat sales facilities must comply with the following conditions:
 - (i) All activities except sales shall be conducted indoors.
 - (ii) No outside storage of equipment or parts shall be permitted.
 - (iii) No external loudspeakers allowed.
- 2. A full range of repairs shall be allowed incidental to a sales use and shall comply with the following:
 - (i) All repair activities shall be conducted indoors.
 - (ii) No outside storage of equipment or parts shall be permitted.
 - (iii) All overhead doors shall face the side and/or rear yard or be screened from view from the street per article III of this chapter or utilizing vegetative materials.
 - (iv) All wrecked vehicles stored for repair shall be screened in accordance with article III of this chapter.
 - (v) Facilities located adjacent to a residentially zoned area shall not operate between the hours of 7:00 p.m. and 7:00 a.m.
 - (vi) No external loudspeakers allowed.

(Code 1992, § 20-7-1; Ord. No. 2012-09, § 5, 5-24-2012; Ord. No. 2012-13, § 5, 12-13-2012; Ord. No. 2012-14, § 6, 12-13-2012; Ord. No. 2013-02, § 4, 4-25-2013; Ord. No. 2013-08, § 1, 7-25-2013; Ord. No. 2014-19, § 8, 12-11-2014; Ord. No. 2015-05, § 3, 3-26-2015; Ord. No. 2015-12, § 1, 10-22-2015; Ord. No. 2015-13, §§ 1—7, 12-10-2015; Ord. No. 2016-12, §§ 4, 5, 7-28-2015; Ord. No. 2016-15, § 4, 7-28-2016; Ord. No. 2017-04, § 7, 3-23-2017; Ord. No. 2018-03, §§ 16—19, 9-22-2018; Ord. No. 2018-11, §§ 7—9, 10-25-2018; Ord. No. 2020-02, §§ 14—19, 5-28-2020; Ord. No. 2021-05, § 4, 3-25-2021; Ord. No. 2021-06, § 2, 3-25-2021; Ord. No. 2021-09, § 7, 5-27-2021; Ord. No. 2024-01, § 1, 2-25-2024)

BOARD MEMBERS

Danny England, Chairman
Boris Thomas, Vice-Chairman
John Kruzan
Jim Oliver
Virgil Hooper

STAFF

Deborah L. Bell, Planning and Zoning Director
Deborah Sims, Zoning Administrator
Maria Binns, Planning and Zoning Coordinator
E. Allison Ivey Cox, County Attorney

**AGENDA OF ACTIONS
FAYETTE COUNTY PLANNING COMMISSION MEETING
140 STONEWALL AVENUE WEST
March 05, 2026
7:00 pm**

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

NEW BUSINESS

1. Call to Order. *Chairman Danny England called the March 5, 2026, meeting to order at 7:00 pm.*
2. Pledge of Allegiance. *Chairman Danny England offered the invocation and led the audience in the Pledge of Allegiance.*
3. Approval of Agenda. *Ms. Deborah Bell amended the agenda to change items numbers 10, 11, 12, and 13 (Petitions for Sec. 110-238(a). – Membership; Sec. 110-325(1). – Membership; Sec. 110-169(2)n.5. – Uses and/or Structures incidental to a Church and Sec. 110-169(2) – Add Supporting Off -Site Parking as a conditional use in O-I zoning.) to numbers 6 through 9. Jim Oliver made a motion to approve the agenda as amended. John Kruzan seconded the motion. The motion carried 5-0.*
4. Consideration of the Minutes of the meeting held on February 5, 2026. *John Kruzan made a motion to approve the minutes of the meeting held on February 5, 2026. Jim Oliver seconded the motion. The motion carried 5-0.*
5. Plats
 - a. Minor Final Plat of Free Land. *Jim Oliver made a motion to approve the Minor Final Plat of Freeland. John Kruzan seconded the motion. The motion passed 5-0.*

PUBLIC HEARING

6. Consideration of amendment to Chapter 110. Zoning Ordinance, Regarding Article VII. – Zoning Board of Appeals. - Sec. 110-238(a). – Membership. ***Virgil Hooper made the motion to recommend APPROVAL of the Consideration of Amendment to Chapter 110. Zoning Ordinance, regarding Article VII.- Zoning Board of Appeals. Sec.110-238(a).- Membership. Jim Oliver seconded the motion. The motion passed unanimously.***
7. Consideration of amendment to Chapter 110. Zoning Ordinance, Regarding Article X. – Planning Commission. - Sec. 110-325(1). – Membership. ***Jim Oliver made the motion to recommend APPROVAL of the Consideration of Amendment to Chapter 110. Zoning Ordinance, regarding Article X.- Planning Commission. Sec. 110-325(1).- Membership. John Kruzan seconded the motion. The motion carried 5-0.***
8. Consideration of amendment to Chapter 110. Zoning Ordinance, Regarding Article V. – Conditional Uses, Nonconformances, and Transportation Corridor Overlay Zone. - Sec. 110-169(2)n.5. – Uses and/or Structures incidental to a Church. Add Off-Site Parking as an incidental use to churches. ***Jim Oliver made the motion to recommend CONDITIONAL APPROVAL and also added an 8th Condition: To Add a CONDITIONAL TRAFFIC CONTROL PLAN for the consideration of Amendment to Chapter 110. Zoning Ordinance, regarding Article V.- Conditional Uses, Nonconformances, and Transportation Corridor Overlay Zone. - Sec. 110-169(2)n.5. – Uses and/or Structures incidental to a Church. Add Off-Site Parking as an incidental use to churches. Virgil Hooper seconded the motion. The motion carried 4-1. Vice- Chairman Boris Thomas abstained.***

CONDITIONS:

1. *Application shall be made to the zoning administrator as described in Sec 110-169 hereof for use as off-site parking;*
2. *At all times the property is in use as off-site Parking it shall exclusively serve one principal/primary use off-site;*
3. *The written lease/agreement evidencing the exclusive use as off-site parking by a single primary/principal use off-site, including a term not to exceed eight (8) years and all other terms and conditions of the lease/agreement for parking between the parties, shall be included with the application for use as off-site parking;*
4. *The property shall not be held open to the public for use;*
5. *Use of the property for off-site parking shall end when the term of the submitted lease/agreement expires;*
6. *All parking shall be exclusively in areas approved for parking of the church and/or other place of worship conditionally permitted under 110-169 of the Fayette County Zoning Code. No parking shall be permitted in other than approved spaces.*
7. *The parking facilities available for lease as off-site parking shall not be extended beyond the facilities available on the parcel at the time application was made for conditional use as*

a church and/or other place of worship. The property shall not be improved or otherwise altered in any way to accommodate the off-site parking use.

8. *A Traffic Control Plan is required for the off-site parking use.*

9. Consideration of amendment to Chapter 110. Zoning Ordinance, Regarding Article V. – Conditional Uses, Nonconformances, and Transportation Corridor Overlay Zone. - Sec. 110-169(2) – Add Supporting Off -Site Parking as a conditional use in O-I (Office- Institutional) zoning district. ***Jim Oliver made the motion to recommend DENIAL of Consideration of Amendment to Chapter 110. Zoning Ordinance, regarding Article V.- Conditional Uses, Nonconformances, and Transportation Corridor Overlay Zone. - Sec. 110-169(2). – Add Supporting Off -Site Parking as a conditional use in O-I (Office- Institutional) zoning district. John Kruzan seconded the motion. The motion carried 5-0.***
10. Consideration of Petition 1374-25, Joseph Reeves Akin Jr, Owner. Applicant requests to rezone 3.1 acres from R-40 (Single Family) to A-R (Agricultural Residential Single Family). Property is located in Land Lots 198 of the 13th District, and it's behind 1252 Highway 314. ***Jim Oliver made the motion to recommend CONDITIONAL APPROVAL of Petition 1374-25. Virgil Hooper seconded the motion. The motion passed 3-2. Vice-Chair Boris Thomas and John Kruzan opposed.***

CONDITION:

1. ***All parcels that are the subject of this petition shall be combined by a recorded final plat within 180 days of the approval of the petition or prior to the submittal of a site development plan, whichever comes first.***
11. Consideration of Petition 1375-26-A, William Jerry Cleveland, Owner. Applicant requests to rezone Parcel No. 0704 002 (10.62 acres) from M-H-P (Manufactured Home Park) to C-C (Community Commercial). Property is located in Land Lots 26 of the 7th District and fronts Highway 54 West. ***John Kruzan made a motion to APPROVE TO TABLE Petition No. 1375-26-A to APRIL 2nd, 2026. The motion carried 4-0. Virgil Hooper was not present for that vote.***
12. Consideration of Petition 1375-26-B, William Jerry Cleveland, Owner. Applicant request to rezone Parcel No. 0704 004 (2.81 acres), from M-H-P (Manufactured Home Park) to C-C (Community Commercial). Property is located in Land Lots 26 of the 7th District and fronts Highway 54 West. ***John Kruzan made a motion to APPROVE TO TABLE Petition No. 1375-26-B to APRIL 2nd, 2026. Jim Oliver seconded the motion. The motion carried 5-0.***
13. Consideration of Petition 1376-26, US Management Association, LLC, Owner. Applicant request to rezone 13.32 acres from M-H-P (Manufactured Home Park) to C-C (Community Commercial). Property is located in Land Lots 26 of the 7th District and fronts Highway 54 West. ***John Kruzan made a motion to APPROVE TO TABLE Petition No. 1376-26 to APRIL 2nd, 2026. Jim Oliver seconded the motion. The motion carried 5-0.***

Jim Oliver moved to adjourn the March 6, 2026, Planning Commission meeting. John Kruzan seconded. The motion passed 5-0.

The meeting adjourned at 8:34 pm.

Meeting Minutes 3/5/2026

THE FAYETTE COUNTY PLANNING COMMISSION met on March 5th, 2026, at 7:00 P.M. in the Fayette County Administrative Complex, 140 Stonewall Avenue West, Fayetteville, Georgia.

MEMBERS PRESENT: Danny England, Chairman
Boris Thomas, Vice-Chairman
John Kruzan
Jim Oliver
Virgil Hooper

STAFF PRESENT: Debbie Bell, Planning and Zoning Director
Deborah Sims, Zoning Administrator
Maria Binns, Zoning Secretary
E. Allison Ivey Cox, County Attorney

1. Call to Order. *Chairman Danny England called the March 5, 2026, meeting to order at 7:00 pm.*
2. Pledge of Allegiance. *Chairman Danny England offered the invocation and led the audience in the Pledge of Allegiance.*
3. Approval of Agenda. *Ms. Deborah Bell amended the agenda to change items numbers 10, 11, 12, and 13 (Petitions for Sec. 110-238(a). – Membership; Sec. 110-325(1). – Membership; Sec. 110-169(2)n.5. – Uses and/or Structures incidental to a Church and Sec. 110-169(2) – Add Supporting Off -Site Parking as a conditional use in O-I zoning.) to numbers 6 through 9. Jim Oliver made a motion to approve the agenda as amended. John Kruzan seconded the motion. The motion carried 5-0.*
4. Consideration of the Minutes of the meeting held on February 5, 2026. *John Kruzan made a motion to approve the minutes of the meeting held on February 5, 2026. Jim Oliver seconded the motion. The motion carried 5-0.*
5. Plats.
 - a. Minor Final Plat of Free Land.

Ms. Debbie Bell stated the Plat has been received and approved by staff.

Chairman Danny England asked if the petitioner was present.

Virgil Hooper asked staff what are the asking for.

Ms. Bell stated the applicant rezoned and combined property for parcel facing

Adams Road.

After no further comments, Chairman England asked for a motion.

Jim Oliver made a motion to approve the Minor Final Plat of Freeland. John Kruzan seconded the motion. The motion passed 5-0.

PUBLIC HEARING

6. Consideration of amendment to Chapter 110. Zoning Ordinance, Regarding Article VII. – Zoning Board of Appeals. - Sec. 110-238(a). – Membership.

Ms. Bell stated that this amendment that addresses the candidates who are appointed to the Zoning Board of Appeals, might also serve on other boards within the county.

Chairman Danny England asked whether anyone in the audience supported or opposed this petition. With no response, he brought the item back to the Board for comments or a motion.

Virgil Hooper made the motion to recommend APPROVAL of Consideration of Amendment to Chapter 110. Zoning Ordinance, regarding Article VII.- Zoning Board of Appeals. Sec.110-238(a).- Membership. Jim Oliver seconded the motion. The motion passed unanimously.

7. Consideration of amendment to Chapter 110. Zoning Ordinance, Regarding Article X. – Planning Commission. - Sec. 110-325(1). – Membership.

Ms. Bell explained that this amendment also addresses the candidates who are appointed to the Planning Commission, might also serve on other boards within the county.

Chairman Danny England asked whether anyone in the audience supported or opposed this petition. With no response, he brought the item back to the Board for comments or a motion.

Jim Oliver made the motion to recommend APPROVAL of the Consideration of Amendment to Chapter 110. Zoning Ordinance, regarding Article X.- Planning Commission. Sec. 110-325(1).- Membership. John Kruzan seconded the motion. The motion carried 5-0.

8. Consideration of amendment to Chapter 110. Zoning Ordinance, Regarding Article V. – Conditional Uses, Nonconformances, and Transportation Corridor Overlay Zone. - Sec. 110-169(2)n.5. – Uses and/or Structures incidental to a Church. Add Off-Site Parking as an incidental use to churches.

Ms. Bell discussed the recommendation for Sec. 110-169(2)n.5, which proposes adding Off-Site Parking as an incidental use for churches. She noted that churches are classified as a conditional use, and according to Sec. 110-169 on Conditional Use Approval, they may use their parking areas for off-site purposes, provided they do not expand the current parking capacity.

Chairman England asked if anyone in the audience was in support or opposition of the petition. With no response, he brought the item back to the board.

Mr. Jim Oliver asked staff if this was related to a problem or something existing.

Ms. Bell replied that QTS is currently under construction and seeking off-site parking areas not used during the week, by using the church parking areas. And related to parking lot at churches.

Chairman England asked staff if this was something not allowed before.

Chairman England asked if parking at a church was not allowed before, or if that's something we need to allow.

Allison Cox, County Attorney responded parking wasn't allowed as a use, and they wanted to make sure it is not outside of their use and they are not violating any rules.

Vice-Chairman Boris Thomas asked what if they have food trucks and festivals.

Ms. Bell responded that those are normal activities that a church already has.

Chairman England asked if the film industry could use that, too.

