

**BOARD MEMBERS**

John H. Culbreth, Sr., Chairman  
John Kruzan, Vice-Chairman  
Danny England  
Jim Oliver  
Boris Thomas

**STAFF**

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

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**AGENDA**  
**FAYETTE COUNTY PLANNING COMMISSION MEETING**  
**140 STONEWALL AVENUE WEST**  
**October 3, 2024**  
**7:00 pm**

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

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**NEW BUSINESS**

1. Call to Order.
2. Pledge of Allegiance.
3. Approval of Agenda.
4. Consideration of the Minutes of the meeting held on September 5, 2024
5. Plats

**PUBLIC HEARING**

6. Consideration of Petition MHP-0001-24, Review of the Development Plan for a Manufactured Home Park. The applicant is submitting a Development Plan for a Manufactured Home Park, Per **Sec. 110-141. - MHP, Manufactured Home Park District**, an application for approval of a manufactured home park will be considered administratively as a petition for rezoning and will be subject to the procedures established in this chapter. After review and public hearing, the board of commissioners may disapprove, approve, or approve with modifications to the site plan and/or letter of intent after receiving the recommendation of the planning commission. This review of the development plan is the first of two required public hearings.

# Meeting Minutes 9/05/2024

**THE FAYETTE COUNTY PLANNING COMMISSION** met on September 5<sup>th</sup>, 2024, at 7:00 P.M. in the Fayette County Administrative Complex, 140 Stonewall Avenue West, Fayetteville, Georgia.

**MEMBERS PRESENT:** John H. Culbreth Sr., Chairman  
John Kruzan, Vice-Chairman *[absent]*  
Danny England  
Jim Oliver  
Boris Thomas

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

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## **NEW BUSINESS**

1. Call to Order.
2. Pledge of Allegiance.
3. Approval of Agenda. *Ms. Deborah Sims requested the board to amend the agenda to add item (d) Minor Final Plat for Liberty North. Danny England made a motion to approve the agenda with the addition of item (d) Minor Final Plat for Liberty North on the September 5<sup>th</sup> Agenda. Jim Oliver seconded the motion. The motion passed 4-0 John Kruzan was absent.*
4. Consideration of the Minutes of the meeting held on August 1, 2024. *Jim Oliver made a motion to approve the minutes of the meeting held on August 1, 2024. Boris Thomas seconded the motion. The motion carried 4-0.*
5. Plats
  - a. Final Plat for Wright Chancey McBride LLC. Approval of the Final Plat for Wright Chancey McBride LLC. Ms. Sims explained the first final plat is McBride Estates, Mr. Rod Wright is subdividing these lots on McBride Road. It has been reviewed and approved by staff, she showed the plat and explained he is making 5 lots and I think the board approved the rezoning so he could do the neighborhood in that area. Mr. John Culbreth asked the board if they had any questions.? Jim Oliver asked if staff had approved it.? Ms. Sims replied staff had reviewed and approved it. The plat shown on display was not the correct one, she apologized to the board, and they showed the plat before. Mr. Thomas asked if there were any conditions.? Ms. Sims responded no, there were no conditions on the final plat. *Jim Oliver made a motion to APPROVE the Final Plat for Wright Chancey McBride LLC. Boris Thomas*

*seconded the motion. The motion carried 4-0.*

- b. Minor Final Plat for 385 Snead Road. Approval of the Minor Final Plat for 385 Snead Road. Ms. Sims states the board also reviewed when we had the rezoning and these were discussed before, they had subdivided it into three lots, so you don't have the strangely configured lot, each lot is still the 5-acre. Mr. Culbreth asked what changes were made.? Ms. Sims responded this was one lot and subdivided into three, they just rezoned it, so they have weird lots so the line lots were way back. Mr. Culbreth asked the board for a motion. ***Danny England made a motion to APPROVE the Final Plat for 385 Snead Road. Jim Oliver seconded the motion. The motion carried 4-0.***
- c. Minor Final Plat for Riverbend Overlook Phase III. Ms. Sims commented to the board they already approved Phase I & Phase II; this is Phase III, and it has been reviewed and approved by staff. Mr. Culbreth asked the board if they had any questions.? No one responded. ***Jim Oliver made a motion to APPROVE the Minor Final Plat for Riverbend Overlook Phase III. Danny England seconded the motion. The motion carried 4-0.***
- d. Final Plat for Liberty North. Ms. Sims explained to the board they had seen this plat several times since 2006 with preliminary plats and staff had approved it. Mr. Culbreth asked the board if they had any questions.? No one responded. Then he asked for a motion. ***Danny England made a motion to APPROVE the Final Plat for Liberty North. Jim Oliver seconded the motion. The motion carried 4-0.***

## **PUBLIC HEARING**

- 6. Consideration of Petition No. 1353-24, The Estate of Richard N. Cates/Carol Denise Cates Mercer, Executrix; request to rezone 4.86 acres from A-R (Agricultural-Residential) to C-C (Community Commercial) for the purposes of constructing a convenience store with fuel pumps. Property is located in Land Lot 151 of the 5<sup>th</sup> District and fronts on Banks Road and Highway 54. Ms. Sims asked the petitioner would like to proceed without a full board present, the petitioner said yes.

Ms. Sims stated that the property is located at the corner of Banks Road and Highway 54 staff is recommended denial. However, should the planning commission decide they would like to approve that, staff recommends the following CONDITIONS:

- 1. The applicant provides a minimum of 40 feet of ROW as measured from the existing road centerline or at least 10 feet beyond payment for acceleration/deceleration lanes whichever is greater.
- 2. Submit all Warranty deeds and Legal descriptions for ROW dedications shall be provided to the county within 90 days of the approval of the rezoning request or prior to the final plat approval whichever comes first.
- 3. Entrance location on Banks Road shall be limited to a right in right out and as recommended by GDOT the driveway shall be a minimum of 200ft from the return radius of Banks Road and SR 54.
- 4. Applicant shall extend the existing sidewalk along Banks Road for

the length of the property.

This is surrounded by residentially zoned properties there is not any floodplain or that concerned, they are asking to go to C-C (Community Commercial) so they can have a convenience store, the lot is located in the eastern part of the county. This is an A-R (Agricultural-Residential) is a legal lot of record, there are no rezonings that have been approved for this property.

Mr. Culbreth asked the petitioner to proceed with his presentation. Mr. Newton Galloway- Attorney, stated he was representing The Estate of Richard N Cates/Denise Mercer's daughter, Owner; Mr. Sudesh Dhingra is the applicant who desires to do the convenience store, and Mr. Jim Kelly, who is a real estate professional. They provided a printed PowerPoint presentation that staff distributed to the board, he said he worked with Ms. Bell in Spalding County with her before she came to work for Fayette County, but Ms. Bell was not present at tonight's meeting.

He explained in the presentation that the first page shows where the proposed store will be; the next page is a picture shown on qpublic.net lot diagram this is a request to go to Community Commercial from A-R on 4.6 acres and at its corner on Highway 54 and Banks Rd., which is a key element in this zoning. He explained how and where the building would be located, this is a triangular piece of property. Mr. Galloway said it is surrounded by residential zonings and it's been sitting there ever since Fayette County had a zoning ordinance. You condemn property, and the state condemns property, for the expansion of Highway 54 and also improvements on Banks Rd., so what started as a 5 acres tract it's now a 4.8 acre tract, a significant reduction.

He stated a real problem with this property is the traffic, it is at the corner of a thoroughfare. Traffic is a problem for a piece of property that has a funny shape and is sitting undeveloped in the middle of a residential developments around it. He stated another problem is the A-R zoning; everything else around changed except for that lot. He doesn't think you will be allowed to build since the lot doesn't have the A-R zoning acreage. You might be able to rezone to R-20 or R-40 one-acre lots, but people will not buy houses on a busy intersection. He states that the property in 2003 requesting a change in zoning to an R-20 or R-40; it went up to the BOC and they said no, they keep it as A-R. How long it has been zoned undeveloped? 21 years. Ms. Bell has covered some conditions if approved but there are other things you can do such as lighting, and the rear buffer and we will be open to discussion with staff in order to get this property functional and useful.

Mr. Jim Kelly has been with TrueMark Realty, the listing broker for the property since 2023 spoke. He stated when they listed the property over 300 prospects contacted them for commercial and were able to narrow it down to two offers. Both were convenience store operators and chose the lower offer amount. They chose someone local, Sam, owner of BP station west of town on Veterans Highway and Highway 54. We want to present this to the community and the neighbors to make the best attempt and best effort. He explained how they contracted to present the plans for this meeting and went to the neighbors on that street offering a copy of the plans and letting them know if they had any questions regarding the plans to contact him or the owners, they were very approachable.

Ms. Denise Mercer states she is the oldest daughter of Richard Cates, and she was born and raised in this county. She spoke about the property expansions, and they are left with a little bit over 4 acres, she said they will secure a 60-foot natural wooded buffer for the adjacent



homeowners, a buffer that will be lost if they do not develop this property and will be forced to sell off the timber in order to do so, that will eliminate that natural buffer.

Mr. Culbreth asked if anyone was in opposition.?

Arnold Martin has lived in the Deer Glen subdivision for over 20 years. He states he sent opposition letters, and that this convenience store will be very disruptive, this proposed zoning is not in the comprehensive plan, and the future land use plan and it's surrounded by residential zones. He spoke about traffic in the area and it's very dangerous for the community if they allow this convenience store.

Mr. Darryl Hicks lives at Oak Manor and he represents The Oaks HOA. He spoke about the environmental harm through soil, groundwater contamination, and air pollution given the proximity of the site to residential homes. He stated they are deeply concerned about the long-term impact on our community.

Mr. Griffin Root he is the secretary and treasurer for Wellington Place HOA. He has resided here for about 13 years, and he states they have 45 families in the subdivision. He has two concerns about this rezoning request. The first is the noise and light pollution we know if we put a gas station in that corner will be a lot more traffic, making it a lot noisier and a lot of light pollution in the evenings, especially for the neighbors across the street from where this property supposed to be built. Mr. Root added that if you look around there are already gas stations near our residential neighborhoods. It doesn't make any sense to add another one.

Ms. Sandra Lee Quiry lives 500 or 600 feet from the subject property. She talked about health concerns about living near a gas station. Ethanol is a compound in petroleum which is a solvent used to turn petroleum into something to use in your car to use gasoline and another associated with it and is carcinogenic. She explained different types of substances that will harm your health and the air. She asked the board to deny the petition to the danger to the people to reside in these homes.

Mr. Leroy Brown lives in Deer Glen Forrest subdivision, they own two of the 7 lots in the neighborhood, he states the value of the properties will devalue and the pace they have now will not be there anymore, and there will be a lot more foot traffic and crime concerns the neighbors.

Mr. Culbreth asked Mr. Galloway if he wanted to say anything in rebuttal. He said the owner has to be able to have that opportunity to use the property and have the use and have a reasonable economic return and there are no uses on that property that has developed as zoned in 21 years, which sends the signal that the zoning isn't appropriate. This is a difficult piece of property because of its size and location..

Anonymous opposition speaker stated that he has lived in Deer Forest Road since 2011 and explained if this petition is granted it will destroy this person's driveway. There is water that flows down the area where this will be located.

Mr. Culbreth stated to the public present that the planning commission's vote is a recommendation to the Board of Commissioners for final adoption, and they will need to follow up with the next meeting. Mr. Culbreth asked the board for any questions.

Mr. Jim Oliver asked Mr. Galloway how he would address the fact that the property presently doesn't comply with the comprehensive land use plan? Mr. Galloway responded that the comp plan is used as a guide and that there are sometimes oversights between what the comp plan should provide for a piece of property and what it does provide. The comp plan is not subject to constitutional standards; they apply to zoning because it is an action of the local government to affect land uses.

Mr. Oliver responded he did think no one is denying the use of the property and I have been on both sides, of the commissioners and attorneys. The comprehensive plan many times has been used as a sword both ways, “don’t come here and ask us to rezone this because it doesn’t apply” or “it’s only a guide.” There are, perhaps, other reasonable uses for the property, not necessarily C-C; O-I it comes to mind, some other less invasive less disrupted use. Mr. Galloway I will go back to what Mr. Kelley said the people who called all wanted a commercial property, that tells you what the market is. Since COVID, the Office uses have about died.

Mr. Boris Thomas added, referring to Mr. Galloway’s comments that the property wasn’t necessarily functional on certain returns but just depended upon the profit the owners wanted to make, it has over 47 uses other than a gas station and that can be quite commercial. We are not obstructing the ownership of the property from making a profit by selling the property, that will not stop them from selling the property.

Mr. Galloway responded he acknowledged there are 47 listed permitted uses and 20 conditional uses that are allowed but to get to those what do we have to do?

Mr. Thomas responded that is not our responsibility to make the property okay, but the owner’s responsibility to get the property set up.

Mr. Galloway explained that each one of those uses would require rezoning.

Mr. Danny England commented that they had more convenience store/gas station rezoning in the past 18 months, we approved all of them except for one, which was located at GA 85 S and a lot of the discussion was the same as this one. We voted to reject that proposal because it was surrounded by residential uses. We looked at the character of the area and the surrounding uses. The fact that this is located at a signalized intersection does not mean that a gas station is automatically the best use.

Mr. Culbreth asked for a motion after no further comments. ***Boris Thomas made the motion to deny Petition 1353-24. Danny England seconded the motion. The motion to DENY carried 4-0. Mr. England asked Ms. Sims for the BOC date meeting for follow-up on this petition, Ms. Sims responded on September 26<sup>th</sup> at 5 O’clock in this room.***

7. Consideration of Petition No. 1354-24, Marion L. Holt, owner; requests to rezone from A-R to R-45 for the purposes of creating additional lots without any new infrastructure. Property is located in Land Lot 148 of the 7<sup>th</sup> District and fronts on Palmetto Road. Ms. Sims explained the petition is located at 285 Palmetto Road, staff found a problem with this, and staff is recommending being withdrawn, we need the planning commission approval to withdraw so we can refund the applicant's money, it wasn’t going to meet all the requirements needed. Mr. Boris asked staff if the petitioner was aware of the withdrawal? Ms. Sims responded yes; we told them we were going to request withdrawal. ***WITHDRAWN BY PETITIONER, Danny England made a motion to allow the WITHDRAWAL of Petition 1354-24, Jim Oliver seconded the motion. The motion carried 4-0.***
8. Consideration of Petition No. 1355-24, Andrea Pope Camp & Jordan Camp, owners; request to rezone 41.78 acres from A-R to R-75 for the purposes of creating additional lots without any new infrastructure. Property is located in Land Lot 28 of the 7<sup>th</sup> District and fronts on Davis Road and Huie Drive.

Ms. Sims explained the petition and said staff recommends conditional approval of this

request that does fit with the future land use plan. The recommended conditions are:

1. The owner/developer shall dedicate land to Fayette County as needed to provide a minimum 40 ft of right of way as measured from the existing centerline of Davis Road. 2. The owner/developer shall dedicate land to Fayette County as needed to provide a minimum 40-ft of right of way as measured from the existing centerline of Huiet Drive. 3. Submittal of all warranty deed(s) and legal descriptions for right-of-way dedications shall be provided to the County within 90 days of the approval of the rezoning request, or prior to the final plat approval, whichever comes first.

4. The owner/developer shall improve the gravel road segments fronting the parcel and extend the improvement north on Huiet Drive to meet existing pavement. The improvement shall meet County Standards for Collector Roads and be designed and constructed in accordance with Fayette County's Development Regulations. Alternatively, the owner/developer may pay Fayette County \$1,105,000 so that Fayette County can make the improvements in the future. The work shall be completed, or the payment made, prior to Final Plat approval.

5. The existing house and barn on the property shall be demolished, with the appropriate demolition permits, within 6 months of the approval of the rezoning; or prior to the submittal of a subdivision plat; or prior to the submittal of any permits, whichever comes first.

6. Prior to submission of any final plat(s) or amendments or revisions thereto, and irrespective of the number of lots in any final plat(s) or revision thereto, the developer shall be required to extend the public water line from adjacent subdivision to provide water service for each lot in the subdivision. The water line extension shall be constructed to the standards outlined in, "Sec. 12-90. - Mandatory connection to public water system, including the installation of fire hydrants."

7. The availability of water is conditioned upon, among other things, Fayette County, Georgia, receiving a recorded permanent easement prior to final plat approval if the Construction Plan review process determines a recorded easement is required. Alternatively, any future water infrastructure the County maintains shall be located within an accessible public right-of-way.

Ms. Sims explained on the map this is located by one side Canoe Club and on the other side they are constructing the new development Hunt Cliff Manor, Davis Road is a gravel, Road. Mr. Culbreth asked if the petitioner was present.

Mr. Randy Boyd, he represented Andrea Pope Camp that is the owner of this property, and her son Jordan Camp is the attorney in fact, Ms. Pope inherited this property back in 2011 her dad originally purchased 40 years ago and my request tonight to have rezoned to R-75 which consist in 2 acre lot with a minimum house size of 2,500 sq ft. To the north and east is a borderline subdivision of an R-40 zoning minimum house size of 1,500 sq ft. To the west and south is A-R and to the southeast is a piece of property that was zoned PUD back in 2016 it ended up going to litigation, there are 212 acres and 91 lots, and I request tonight's for R-75, I read over the recommended conditions, and I have been doing this for 41 years and I was shocked when I saw condition number "4", we agree with condition number 1,2 and 3, we will dedicate the appropriate ROW's for both of those streets, I don't even know where to start with that deal about donating \$1,105,000 million dollars to do what the county should be doing and also punishing this land owner by saying you going to go north 300 feet tying into a subdivision they should it brought down to that point back into 2007 that would it adequate

\$1,105,000 million dollars to it cost addition in our property \$69,000 dollars per lot if this zoning goes through we will put the water line in, I got different prices \$300,000 divided by 16 lots is another \$18,750 dollars if you add it the cost of the land in what their asking for the property it will be about \$10,000 dollars more than you can possible get for, under a current market analysis, it's just surrender that property absolutely where you can't do anything about it.

He explained another case from last month from Davis Road it should have been at right at 69-70K, I don't believe is legal, we'll consult it with an attorney on that, but I think is very improper to ask us one week later to donate over a million dollars for what the county should be doing, staff didn't even suggest that a month ago, they suggested donate ROW on Lester Road and Davis and will have 90 days to turn the deeds in.

We will agree with every bit of that in our street also, so will accept condition 1,2,3 and absolutely ask you to not impose number 4 and number 6 on the extension of the water line I be happy to do that, and we will dedicate ROW or easement whatever is the case but in the second sentence "Prior to submission of any final plat(s) or amendments or revisions thereto, and irrespective of the number of lots in any final plat(s) or revision thereto" I will ask that you eliminate that with the number of lots. He requested that on section 12-90 mandatory connection to the public water system, "is you have 5 lots you don't have to tie to the county water system" I will ask that be taken out to the number of lots and put in if they are "6 or more lots" and be more in compliance of section 12-90 of the existing ordinance. He asked the board to grant the petition without condition 4 and as per his request.

No one else spoke in support or opposition.

Mr. Culbreth brought the petition to the Board.

Mr. Boris Thomas made a comment saying I was going to say in addition to the million dollars there needs to be an extra 10% contingency because all oil prices and vendors changes. The impact in the county to have a paved road there is strong and wide enough for emergency vehicles, that location is going to cost even more at that intersection area and probably will need a traffic light.

Mr. Boyd responded that the staff is asking to go there 300 feet about our site and bring it down to the intersection and go over to the east about 1,500 feet so we wouldn't be paving the entire road we just are paving that section in front of this property, which to me is very demanding.

Mr. Culbreth asked staff if we have a president where we ask for a million dollars.?

Ms. Sims responded this was the first time I am aware that we have requested such funding to pave a road, is it an issue because Davis Road is a gravel road, and I don't believe the county owns enough ROW and this was the recommendation from the public works director to facilitate having this many homes, even though this goes along with the future land use plan it will put a lot more on Davis Road.

Mr. Culbreth asked Ms. Sims, is the county asking the developer to pave its road.? Ms. Sims responded, I am not sure the county owns all of the ROW, so part of is going to be to acquire all of that ROW so it could be paved and that's why they gave the alternative that they could pay the county and the county would do that they wouldn't have all their responsibility were they were offering those options.

Mr. Culbreth added he opposed to that, and Mr. Oliver asked why are you paying taxes for.? This is the responsibility of the county.

Ms. Allison Cox responded currently the county is not require paving or upgrade this

road at all and it's been asked in other to go through requires an upgrade and we just don't have in the county's budget. Mr. Oliver asked Ms. Cox why wasn't asked to Canoe Club.? I don't think I was here for the Canoe Club.