Ms. Bell responded that they could.

Ms. Cox added that it will be exclusively used on a lease term.

Vice-Chair Thomas commented on what can be used to prohibit commercial traffic during rush hour.

Ms. Cox responded that it will be handled once they get there, by QTS, providing measures like hiring security or parking details.

Chairman England asked if the county has the ability to review it or say no, by submitting a site plan, etc.

Ms. Cox responded that they met everything that's in the condition, in addition to all of the church's conditions, then no. She explained that this is specifically off-site parking, and it has to be attached to a principal use that's local. She suggested that if the board wanted, they could add extra conditions.

Mr. John Kruzan asked this for the existing parking area they have today, which would not add any more property, and convert it into more parking.

Ms. Cox responded that this will only apply to the parking area that currently exists.

Vice-Chair Thomas asked when the date would be for this to go into effect. He was concerned that some of the churches might apply to expand their parking space before this goes into effect.

Ms. Bell responded that the county doesn't currently have any churches that plan to enlarge their parking lot.

Vice-Chair Thomas asked if we would be restricting churches from improving their parking lots due to the concern that they will be rented out to commercial entities.

Ms. Bell responded that if they currently have an active parking lease, they will not be approved to expand their existing parking. If a church comes in and wants to expand its parking, as long as they meet all of the site development requirements, they will be reviewed and approved; they will have to wait for that lease to be over to make any additions.

Ms. Cox added that any of those changes will have to meet what's allowed for churches; they cannot add an industrial lot, which will not be allowed.

Mr. Virgil Hooper asked if the county has a limit on the number of parking spaces per church/congregation.

Ms. Bell responded that there is no cap on the number of parking spaces, but there is a cap on the maximum percentage of impervious areas on a parcel.

Mr. John Kruzan asked if this will be an eight year term, as shown in the staff report.

Ms. Cox responded that it cannot exceed eight years. Because the build up will take eight years, that's where the number comes from to make sure there is determination, and it does not continue.

Chairman England asked the board didn't have any other comments, he requested a motion.

Jim Oliver made the motion to recommend CONDITIONAL APPROVAL and also added an 8th Condition: To Add a CONDITIONAL TRAFFIC CONTROL PLAN for the consideration of Amendment to Chapter 110. Zoning Ordinance, regarding Article V.- Conditional Uses, Nonconformances, and Transportation Corridor Overlay Zone. - Sec. 110-169(2)n.5. – Uses and/or Structures incidental to a Church. Add Off-Site Parking as an incidental use to churches. Virgil Hooper seconded the motion. The motion carried 4-1. Vice- Chairman Boris Thomas abstained.

CONDITIONS:

1. *Application shall be made to the zoning administrator as described in Sec 110-169 hereof for use as off-site parking;*
 2. *At all times the property is in use as off-site Parking it shall exclusively serve one principal/primary use off-site;*
 3. *The written lease/agreement evidencing the exclusive use as off-site parking by a single primary/principal use off-site, including a term not to exceed eight (8) years and all other terms and conditions of the lease/agreement for parking between the parties, shall be included with the application for use as off-site parking;*
 4. *The property shall not be held open to the public for use;*
 5. *Use of the property for off-site parking shall end when the term of the submitted lease/agreement expires;*
 6. *All parking shall be exclusively in areas approved for parking of the church and/or other place of worship conditionally permitted under 110-169 of the Fayette County Zoning Code. No parking shall be permitted in other than approved spaces.*
 7. *The parking facilities available for lease as off-site parking shall not be extended beyond the facilities available on the parcel at the time application was made for conditional use as a church and/or other place of worship. The property shall not be improved or otherwise altered in any way to accommodate the off-site parking use.*
 8. ***Added a Conditional Traffic Control Plan.***
9. Consideration of amendment to Chapter 110. Zoning Ordinance, Regarding Article V. – Conditional Uses, Nonconformances, and Transportation Corridor Overlay Zone. - Sec. 110-169(2) – Add Supporting Off -Site Parking as a conditional use in O-I (Office-Institutional) zoning district.

Ms. Bell explained that this will be an addition to adding off-site parking as a conditional use - Conditional use permits have specific requirements they have to meet under that use, and they are not eligible for variances. Ms. Bell stated this is specifically for off-site parking serving a specific use within one thousand feet of the property that it serves.

Chairman England asked if anyone in the audience was in support or opposition of the petition.

Spoke in opposition:

Mr. Ben Loggins commented in opposition and expressed his concern about the traffic this will create for the residents at Canoe Club, by submitting another traffic light or otherwise.

Mr. Chris Covington, resident of Lester Road, also commented about his concerns about adding more traffic and proposed that adding some source of surveillance would be helpful.

Mr. Wayne Knight, a resident of the Canoe Club, spoke about the traffic concerns and asked for the median to be cut back to allow for a left turn to allow people to go north.

With no further comments, the Chairman brought the item back to the board for questions or a motion.

Ms. Bell responded to the last comment, stating that the property was recently annexed to the city, and the county has development plans for that property, which is not the subject of this particular petition.

Chairman England added that there is more traffic coming, so there is more parking, and it affects that entrance, and the more people we have, the hardest is to control that.

Ms. Cox commented that the area for the petition the board is hearing is subject to commercial development, which changes the roadways. Ms. Cox explained that the effort is to keep it a conditional use and O-I to be managed as a parking lot for the time that is needed as a commercial use.

Mr. Jim Oliver expressed his concern that this will be tailored for a specific use.

Ms. Cox responded that we need the use of the county, and it's something allowed, stating they could do a commercial parking in a commercial area, but outside parking will come later on other places too, and the county wants to make sure it can be managed.

Mr. Oliver asked why we are trying to accommodate QTS's needs when they have four hundred acres to do a parking lot.

Ms. Cox responded that they are trying to control the traffic problem.

Mr. Oliver responded that they could keep it on their campus; they have all of those buses traveling all over the place, and they think this will make it any better, but it is going to make it worse.

Chairman England commented that the problem he sees is that in a church, they only use it half a day on Sunday and Wednesday, and asked staff if there is anything that will exclude an O-I zoned constructed building.

Ms. Cox responded that if you are an O-I group and you have principal use on that property, you must have a lease, and they need to set the terms; we need to see a lease.

Vice-Chair Thomas commented that it seems like we are trying to control the fire instead of saying you can't make a fire and just construct a parking deck and solve the problem; they are not ready for the impact of the traffic this might create.

Mr. John Kruzan commented that they couldn't do it on this consideration, so now we are going to do it on this new one.

Chairman England asked for a motion if there were no further questions from the board.

Jim Oliver made the motion to recommend DENIAL of Consideration of Amendment to Chapter 110. Zoning Ordinance, regarding Article V.- Conditional Uses, Nonconformances, and Transportation Corridor Overlay Zone. - Sec. 110-169(2). – Add Supporting Off -Site Parking as a conditional use in O-I (Office- Institutional) zoning district. Vice -Chairman Boris Thomas seconded the motion. The motion carried 5-0.

10. Consideration of Petition 1374-25, Joseph Reeves Akin Jr, Owner. Applicant requests to rezone 3.1 acres from R-40 (Single Family) to A-R (Agricultural Residential Single Family). Property is located in Land Lots 198 of the 13th District, and it's located behind 1252 Highway 314.

Ms. Bell read the petition above and explained that the applicant is proposing to rezone the parcel to A-R combine it with additional property already rezoned A-R, for the purposes of use as a single-family residence and for operating an A-R Wedding/Event Venue. The parcel does not meet the minimum lot size for the A-R zoning. Therefore, a condition is recommended to ensure it is combined with the larger parcel, which will resolve this issue. Staff recommended conditional approval.

Chairman England asked staff if they had previously encountered this application. What is the difference this time?

Ms. Bell responded that the only way they could rezone this parcel is if the other parcels adjacent to it were rezoned to A-R first.

Mr. Randy Boyd, agent representing Mr. Akin and Mr. Hill, is not sure how this parcel was created, which is on the west side of the lake; you cannot get to it, and can't do much with it, either, sitting half in a floodplain and being less than five acres. Mr. Akin wants to sell it to Mr. Hill, who would like to add it to the recently rezoned A-R parcels adjacent to his. Mr. Boyd asked the board for approval, stating will be downzoning.

Chairman England asked for anyone in support of the petition to speak, with no comments asked for anyone in opposition to speak.

Ms. English expressed her concern about Mr. Akin selling the piece of property to Mr. Hill to convert it into a wedding venue.

No one else spoke in opposition and Chairman England brought the item back to the board for questions.

Mr. Hooper asked if they had changed the classification on the larger parcel so that they could incorporate the smaller one; he wasn't present on the previous requests.

Chairman England responded yes.

Mr. Oliver asked the petitioner if they agreed with the conditions for the petition.

Mr. Boyd responded that they had no problem with it.

Jim Oliver made the motion to recommend CONDITIONAL APPROVAL of Petition 1374-25. Virgil Hooper seconded the motion. The motion passed 3-2. Vice-Chair Boris Thomas and John Kruzan opposed.

CONDITION:

1. All parcels that are the subject of this petition shall be combined by a recorded final plat within 180 days of the approval of the petition or prior to the submittal of a site development plan, whichever comes first.

11. Consideration of Petition 1375-26-A, William Jerry Cleveland, Owner. Applicant requests to rezone Parcel No. 0704 002 (10.62 acres) from M-H-P (Manufactured Home Park) to C-C (Community Commercial). Property is located in Land Lots 26 of the 7th District and fronts Highway 54 West.

Ms. Debbie Bell stated that applicants are requesting to rezone these two parcels and parcel 0704 052 to C-C to operate a parking center for vehicles driven by construction workers and other personnel working at the data center. Once completed, the site will be developed for an office site. The subject properties are currently zoned MHP. They were rezoned from A-R to MHP, which was approved in March 1967. It could be zoned commercial, but it also could be rezoned to O-I. Staff recommended conditional approval.

Chairman England asked if the petitioner was present.

Mr. Alan Kachin, Agent, representing Ace Group Corp, stated the property was currently zoned for mobile homes, and they are seeking to rezone it for commercial purposes. The initial use will be for a parking lot for the workers at the data center, and once no longer needed, it will be converted into an office building, solving the problems previously discussed with the churches. Mr. Kachin explained if the property were developed as a mobile home park with the approximation of fifty homes, it would also bring more traffic to the area. He stated that his client will meet all of the requirements to obtain the appropriate permits.

Chairman England asked whether anyone supported the petition.

Mr. John Saena recommended adding a condition to be a previous surface to protect the runoff, since this will be temporary until the next development.

Mr. Joe Peavy expressed his concern about the runoff and complained about the lighting and the noise he already has across the street with the data center and would like for the board to include a barrier wall or something where the lights in the proposed

parking lot do not shine directly into their subdivision.

Chairman England asked for anyone in support or opposition, but no one responded. He brought the item back to the board for comments or motion.

Mr. Alan Kachin came back for rebuttal, stating that the parking lot will have buffers and his client will comply with all requirements.

Vice- Chairman Thomas asked if the data center would ever be completed. He asked for a time of completion.

Mr. Kachin responded that he does know, and he couldn't speak for them.

Chairman England commented that eight years will be the max.

Mr. Jim Oliver asked staff if the board's denial of the petition would do to this petition in the O-I part?

Ms. Bell responded that staff will recommend that this be rezoned to O-I instead of C-C, as it is a less intense use, it's a criteria of Highway 54 west corridor and off-site parking is not a conditional or permanent use in C-C.

Chairman England they could move forward with the rezoning. The problem is that they couldn't use it as a parking lot.

Mr. Oliver asked the petitioner if they couldn't do the parking in O-I, instead of C-C, what would it do to your petition?

Mr. Kachin responded that his client is not interested in building a mobile home park; the intention is to develop it anyway. He doesn't know what his client would want it to do if they couldn't use it for off-site parking.

Mr. Oliver responded to Mr. Kachin that his presentation is leaving him with more questions than answers, he questioned the agent mentioning he does know what his client cant do if no using the property for off-site parking, that this is a better use than a mobile home park and responded that the price for the property is making it financially not feasible to build a mobile home park and this will be better to control traffic, that will be regardless. He finished by stating he is not giving the board any assurance of what's going to happen.

The board asked if the applicant could withdraw the petition or table it. The petitioner responded that they would like to table it.

John Kruzan made a motion to APPROVE TO TABLE Petition No. 1375-26-A to APRIL 2nd, 2026. The motion carried 4-0. Virgil Hooper was not present for that vote.

12. Consideration of Petition 1375-26-B, William Jerry Cleveland, Owner. Applicant request to rezone Parcel No. 0704 004 (2.81 acres), from M-H-P (Manufactured Home Park) to C-C (Community Commercial). Property is located in Land Lots 26 of the 7th District and fronts Highway 54 West.

Ms. Bell explained that this is part of petition 1375-26-B and needs to be tabled for April 2, 2026.

The Board moved for a motion.

John Kruzan made a motion to APPROVE TO TABLE Petition No. 1375-26-B to APRIL 2nd, 2026. Jim Oliver seconded the motion. The motion carried 5-0.

13. Consideration of Petition 1376-26, US Management Association, LLC, Owner. Applicant request to rezone 13.32 acres from M-H-P (Manufactured Home Park) to C-C (Community Commercial). Property is located in Land Lots 26 of the 7th District and fronts Highway 54 West.

Ms. Bell explained that this is part of petition 1376-26 and needs to be tabled for April 2, 2026.

The Board moved for a motion.

John Kruzan made a motion to APPROVE TO TABLE Petition No. 1376-26 to APRIL 2nd, 2026. Jim Oliver seconded the motion. The motion carried 5-0.

Jim Oliver moved to adjourn the March 6, 2026, Planning Commission meeting. John Kruzan seconded. The motion passed 5-0.

The meeting adjourned at 8:34 pm.

**PLANNING COMMISSION
OF
FAYETTE COUNTY**

ATTEST:

DANNY ENGLAND, CHAIRMAN

PC Minutes
March 5, 2026

**MARIA BINNS,
PC SECRETARY**

DRAFT

PLANNING COMMISSION

Consideration of Amendments to Chapter 110. Zoning Ordinance, Regarding Article V. – Conditional Uses, Nonconformances, and Transportation Corridor Overlay Zone. - Sec. 110-169(2). – Add supporting Off-Site Parking as a Conditional Use in O-I (Office – Institutional) zoning district.

50

_____ Recommended for approval to the BOC

Recommended for denial to the BOC

_____ Tabled until _____

Per the Fayette County Planning Commission on this 5th day of March 2026.



DANNY ENGLAND, CHAIRMAN



BORIS THOMAS, VICE- CHAIRMAN



JOHN J. KRUZAN



JIM OLIVER



VIRGIL HOOPER

Remarks:

Wednesday, February 18, 2026

Continued from page B4

Fayette County News **B5**

NOTICE OF PUBLIC HEARING
FOR AN AMENDMENT OF THE
FAYETTE COUNTY CODE OF
ORDINANCES, CHAPTER 110.
ZONING ORDINANCE.

PUBLIC HEARING to be held before the Fayette County Planning Commission on March 5, 2026, at 7:00 P.M. and before the Fayette County Board of Commissioners on March 26, 2026, at 5:00 P.M. in the Fayette County Administrative Complex, 140 Stonewall Avenue West, Public Meeting Room, First Floor, Fayetteville, Georgia.

CONSIDERATION OF AMENDMENTS TO CHAPTER 110. ZONING ORDINANCE, REGARDING ARTICLE V. - CONDITIONAL USES, NONCONFORMANCES, AND TRANSPORTATION CORRIDOR OVERLAY ZONE. - SEC. 110-169(2)- Add Supporting Off-Site Parking as a conditional use in O-I (Office-Institutional) zoning district.

A copy of the above is available in the office of the Fayette County Planning and Zoning Department, 140 Stonewall Avenue West, Suite 202, Fayetteville, Georgia.

This 13th day of February 2026.

Deborah Bell, Director
Planning and Zoning

02/18

COUNTY AGENDA REQUEST

Department:

Presenter(s):

Meeting Date:

Type of Request:

Wording for the Agenda:

Approval to accept the donation of 56 Thermal Imaging Cameras, in the valued amount of \$55,152.85, from the Fayette Fire Foundation for use during emergency operations during structural firefighting, victim rescue, and firefighter safety.

Background/History/Details:

The mission of the Fayette Fire Foundation is to aid, support, and assist by gifts, contributions or otherwise, Fayette County Fire and Emergency Services. The Board of Directors meet periodically and discuss and vote on expenditures and projects that will enhance and improve the ability of the Fayette County Fire and Emergency Services, and its personnel, to provide fire and emergency medical services to the community.

Thermal Imaging Cameras are used for structural firefighting operations to allow firefighters to visualize heat signatures and temperature changes inside building fires. This allows them to quickly find the seat of the fire, victims within the building, and structural damage which may hamper their operations, such as holes in the floor, that they would not otherwise be able to see in smoke-filled areas.

What action are you seeking from the Board of Commissioners?

Approval to accept the donation of 56 Thermal Imaging Cameras, in the valued amount of \$55,152.85, from the Fayette Fire Foundation for use during emergency operations during structural firefighting, victim rescue, and firefighter safety.

If this item requires funding, please describe:

No applicable.

Has this request been considered within the past two years?

If so, when?

Is Audio-Visual Equipment Required for this Request?*

Backup Provided with Request?

*** All audio-visual material must be submitted to the County Clerk's Office no later than 48 hours prior to the meeting. It is also your department's responsibility to ensure all third-party audio-visual material is submitted at least 48 hours in advance.**

Approved by Finance

Reviewed by Legal

Approved by Purchasing

County Clerk's Approval

Administrator's Approval

Staff Notes:

Cameras will need to added to the County's asset system.



(877) 637-3473

Invoice

Invoice # IN2448586
Date 02/24/2026
Terms Net 30
Due Date 03/26/2026
Customer # C228968
PO # Brandon Gibby- Captain
Sales Rep Adams, Jeremy L
Sales Order SO2253448

Bill To

Fayette Fire Foundation
 140 Stonewall Ave.
 Suite 214
 Fayetteville GA 30214
 United States

Ship To

Fayette Fire Foundation
 Brandon Gibby- Captain
 140 Stonewall Ave.
 Suite 214
 Fayetteville GA 30214
 United States

Item	Description	QTY	Units	Back Ordered	Unit Price	Amount
FQ-AAAX	Seek FirePRO 300 Thermal Imager	56		0	\$1,150.32	\$64,417.92
RT4-4505	Fire Pro 300 - Aluminum Carabiner Mount	56		0	\$30.00	\$1,680.00
FP300TI	**Trade-In**-FQ-AAAX	55		0	(\$200.00)	(\$11,000.00)
	11- V320					
	44- Scott Sight					

Subtotal \$55,097.92

Shipping Cost \$54.93

Tax Total \$0.00

Total \$55,152.85

Amount Due \$55,152.85

Contact: C37765 FAYETTE COUNTY FIRE SERVICE (GA) : Accounts Payable (770) 305-5304

Tracking #: 399045436641 399045436479 399045438931 399045439695

All returns must be processed within 30 days of receipt and require a return authorization number and are subject to a restocking fee.
 Custom orders are not returnable.
 All payments must be clearly marked with the Customer and Invoice numbers. Payments not marked will be applied to the oldest invoice first.

PLEASE NOTE OUR REMITTANCE ADDRESS HAS CHANGED AND CHECKS WILL BE RETURNED IF NOT SENT TO THE ONE ON THE REMITTANCE SLIP.

Wire/ ACH:
 Routing#: 121000248
 Acct#: 4865475180
 Bank Name: Wells Fargo Bank, N.A.

Wire/ ACH Remittance Advice: AR@MESFIRE.COM
 Please include Customer# and Invoice#

Please call us for invoice questions:
 1-877-MES-FIRE (1-877-637-3473)

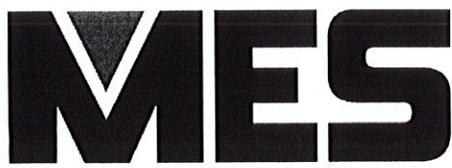
Remittance Slip

Customer C228968 Fayette Fire Foundation
Invoice # IN2448586
Amount Due \$55,152.85
Amount Paid _____

Make Checks Payable To

MES SERVICE COMPANY LLC
 PO BOX 851792
 MINNEAPOLIS, MN 55485-1792





(877) 637-3473

Packing Slip

Page 181 of 216

Ref No. IF2936254
Date 02/24/2026
Order # SO2253448
Order Date 02/11/2026
Customer:Project C228968 Fayette Fire Foundation
PO # Brandon Gibby- Captain
Ship Via FedEx Ground

Address

Fayette Fire Foundation
 Brandon Gibby- Captain
 140 Stonewall Ave.
 Suite 214
 Fayetteville GA 30214
 United States

Item	Units	Description	QTY Ord	Serial/Lot/Bin	Back Order	Shipped
FQ-AAAX		Seek FirePRO 300 Thermal Imager	56	NC1-PW07-B-1(56)		56
RT4-4505		Fire Pro 300 - Aluminum Carabiner Mount	56	NC1-PW09-E-2(56)		56
FP300TI		**Trade-In**-FQ-AAAX _ 11- V320 44- Scott Sight	55			55

Contact: C37765 FAYETTE COUNTY FIRE SERVICE (GA) : Accounts Payable (770)
 305-5304

Tracking #: 399045436641 399045436479 399045438931 399045439695



SO2253448



IF2936254

**Fayette County
Fixed Asset Change Form**

Fayette County Fire & EMS

Originating Department Fayette County Fire & EMS
 Date 03/02/2026

QTY	Description	Manufacturer	Model	Serial / VIN	Inventory Tag #	Code Acquisition Or Disposal	Current Unit Value (\$1000) (Y/N)	IS (Prep for Disposal only)	Best Disposition Code
1	Thermal Imaging Camera	Seek	300 Pro	4000000813	64297	AD	Y		
1	Thermal Imaging Camera	Seek	300 Pro	4000000857	64298	AD	Y		
1	Thermal Imaging Camera	Seek	300 Pro	4000000845	64300	AD	Y		
1	Thermal Imaging Camera	Seek	300 Pro	4000000800	64299	AD	Y		

Acquisition Codes: Disposition Codes:

AP – Purchase DS – To surplus for auction, sale or trade

AD – Donation DD – To B&GM for disposal: recycle, landfill or other

AC – Confiscated DT – Transfer to _____

AO – Other acquisition* DO – Other disposition*

B&G Disposition Codes:

BS – Stored for auction or sale

BD - Discarded

BO – Other disposition*

*Comments From THE FAYETTE FIRE FOUNDATION - 5LE THERMAL IMAGING CAMERAS.

Department Signature



WORK ORDER #	DATE STORED	LOCATION STORED

216
 Fixed Asset Change Form
 Additional Page

Qty	Description	Manufacturer / Model	Serial / VIN	Inventory Tag #	Code Acquisition Or Disposal	Current Unit Value Over \$1000.00? (Y/N)	IS (Prep for Disposition only)	B&G Disposition Code
1	Thermal Imaging Camera	Seek/300 Pro	4000000784	64301	AD	Y		
1	Thermal Imaging Camera	Seek/300 Pro	4000000884	64302	AD	Y		
1	Thermal Imaging Camera	Seek/300 Pro	4000000830	64303	AD	Y		
1	Thermal Imaging Camera	Seek/300 Pro	4000000803	64304	AD	Y		
1	Thermal Imaging Camera	Seek/300 Pro	4000000815	64305	AD	Y		
1	Thermal Imaging Camera	Seek/300 Pro	4000000831	64306	AD	Y		
1	Thermal Imaging Camera	Seek/300 Pro	4000000814	64307	AD	Y		
1	Thermal Imaging Camera	Seek/300 Pro	4000000796	64308	AD	Y		
1	Thermal Imaging Camera	Seek/300 Pro	4000000764	64309	AD	Y		
1	Thermal Imaging Camera	Seek/300 Pro	4000000816	64310	AD	Y		
1	Thermal Imaging Camera	Seek/300 Pro	4000000776	64311	AD	Y		
1	Thermal Imaging Camera	Seek/300 Pro	4000000838	64312	AD	Y		
1	Thermal Imaging Camera	Seek/300 Pro	4000000794	64313	AD	Y		
1	Thermal Imaging Camera	Seek/300 Pro	4000000818	64314	AD	Y		
1	Thermal Imaging Camera	Seek/300 Pro	4000000752	64315	AD	Y		
1	Thermal Imaging Camera	Seek/300 Pro	4000000779	64316	AD	Y		

19
 Fixed Asset Change Form
 Additional Page

QTY	Description	Manufacturer / Model	Serial / VIN	Inventry Tag #	Code Acquisition Or Disposal	Current Unit Value Over \$1,000.00? (Y/N)	IS (Prep for Disposition only)	B&G Disposition Code
1	Thermal Imaging Camera	Seek/300 Pro	4000000749	64317	AD	Y		
1	Thermal Imaging Camera	Seek/300 Pro	4000000754	64318	AD	Y		
1	Thermal Imaging Camera	Seek/300 Pro	4000000876	64319	AD	Y		
1	Thermal Imaging Camera	Seek/300 Pro	4000000773	64320	AD	Y		
1	Thermal Imaging Camera	Seek/300 Pro	4000000785	64321	AD	Y		
1	Thermal Imaging Camera	Seek/300 Pro	4000000756	64322	AD	Y		
1	Thermal Imaging Camera	Seek/300 Pro	4000000757	64323	AD	Y		
1	Thermal Imaging Camera	Seek/300 Pro	4000000748	64324	AD	Y		
1	Thermal Imaging Camera	Seek/300 Pro	4000000759	64325	AD	Y		
1	Thermal Imaging Camera	Seek/300 Pro	4000000782	64326	AD	Y		
1	Thermal Imaging Camera	Seek/300 Pro	4000000873	64327	AD	Y		
1	Thermal Imaging Camera	Seek/300 Pro	4000000767	64328	AD	Y		
1	Thermal Imaging Camera	Seek/300 Pro	4000000786	64329	AD	Y		
1	Thermal Imaging Camera	Seek/300 Pro	4000000769	64330	AD	Y		
1	Thermal Imaging Camera	Seek/300 Pro	4000000775	64331	AD	Y		
1	Thermal Imaging Camera	Seek/300 Pro	4000000758	64332	AD	Y		

9
Fixed Asset Change Form
Additional Page

QTY	Description	Manufacturer / Model	Serial / VIN	Inventory Tag #	Code Acquisition Or Disposal	Current Unit Value Over \$1,000.00? (Y/N)	IS (Prep for Disposition only)	PRG Disposition Code
1	Thermal Imaging Camera	Seek/300 Pro	4000000799	64333	AD	Y		
1	Thermal Imaging Camera	Seek/300 Pro	4000000839	64334	AD	Y		
1	Thermal Imaging Camera	Seek/300 Pro	4000000881	64335	AD	Y		
1	Thermal Imaging Camera	Seek/300 Pro	4000000793	64336	AD	Y		
1	Thermal Imaging Camera	Seek/300 Pro	4000000810	64337	AD	Y		
1	Thermal Imaging Camera	Seek/300 Pro	4000000808	64338	AD	Y		
1	Thermal Imaging Camera	Seek/300 Pro	4000000812	64339	AD	Y		
1	Thermal Imaging Camera	Seek/300 Pro	4000000801	64340	AD	Y		
1	Thermal Imaging Camera	Seek/300 Pro	4000000879	64341	AD	Y		
1	Thermal Imaging Camera	Seek/300 Pro	4000000807	64342	AD	Y		
1	Thermal Imaging Camera	Seek/300 Pro	4000000809	64343	AD	Y		
1	Thermal Imaging Camera	Seek/300 Pro	4000000802	64344	AD	Y		
1	Thermal Imaging Camera	Seek/300 Pro	4000000805	64345	AD	Y		
1	Thermal Imaging Camera	Seek/300 Pro	4000000798	64346	AD	Y		
1	Thermal Imaging Camera	Seek/300 Pro	4000000804	64347	AD	Y		
1	Thermal Imaging Camera	Seek/300 Pro	4000000797	64348	AD	Y		

COUNTY AGENDA REQUEST

Department:

Presenter(s):

Meeting Date:

Type of Request:

Wording for the Agenda:

Approval of Peachtree City's reappointment of Tricia Steamsto, as the Peachtree City appointment, to the Fayette County Library Board for a four-year term beginning January 1, 2026 and expiring December 31, 2030.