Mr. Boyd responded the Canoe Club is on the north side but even closer than that why wasn't even asked to the PUD that was taken to court, last month the same road at another intersection they didn't ask a penny for that, their assessment based on these values should be \$69,000 dollars for that one lot exactly what our is, so there is consistency here.

Ms. Cox responded that single lot doesn't cost the same impact than 16.

Mr. Boyd responded but if you take one lot at the time it does cost the same impact that a ridiculous argument.

Mr. Oliver said I was just trying to figure it out about the consistency.

Ms. Cox replied that with a single lot we have a house full of people who came in to tell you about the problems when they disrupt, that gravel road barely supports what's there so the single lot that was being to be put in is not going to add but one more car, 16 lots significantly increases the traffic and the area in front of the subdivision to be paved to support that sort of road where the county is not currently planning to invest in that infrastructure, so if this is the plan and the county is not planning to invest can't be developed until there is an infrastructure to support it.

Mr. Danny England state it that the rest of us has seen where that development has occurred without that infrastructure or investment, so is this going to be the policy coming forward? Every time someone develops something on a dirt road will have to pull out the checkbook?

Ms. Cox responded she thinks that is probably where you are as far as supporting something of this size.

Mr. England responded you can incrementally develop more than 16 lots on this road and be on the same boat that we ran last month where we didn't require funds, so 16 lots isn't a lot we have seen way more than that.

Mr. Thomas added that his neighborhood is considered private and got to pay \$3,000,000 dollars to get the road pave and we paid the millage rate as the sounding areas, but we are told that we use the main road so that why your millage will stay the same. We can't get any help from the county in repaving the roads or doing any of the infrastructure underneath sewage or anything like that.

Mr. Oliver asked Mr. Boyd about the other conditions, you said number 1,2,3...we are good, what about number 5.? Mr. Boyd responded that 5 is good, the only thing I would like to be more in line with the ordinance that exists and change it to prior to submission of any final plat(s) the developer shall be required to extend the public water line from adjacent subdivision to provide water service for each lot in exits in six lots in the subdivision.

***Jim Oliver made the motion to recommend CONDITIONAL APPROVAL of Petition 1355-24 subject to amended conditions. The conditions are as follows:***

***Recommended the following AMENDED CONDITIONS:***

***1. The owner/developer shall dedicate land to Fayette County as needed to provide a minimum 40-ft of right of way as measured from the existing centerline of Davis Road.***

***2. The owner/developer shall dedicate land to Fayette County as needed to provide a minimum 40-ft of right of way as measured from the existing centerline of Huiet Drive.***

***3. Submittal of all warranty deed(s) and legal descriptions for right-of-way dedications shall be provided to the County within 90 days of the approval of the rezoning request, or prior to the final plat approval, whichever comes first.***

***4. OMIT NUMBER 4 - “~~4. The owner/developer shall improve the gravel road segments fronting the parcel and extend the improvement north on Huiet Drive to meet existing pavement. The improvement shall meet County Standards for Collector Roads and be designed and constructed in accordance with Fayette County’s Development Regulations. Alternatively, the owner/developer may pay Fayette County \$1,105,000 so that Fayette County can make the improvements in the future. The work shall be completed, or the payment made, prior to Final Plat approval.~~”***

***5. The existing house and barn on the property shall be demolished, with the appropriate demolition permits, within 6 months of the approval of the rezoning; or prior to the submittal of a subdivision plat; or prior to the submittal of any permits, whichever comes first.***

***6. [Amended Condition #6] Prior to submission of any final plat(s) the developer shall be required to extend the public water line from adjacent subdivision to provide water service for each lot in excess of six lots in the subdivision. The water line extension shall be constructed to the standards outlined in, “Sec. 12-90. - Mandatory connection to public water system, including the installation of fire hydrants.”***

***7. The availability of water is conditioned upon, among other things, Fayette County, Georgia, receiving a recorded permanent easement prior to final plat approval if the Construction Plan review process determines a recorded easement is required. Alternatively, any future water infrastructure the County maintains shall be located within an accessible public right-of-way.***

***Danny England seconded the motion for conditional approval, subject to amended conditions. The motion for CONDITIONAL APPROVAL, subject to amended conditions, carried 3-1. Boris Thomas abstained.***

- 9. Consideration of Amendments to Chapter 110. Zoning Ordinance, regarding Article V.- Conditional uses, nonconformances, and transportation corridor overlay zone. Sec.110-175.- Special Use of Property.**

Ms. Cox explained that the next item three items kind of go together but we need three separate votes, did you remember Detox facility, not long ago in the last legislative session there was a new law passed it removed detox facilities from those items that require special use permit, we just need to amend our code to follow state law. And what we are doing here in number one, is removing it from the special use section entirely and replacing it with a small section that says reserved because we might have special uses in the future, that’s number 9.

***Danny England made the motion to recommend approval of Consideration of Amendments***

*to Chapter 110. Zoning Ordinance, regarding Article V.- Conditional uses, nonconformances, and transportation corridor overlay zone. Sec.110-175.- Special Use of Property. Jim Oliver seconded the motion. The motion to APPROVE carried 4-0.*

10. Consideration of Amendments to Chapter 110. Zoning Ordinance, regarding Article V.- Conditional uses, nonconformances, and transportation corridor overlay zone. Sec.110-169.- Conditional use approval. Number 10 - is to be as going taking those detox facilities and making them conditional uses in the O-I section on our zoning ordinance.

*Danny England made the motion to recommend approval of Consideration of Amendments to Chapter 110. Zoning Ordinance, regarding Article V.- Conditional uses, nonconformances, and transportation corridor overlay zone. Sec.110-169.- Conditional use approval Jim Oliver seconded the motion. The motion to APPROVE carried 4-0.*

11. Consideration of Amendments to Chapter 110. Zoning Ordinance, regarding Article IV.- District use requirements. - Sec.110-142.- Office institutional district. Number 11- We will remove them from our special use section and our O-I zoning ordinance.

*Danny England made the motion to recommend approval of Consideration of Amendments to Chapter 110. Zoning Ordinance, regarding Article IV.- District use requirements. - Sec.110-142.- Office institutional district. Boris Thomas seconded the motion. The motion to APPROVE carried 4-0.*

**ADJOURNMENT:**

Danny England moved to adjourn the meeting. Boris Thomas seconded. The motion passed 4-0.

The meeting adjourned at 8:37 p.m.

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**ATTEST:**

**PLANNING COMMISSION  
OF  
FAYETTE COUNTY**

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**JOHN H. CULBRETH, SR., CHAIRMAN**

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**DEBORAH BELL  
DIRECTOR, PLANNING & ZONING**

**MHP-0001-24**

**REQUESTED ACTION:** Review the Development Plan for a Manufactured Home Park

**PARCEL NUMBER(S):** 0704 002; 0704 004; 0704 052

**ZONING:** MHP, Manufactured Home Park

**EXISTING USE:** Undeveloped, formerly Adams Farm

**PROPOSED USE:** Manufactured Home Park

**LOCATION:** 1486 Hwy 54 W

**PROJECT SIZE:** 26.74 Acres

**DISTRICT/LAND LOT(S):** 7<sup>th</sup> District, Land Lot 26

**OWNER(S):** Adams Farm 1805, LLC; William Jerry Cleveland

**APPLICANT:** Lake Chatuge, LLC

**AGENTS:** Randy Chancey

**PLANNING COMMISSION PUBLIC HEARING:** October 3, 2024

**BOARD OF COMMISSIONERS PUBLIC HEARING:** October 24, 2024

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**REQUEST**

The applicant is submitting a Development Plan for a Manufactured Home Park. Per **Sec. 110-141. - MHP, Manufactured Home Park District**, an application for approval of a manufactured home park will be considered administratively as a petition for rezoning and will be subject to the procedures established in this chapter. After review and public hearing, the board of commissioners may disapprove, approve or approve with modifications to the site plan and/or letter of intent, after receiving the recommendation of the planning commission.

This review of the Development Plan is the first of the two required public hearings.

**STAFF ASSESSMENT**

The property is already zoned MHP, so a Manufactured Home Park is an appropriate use for the



property. The lots are legal lots of record and, when combined by a revised final plat, will meet or exceed all the requirements of the MHP zoning district. The 3-acre tract may not be developed on its own, but it does appear as a lot of record on the 1975 tax parcel map. While development may not proceed until a recombination plat is recorded, for purposes of considering the Development Plan, such a plat is not required. The concept plan provides the basic information required at this stage of the proposed project.

## **INVESTIGATION**

### **A. GENERAL PROPERTY INFORMATION**

The rezoning to MHP was approved by the Board of Commissioners on March 4, 1967. This acreage was not developed and remained in agricultural usage until recently.

### **B. ZONING AND FUTURE LAND USE**

The Future Land Use Map designates this area as Commercial, so a rezoning petition to a commercial zoning district would also be appropriate.

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

| <b>Direction</b>     | <b>Acreage</b> | <b>Zoning</b> | <b>Use</b>                 | <b>Future Land Use Plan</b>              |
|----------------------|----------------|---------------|----------------------------|--|
| North<br>(across 54) | 1.25           | C-H           | Commercial                 | Commercial                               |
| East                 | 52             | R-40          | Single Family Residential  | Low Density Residential (1 unit/1 acres) |
| South                | 14             | MHP           | Wastewater Treatment Ponds | Low Density Residential (1 unit/1 acres) |
| West                 | 38             | MHP           | Manufactured Home Park     | Mobile Homes                             |

- Departmental reviews will take place when the site development plans are submitted. The concept plan submitted with this initial request is presented to demonstrate that the project is addressing the key criteria required by the ordinance.
- All access points on State Route 54 will be subject to review and permitting by Georgia Department of Transportation.
- Sanitary sewage disposal systems will be subject to review and permitting by Georgia Environmental Protection Division.
- All buildings will be reviewed by the Building Safety Department and will be required to meet all applicable building codes.

## **ZONING DISTRICT STANDARDS**

## **Sec. 110-141. MHP, Manufactured Home Park District.**

(a) *Description of district.* This district is composed of certain lands and structures for purpose of providing the proper development of manufactured home parks.

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

- (1) Manufactured home park;
- (2) Residential accessory structures and uses (see article III of this chapter);
- (3) Office trailer; and
- (4) Growing crops, gardens.

(c) *Conditional uses.* The following conditional uses shall be allowed in the MHP zoning district provided that all conditions specified in article V of this chapter are met:

- (1) Child care facility; and
- (2) Home occupation.

(d) *Special regulations.* The following regulations shall apply to the MHP zoning district in addition to any other applicable regulations herein:

(1) *Development plan:* The applicant shall file a petition with the zoning administrator for approval of a manufactured home park. This application shall be supported by six copies of a written summary of the development planned, known as a letter of intent, which shall describe the proposed development in detail and a site plan. The site plan and letter of intent shall present the following information:

- a. A draft of the proposed rules and regulations which shall be established and enforced by the management of the manufactured home park;
- b. Existing topographic conditions, including where necessary, contour intervals of not less than two feet based on field surveys or photogrammetric methods at a minimum scale of one inch equals 100 feet;
- c. The existing and proposed land uses and the approximate location of all buildings and structures;
- d. The location of existing and proposed streets and parking areas;
- e. A legal description of the subject property;
- f. Typical elevation drawings, indicating general architectural style and building exterior materials, if possible, of all permanent buildings and structures to be constructed on the premises;
- g. A statement of the present ownership of all land within the proposed development;
- h. A summary of acres, dwelling units, and gross density, as well as a statement of the number of acres devoted to buffer areas, and green belts or other amenities, such as lakes, etc.;
- i. A description of the phases under which construction shall be programmed, depicting the geographical limits of each phase of construction; and
- j. Specific plans for provision of central water and central sanitary sewage systems.

(2) *Pre-application conference.* Prior to filing a formal application for a manufactured home park the applicant is required to appear before the planning commission in a public hearing in order to provide for review of the general character of the proposed

manufactured home park development (on the basis of a tentative land use sketch, if available), and to obtain information on projected programs or improvements, as well as county requirements.

(3) *Approval.* An application for approval of a manufactured home park will be considered administratively as a petition for rezoning, and will be subject to the procedures established in this chapter. After review and public hearing, the board of commissioners may disapprove, approve or approve with modifications to the site plan and/or letter of intent, after receiving the recommendation of the planning commission.

(4) *Use regulations.* In addition to the above listed permitted uses, the buildings or land shall only be used as follows:

- a. Parking and inhabiting of manufactured homes in parks with a minimum of 50 spaces, provided all facilities shown on the site plan submitted to and approved by the board of commissioners are installed and maintained according to the schedule submitted with the site plan and stipulations of the letter of intent;
- b. Recreation facilities, office and/or maintenance and storage buildings, for residents of the manufactured home park only. No repair facilities of any type including automobile repair shall be permitted;
- c. Convenience food stores with a maximum of 1,500 square feet including inside and outside storage, as an accessory to a manufactured home park as designated on an approved site plan;
- d. Laundromat, including coin operated dry cleaning, as an accessory to a manufactured home park as designated on an approved site plan, upon approval by the county health department;
- e. The sale or display of a manufactured home, provided each such manufactured home offered for sale shall be located on its individual lot and connected to all utilities.

(5) *Perimeter requirements.*

- a. A buffer zone having a minimum width of 150 feet shall be provided so as to provide a continuous buffer along all side and rear yards of any manufactured home park.
- b. A buffer zone having a minimum depth of 100 feet shall extend along the entire frontage of any manufactured home park.
- c. Where the existing foliage in the buffer zones is not sufficient to provide and maintain an evergreen visual screen between adjacent properties, landscaping and planting shall be required sufficient to provide visual separation and privacy between a manufactured home park and adjacent properties and/or streets.

(6) *Storage requirements.* Each manufactured home park shall provide an area for the storage of boats, travel trailers and/or other vehicles which shall be at least ten percent of the gross area of the manufactured home park, provided, however, said ten percent is not located in a flood hazard area.

(7) *Circulation system.* Each manufactured home park shall have a minimum 200 feet of frontage and only access an arterial thoroughfare.

- a. Each manufactured home park over 20 acres in size shall have a minimum of two access streets or drives to provide ingress and egress for vehicular traffic.

b. Provision shall be made for safe, all-weather pedestrian movement within the development.

(8) *Night lighting.* Streets, pedestrian walkways and parking areas shall be adequately lighted.

(9) *Garbage refuse collection facilities.* Garbage refuse collection shall be provided by the manufactured home park owner.

(10) *Utilities.* Each manufactured home shall be connected with water and sanitary facilities in a manner approved by the county health department and in compliance with the regulations of the county water system. Each manufactured home shall be served by electricity and gas. All utilities shall be placed underground.

(11) *Recreation facilities.* A minimum of ten percent of the gross acreage of the manufactured home park shall be provided for common facilities, open space, and recreation for the residents of the manufactured home park.

(e) *Dimensional requirements.* The minimum dimensional requirements in the MHP zoning district shall be as follows:

(1) No manufactured home park shall be constructed or maintained on a lot consisting of a total area of less than ten acres.

(2) Each manufactured home shall be located on a separate lot as follows:

a. Each lot shall have a minimum width of 60 feet.

b. Each lot shall contain a minimum of 6,000 square feet.

c. Each lot shall provide a paved concrete or all-weather patio area having a minimum area of 300 square feet.

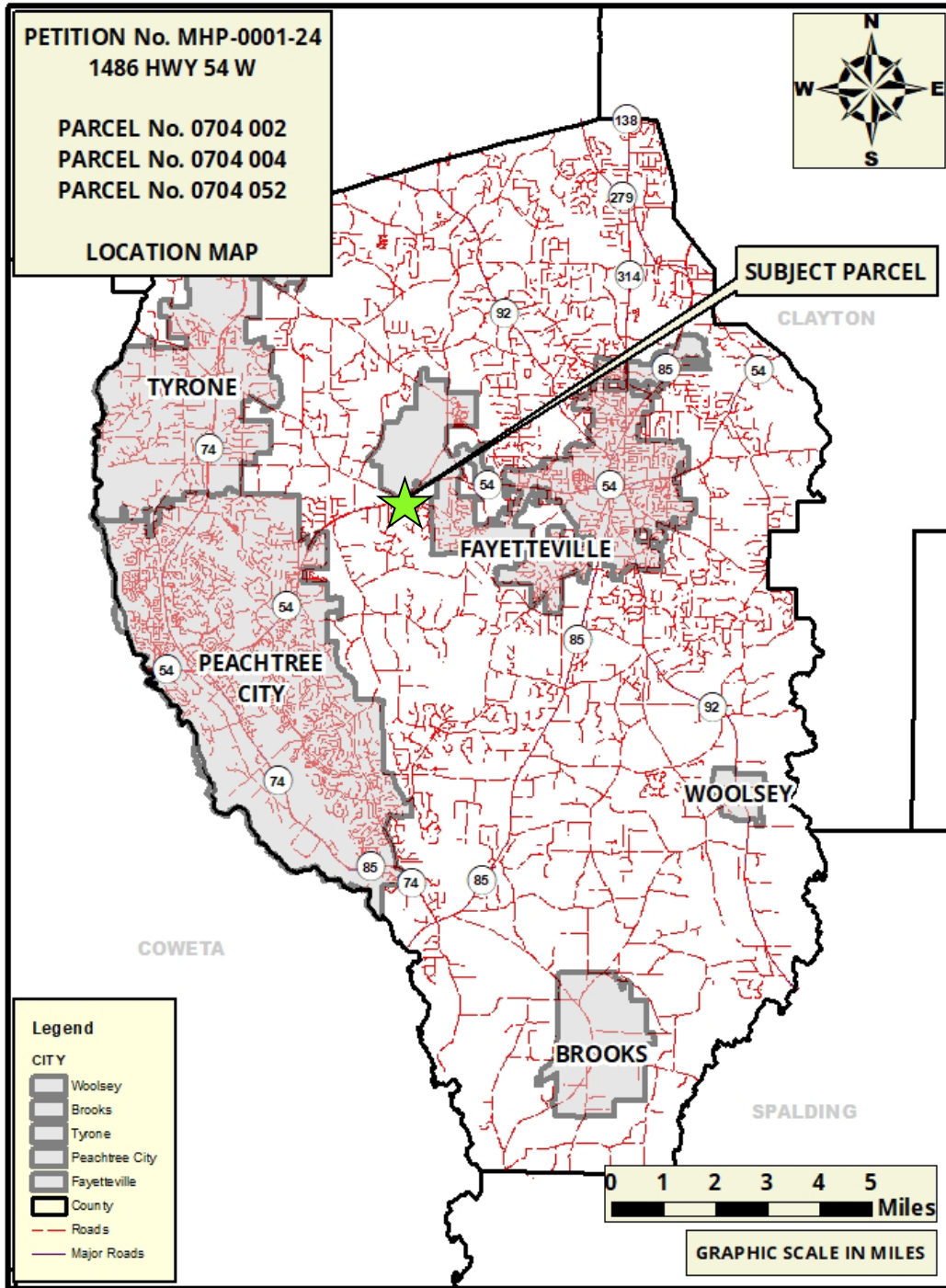
(3) Manufactured home citing requirements. Within 60 days of the citing of a manufactured home on its lot, the undercarriage of the manufactured home shall be concealed from view, through the use of permanent nonflammable construction materials. No manufactured home or other structure shall be located within:

a. Four feet of its individual lot line; or

b. 15 feet of any street or drive within the manufactured home park.