Background/History/Details:

The Fayette County Library Board is an advisory board to the Board of Commissioner but has some decision-making authority in its relationship to the Regional Library Board. The Library Board is composed of seven members who serve four-year terms each. Four of the seven members are appointed by jurisdictions within Fayette County, namely, the cities of Fayetteville and Peachtree City and the towns of Tyrone and Brooks. The Fayette County Board of Commissioners then, essentially, satisfies the nominations made by the jurisdictions to the Library Board.

Tricia Stearns was selected by Peachtree City.

What action are you seeking from the Board of Commissioners?

Approval of Peachtree City's reappointment of Tricia Steamsto, as the Peachtree City appointment, to the Fayette County Library Board for a four-year term beginning January 1, 2026 and expiring December 31, 2030.

If this item requires funding, please describe:

Not applicable.

Has this request been considered within the past two years?

If so, when?

Is Audio-Visual Equipment Required for this Request?*

Backup Provided with Request?

*** All audio-visual material must be submitted to the County Clerk's Office no later than 48 hours prior to the meeting. It is also your department's responsibility to ensure all third-party audio-visual material is submitted at least 48 hours in advance.**

Approved by Finance

Reviewed by Legal

Approved by Purchasing

County Clerk's Approval

Administrator's Approval

Staff Notes:

COUNTY AGENDA REQUEST

Department:

Presenter(s):

Meeting Date:

Type of Request:

Wording for the Agenda:

Approval to accept the right-of-way deed and multi-use path easement for the Windsor Court subdivision per Fayette County Code, Chapter 104; ARTICLE III - Street Design Standards and Specifications; Section 104-52 (b);(c) - Right of Way; Article XV. - Subdivision Regulations; Section 104-595 (2)(k). and Section 104-596 (c);(32).

Background/History/Details:

The applicant, Callaway Fayette, LLC, created a new subdivision, Windsor Court, located off Callaway Road, Fayetteville GA.

The applicant prepared the Final Plat of Windsor Court, recorded November 7, 2025 in Plat Book 102, Pages 250-256 and the Right of Way Deed, dated March 2, 2026, and recorded in Deed Book 5929 Page 400, showing newly constructed internal local roads known as Bruno Way, Nash Drive, and Pluto Lane, along with right-of-way dedications 1 and 2 which provide an additional 10 feet of right of way along Callaway Road, to meet the requirements per Fayette County code, Chapter 104; ARTICLE III - Street Design Standards and Specifications, Section 104-52 (b);(c) - Right of Way, Article XV. - Subdivision Regulations Sec. 104-595 (2)(k). and Sec. 104-596 (c); (32).

Pulte Homes Company, LLC, prepared a Permanent Easement for the Multi-Use Path depicted on the Final Plat referenced above.

What action are you seeking from the Board of Commissioners?

Approval to accept the right-of-way deed and multi-use path easement for the Windsor Court subdivision per Fayette County Code, Chapter 104; ARTICLE III - Street Design Standards and Specifications; Section 104-52 (b);(c) - Right of Way; Article XV. - Subdivision Regulations; Section 104-595 (2)(k). and Section 104-596 (c);(32).

If this item requires funding, please describe:

No funding is required.

Has this request been considered within the past two years?

If so, when?

Is Audio-Visual Equipment Required for this Request?*

Backup Provided with Request?

*** All audio-visual material must be submitted to the County Clerk's Office no later than 48 hours prior to the meeting. It is also your department's responsibility to ensure all third-party audio-visual material is submitted at least 48 hours in advance.**

Approved by Finance

Reviewed by Legal

Approved by Purchasing

County Clerk's Approval

Administrator's Approval

Staff Notes:

Return Recorded Document to:
E. Allison Ivey Cox
McNally, Fox, Grant & Davenport, P.C.
100 Habersham Drive
Fayetteville, Georgia 30214

STATE OF GEORGIA

TAX ID NUMBER

COUNTY OF FAYETTE

PERMANENT EASEMENT

THIS PERMANENT EASEMENT, made this ____ day of _____, 2026, between **PULTE HOME COMPANY, LLC**, a Michigan limited liability company as party of the first part, hereinafter referred to as “GRANTOR”, being the property owner of certain land in the Fayette County; and **FAYETTE COUNTY**, a political subdivision of the State of Georgia, as party of the second part, hereinafter referred to as “GRANTEE” (GRANTOR and GRANTEE to include their respective heirs, successors and assigns where the context requires or permits).

WITNESS THAT: Grantor, for and in consideration of the sum of **TEN (\$10.00) DOLLARS** and other good and valuable consideration, in hand paid at and before the sealing and delivery of these presents, the receipt and sufficiency of which are hereby acknowledged, has granted, bargained, sold, aliened, conveyed and confirmed, and by these presents does hereby grant, bargain, sell, alien, convey and confirm unto the said Grantee a permanent easement as follows:

A permanent easement lying and being in Land Lot 120 of the 5th District of Fayette County, Georgia, hereinafter referred to as “Easement.” Said Easement being more particularly described and shown as the “20’ Multi-Use Path Easement” on that certain Final Plat of: Windsor Court recorded on November 7, 2025 in Plat Book 102, Page 250, Fayette County, Georgia land records (the “Plat”).

SAID EASEMENT SHALL be a perpetual, permanent non-exclusive easement extending indefinitely and irrevocably over, though, under and across the described property of GRANTOR, permitting GRANTEE, and its agents and employees, the right and privilege of ingress and egress upon the lands described for the purpose of location, construction, maintenance, use, and

installation of a multi-use path and all infrastructure necessary thereto. The permanent easement is located within and subject to that certain 100' Georgia Power Easement as shown on the Plat.

UPON TERMINATION OF CONSTRUCTION, grantee hereby covenants and agrees that it will return or restore the surface of the permanent easement area to as near its original condition or its condition immediately prior to the construction of the multi-use path, as is practicable.

THIS INSTRUMENT SHALL be binding upon the heirs, successors and assigns of the GRANTOR herein, and shall inure to the benefit of the successors in interest of the GRANTEE herein.

IN WITNESS, WHEREOF, the GRANTOR has signed and sealed this Permanent Easement, the day and year first above written.

Signed, sealed and delivered in the presence of:

GRANTOR: PULTE HOME COMPANY, LLC, a Michigan limited liability company

Steven Crasham

By: *J-ry*

Unofficial Witness

Name: *Jason Garrett*

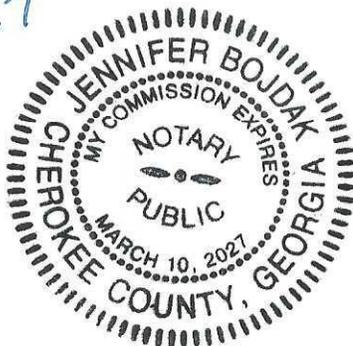
Jenif Bojda

Its: *VP OF Land*

Notary Public

[NOTARIAL SEAL]

My Commission Expires: *3/10/27*



Tax Parcel #: 0525-027; 0525-011

The Abram Law Group, LLC
1200 Ashwood Parkway, Suite 560
Atlanta, GA 30338
770/349-0120
File #25-0473

LIMITED WARRANTY DEED

STATE OF GEORGIA
COUNTY OF FAYETTE

THIS INDENTURE made as of the 2nd day of March, in the year two thousand and twenty-six,
between

**CALLAWAY FAYETTE, LLC,
a Georgia limited liability company**

as party or parties of the first part, hereinafter called Grantor, and

**FAYETTE COUNTY
a political subdivision of the state of Georgia**

as party or parties of the second part, hereinafter called Grantee, (the words "Grantor" and "Grantee"
to include their respective heirs, successors and assigns where the context requires or permits).

WITNESSETH: That Grantor, for and in consideration of the sum of TEN DOLLARS (\$10.00)
AND OTHER VALUABLE CONSIDERATIONS in hand paid at and before the sealing and delivery of
these presents, the receipt whereof is hereby acknowledged, has granted, bargained, sold and conveyed,
and by these presents, does grant, bargain, sell and convey unto the said Grantee, the following described
real property to-wit:

ALL THAT TRACT or parcel of land lying and being in Land Lot 120 of the 5th District,
Fayette County, Georgia, and being more particularly described on **Exhibit "A"** attached
hereto and incorporated herein by reference for a complete legal description.

TO HAVE AND TO HOLD the said bargained property, together with all and singular the rights, members and appurtenances thereof, to the same being, belonging or in anywise appertaining, to the only proper use, benefit and behoof of the said Grantee forever IN FEE SIMPLE.

And the said Grantor will warrant and forever defend the right and title to the above described property unto the said Grantee against the lawful claims of all persons, claiming by, through, or under said Grantor.

IN WITNESS WHEREOF, the Grantor has signed and sealed this deed, the day and year above written.

Signed, sealed and delivered in the presence of:

CALLAWAY FAYETTE, LLC, a Georgia limited liability company

[Signature]
Witness

By: [Signature] (SEAL)

Sharon M. Horvath
Notary Public

Name: Richard Ferry
Title: Manager

My commission expires: 1/4/2028

[Notary Seal]

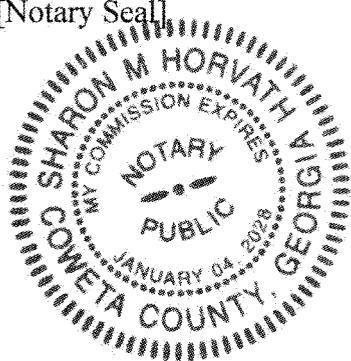


EXHIBIT "A"
LEGAL DESCRIPTION

LEGAL DESCRIPTION
WINDSOR COURT – BRUNO WAY (60' R/W)
FAYETTE COUNTY, GEORGIA

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 120 OF THE 5TH DISTRICT OF FAYETTE COUNTY, GEORGIA SHOWN AS BRUNO WAY (60' R/W) OF WINDSOR COURT FOR WGS, LLC, PREPARED BY MOORE BASS CONSULTING, INC., DATED AUGUST 8TH, 2025, LAST REVISED OCTOBER 22ND, 2025, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING FROM A 1/2" REBAR FOUND AT INTERSECTING LAND LOT LINES 104, 105, 120 & 121; THENCE LEAVING SAID INTERSECTING LAND LOT LINES AND ALONG LAND LOT LINE 120 & 121 THE FOLLOWING COURSES AND DISTANCES N 00° 47' 19" E, A DISTANCE OF 18.36 FEET TO A 1/2" REBAR FOUND; THENCE N 00° 50' 20" E, A DISTANCE OF 280.72 FEET TO A 1/2" REBAR FOUND; THENCE N 00° 48' 13" E, A DISTANCE OF 159.38 FEET TO A 1/2" REBAR FOUND; THENCE N 00° 51' 00" E, A DISTANCE OF 178.65 FEET TO A 1/2" REBAR FOUND; THENCE N 00° 54' 51" E, A DISTANCE OF 66.96 FEET TO A 1/2" REBAR FOUND; THENCE N 00° 45' 08" E, A DISTANCE OF 16.01 FEET TO A 1/2" REBAR FOUND; THENCE LEAVING SAID LAND LOT LINE S 89° 17' 28" E, A DISTANCE OF 542.71 FEET TO A 1" OPEN TOP PIPE FOUND; THENCE N 06° 34' 15" W, A DISTANCE OF 211.40 FEET TO A 1" OPEN TOP PIPE FOUND; THENCE N 53° 16' 35" W, A DISTANCE OF 76.56 FEET TO A 1/2" REBAR SET; THENCE N 12° 00' 50" E, A DISTANCE OF 505.85 FEET TO A 1/2" REBAR SET; THENCE S 89° 17' 01" E, A DISTANCE OF 965.13 FEET TO A 1/2" REBAR FOUND; THENCE S 89° 16' 15" E, A DISTANCE OF 200.51 FEET TO A 1/2" REBAR FOUND; THENCE S 89° 16' 53" E, A DISTANCE OF 284.82 FEET TO A 1/2" REBAR FOUND; THENCE S 89° 15' 31" E, A DISTANCE OF 246.22 FEET TO A 1/2" REBAR FOUND; THENCE S 89° 16' 15" E, A DISTANCE OF 275.40 FEET TO A 1/2" REBAR FOUND; THENCE S 29° 29' 02" E, A DISTANCE OF 70.41 FEET TO A 1/2" REBAR SET; THENCE S 60° 20' 50" W, A DISTANCE OF 198.12 FEET TO A 1 3/4" OPEN TOP PIPE FOUND; THENCE S 29° 34' 40" E, A DISTANCE OF 208.70 FEET TO A 1/2" REBAR FOUND; THENCE N 60° 25' 09" E, A DISTANCE OF 197.77 FEET TO A 1/2" REBAR SET; THENCE N 60° 25' 09" E, A DISTANCE OF 10.00 FEET TO A POINT ON WESTERN CALLAWAY ROAD (R/W WIDTH VARIES); THENCE ALONG SAID RIGHT-OF-WAY THE FOLLOWING COURSES AND DISTANCES S 29° 29' 02" E, A DISTANCE OF 16.10 FEET TO A POINT; THENCE ALONG THE ARC OF A CURVE TO THE RIGHT, A DISTANCE OF 417.74 FEET (SAID ARC HAVING A RADIUS OF 10420.79 FEET AND BEING SUBTENDED BY A CHORD BEARING S 28° 20' 08" E, WITH A CHORD DISTANCE OF 417.71 FEET) TO A POINT; THENCE LEAVING SAID RIGHT-OF-WAY S 76° 56' 19" W, A DISTANCE OF 10.31 FEET TO A 1/2" REBAR SET; THENCE ALONG THE ARC OF A CURVE TO THE RIGHT, A DISTANCE OF 181.76 FEET (SAID ARC HAVING A RADIUS OF

10410.79 FEET AND BEING SUBTENDED BY A CHORD BEARING N 27° 42' 04" W, WITH A CHORD DISTANCE OF 181.76 FEET) TO A 1/2" REBAR SET; THENCE N 74° 38' 01" W, A DISTANCE OF 19.21 FEET TO A 1/2" REBAR SET; THENCE ALONG THE ARC OF A CURVE TO THE RIGHT, A DISTANCE OF 80.06 FEET (SAID ARC HAVING A RADIUS OF 280.00 FEET AND BEING SUBTENDED BY A CHORD BEARING S 67° 57' 51" W, WITH A CHORD DISTANCE OF 79.79 FEET) TO A POINT; THENCE S 76° 09' 21" W, A DISTANCE OF 273.11 FEET TO A POINT; THENCE ALONG THE ARC OF A CURVE TO THE RIGHT, A DISTANCE OF 235.59 FEET (SAID ARC HAVING A RADIUS OF 230.00 FEET AND BEING SUBTENDED BY A CHORD BEARING N 74° 29' 59" W, WITH A CHORD DISTANCE OF 225.43 FEET) TO A POINT; THENCE N 45° 09' 19" W, A DISTANCE OF 73.89 FEET TO A POINT; THENCE ALONG THE ARC OF A CURVE TO THE LEFT, A DISTANCE OF 74.58 FEET (SAID ARC HAVING A RADIUS OF 170.00 FEET AND BEING SUBTENDED BY A CHORD BEARING N 57° 43' 24" W, WITH A CHORD DISTANCE OF 73.98 FEET) TO A POINT, SAID POINT BEING THE **POINT OF BEGINNING**.

BEGINNING AT A POINT, SAID POINT BEING THE POINT OF BEGINNING; THENCE ALONG THE ARC OF A CURVE TO THE LEFT, A DISTANCE OF 47.56 FEET (SAID ARC HAVING A RADIUS OF 25.00 FEET AND BEING SUBTENDED BY A CHORD BEARING S 55° 12' 45" W, WITH A CHORD DISTANCE OF 40.70 FEET) TO A POINT; THENCE S 00° 42' 59" W, A DISTANCE OF 610.42 FEET TO A POINT; THENCE ALONG THE ARC OF A CURVE TO THE LEFT, A DISTANCE OF 95.14 FEET (SAID ARC HAVING A RADIUS OF 60.00 FEET AND BEING SUBTENDED BY A CHORD BEARING S 44° 42' 33" E, WITH A CHORD DISTANCE OF 85.48 FEET) TO A POINT; THENCE N 89° 51' 55" E, A DISTANCE OF 537.10 FEET TO A POINT; THENCE ALONG THE ARC OF A CURVE TO THE RIGHT, A DISTANCE OF 264.94 FEET (SAID ARC HAVING A RADIUS OF 60.00 FEET AND BEING SUBTENDED BY A CHORD BEARING S 36° 15' 44" W, WITH A CHORD DISTANCE OF 96.46 FEET) TO A POINT; THENCE ALONG THE ARC OF A CURVE TO THE LEFT, A DISTANCE OF 31.81 FEET (SAID ARC HAVING A RADIUS OF 25.00 FEET AND BEING SUBTENDED BY A CHORD BEARING N 53° 41' 13" W, WITH A CHORD DISTANCE OF 29.70 FEET) TO A POINT; THENCE S 89° 51' 55" W, A DISTANCE OF 482.51 FEET TO A POINT; THENCE ALONG THE ARC OF A CURVE TO THE LEFT, A DISTANCE OF 21.68 FEET (SAID ARC HAVING A RADIUS OF 25.00 FEET AND BEING SUBTENDED BY A CHORD BEARING S 65° 01' 32" W, WITH A CHORD DISTANCE OF 21.00 FEET) TO A POINT; THENCE ALONG THE ARC OF A CURVE TO THE RIGHT, A DISTANCE OF 199.19 FEET (SAID ARC HAVING A RADIUS OF 60.00 FEET AND BEING SUBTENDED BY A CHORD BEARING N 44° 42' 33" W, WITH A CHORD DISTANCE OF 119.52 FEET) TO A POINT; THENCE ALONG THE ARC OF A CURVE TO THE LEFT, A DISTANCE OF 21.68 FEET (SAID ARC HAVING A RADIUS OF 25.00 FEET AND BEING SUBTENDED BY A CHORD BEARING N 25° 33' 22" E, WITH A CHORD DISTANCE OF 21.00 FEET) TO A POINT; THENCE N 00° 42' 59" E, A DISTANCE OF 644.85 FEET TO A POINT; THENCE ALONG THE ARC OF A CURVE TO THE LEFT, A DISTANCE OF 39.27 FEET (SAID ARC HAVING A RADIUS OF 25.00 FEET AND BEING SUBTENDED BY A CHORD BEARING N 44° 17' 01" W, WITH A CHORD DISTANCE OF 35.36 FEET) TO A POINT; THENCE S 89° 17' 01" E, A DISTANCE OF 62.81 FEET TO A POINT; THENCE ALONG THE ARC

OF A CURVE TO THE RIGHT, A DISTANCE OF 56.35 FEET (SAID ARC HAVING A RADIUS OF 170.00 FEET AND BEING SUBTENDED BY A CHORD BEARING S 79° 47' 15" E, WITH A CHORD DISTANCE OF 56.09 FEET) TO A POINT, SAID POINT BEING THE **TRUE POINT OF BEGINNING**.

DESCRIBED TRACT OF LAND CONTAINING 2.20 AC. (95,716.50 SQ. FT.)

BEING ALSO DESCRIBED AS:

All that tract or parcel of land lying and being in Land Lot 120 of the 5th District, Fayette County, Georgia and being Bruno Way (60' R/W) on that certain Final Plat of: Windsor Court recorded on November 7, 2025 in Plat Book 102, Pages 250 through 256, Fayette County, Georgia Superior Court Real Estate Records, as revised by that certain Minor Revision Revision to Lots 20 & 39 Major Final Plat of: Windsor Court recorded on February 9, 2026, in Plat Book 102, Pages 309 through 315, Fayette County, Georgia Superior Court Real Estate Records, said plat being made a part hereof and incorporated herein by reference.

[continued on following page]

LEGAL DESCRIPTION
WINDSOR COURT – NASH DRIVE (60' R/W)
FAYETTE COUNTY, GEORGIA

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 120 OF THE 5TH DISTRICT OF FAYETTE COUNTY, GEORGIA SHOWN AS NASH DRIVE (60' R/W) OF WINDSOR COURT FOR WGS, LLC, PREPARED BY MOORE BASS CONSULTING, INC., DATED AUGUST 8TH, 2025, LAST REVISED OCTOBER 22ND, 2025, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING FROM A 1/2" REBAR FOUND AT INTERSECTING LAND LOT LINES 104, 105, 120 & 121; THENCE LEAVING SAID INTERSECTING LAND LOT LINES AND ALONG LAND LOT LINE 120 & 121 THE FOLLOWING COURSES AND DISTANCES N 00° 47' 19" E, A DISTANCE OF 18.36 FEET TO A 1/2" REBAR FOUND; THENCE N 00° 50' 20" E, A DISTANCE OF 280.72 FEET TO A 1/2" REBAR FOUND; THENCE N 00° 48' 13" E, A DISTANCE OF 159.38 FEET TO A 1/2" REBAR FOUND; THENCE N 00° 51' 00" E, A DISTANCE OF 178.65 FEET TO A 1/2" REBAR FOUND; THENCE N 00° 54' 51" E, A DISTANCE OF 66.96 FEET TO A 1/2" REBAR FOUND; THENCE N 00° 45' 08" E, A DISTANCE OF 16.01 FEET TO A 1/2" REBAR FOUND; THENCE LEAVING SAID LAND LOT LINE S 89° 17' 28" E, A DISTANCE OF 542.71 FEET TO A 1" OPEN TOP PIPE FOUND; THENCE N 06° 34' 15" W, A DISTANCE OF 211.40 FEET TO A 1" OPEN TOP PIPE FOUND; THENCE N 53° 16' 35" W, A DISTANCE OF 76.56 FEET TO A 1/2" REBAR SET; THENCE N 12° 00' 50" E, A DISTANCE OF 505.85 FEET TO A 1/2" REBAR SET; THENCE S 89° 17' 01" E, A DISTANCE OF 965.13 FEET TO A 1/2" REBAR FOUND; THENCE S 89° 16' 15" E, A DISTANCE OF 200.51 FEET TO A 1/2" REBAR FOUND; THENCE S 89° 16' 53" E, A DISTANCE OF 284.82 FEET TO A 1/2" REBAR FOUND; THENCE S 89° 15' 31" E, A DISTANCE OF 246.22 FEET TO A 1/2" REBAR FOUND; THENCE S 89° 16' 15" E, A DISTANCE OF 275.40 FEET TO A 1/2" REBAR FOUND; THENCE S 29° 29' 02" E, A DISTANCE OF 70.41 FEET TO A 1/2" REBAR SET; THENCE S 60° 20' 50" W, A DISTANCE OF 198.12 FEET TO A 1 3/4" OPEN TOP PIPE FOUND; THENCE S 29° 34' 40" E, A DISTANCE OF 208.70 FEET TO A 1/2" REBAR FOUND; THENCE N 60° 25' 09" E, A DISTANCE OF 197.77 FEET TO A 1/2" REBAR SET, SAID REBAR BEING THE **POINT OF BEGINNING**.

BEGINNING AT A 1/2" REBAR SET, SAID REBAR BEING THE POINT OF BEGINNING; THENCE N 60° 25' 09" E, A DISTANCE OF 10.00 FEET TO A POINT ON WESTERN CALLAWAY ROAD (R/W WIDTH VARIES); THENCE ALONG SAID RIGHT-OF-WAY THE FOLLOWING COURSES AND DISTANCES S 29° 29' 02" E, A DISTANCE OF 16.10 FEET TO A POINT; THENCE ALONG THE ARC OF A CURVE TO THE RIGHT, A DISTANCE OF 417.74 FEET (SAID ARC HAVING A RADIUS OF 10420.79 FEET AND BEING SUBTENDED BY A CHORD BEARING S 28° 20' 08" E, WITH A CHORD DISTANCE OF 417.71 FEET) TO A POINT; THENCE LEAVING SAID RIGHT-OF-WAY S 76° 56' 19" W, A DISTANCE OF 10.31 FEET TO A 1/2" REBAR SET; THENCE ALONG THE ARC OF A CURVE TO THE RIGHT, A DISTANCE OF 167.97 FEET (SAID ARC HAVING A RADIUS OF 10410.79 FEET AND BEING SUBTENDED BY A CHORD BEARING N 27° 39' 48" W, WITH A

Signature Page to Limited Warranty Deed (Road)

Book: 5929 Page: 400 Seq: 6

CHORD DISTANCE OF 167.97 FEET) TO A POINT; THENCE ALONG THE ARC OF A CURVE TO THE RIGHT, A DISTANCE OF 13.79 FEET (SAID ARC HAVING A RADIUS OF 10410.79 FEET AND BEING SUBTENDED BY A CHORD BEARING N 28° 09' 48" W, WITH A CHORD DISTANCE OF 13.79 FEET) TO A POINT; THENCE N 74° 38' 01" W, A DISTANCE OF 19.21 FEET TO A 1/2" REBAR SET; THENCE ALONG THE ARC OF A CURVE TO THE RIGHT, A DISTANCE OF 14.36 FEET (SAID ARC HAVING A RADIUS OF 280.00 FEET AND BEING SUBTENDED BY A CHORD BEARING S 61° 14' 32" W, WITH A CHORD DISTANCE OF 14.36 FEET) TO A 1/2" REBAR SET; THENCE ALONG THE ARC OF A CURVE TO THE RIGHT, A DISTANCE OF 65.70 FEET (SAID ARC HAVING A RADIUS OF 280.00 FEET AND BEING SUBTENDED BY A CHORD BEARING S 69° 26' 02" W, WITH A CHORD DISTANCE OF 65.55 FEET) TO A POINT; THENCE S 76° 09' 21" W, A DISTANCE OF 273.11 FEET TO A POINT; THENCE ALONG THE ARC OF A CURVE TO THE RIGHT, A DISTANCE OF 235.59 FEET (SAID ARC HAVING A RADIUS OF 230.00 FEET AND BEING SUBTENDED BY A CHORD BEARING N 74° 29' 59" W, WITH A CHORD DISTANCE OF 225.43 FEET) TO A POINT; THENCE N 45° 09' 19" W, A DISTANCE OF 73.89 FEET TO A POINT; THENCE ALONG THE ARC OF A CURVE TO THE LEFT, A DISTANCE OF 74.58 FEET (SAID ARC HAVING A RADIUS OF 170.00 FEET AND BEING SUBTENDED BY A CHORD BEARING N 57° 43' 24" W, WITH A CHORD DISTANCE OF 73.98 FEET) TO A POINT; THENCE ALONG THE ARC OF A CURVE TO THE LEFT, A DISTANCE OF 56.35 FEET (SAID ARC HAVING A RADIUS OF 170.00 FEET AND BEING SUBTENDED BY A CHORD BEARING N 79° 47' 15" W, WITH A CHORD DISTANCE OF 56.09 FEET) TO A POINT; THENCE N 89° 17' 01" W, A DISTANCE OF 62.81 FEET TO A POINT; THENCE N 89° 17' 01" W, A DISTANCE OF 501.85 FEET TO A POINT; THENCE N 89° 17' 01" W, A DISTANCE OF 110.00 FEET TO A POINT; THENCE N 89° 17' 01" W, A DISTANCE OF 62.54 FEET TO A POINT; THENCE ALONG THE ARC OF A CURVE TO THE RIGHT, A DISTANCE OF 139.67 FEET (SAID ARC HAVING A RADIUS OF 205.00 FEET AND BEING SUBTENDED BY A CHORD BEARING N 69° 45' 53" W, WITH A CHORD DISTANCE OF 136.99 FEET) TO A POINT; THENCE N 50° 14' 45" W, A DISTANCE OF 90.24 FEET TO A POINT; THENCE ALONG THE ARC OF A CURVE TO THE LEFT, A DISTANCE OF 31.81 FEET (SAID ARC HAVING A RADIUS OF 25.00 FEET AND BEING SUBTENDED BY A CHORD BEARING N 86° 41' 37" W, WITH A CHORD DISTANCE OF 29.70 FEET) TO A POINT; THENCE ALONG THE ARC OF A CURVE TO THE RIGHT, A DISTANCE OF 264.83 FEET (SAID ARC HAVING A RADIUS OF 60.00 FEET AND BEING SUBTENDED BY A CHORD BEARING N 03° 18' 23" E, WITH A CHORD DISTANCE OF 96.53 FEET) TO A POINT; THENCE S 50° 14' 45" E, A DISTANCE OF 171.48 FEET TO A POINT; THENCE ALONG THE ARC OF A CURVE TO THE LEFT, A DISTANCE OF 98.79 FEET (SAID ARC HAVING A RADIUS OF 145.00 FEET AND BEING SUBTENDED BY A CHORD BEARING S 69° 45' 53" E, WITH A CHORD DISTANCE OF 96.89 FEET) TO A POINT; THENCE S 89° 17' 01" E, A DISTANCE OF 737.20 FEET TO A POINT; THENCE ALONG THE ARC OF A CURVE TO THE RIGHT, A DISTANCE OF 177.14 FEET (SAID ARC HAVING A RADIUS OF 230.00 FEET AND BEING SUBTENDED BY A CHORD BEARING S 67° 13' 10" E, WITH A CHORD DISTANCE OF 172.80 FEET) TO A POINT; THENCE S 45° 09' 19" E, A DISTANCE OF 73.89 FEET TO A POINT; THENCE ALONG THE ARC OF A CURVE TO THE LEFT, A DISTANCE OF 174.13 FEET (SAID ARC HAVING A RADIUS OF 170.00 FEET AND BEING SUBTENDED BY A CHORD

BEARING S 74° 29' 59" E, WITH A CHORD DISTANCE OF 166.62 FEET) TO A POINT; THENCE N 76° 09' 21" E, A DISTANCE OF 273.11 FEET TO A POINT; THENCE ALONG THE ARC OF A CURVE TO THE LEFT, A DISTANCE OF 63.68 FEET (SAID ARC HAVING A RADIUS OF 220.00 FEET AND BEING SUBTENDED BY A CHORD BEARING N 67° 51' 49" E, WITH A CHORD DISTANCE OF 63.46 FEET) TO A 1/2" REBAR SET; THENCE N 19° 46' 30" E, A DISTANCE OF 20.07 FEET TO A 1/2" REBAR SET; THENCE ALONG THE ARC OF A CURVE TO THE LEFT, A DISTANCE OF 146.40 FEET (SAID ARC HAVING A RADIUS OF 10410.79 FEET AND BEING SUBTENDED BY A CHORD BEARING N 29° 04' 52" W, WITH A CHORD DISTANCE OF 146.40 FEET) TO A POINT; THENCE N 29° 29' 02" W, A DISTANCE OF 16.07 FEET TO A 1/2" REBAR SET, SAID REBAR BEING THE **TRUE POINT OF BEGINNING**.