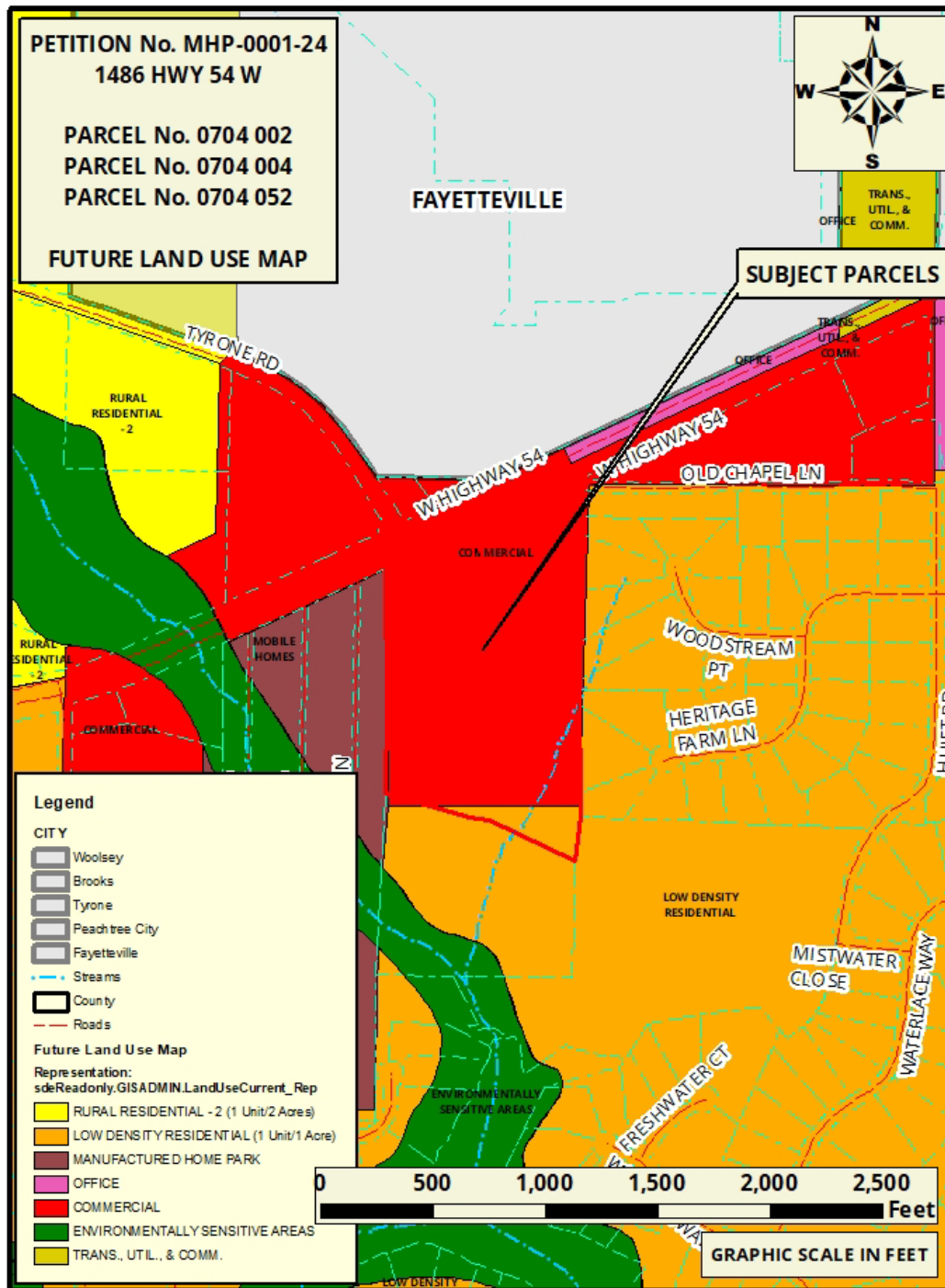
(4) Height limit: 35 feet.

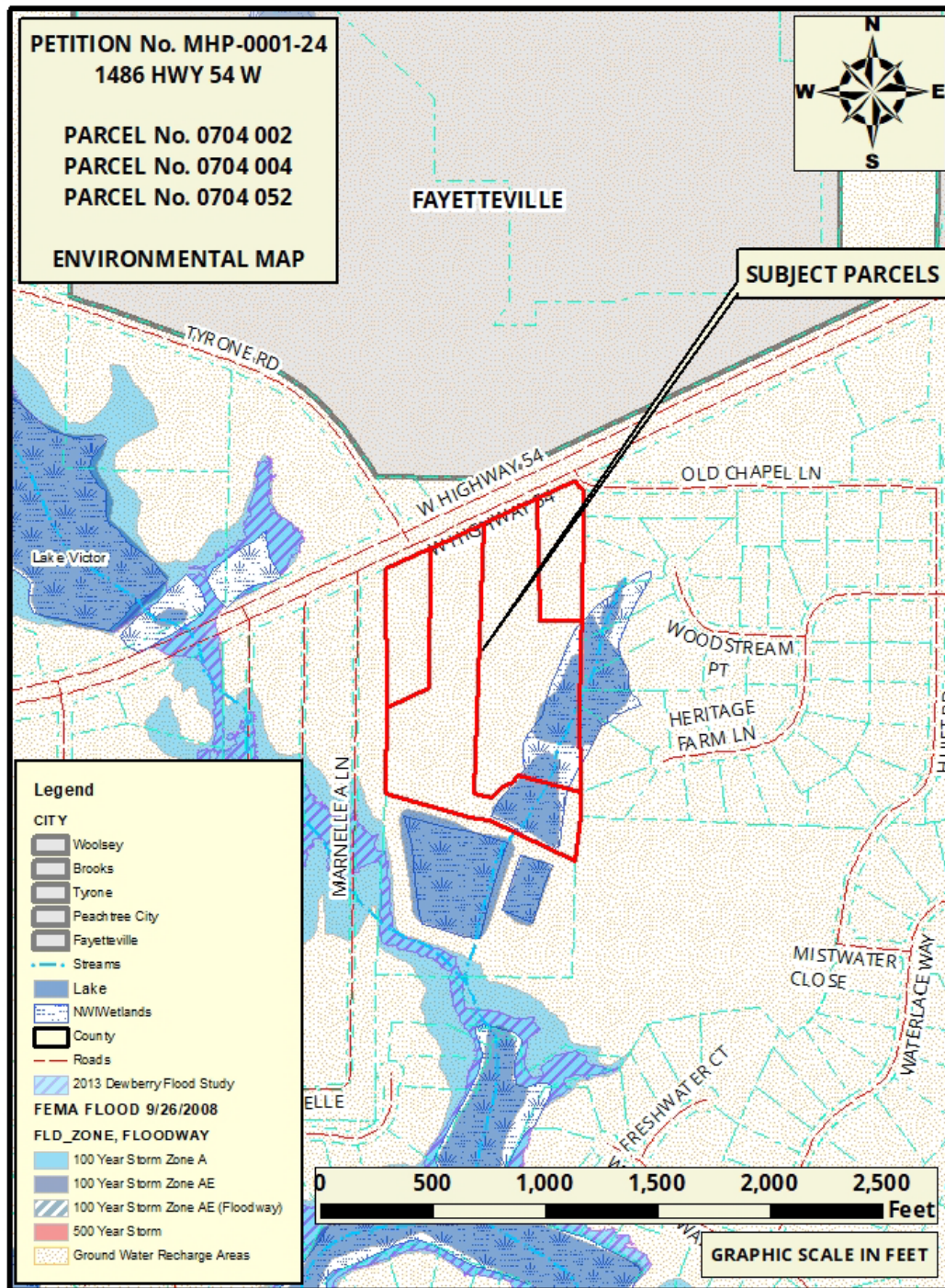
(Code 1992, § 20-6-17; Ord. No. 2012-09, § 4, 5-24-2012; Ord. No. 2012-14, § 3, 12-13-2012; Ord. No. 2018-03, § 13, 9-22-2018)



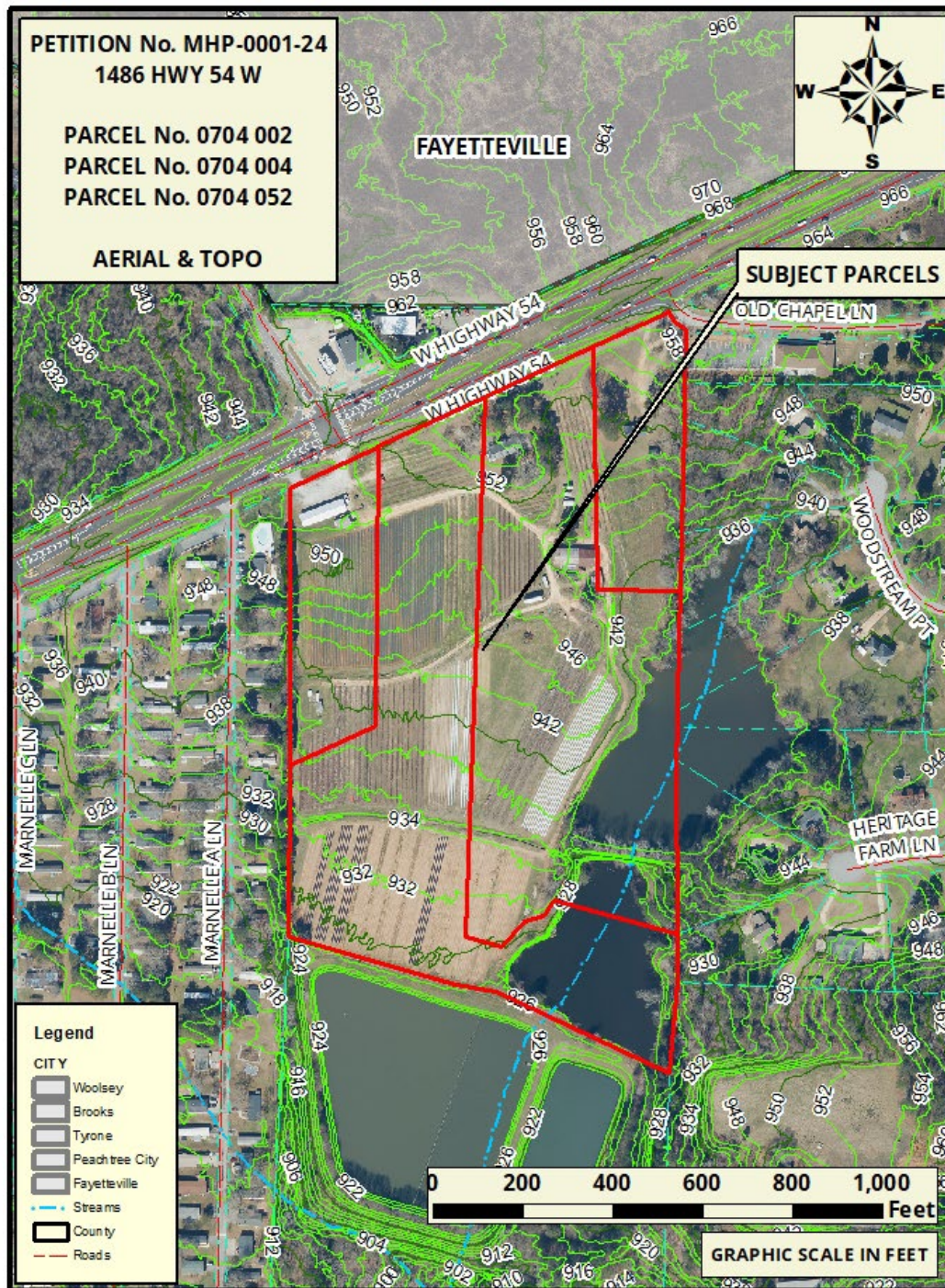


















CONCEPTUAL HOME CONFIGURATION (Not an approved plan, conceptual only.)