DESCRIBED TRACT OF LAND CONTAINING 2.81 AC. (122,289.89 SQ. FT.)

BEING ALSO DESCRIBED AS:

All that tract or parcel of land lying and being in Land Lot 120 of the 5th District, Fayette County, Georgia and being Nash Drive (60' R/W) on that certain Final Plat of: Windsor Court recorded on November 7, 2025 in Plat Book 102, Pages 250 through 256, Fayette County, Georgia Superior Court Real Estate Records, as revised by that certain Minor Revision Revision to Lots 20 & 39 Major Final Plat of: Windsor Court recorded on February 9, 2026, in Plat Book 102, Pages 309 through 315, Fayette County, Georgia Superior Court Real Estate Records, said plat being made a part hereof and incorporated herein by reference.

[continued on following page]

LEGAL DESCRIPTION
WINDSOR COURT – PLUTO LANE (60' R/W)
FAYETTE COUNTY, GEORGIA

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 120 OF THE 5TH DISTRICT OF FAYETTE COUNTY, GEORGIA SHOWN AS PLUTO LANE (60' R/W) OF WINDSOR COURT FOR WGS, LLC, PREPARED BY MOORE BASS CONSULTING, INC., DATED AUGUST 8TH, 2025, LAST REVISED OCTOBER 22ND, 2025, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING FROM A 1/2" REBAR FOUND AT INTERSECTING LAND LOT LINES 104, 105, 120 & 121; THENCE LEAVING SAID INTERSECTING LAND LOT LINES AND ALONG LAND LOT LINE 120 & 121 THE FOLLOWING COURSES AND DISTANCES N 00° 47' 19" E, A DISTANCE OF 18.36 FEET TO A 1/2" REBAR FOUND; THENCE N 00° 50' 20" E, A DISTANCE OF 280.72 FEET TO A 1/2" REBAR FOUND; THENCE N 00° 48' 13" E, A DISTANCE OF 159.38 FEET TO A 1/2" REBAR FOUND; THENCE N 00° 51' 00" E, A DISTANCE OF 178.65 FEET TO A 1/2" REBAR FOUND; THENCE N 00° 54' 51" E, A DISTANCE OF 66.96 FEET TO A 1/2" REBAR FOUND; THENCE N 00° 45' 08" E, A DISTANCE OF 16.01 FEET TO A 1/2" REBAR FOUND; THENCE LEAVING SAID LAND LOT LINE S 89° 17' 28" E, A DISTANCE OF 542.71 FEET TO A 1" OPEN TOP PIPE FOUND; THENCE N 06° 34' 15" W, A DISTANCE OF 211.40 FEET TO A 1" OPEN TOP PIPE FOUND; THENCE N 53° 16' 35" W, A DISTANCE OF 76.56 FEET TO A 1/2" REBAR SET; THENCE N 12° 00' 50" E, A DISTANCE OF 505.85 FEET TO A 1/2" REBAR SET; THENCE S 89° 17' 01" E, A DISTANCE OF 965.13 FEET TO A 1/2" REBAR FOUND; THENCE S 89° 16' 15" E, A DISTANCE OF 200.51 FEET TO A 1/2" REBAR FOUND; THENCE S 89° 16' 53" E, A DISTANCE OF 284.82 FEET TO A 1/2" REBAR FOUND; THENCE S 89° 15' 31" E, A DISTANCE OF 246.22 FEET TO A 1/2" REBAR FOUND; THENCE S 89° 16' 15" E, A DISTANCE OF 275.40 FEET TO A 1/2" REBAR FOUND; THENCE S 29° 29' 02" E, A DISTANCE OF 70.41 FEET TO A 1/2" REBAR SET; THENCE S 60° 20' 50" W, A DISTANCE OF 198.12 FEET TO A 1 3/4" OPEN TOP PIPE FOUND; THENCE S 29° 34' 40" E, A DISTANCE OF 208.70 FEET TO A 1/2" REBAR FOUND; THENCE N 60° 25' 09" E, A DISTANCE OF 197.77 FEET TO A 1/2" REBAR SET; THENCE N 60° 25' 09" E, A DISTANCE OF 10.00 FEET TO A POINT ON WESTERN CALLAWAY ROAD (R/W WIDTH VARIES); THENCE ALONG SAID RIGHT-OF-WAY THE FOLLOWING COURSES AND DISTANCES S 29° 29' 02" E, A DISTANCE OF 16.10 FEET TO A POINT; THENCE ALONG THE ARC OF A CURVE TO THE RIGHT, A DISTANCE OF 417.74 FEET (SAID ARC HAVING A RADIUS OF 10420.79 FEET AND BEING SUBTENDED BY A CHORD BEARING S 28° 20' 08" E, WITH A CHORD DISTANCE OF 417.71 FEET) TO A POINT; THENCE LEAVING SAID RIGHT-OF-WAY S 76° 56' 19" W, A DISTANCE OF 10.31 FEET TO A 1/2" REBAR SET; THENCE ALONG THE ARC OF A CURVE TO THE RIGHT, A DISTANCE OF 167.97 FEET (SAID ARC HAVING A RADIUS OF 10410.79 FEET AND BEING SUBTENDED BY A CHORD BEARING N 27° 39' 48" W, WITH A CHORD DISTANCE OF 167.97 FEET) TO A POINT; THENCE ALONG THE ARC OF A CURVE TO THE RIGHT, A DISTANCE OF 13.79 FEET (SAID ARC HAVING A RADIUS OF 10410.79 FEET AND BEING SUBTENDED BY A CHORD BEARING N 28° 09' 48" W, WITH A CHORD DISTANCE

Signature Page to Limited Warranty Deed (Road)

Book: 5929 Page: 400 Seq: 9

OF 13.79 FEET) TO A POINT; THENCE N 74° 38' 01" W, A DISTANCE OF 19.21 FEET TO A 1/2" REBAR SET; THENCE ALONG THE ARC OF A CURVE TO THE RIGHT, A DISTANCE OF 14.36 FEET (SAID ARC HAVING A RADIUS OF 280.00 FEET AND BEING SUBTENDED BY A CHORD BEARING S 61° 14' 32" W, WITH A CHORD DISTANCE OF 14.36 FEET) TO A 1/2" REBAR SET; THENCE ALONG THE ARC OF A CURVE TO THE RIGHT, A DISTANCE OF 65.70 FEET (SAID ARC HAVING A RADIUS OF 280.00 FEET AND BEING SUBTENDED BY A CHORD BEARING S 69° 26' 02" W, WITH A CHORD DISTANCE OF 65.55 FEET) TO A POINT; THENCE S 76° 09' 21" W, A DISTANCE OF 273.11 FEET TO A POINT; THENCE ALONG THE ARC OF A CURVE TO THE RIGHT, A DISTANCE OF 235.59 FEET (SAID ARC HAVING A RADIUS OF 230.00 FEET AND BEING SUBTENDED BY A CHORD BEARING N 74° 29' 59" W, WITH A CHORD DISTANCE OF 225.43 FEET) TO A POINT; THENCE N 45° 09' 19" W, A DISTANCE OF 73.89 FEET TO A POINT; THENCE ALONG THE ARC OF A CURVE TO THE LEFT, A DISTANCE OF 130.93 FEET (SAID ARC HAVING A RADIUS OF 170.00 FEET AND BEING SUBTENDED BY A CHORD BEARING N 67° 13' 10" W, WITH A CHORD DISTANCE OF 127.72 FEET) TO A POINT; THENCE N 89° 17' 01" W, A DISTANCE OF 564.66 FEET TO A POINT, SAID POINT BEING THE **POINT OF BEGINNING**.

BEGINNING AT A POINT, SAID POINT BEING THE POINT OF BEGINNING; THENCE ALONG THE ARC OF A CURVE TO THE LEFT, A DISTANCE OF 39.27 FEET (SAID ARC HAVING A RADIUS OF 25.00 FEET AND BEING SUBTENDED BY A CHORD BEARING S 45° 42' 59" W, WITH A CHORD DISTANCE OF 35.36 FEET) TO A POINT; THENCE S 00° 42' 59" W, A DISTANCE OF 34.56 FEET TO A POINT; THENCE ALONG THE ARC OF A CURVE TO THE LEFT, A DISTANCE OF 211.33 FEET (SAID ARC HAVING A RADIUS OF 520.00 FEET AND BEING SUBTENDED BY A CHORD BEARING S 10° 55' 35" E, WITH A CHORD DISTANCE OF 209.88 FEET) TO A POINT; THENCE S 22° 34' 08" E, A DISTANCE OF 39.74 FEET TO A POINT; THENCE ALONG THE ARC OF A CURVE TO THE LEFT, A DISTANCE OF 21.68 FEET (SAID ARC HAVING A RADIUS OF 25.00 FEET AND BEING SUBTENDED BY A CHORD BEARING S 47° 24' 32" E, WITH A CHORD DISTANCE OF 21.00 FEET) TO A POINT; THENCE ALONG THE ARC OF A CURVE TO THE RIGHT, A DISTANCE OF 292.54 FEET (SAID ARC HAVING A RADIUS OF 60.00 FEET AND BEING SUBTENDED BY A CHORD BEARING S 67° 25' 52" W, WITH A CHORD DISTANCE OF 77.65 FEET) TO A POINT; THENCE ALONG THE ARC OF A CURVE TO THE LEFT, A DISTANCE OF 21.68 FEET (SAID ARC HAVING A RADIUS OF 25.00 FEET AND BEING SUBTENDED BY A CHORD BEARING N 02° 16' 16" E, WITH A CHORD DISTANCE OF 21.00 FEET) TO A POINT; THENCE N 22° 34' 08" W, A DISTANCE OF 39.74 FEET TO A POINT; THENCE ALONG THE ARC OF A CURVE TO THE RIGHT, A DISTANCE OF 235.71 FEET (SAID ARC HAVING A RADIUS OF 580.00 FEET AND BEING SUBTENDED BY A CHORD BEARING N 10° 55' 35" W, WITH A CHORD DISTANCE OF 234.10 FEET) TO A POINT; THENCE N 00° 42' 59" E, A DISTANCE OF 34.56 FEET TO A POINT; THENCE ALONG THE ARC OF A CURVE TO THE LEFT, A DISTANCE OF 39.27 FEET (SAID ARC HAVING A RADIUS OF 25.00 FEET AND BEING SUBTENDED BY A CHORD BEARING N 44° 17' 01" W, WITH A CHORD DISTANCE OF 35.36 FEET) TO A POINT; THENCE S 89° 17' 01" E, A DISTANCE OF 110.00 FEET TO A POINT, SAID POINT BEING THE **TRUE POINT OF BEGINNING**.

DESCRIBED TRACT OF LAND CONTAINING 0.72 AC. (31,436.28 SQ. FT.)

BEING ALSO DESCRIBED AS:

All that tract or parcel of land lying and being in Land Lot 120 of the 5th District, Fayette County, Georgia and being Pluto Lane (60' R/W) on that certain Final Plat of: Windsor Court recorded on November 7, 2025 in Plat Book 102, Pages 250 through 256, Fayette County, Georgia Superior Court Real Estate Records, as revised by that certain Minor Revision Revision to Lots 20 & 39 Major Final Plat of: Windsor Court recorded on February 9, 2026, in Plat Book 102, Pages 309 through 315, Fayette County, Georgia Superior Court Real Estate Records, said plat being made a part hereof and incorporated herein by reference.