CONCEPTUAL OFFICE BUILDING (Not an approved structure. All structures shall be required to meet all zoning ordinances and building codes.)

PETITION No (s): MHP-0001-24  
STAFF USE ONLY

PARCEL No(s): \_\_\_\_\_

**APPLICANT INFORMATION**

Name Lake Chatuge LLC  
Address 3460 Preston Ridge Rd  
City Alpharetta  
State Ga Zip 30005  
Email [REDACTED]  
Phone [REDACTED]

**PROPERTY OWNER INFORMATION**

(must match deed(s) exactly)

Name William Jerry Cleveland  
Address 175 White Rd  
City Fayetteville  
State Ga Zip 30214  
Email [REDACTED]  
Phone [REDACTED]

**AGENT(S) (if applicable) Property Owner**

Name Adams Farm 1805 LLC  
Address 1951 Lake Jodeco Rd  
City Jonesboro  
State Ga Zip 30236  
Email [REDACTED]  
Phone [REDACTED]

Name \_\_\_\_\_  
Address \_\_\_\_\_  
City \_\_\_\_\_  
State \_\_\_\_\_ Zip \_\_\_\_\_  
Email \_\_\_\_\_  
Phone \_\_\_\_\_

**(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: Deborah L Bell Date: Aug 12, 2024

DATE OF PLANNING COMMISSION HEARING: Oct 3, 2024

DATE OF COUNTY COMMISSIONERS HEARING: Oct 24, 2024

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

Date Paid: \_\_\_\_\_ Receipt Number: \_\_\_\_\_



**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:

Adams Farm 1805 LLC

(Please Print)

**Property Tax Identification Number(s) of Subject Property:** \_\_\_\_\_

(I am) (we are) the sole owner(s) of the above-referenced property requested to be rezoned. Subject property is located in Land Lot(s) 26 of the 7<sup>th</sup> 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 \_\_\_\_\_ 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.

(I) Kevin R. Dancy  
Signature of Property Owner 1  
1951 Lake Tulecreek Rd  
Address Jonesboro, GA  
Virginia J. Adams  
Signature of Property Owner 2

Address

Signature of Property Owner 3

Address

Signature of Authorized Agent

Address

Leslie Potts  
Signature of Notary Public

Date

Signature of Notary Public

Date

Signature of Notary Public

Date

Signature of Notary Public

Date





Owner is not requesting a rezoning of the property.

WST

**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:

William Jerry Cleveland -

(Please Print)


Property Tax Identification Number(s) of Subject Property: 0704 002 & 0704 004

(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) 26 of the 7th District, and (if applicable to more than one land district) Land Lot(s) 26 of the 7th District, and said property consists of a total of 13.65 acres (legal description corresponding to most recent recorded plat for the subject property is attached herewith).

~~(I) (We) hereby delegate authority to Lake Chaluge LLC 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.~~

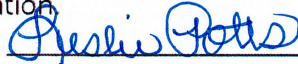
Lake Chaluge LLC to have authorization to present Mobile Home Development Plans

(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

175 White Rd  
Address Fayetteville, Ga 30214



Signature of Notary Public

8-12-24

Date

Signature of Property Owner 2

Signature of Notary Public

Address

Date

Signature of Property Owner 3

Signature of Notary Public

Address

Date

Signature of Authorized Agent

Signature of Notary Public

Address

Date



Mobile Home Developments -Affordable living for upwards of 52 mobile homes ! Our concept revolves around creating vibrant communities of mobile homes that are flexible to meet the diverse needs of residents.

Imagine a beautifully landscaped neighborhood where mobile homes are nestled among green spaces and communal areas. These homes are designed to be customizable and adaptable, allowing residents to personalize their living spaces according to their preferences. From minimalist studios to spacious family homes, there is a mobile home for everyone.

Our mobile home developments are designed to foster a sense of belonging and connection among residents. Shared amenities such as community gardens, playgrounds

Accessibility and affordability are also key principles of our concept. By offering a range of mobile home sizes and prices, we ensure that individuals and families from diverse backgrounds can find a place to call home in our developments. Whether you're a first-time homebuyer, a downsizer, or someone looking for a more sustainable lifestyle, our mobile home developments provide a solution that fits your needs.

In conclusion, our mobile home development concept is about reimagining the way we live, combining innovation, , community, and affordability to create a new standard in modern living.

**LAKE Chatuge LLC**

**3460 Preston Ridge Rd**

**Alpharetta Ga 30005**

**AFTER RECORDING RETURN TO:**

**J. SAMUEL BECK  
LAWSON, BECK & SANDLIN, LLC  
1125 COMMERCE DRIVE, SUITE 300  
PEACHTREE CITY, GEORGIA 30269**

Participant ID: 1138094925

**BK 5722 PG 628 - 629**

Map/Parcel Nos. 0704 002 & 0704 052

Space above to be used for recording purposes.

**LIMITED WARRANTY DEED**

\*\*\*Draw Deed Only – No Examination of Title\*\*\*

STATE OF GEORGIA  
COUNTY OF FAYETTE

**THIS INDENTURE**, made this 17<sup>th</sup> day of May, 2024, by, between, and among **MARVIN RUSSELL ADAMS, JR., VIRGINIA T. ADAMS, and ADAMS FARM 1805, LLC**, as parties of the first part, hereinafter referred to as the “Grantor,” and **ADAMS FARM 1805, LLC**, as party of the second part, hereinafter referred to as the “Grantee” (the words “Grantor” and “Grantee” to include their respective heirs, successors and assigns where the context requires or permits).

WITNESSETH:

WITNESSETH that: Grantor, for and in consideration of the sum of TEN DOLLARS and other good and valuable consideration (\$10.00) in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, has granted, bargained, sold, aliened, conveyed and confirmed, and by these presents does grant, bargain, sell, alien, convey and confirm unto the said Grantee, the following described property:

**All that tract or parcel of land lying and being in Land Lot 26 of the 7th District of Fayette County, Georgia, being Tract 1 containing 13.32 acres, more or less, as depicted on that certain plat of survey prepared for Adams Farm 1805, LLC and William Jerry Cleveland by W. D. Gray and Associates, Inc., Matthew J. Langley, GA RLS No. 3227, dated April 22, 2024 and recorded on May 7, 2024 at Plat book 101, pages 619-620, Fayette County, Georgia Records.**

The purpose of this deed is to show that the above-referenced parcel is comprised of property described in that certain *Quitclaim Deed* recorded at Deed Book 5690, pages 685-686, Fayette County, Georgia Records and property described in that certain *Limited Warranty Deed* recorded at Deed Book 5695, page 468, Fayette County, Georgia Records. This deed is being recorded to show that the above-referenced properties are now conjoined in one contiguous tract per the survey recorded at Plat Book 101, pages 619-620, Fayette County, Georgia Records.



TO HAVE AND TO HOLD the said tract or parcel of land, 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.

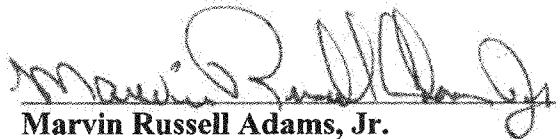

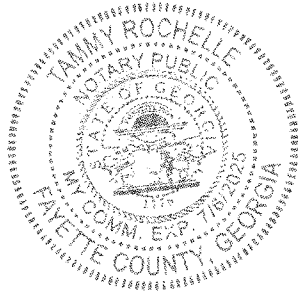
AND THE SAID Grantor will warrant and forever defend the right and title to the above described property unto the said Grantee against the claims of all persons claiming by through or under Grantor.

IN WITNESS WHEREOF, the Grantor has signed and sealed this deed the day and year first above written.

Signed, sealed, and delivered in the presence of:



Unofficial Witness

  
**Marvin Russell Adams, Jr.**  
Notary Public  
**Virginia T. Adams**  
**Adams Farm 1805, LLC**  
**By: Marvin Russell Adams, Jr., President**

CODI BUTLER  
SLEPIAN & SCHWARTZ, LLC  
42 EASTBROOK BEND  
PEACHTREE CITY, GEORGIA 30269

Type: QCD  
Recorded: 12/19/2023 4:00:00 PM  
Fee Amt: \$25.00 Page 1 of 2  
Transfer Tax: \$0.00  
Fayette, Ga. Clerk Superior Court  
Sheila Studdard Clerk of Court

Participant ID: 1232691668

**BK 5680 PG 712 - 713**

Space above to be used for recording purposes.

## QUITCLAIM DEED

STATE OF GEORGIA  
COUNTY OF FAYETTE

THIS INDENTURE, made this 1 day of December, 2023, by, between, and among **MARVIN R. ADAMS, individually and as the General Partner for the Marvin R. Adams Family Limited Partnership**, as party of the first part, hereinafter referred to as the "Grantor," and **WILLIAM JERRY CLEVELAND**, as party of the second part, hereinafter referred to as the "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 and 00/100 Dollars (\$10.00), and other good and valuable consideration in hand paid at and before the sealing and delivery of these presents, the adequacy, receipt, and sufficiency of which is hereby acknowledged, by these presents does hereby remise, convey, and forever QUITCLAIM unto the said Grantee the following described property, to wit:

**See Exhibit "A" attached hereto and incorporated herein by this reference.**

**TO HAVE AND TO HOLD** the said described premises to Grantee, so that neither Grantor nor any person or persons claiming under Grantor shall at any time, by any means or ways, have, claim or demand any right or title to said premises or appurtenances, or any rights thereof.

**IN WITNESS WHEREOF**, Grantor has signed and sealed this deed, the day and year first above written.

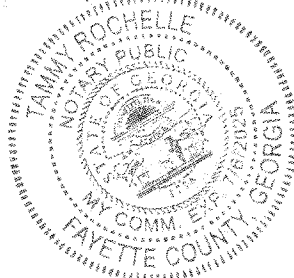
Signed, sealed, and delivered in the presence of:

Adrian L Cagle  
Unofficial Witness

Marvin R. Adams  
Marvin R. Adams, Individually

Tammy Rochelle  
Notary Public

Marvin R. Adams  
Marvin R. Adams, as General Partner of the  
Marvin R. Adams Family Limited Partnership



## **EXHIBIT "A"**

### **Legal Description**

All that tract or parcel of land lying and being in Land Lot 26 of the 7th District of Fayette County, Georgia, and being more particularly described as follows:

To find the True Point of Beginning, begin at the point formed by the intersection of Land Lots 7, 8, 25, and 26 of the 7th District of Fayette County, Georgia; run thence North 89 degrees 25 minutes 37 seconds West a distance of 1,547.46 feet to a Parker Kalon nail found; run thence South 69 degrees 15 minutes 52 seconds West a distance of 223.41 feet to an iron pin set and the True Point of Beginning.