[continued on following page]

LEGAL DESCRIPTION
WINDSOR COURT – RIGHT-OF-WAY DEDICATION 1
FAYETTE COUNTY, GEORGIA

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 120 OF THE 5TH DISTRICT OF FAYETTE COUNTY, GEORGIA SHOWN AS RIGHT-OF-WAY DEDICATION 1 OF WINDSOR COURT FOR WGS, LLC, PREPARED BY MOORE BASS CONSULTING, INC., DATED AUGUST 8TH, 2025, LAST REVISED OCTOBER 20TH, 2025, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING FROM A 1/2" REBAR FOUND AT INTERSECTING LAND LOT LINES 104, 105, 120 & 121; THENCE LEAVING SAID INTERSECTING LAND LOT LINES AND ALONG LAND LOT LINE 120 & 121 THE FOLLOWING COURSES AND DISTANCES N 00° 47' 19" E, A DISTANCE OF 18.36 FEET TO A 1/2" REBAR FOUND; THENCE N 00° 50' 20" E, A DISTANCE OF 280.72 FEET TO A 1/2" REBAR FOUND; THENCE N 00° 48' 13" E, A DISTANCE OF 159.38 FEET TO A 1/2" REBAR FOUND; THENCE N 00° 51' 00" E, A DISTANCE OF 178.65 FEET TO A 1/2" REBAR FOUND; THENCE N 00° 54' 51" E, A DISTANCE OF 66.96 FEET TO A 1/2" REBAR FOUND; THENCE N 00° 45' 08" E, A DISTANCE OF 16.01 FEET TO A 1/2" REBAR FOUND; THENCE LEAVING SAID LAND LOT LINE S 89° 17' 28" E, A DISTANCE OF 542.71 FEET TO A 1" OPEN TOP PIPE FOUND; THENCE N 06° 34' 15" W, A DISTANCE OF 211.40 FEET TO A 1" OPEN TOP PIPE FOUND; THENCE N 53° 16' 35" W, A DISTANCE OF 76.56 FEET TO A 1/2" REBAR SET; THENCE N 12° 00' 50" E, A DISTANCE OF 505.85 FEET TO A 1/2" REBAR SET; THENCE S 89° 17' 01" E, A DISTANCE OF 965.13 FEET TO A 1/2" REBAR FOUND; THENCE S 89° 16' 15" E, A DISTANCE OF 200.51 FEET TO A 1/2" REBAR FOUND; THENCE S 89° 16' 53" E, A DISTANCE OF 284.82 FEET TO A 1/2" REBAR FOUND; THENCE S 89° 15' 31" E, A DISTANCE OF 246.22 FEET TO A 1/2" REBAR FOUND; THENCE S 89° 16' 15" E, A DISTANCE OF 275.40 FEET TO A 1/2" REBAR FOUND, SAID REBAR BEING THE **POINT OF BEGINNING**.

BEGINNING AT A 1/2" REBAR FOUND, SAID REBAR BEING THE POINT OF BEGINNING; THENCE S 89° 16' 15" E, A DISTANCE OF 11.57 FEET TO A POINT; THENCE S 30° 26' 01" E, A DISTANCE OF 64.56 FEET TO A 1/2" REBAR FOUND; THENCE S 60° 20' 50" W, A DISTANCE OF 11.07 FEET TO A 1/2" REBAR SET; THENCE N 29° 29' 02" W, A DISTANCE OF 70.41 FEET TO A 1/2" REBAR FOUND, SAID REBAR BEING THE **TRUE POINT OF BEGINNING**.

DESCRIBED TRACT OF LAND CONTAINING 0.02 AC. (709.35 SQ. FT.)

BEING ALSO DESCRIBED AS:

All that tract or parcel of land lying and being in Land Lot 120 of the 5th District, Fayette County, Georgia and being R/W Dedication Area 1 (containing 0.02 acres) on that certain Final Plat of: Windsor Court recorded on November 7, 2025 in Plat Book 102, Pages 250 through 256, Fayette County, Georgia Superior

Signature Page to Limited Warranty Deed (Road)

Book: 5929 Page: 400 Seq: 12

Court Real Estate Records, as revised by that certain Minor Revision Revision to Lots 20 & 39 Major Final Plat of: Windsor Court recorded on February 9, 2026, in Plat Book 102, Pages 309 through 315, Fayette County, Georgia Superior Court Real Estate Records, said plat being made a part hereof and incorporated herein by reference.

[continued on following page]

LEGAL DESCRIPTION
WINDSOR COURT – RIGHT-OF-WAY DEDICATION 2
FAYETTE COUNTY, GEORGIA

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 120 OF THE 5TH DISTRICT OF FAYETTE COUNTY, GEORGIA SHOWN AS RIGHT-OF-WAY DEDICATION 2 OF WINDSOR COURT FOR WGS, LLC, PREPARED BY MOORE BASS CONSULTING, INC., DATED AUGUST 8TH, 2025, LAST REVISED OCTOBER 22ND, 2025, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING FROM A 1/2" REBAR FOUND AT INTERSECTING LAND LOT LINES 104, 105, 120 & 121; THENCE LEAVING SAID INTERSECTING LAND LOT LINES AND ALONG LAND LOT LINE 120 & 105 THE FOLLOWING COURSES AND DISTANCES N 89° 24' 23" E, A DISTANCE OF 58.72 FEET TO A 1/2" REBAR FOUND; THENCE S 88° 41' 47" E, A DISTANCE OF 259.76 FEET TO A 1/2" REBAR FOUND; THENCE S 88° 44' 14" E, A DISTANCE OF 119.23 FEET TO A 1/2" REBAR FOUND; THENCE S 88° 57' 07" E, A DISTANCE OF 117.00 FEET TO A 1/2" REBAR FOUND; THENCE S 88° 58' 13" E, A DISTANCE OF 117.02 FEET TO A 1/2" REBAR FOUND; THENCE S 88° 56' 04" E, A DISTANCE OF 144.45 FEET TO A 1/2" REBAR FOUND; THENCE N 88° 59' 02" E, A DISTANCE OF 121.77 FEET TO A 1/2" REBAR FOUND; THENCE S 88° 51' 26" E, A DISTANCE OF 117.85 FEET TO A 1/2" REBAR FOUND; THENCE S 89° 00' 54" E, A DISTANCE OF 144.90 FEET TO A 1/2" REBAR FOUND; THENCE S 88° 56' 52" E, A DISTANCE OF 366.63 FEET TO A 1/2" REBAR FOUND; THENCE S 89° 08' 15" E, A DISTANCE OF 12.14 FEET TO A 1/2" REBAR SET; THENCE S 89° 08' 15" E, A DISTANCE OF 1187.73 FEET TO A 1/2" REBAR FOUND; THENCE N 89° 55' 35" E, A DISTANCE OF 254.59 FEET TO A 1/2" REBAR SET, SAID REBAR BEING THE **POINT OF BEGINNING**.

BEGINNING AT A 1/2" REBAR SET, SAID REBAR BEING THE POINT OF BEGINNING; THENCE N 00° 15' 03" E, A DISTANCE OF 35.35 FEET TO A POINT; THENCE ALONG THE ARC OF A CURVE TO THE RIGHT, A DISTANCE OF 165.40 FEET (SAID ARC HAVING A RADIUS OF 3617.31 FEET AND BEING SUBTENDED BY A CHORD BEARING N 01° 33' 39" E, WITH A CHORD DISTANCE OF 165.39 FEET) TO A 1/2" REBAR SET; THENCE N 89° 23' 40" E, A DISTANCE OF 10.02 FEET TO A POINT ON WESTERN RIGHT-OF-WAY OF CALLAWAY ROAD (R/W WIDTH VARIES); THENCE ALONG SAID RIGHT-OF-WAY THE FOLLOWING COURSES AND DISTANCES ALONG THE ARC OF A CURVE TO THE LEFT, A DISTANCE OF 165.55 FEET (SAID ARC HAVING A RADIUS OF 3781.93 FEET AND BEING SUBTENDED BY A CHORD BEARING S 01° 34' 07" W, WITH A CHORD DISTANCE OF 165.54 FEET) TO A POINT; THENCE S 00° 15' 03" W, A DISTANCE OF 35.29 FEET TO A 1/2" REBAR FOUND; THENCE LEAVING SAID RIGHT-OF-WAY S 89° 55' 35" W, A DISTANCE OF 10.00 FEET TO A 1/2" REBAR SET, SAID REBAR BEING THE **TRUE POINT OF BEGINNING**.

DESCRIBED TRACT OF LAND CONTAINING 0.05 AC. (2,013.54 SQ. FT.)

Signature Page to Limited Warranty Deed (Road)

Book: 5929 Page: 400 Seq: 14

BEING ALSO DESCRIBED AS:

All that tract or parcel of land lying and being in Land Lot 120 of the 5th District, Fayette County, Georgia and being R/W Dedication Area 2 (containing 0.05 acres) on that certain Final Plat of: Windsor Court recorded on November 7, 2025 in Plat Book 102, Pages 250 through 256, Fayette County, Georgia Superior Court Real Estate Records, as revised by that certain Minor Revision Revision to Lots 20 & 39 Major Final Plat of: Windsor Court recorded on February 9, 2026, in Plat Book 102, Pages 309 through 315, Fayette County, Georgia Superior Court Real Estate Records, said plat being made a part hereof and incorporated herein by reference.

BOARD OF COUNTY COMMISSIONERS

Lee Hearn, Chairman
Edward Gibbons, Vice Chairman
Eric K. Maxwell
Charles D. Rousseau
Charles W. Oddo

FAYETTE COUNTY, GEORGIA

Steve Rapson, County Administrator
Dennis A. Davenport, County Attorney
Tameca P. Smith, County Clerk
Marlena Edwards, Chief Deputy County Clerk



140 Stonewall Avenue West
Public Meeting Room
Fayetteville, GA 30214

MINUTES

March 12, 2026
5:00 p.m.

Welcome to the meeting of your Fayette County Board of Commissioners. Your participation in County government is appreciated. All regularly scheduled Board meetings are open to the public and are held on the 2nd and 4th Thursday of each month at 5:00 p.m.

OFFICIAL SESSION:

Call to Order

Chairman Lee Hearn called the March 12, 2026, Board of Commissioners meeting to order at 5:01 p.m. A quorum of the Board was present.

Invocation and Pledge of Allegiance by Vice Chairman Edward Gibbons

Vice Chairman Edward Gibbons gave the Invocation and led the audience in the Pledge of Allegiance.

Acceptance of Agenda

Vice Chairman Gibbons moved to approve the agenda as written. Commissioner Charles Oddo seconded. The motion passed 5-0.

PROCLAMATION/RECOGNITION: None.

PUBLIC HEARING: None.

PUBLIC COMMENT:

Speakers will be given a five (5) minute maximum time limit to speak before the Board of Commissioners about various topics, issues, and concerns. Speakers must direct comments to the Board. Responses are reserved at the discretion of the Board.

CONSENT AGENDA:

Vice Chairman Gibbons moved to approve the Consent Agenda. Commissioner Oddo seconded. The motion passed 5-0.

1. **Approval of the Board of Assessors' recommendation to approve a disposition of tax refund, as requested by Leah Sumner as agent for Anita H. Haynes, in the amount of \$5,070.99 for tax year 2025.**
2. **Approval of the Board of Assessors' recommendation to approve a disposition of tax refund, as requested by Thomas H. McMeekin, in the amount of \$6,076.81 for tax year(s) 2023 and 2024.**
3. **Approval of the Board of Assessors' recommendation to approve a disposition of tax refund, as requested by Loretta Simpson, in the amount of \$6,176.93 for tax year(s) 2023, 2024, and 2025.**

4. **Approval of the Board of Assessors' recommendation to approve a disposition of tax refund, as requested by the Board of Assessors for Corey Treaster, in the amount of \$253.34 for tax year 2025.**
5. **Approval to close McCurry Park North on November 14, 2026, from 7:00 a.m. to 12:00 p.m. for the TJ Thomas Jefferson Foundation 5K to raise awareness regarding Prostrate Cancer and raise funds for their foundation to continue servicing the communities of Fayette and Coweta.**
6. **Approval of the February 26, 2026, Board of Commissioners Meeting Minutes.**

OLD BUSINESS:

NEW BUSINESS:

7. **Request to approve a Memorandum of Agreement with the Georgia Soil and Water Conservation Commission allowing for the Fayette County Elections and Registration to act as Superintendent of Elections for the election of county contest for Georgia Soil and Water Commission.**

Fayette County Elections Director, Brianna Garrett, advised that historically, many counties conducted elections for the Georgia Soil and Water Conservation Commission without a formal agreement due to older practices and less stringent documentation requirements. With modern election auditing, accounting, and intergovernmental contracting standards, the agreement was now necessary to clearly establish legal authority for the County to administer the election, and define the responsibilities between agencies.

Vice Chairman Gibbons moved to approve a Memorandum of Agreement with the Georgia Soil and Water Conservation Commission allowing for the Fayette County Elections and Registration to act as Superintendent of Elections for the election of county contest for Georgia Soil and Water Commission. Commissioner Oddo seconded. The motion passed 5-0.

8. **Request to award Contract #26089-B: Thin Lift-Flexgard Overlay System, to Blount Construction Company, Inc. in the amount of \$431,294.82.**

Public Works Director, Phil Mallon, stated that Thin-Lift Flexgard was a new pavement road preservation system, that combined hot-mix asphalt and polymer modified asphalt without the use of reclaimed asphalt pavement. It is expected to extend the life of the road preventing cracking and rutting long term. Mr. Mallon stated that about 1.75 miles would be treated under this contract including Hood Road south of Trilith and roads in the Bonaventure Estates Subdivision.

Chairman Hearn asked if this project performance was properly monitored for durability to ensure the County was using the best road preservation systems available.

Vice Chairman Gibbons moved to approve to award Contract #26089-B: Thin Lift-Flexgard Overlay System, to Blount Construction Company, Inc. in the amount of \$431,294.82. Commissioner Oddo seconded. The motion passed 5-0.

ADMINISTRATOR'S REPORTS:

- A. **Contract #2018-P: Public Works engineer of Record; Task Order #54: 178 Crabapple Lane; Change Order #1: Environmental Support Servies [Revision 1]**
- B. **Contract #26076-A: 911 Fiber Extension Project**
- C. **Contract #26085-A: FY26 Crack Sealing Project**

Hot Projects

Mr. Rapson stated that he provided the Board with the Hot Topics report with updates to the Parks and Recreation Multi-Use Facility, Stars Mill School Tunnel Project, Mark Lane culvert replacement project, Darren Drive Box Culverts, and the Cross Creek culvert replacement.

Family and Children Services Board

Mr. Rapson advised that a Selection Committee was needed to fill three vacancies on the Family and Children Services Board.

Vice Chairman Gibbons moved to nominate himself and Commissioner Oddo to serve as the Selection Committee for the Family and Children Services Board. Commissioner Oddo seconded. The motion passed 5-0.

Board of Assessors

Mr. Rapson advised that a Selection Committee was needed to fill one vacancy on the Board of Assessors.

Chairman Hearn moved to nominate Commissioner Oddo and Commissioner Rousseau to serve as the Selection Committee for the Board of Assessors. Vice Chairman Gibbons seconded. The motion passed 5-0.

Development Authority

Mr. Rapson advised that a Selection Committee was needed to fill four vacancies on the Development Authority.

Vice Chairman Gibbons moved to nominate himself and Chairman Hearn to serve as the Selection Committee for the Development Authority. Commissioner Oddo seconded. The motion passed 5-0.

In an effort to expand the applicant pool, the decision was made to extend the application deadline for the Development Authority an additional 30 days.