From the True Point of Beginning thus established, run thence South 65 degrees 08 minutes 15 seconds West a distance of 262.99 feet to an iron pin set; run thence South 02 degrees 09 minutes 17 seconds West a distance of 1,209.38 feet to an iron pin set; run thence South 74 degrees 31 minutes 17 seconds East a distance of 84.20 feet to an iron pin set; run thence North 42 degrees 44 minutes 48 seconds East a distance of 75.49 feet to an iron pin set; run thence North 71 degrees 52 minutes 44 seconds East a distance of 45.55 feet to an iron pin set; run thence North 31 degrees 05 minutes 26 seconds East a distance of 39.51 feet to an iron pin set; run thence South 74 degrees 32 minutes 56 seconds East a distance of 287.75 feet to an iron pin set; run thence North 00 degrees 24 minutes 27 seconds East a distance of 762.83 feet to a 1/2 inch rebar found; run thence North 89 degrees 19 minutes 53 seconds West a distance of 184.80 feet to an open top pipe found; run thence North 01 degrees 02 minutes 34 seconds West a distance of 549.90 feet to an iron pin set and the True Point of Beginning.

Said tract or parcel of land containing 10.68 acres, more or less, and being depicted as "Tract 2" on that certain plat of survey entitled "A Minor Final Plat for Marvin Russell Adams, Jr., Virginia T. Adams, Jerry Cleveland, and the Marvin R. Adams Family Limited Partnership" prepared by McCann Land Surveyors, Clayton Adam McCann, GA RLS No. 3481 dated November 8, 2023, reference to which plat is hereby made for a more complete and accurate description of the above-referenced tract or parcel of land.

Doc ID: 009939540005 Type: CERT  
 Recorded: 07/13/2016 at 11:00:00 AM  
 Fee Amt: \$18.00 Page 1 of 5  
 Transfer Tax: \$0.00  
 Fayette, Ga. Clerk Superior Court  
 Sheila Studdard Clerk of Court  
 BK **4481** PG **160-164**

*[Above space to be used for filing in Superior Court Clerk's Office of Deeds and Records]*  
 Probate Court Return Mailing Address:

1 Center Drive  
Fayetteville, GA 30214

**IN THE PROBATE COURT  
 COUNTY OF FAYETTE  
 STATE OF GEORGIA**

**IN RE: ESTATE OF**

**BEVERLY ADAMS CLEVELAND,**  
**DECEASED**

**ESTATE NO. 15-1295**

**CERTIFICATE OF ORDER OF YEAR'S SUPPORT  
 (Pursuant to O.C.G.A. § 53-3-11)**

DATE ORDER GRANTED: 7/13/2016

GRANTOR: *[NAME OF DECEDENT]* BEVERLY ADAMS CLEVELAND

GRANTEE: *[FULL NAME OF EACH PERSON AWARDED YEAR'S SUPPORT. The Surviving Spouse and/or minor child(ren)]*

WILLIAM JERRY CLEVELAND

ADDRESS OF GRANTEE:

175 White Road, Fayetteville, Ga 30214

LEGAL DESCRIPTION OF REAL PROPERTY AND INTEREST THEREIN:

TRACT ONE

FAYETTE COUNTY GEORGIA

**ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 26 OF THE 7<sup>TH</sup> DISTRICT OF FAYETTE COUNTY, GEORGIA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:**

**BEGINNING AT A POINT LOCATED ON THE EXISTING SOUTHERLY RIGHT-OF-WAY OF GEORGIA HIGHWAY NO. 54, WHICH POINT IS THE NORTHEAST CORNER OF ALL OF THE PROPERTY CURRENTLY OWNED BY THE GRANTORS, RUNNING THENCE SOUTH 02 DEGREES 00 MINUTE EAST ALONG THE BOUNDARY OF THE PROPERTY OF THE GRANTORS 630 FEET TO AN IRON PIN; RUNNING THENCE SOUTH 89 DEGREES 00 MINUTE WEST 210.00 FEET TO AN IRON PIN; RUNNING THENCE NORTH 2 DEGREES 00 MINUTE WEST 549 FEET TO A POINT LOCATED ON THE SOUTHERLY RIGHT-OF-WAY OF GEORGIA HIGHWAY NO. 54, WHICH POINT IS ALSO THE NORTHEAST CORNER OF THE TWO-ACRE TRACT UPON WHICH THE GRANTORS' CURRENT RESIDENCE IS LOCATED; RUNNING THENCE NORTHEASTERLY ALONG SAID RIGHT-OF-WAY TO THE POINT OF BEGINNING; SAID TRACT CONTAINING APPROXIMATELY THREE ACRES AND HAVING A FRAME RENTAL HOUSE LOCATED THEREON, ACCORDING TO A PLAT OF SURVEY PREPARED BY LUM C. HALL; LESS AND EXCEPT ANY PORTION OF THE ABOVE DESCRIBED PROPERTY LYING WITHIN THE RIGHT-OF-WAY OF GEORGIA HIGHWAY NO. 54, AS WIDENED BY THE STATE DEPARTMENT OF TRANSPORTATION.**

**Being that parcel of land conveyed to BEVERLY ADAMS CLEVELAND AND JERRY W. CLEVELAND, EACH AN UNDIVIDED ONE-SIXTH INTEREST from MARVIN R. ADAMS AND INELLE E. ADAMS by that deed dated 1/9/1995 and recorded 1/11/1995 in Deed Book 962, at Page 373 of the FAYETTE County, GA Public Registry.**

**Being that parcel of land conveyed to BEVERLY ADAMS CLEVELAND AND JERRY W. CLEVELAND, EACH AN UNDIVIDED ONE-SIXTH INTEREST from MARVIN R. ADAMS AND INELLE E. ADAMS by that deed dated 1/4/1994 and recorded 1/6/1994 in Deed Book 883, at Page 657 of the FAYETTE County, GA Public Registry. Being that parcel of land conveyed to BEVERLY ADAMS CLEVELAND AND JERRY W. CLEVELAND, EACH AN UNDIVIDED ONE-SIXTH INTEREST from MARVIN R. ADAMS AND INELLE E. ADAMS by that deed dated**

**12/28/1993 and recorded 1/6/1994 in Deed Book 883, at Page 653 of the FAYETTE County, GA Public Registry. Tax Map Reference: 07-04-004**

## TRACT TWO

### FULTON COUNTY GEORGIA

**All that tract or parcel of land lying and being in Land Lot 76 of the 9th District of Fulton County, Georgia, being more particularly described as follows:**

**Beginning at a point on the west side of Gresham Street 50 feet south from the southwest corner of Gresham Street and Burdett Drive (which point is located 361 feet south from Dixie Lakes Drive); running thence south, along the west side of Gresham Street, 50 feet to a point; running thence west 179 feet to a point; running thence north 75 feet to a point located 76 feet south from Burdett Drive, and running thence easterly 180 feet to the west side of Gresham Street, the point of beginning; being improved property, having a one-story frame house thereon known as No. 6349 Gresham Street, according to the present numbering of houses in the City of Union City, Georgia**

## TRACT THREE

### FULTON COUNTY GEORGIA

**THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF FULTON, STATE OF GEORGIA AND IS DESCRIBED AS FOLLOWS:**

**ALL THAT PARCEL OF LAND IN FULTON COUNTY, STATE OF GEORGIA, AS MORE FULLY DESCRIBED IN DEED BOOK 111288, PAGE 480, 100 07362000930064, BEING KNOWN AND DESIGNATED AS:**

**ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 93 OF THE 7TH DISTRICT FULTON COUNTY GEORGIA BEING LOT 6 BLOCK C UNIT ONE PALMETTO FOREST SUBDIVISION AS PER PLAT RECORDED IN PLAT BOOK 143 PAGE 110 FULTON COUNTY TO WHICH REFERENCE IS MADE FOR THE PURPOSE OF INCORPORATING SAME AS A PART HEREIN.**

**KNOWN AS: 180/190 PINE TERRACE CT, PALMETTO, GA, 30268 BY FEE SIMPLE DEED FROM CONSTRUCTION TECHNOLOGY INC AS SET FORTH IN DEED BOOK 10288, PAGE 480 DATED 08/07/1986 AND RECORDED 08/22/1986, FULTON COUNTY RECORDS, STATE OF GEORGIA.**

**BY FEE SIMPLE DEED FROM CONSTRUCTION TECHNOLOGY INC AS SET FORTH IN DEED BOOK 10288, PAGE 480 DATED 08/07/1986 AND RECORDED 08/22/1986, FULTON COUNTY RECORDS, STATE OF GEORGIA.**

**TRACT FOUR****SPALDING COUNTY GEORGIA**

All that lot, tract or parcel of land situate, lying and being in Land Lot No. 114 of the Second Land District of originally Monroe, then Pike, now Spalding County, Georgia, and in the City of Griffin, and being more particularly designated as being a portion of Lot 11 and a portion of Lot 12, both in Block One, as shown on a plat of survey entitled, "Plat Showing Survey for Subdivision Property of J.W. Hammond and H.B. Montgomery" (said subdivision known and designated as "Brucewood Heights Subdivision"), made September 10, 1925, by N.S. Westbrook, Civil Engineer, a copy of which said plat is recorded in Plat Book 2, page 81, Spalding County, Georgia records. Said plat together with the metes, bounds, courses and distances as shown thereon is incorporated by reference and made a part hereof as fully as if set out herein; and, said property may be more particularly described as follows:

BEGINNING at a point on the East right-of-way line of Hammond Drive, which said beginning point lies 550 feet, as measured in a Southerly direction along said East right-of-way line of Hammond Drive from the point of intersection of the Southerly right-of-way line of the Griffin-Newnan Highway, being State Highway Route No. 16 and also known as Cherokee Road, with said East right-of-way line of Hammond Drive, which said point of beginning is the Southwest corner of aforesaid Lot 12; thence running from said beginning point in a Northerly direction, along said East right-of-way line of Hammond Drive, a distance of 60 feet; thence running in an Easterly direction and parallel to the North property line of said Lot 12, a distance of 172.62 feet, more or less, to the Northwest corner of Mrs. Marian B. Evans Homeplace property; thence running South along the Westerly property line of the said Mrs. Marian B. Evans Homeplace property, a distance of 60 feet to the South property line of said Lot 12; thence running West along the South property line of said Lot 12, a distance of 172.89 feet, more or less, to the aforesaid POINT OF BEGINNING.

The above described property is bounded as follows: Northerly by a portion of Lot 11, formerly owned by the late R.M. Mitchell, deceased; Easterly by the aforesaid homeplace property of Marian B. Evans; Southerly by Lot 13 in said Block One, now or formerly owned by M. Douglas Hallberg; and Westerly by Hammond Drive, a public street; and situated on the above described property is the resident dwelling of the parties hereto, now known and designated as House No. 312 Hammond Drive, according to the present plan of house numbering used in the said City of Griffin. Being that parcel of land conveyed to William J. Cleveland and Beverly M. Cleveland from Mrs. Pauline P. Bryant by that deed dated 12/21/1999 and recorded 01/05/2000 in Deed Book 1723, page 200 of the Spalding County Georgia Public Registry

Original Certificate delivered or mailed to Clerk of Superior Court of Fayette  
County on July 13, 2016

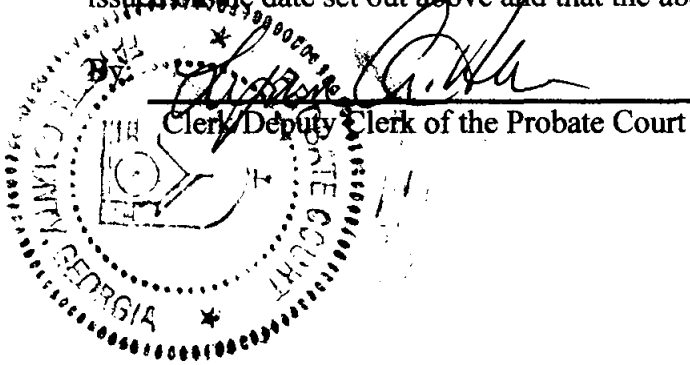
Certificate prepared by:

**Clarence L. Leathers, Jr.**

SIGNATURE OF ATTORNEY

State Bar # 442450

I do hereby certify that the above information is based on the Order of the Probate Court  
issued on the date set out above and that the above information is true and correct.



Clerk/Deputy Clerk of the Probate Court

1 Center Drive  
Probate Court Return Mailing Address  
Fayetteville, GA 30214



Continued from page B5

**PETITION FOR REVIEW OF  
A DEVELOPMENT PLAN FOR  
A MOBILE HOME PARK AS  
REQUIRED UNDER SEC. 110-141  
OF THE FAYETTE COUNTY, GA,  
ZONING ORDINANCE**

PUBLIC HEARING to be held before the Fayette County Planning Commission on Thursday, October 3, 2024, at 7:00 P.M., and before the Fayette County Board of Commissioners on Thursday, October 24, 2024, at 5:00 P.M., in the Fayette County Administrative Complex, 140 Stonewall Avenue West, Public Meeting Room, First Floor, Fayetteville, Georgia.

Petition No.: MHP-0001-24

Owner(s): Adams Farm 1805, LLC &

William Jerry Cleveland

Applicant(s): L a k e

Chatuge, LLC

Agent(s): Randy Chaney

Existing Zoning District: MHP

(Manufactured Home Park District.)

Parcel Number(s): 0704 052 (13.32

acres), 0704 002 (10.68 acres) &

0704 004 (3.00 acres)

Area of Property: 27 acres

Proposed Use: Mobile Home Park

Land Lot(s)/District: Land Lot 26

of the 7th District

Fronts on: West Highway 54

PROPERTY DESCRIPTION

EXHIBIT "A"

Legal Description

TRACT ONE 13.32 acres

(Parcel 0704 052)

All that tract or parcel of land lying

and being in Land Lot 26 of the 7th

District of Fayette County, Georgia,

being Tract 1 containing 13.32

acres, more or less, as depicted on

that certain plat of survey prepared

for Adams Farm 1805, LLC and

William Jerry Cleveland by W. D.

Gray and Associates, Inc., Matthew

J. Langley, GA RLS No. 3227, dated

April 22, 2024, and recorded on

May 7, 2024 at Plat Book 101, pages

619-620, Fayette County, Georgia

Records.

The purpose of this deed is to show

that the above-reference parcel is

comprised of property described in

that certain Quitclaim Deed recorded

at Deed Book 5690, pages

685-686, Fayette County, Georgia

Records and property described in

that certain Limited Warranty

Deed recorded at Deed Book 5695,

page 468, Fayette County, Georgia

Records. This deed is being

recorded to show that the above-ref-

erenced properties are now con-

joined in one contiguous tract per the survey recorded at Plat Book 101, pages 619-620, Fayette County, Georgia Records.

TRACT TWO 10.68 acres

(Parcel 0704 002)

All that tract or parcel of land lying

and being in Land Lot 26 of the 7th

District of Fayette County, Georgia,

and being more particularly de-

scribed as follows:

To find the True Point of Beginning,

begin at the point formed by the

intersection of Land Lots 7, 8, 25,

and 26 of the 7th District of Fayette

County, Georgia; run thence North

89 degrees 25 minutes 37 seconds

West a distance of 1,547.40 feet

to a Parker Kalon nail found; run

thence South 69 degrees 15 min-

utes 52 seconds West a distance of

223.41 feet to an iron pin set and

the True Point of Beginning.

From the True Point of Beginning

thus established, run thence South

65 degrees 08 minutes 15 seconds

West a distance of 262.09 feet to

an iron pin set; run thence South

02 degrees 09 minutes 17 seconds

West a distance of 1,209.38 feet to

an iron pin set; run thence South

74 degrees 31 minutes 17 seconds

East a distance of 84.20 feet to an

iron pin set; run thence North 42

degrees 44 minutes 48 seconds

East a distance of 75.49 feet to an

iron pin set; run thence North 71

degrees 52 minutes 44 seconds

East a distance of 45.55 feet to an

iron pin set; run thence North 31

degrees 05 minutes 26 seconds

East a distance of 39.51 feet to an

iron pin set; run thence South 74

degrees 32 minutes 56 seconds

East a distance of 287.75 feet to

an iron pin set; run thence North

00 degrees 24 minutes 27 seconds

East a distance of 762.83 feet to a

1/2 inch rebar found; run thence

North 89 degrees 19 minutes 53

seconds West a distance of 184.80

feet to an open top pipe found; run

thence North 01 degrees 02 min-

utes 34 seconds West a distance of

549.90 feet to an iron pin set and

the True Point of Beginning.

Said tract or parcel of land contain-

ing 10.68 acres, more or less, and

being depicted as "Tract 2" on that

certain plat of survey entitled "A

Minor Final Plat for Marvin Rus-

sell Adams, Jr., Virginia T. Adams,

Jerry Cleveland, and the Marvin

R. Adams Family Limited Partner-

ship" by McCann Land Surveyors,

Clayton Adam McCann, GA RLS

No. 3481 dated November 8, 2023,

reference to which plat is hereby

made for a more complete and ac-

curate description of the above-ref-

erenced tract or parcel of land.

TRACT THREE 3.00 acres

(Parcel 0704 004)

FAYETTE COUNTY GEORGIA

ALL THAT TRACT OR PARCEL

OF LAND LYING AND BEING

IN LAND LOT 26 OF THE 7TH

DISTRICT OF FAYETTE COUN-

TY, GEORGIA, BEING MORE

PARTICULARLY DESCRIBED AS

FOLLOWS: BEGINNING AT A

POINT LOCATED ON THE EX-

ISTING SOUTHERLY RIGHT-OF-

WAY OF GEORGIA HIGHWAY

NO. 54, WHICH POINT IS THE

NORTHEAST CORNER OF ALL

OF THE PROPERTY CURRENT-

LY OWNED BY THE GRANTORS,

RUNNING THENCE SOUTH 02

DEGREES 00 MINUTE EAST

ALONG THE BOUNDARY OF

THE PROPERTY OF THE GRANT-

ORS 630 FEET TO AN IRON PIN;

RUNNING THENCE SOUTH 89

DEGREES 00 MINUTE WEST

210.00 FEET TO AN IRON PIN;

RUNNING THENCE NORTH 2

DEGREES 00 MINUTE WEST

549 FEET TO A POINT LOCATED

ON THE SOUTHERLY RIGHT-

OF-WAY OF GEORGIA HIGH-

WAY NO. 54, WHICH POINT IS

ALSO THE NORTHEAST COR-

NER OF THE TWO-ACRE TRACT

UPON WHICH THE GRANTORS'

CURRENT RESIDENCE IS LO-

CATED; RUNNING THENCE

NORTHEASTERLY ALONG SAID

RIGHT-OF-WAY TO THE POINT

OF BEGINNING; SAID TRACT

CONTAINING APPROXIMATELY

THREE ACRES AND HAVING A

FRAME RENTAL HOUSE LOCAT-

ED THEREON, ACCORDING TO

A PLAT OF SURVEY PREPARED

BY LUM C. HALL, LESS AND

EXCEPT ANY PORTION OF THE

ABOVE DESCRIBED PROPERTY

LYING WITHIN THE RIGHT-

OF-WAY OF GEORGIA HIGH-

WAY NO. 54, AS WIDENED BY

THE STATE DEPARTMENT OF

TRANSPORTATION.

Being that parcel of land conveyed to BEVERLY ADAMS CLEVELAND AND JERRY W. CLEVELAND, EACH AN UNDIVIDED ONE-SIXTH INTEREST from MARVIN R. ADAMS AND INELLE E. ADAMS by that deed dated 1/9/1993 and recorded 1/11/1993 in Deed Book 962, at Page 373 of the FAYETTE County, GA Public Registry.

Being that parcel of land conveyed to BEVERLY ADAMS CLEVELAND AND JERRY W. CLEVELAND, EACH AN UNDIVIDED ONE-SIXTH INTEREST from MARVIN R. ADAMS AND INELLE E. ADAMS by that deed dated 1/4/1994 and recorded 1/6/1994 in Deed Book 883, at Page 657 of the FAYETTE County, GA Public Registry. Being that parcel of land conveyed to BEVERLY ADAMS CLEVELAND AND JERRY W. CLEVELAND, EACH AN UNDIVIDED ONE-SIXTH INTEREST from MARVIN R. ADAMS AND INELLE E. ADAMS by that deed dated 12/28/1993 and recorded 1/6/1994 in Deed Book 883, at Page 653 of the FAYETTE County, GA Public Registry. Tax Map Reference: 07-04-004 09/18