ATTORNEY'S REPORTS:

Notice of Executive Session: County Attorney Dennis Davenport stated that there were six items for Executive Session. Two items involving pending litigation, three items involving threatened litigation, and the review of the February 26, 2026, Executive Session Minutes.

COMMISSIONERS' REPORTS:

Commissioner Rousseau

Commissioner Rousseau extended his appreciation to Mr. Rapson and Fire Chief Hill for their support and facilitation of the Narcan distribution to Drug Free Fayette.

Commissioner Oddo

Commissioner Oddo extended his appreciation for the recent Community Remembrance Marker Ceremony hosted by Fayette County Community Remembrance Coalition at the Courthouse Square. Commissioner Oddo concluded giving a "shout out" to his niece and nephew visiting from South America.

EXECUTIVE SESSION:

Two items involving pending litigation, three items involving threatened litigation, and the review of the February 26, 2026, Executive Session Minutes. Vice Chairman Gibbons moved to go into Executive Session. Commissioner Oddo seconded. The motion passed 5-0.

The Board recessed into Executive Session at 5:14 p.m. and returned to Official Session at 6:01 p.m.

Return to Official Session and Approval to Sign the Executive Session Affidavit: Commissioner Oddo moved to return to Official Session and for the Chairman to sign the Executive Session Affidavit. Vice Chairman Gibbons seconded. The motion passed 5-0.

Approval of February 26, 2026, Executive Session Minutes: Commissioner Oddo moved to approve February 26, 2026, Executive Session Minutes. Vice Chairman Gibbons seconded the motion. The motion passed 5-0.

ADJOURNMENT:

Commissioner Oddo moved to adjourn the March 12, 2026, Board of Commissioners meeting. Vice Chairman Gibbons seconded. The motion passed 5-0.

The March 12, 2026, Board of Commissioners meeting adjourned at 6:02 p.m.

Marlena Edwards, Chief Deputy County Clerk

Lee Hearn, Chairman

The foregoing minutes were duly approved at an official meeting of the Board of Commissioners of Fayette County, Georgia, held on the 26th day of February 2026. Attachments are available upon request at the County Clerk's Office.

COUNTY AGENDA REQUEST

Department:

Presenter(s):

Meeting Date:

Type of Request:

Wording for the Agenda:

Request to award Bid #26109-B to Ten-8 Fire & Safety, LLC for MSA G-1 Self-Contained Breathing Apparatus (SCBA) and associated accessory parts and safety devices in the amount of \$1,418,964.40 and allow for the department to auction existing used SCBAs and associated devices.

Background/History/Details:

SCBA is one of the main pieces of safety equipment used by all firefighters. This device supplies compressed air, that has been filtered for contaminants, through a facepiece to the user. This device allows firefighters to operate in atmospheres containing smoke and cancer-causing byproducts of fire, unseen respiratory contaminants such as carbon monoxide, along with atmospheres containing lower levels of oxygen. It is the recommendation of the department to make a wholesale change, all at one time, to eliminate training and operational issues of having multiple versions of this type of vital equipment.

These units have reached their end-of-life cycle and the annual cost of maintenance and repair is escalating. Some unit parts are no longer available as new parts from the manufacturer.

SCBA Replacement was established, approved, and funded in the 2023 SPLOST to provide for the wholesale replacement of all current SCBA's and associated products. Fire & Emergency Services plans to auction all existing SCBA's and associated products, with funds returning to Fire Fund Balance.

What action are you seeking from the Board of Commissioners?

Approval to award Bid #26109-B to Ten-8 Fire & Safety, LLC for MSA G-1 Self-Contained Breathing Apparatus (SCBA) and associated accessory parts and safety devices in the amount of \$1,418,964.40 and allow for the department to auction existing used SCBAs and associated devices.

If this item requires funding, please describe:

2023 SPLOST Project #P23AD

Has this request been considered within the past two years?

If so, when?

Is Audio-Visual Equipment Required for this Request?*

Backup Provided with Request?

*** All audio-visual material must be submitted to the County Clerk's Office no later than 48 hours prior to the meeting. It is also your department's responsibility to ensure all third-party audio-visual material is submitted at least 48 hours in advance.**

Approved by Finance

Reviewed by Legal

Approved by Purchasing

County Clerk's Approval

Administrator's Approval

Staff Notes:



Purchasing Department
 140 Stonewall Avenue West, Ste 204
 Fayetteville, GA 30214
 Phone: 770-305-5420
 www.fayettecountyga.gov

To: Steve Rapson

Through: Ted L. Burgess *TB*

From: Colette Cobb *CC*

Date: March 26, 2026

Subject: Contract 26109-B: Self-Contained Breathing Apparatus (SCBA)

The Purchasing Department issued Invitation to Bid 26109-B to secure Self-Contained Breathing Apparatus (SCBA). Notice of the opportunity was emailed to 4 companies. Another 85 were contacted through the web-based Georgia Procurement Registry, who had registered under commodity code 34007 (Breathing Equipment for Firemen, Including Mobile Air Filler Stations). The offer was also advertised through Georgia Local Government Access Marketplace, the Fayette County News, and the County's website.

Four companies submitted a bid (Attachment 1).

Fire & EMS recommends awarding to Ten-8 Fire & Safety, LLC for a total cost of \$1,418,964.40. A Contractor Performance Evaluation is attached (Attachment 2).

Specifics of the proposed contract are as follows:

Contract Name	26109-B: Self-Contained Breathing Apparatus (SCBA)	
Contractor	Ten-8 Fire & Safety, LLC	
Contract Amount	\$1,418,964.40	
Budget:		
Org Code	32730550	2023 SPLOST
Object	542520	Safety Equipment
Project	P23AD	Fire/EMS SCBA Replacement
Available	\$2,425,413.66	As of 03/12/2026

ITB 26109-B Self-Contained Breathing Apparatus

Type of Test	Estimated No. of Units	Ten-8 Fire & Safety LLC		MES Service Company		Fisher Scientific Company, LLC	
		Unit Price	Extended Price	Unit Price	Extended Price	Unit Price	Extended Price
SCBA Packs	122	\$ 7,348.32	\$ 896,495.04	\$ 7,177.26	\$ 682,546.08	\$ 6,470.15	\$ 789,358.30
Face Pieces	312	\$ 388.68	\$ 121,268.16	\$ 1,537.87	\$ 460,125.12	\$ 1,478.25	\$ 461,214.00
Total Cylinders	288	\$ 1,278.60	\$ 368,236.80	\$ 726.38	\$ 312,575.04	\$ 1,214.10	\$ 349,660.80
RIT Packs	5	\$ 6,592.88	\$ 32,964.40	\$ 4,223.24	\$ 22,365.70	\$ 4,084.73	\$ 20,423.65
Total Base Price		\$	1,418,964.40	\$	1,477,611.94	\$	1,620,656.75
Alternate			Extended Price		Extended Price		Extended Price
Training and Support			*Price Included Above*	\$	14,640.00	\$	10,000.00
Total Price		\$	1,418,964.40	\$	1,492,251.94	\$	1,630,656.75

Red font indicates a calculation error that has been corrected.

FAYETTE COUNTY, GEORGIA CONTRACTOR PERFORMANCE EVALUATION

Page 1

1. Use this form to record contractor performance for any contract of \$50,000 or above.
2. The person who serves as project manager or account manager is the designated party to complete the evaluation.
3. This form is to be completed and forwarded to the Purchasing Department not later than 30 days after completion or expiration of a contract. Past performance is considered on future contracts.

VENDOR INFORMATION	COMPLETE ALL APPLICABLE INFORMATION
Company Name: Ten-8 Fire & Safety LLC	Contract Number: 1855-B
Mailing Address: 2590 59th Avenue Dr	Contract Description or Title: Pumper Fire Apparatus
City, St, Zip Code: E. Bradenton FL 34208	Contract Term (Dates) From: 10/2020 To: Completion
Phone Number: 404-304-6361	Task Order Number: N/A
Cell Number:	Other Reference: 26109-B Self-Contained Breathing Apparatus
E-Mail Address: vroberts@ten8fire.com	

DEFINITIONS

OUTSTANDING – Vendor considerably exceeded minimum contractual requirements or performance expectations of the products/services; The vendor demonstrated the highest level of quality workmanship/professionalism in execution of contract.

EXCELLENT (Exc) - Vendor exceeded minimum contractual requirements or performance expectations of the products/services.

SATISFACTORY (Sat) - Vendor met minimum contractual requirements or performance expectations of the products/services.

UNSATISFACTORY (UnSat) - Vendor did not meet the minimum contractual requirements or performance expectations of the products and/or services; Performed below minimum requirements

EVALUATIONS (Place "X" in appropriate box for each criterion.)

Criteria (includes change orders / amendments)	Out-standing	Exc	Sat	Un-Sat	Not Apply
1. Work or other deliverables performed on schedule		X			
2. Condition of delivered products		X			
3. Quality of work		X			
4. Adherence to specifications or scope of work		X			
5. Timely, appropriate, & satisfactory problem or complaint resolution		X			
6. Timeliness and accuracy of invoicing		X			
7. Working relationship / interfacing with county staff and citizens		X			
8. Service Call (On-Call) response time		X			
9. Adherence to contract budget and schedule		X			
10. Other (specify):					X
11. Overall evaluation of contractor performance		X			

EVALUATED BY

Signature: <i>Bl Gibby</i>	Date of Evaluation: <i>3-12-2026</i>
Print Name: <i>Brandon Gibby</i>	Department/Division: <i>Fire & EMS</i>
Title: <i>Captain</i>	Telephone No: <i>770 305-5169</i>

Administrator's Report: A



Purchasing Department
140 Stonewall Avenue West, Ste 204
Fayetteville, GA 30214
Phone: 770-305-5420
www.fayettecountyga.gov

To: Steve Rapson
Through: Ted L. Burgess *TJB*
From: Sherry White *SW*
Date: March 3, 2026
Subject: Contract #26071-B Justice Center Roof Replacement

The Purchasing Department issued Invitation to Bid 26071-B Justice Center Roof Replacement to secure a contractor to replace the Justice Center roof. Notice of the opportunity was emailed to 58 companies. Another 430 were contacted through the web-based Georgia Procurement Registry, who had registered under commodity code #91066 (Roofing, Gutters, and Downspouts Maintenance and Repair Services) and #91078 (Weatherization, Weather and Waterproofing Maintenance and Repair Services). The offer was also advertised through the Fayette County News, and the County website.

Ten companies submitted bids (Attachment 1).

The Building and Grounds Department recommends awarding Dusty Greer Roofing, Inc. A Contractor Performance Evaluation is attached (Attachment 2).

Specifics of the proposed contract are as follows:

Contract Name	#26071-B Justice Center Roof Replacement		
Contractor	Dusty Greer Roofing, Inc		
Contract NTE Amt.	\$248,900.00 <i>✓</i>		
Budget:			
Fund	375	CAPITOL IMPROVEMENT PROJECT	
Organization Code	37510565	BUILDING /GROUNDS	
Object Code	541210	OTHER IMPROVEMENT	
Project	251AJ	ROOF REPLACEMENT JUSTICE CENTER	
Available Balance	\$600,000.00	As of 3/3/2026	

Approved by: *[Signature]* Date: 3/3/26

Placed on Administrator's Report? Yes No Placed on Agenda Dated: _____

ITB 26071-B Justice Center Roof Replacement
TALLY SHEET

3:00p.m., Wednesday, February 19, 2026

COMPANY NAME	TOTAL LUMP SUM PRICE
Eastern Builders	\$916,877.00
Ben Hill Roofing	\$498,580.00
Colony Roofers	\$454,871.00
Urethane of Kentuckiana dba Insulated Roofing Contractors	\$428,000.00
HiPoint Construction Consulting	\$389,650.00
SRS, Inc	\$347,000.00
Don Kennedy Roofing	\$338,968.00
AAR of North Carolina, Inc.	\$317,700.00
Roof Technology Partners	\$299,998.00
Dusty Greer Roofing	\$248,900.00

FAYETTE COUNTY, GEORGIA CONTRACTOR PERFORMANCE EVALUATION

Page 1

1. Use this form to record contractor performance for any contract of \$50,000 or above.
2. The person who serves as project manager or account manager is the designated party to complete the evaluation.
3. This form is to be completed and forwarded to the Purchasing Department not later than 30 days after completion or expiration of a contract. Past performance is considered on future contracts.

VENDOR INFORMATION	COMPLETE ALL APPLICABLE INFORMATION
Company Name: Dusty Greer Roofing, Inc.	Contract Number:
Mailing Address: 770 W Winder Industrial Parkway	Contract Description or Title: Stonewall and Station #11 roof repair.
City, St, Zip Code: Winder, GA 30680	Contract Term (Dates) From:
Phone Number: 770-207-5277	Task Order Number:
Cell Number: 678-576-3675	Other Reference: ITB 26071-B Justice Center Roof Replacement
E-Mail Address: dustrygreeroofing@yahoo.com	

DEFINITIONS

OUTSTANDING – Vendor considerably exceeded minimum contractual requirements or performance expectations of the products/services; The vendor demonstrated the highest level of quality workmanship/professionalism in execution of contract.

EXCELLENT (Exc) - Vendor exceeded minimum contractual requirements or performance expectations of the products/services.

SATISFACTORY (Sat) - Vendor met minimum contractual requirements or performance expectations of the products/services.

UNSATISFACTORY (UnSat) - Vendor did not meet the minimum contractual requirements or performance expectations of the products and/or services; Performed below minimum requirements

EVALUATIONS (Place "X" in appropriate box for each criterion.)

Criteria (includes change orders / amendments)	Out-standing	Exc	Sat	Un-Sat	Not Apply
1. Work or other deliverables performed on schedule		X			
2. Condition of delivered products		X			
3. Quality of work		X			
4. Adherence to specifications or scope of work			X		
5. Timely, appropriate, & satisfactory problem or complaint resolution			X		
6. Timeliness and accuracy of invoicing		X			
7. Working relationship / interfacing with county staff and citizens		X			
8. Service Call (On-Call) response time		X			
9. Adherence to contract budget and schedule			X		
10. Other (specify):					
11. Overall evaluation of contractor performance		X			

EVALUATED BY

Signature: 	Date of Evaluation: 03/03/2026
Print Name: Anthony Ballard	Department/Division: Building & Grounds Maintenance
Title: Assistant Director Building Maintenance	Telephone No: 770-320-6000