

BOARD MEMBERS

John H. Culbreth, Sr., Chairman
John Kruzan, Vice-Chairman
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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

AGENDA
FAYETTE COUNTY PLANNING COMMISSION MEETING
140 STONEWALL AVENUE WEST
September 5, 2024
7:00 pm

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

NEW BUSINESS

1. Call to Order.
2. Pledge of Allegiance.
3. Approval of Agenda.
4. Consideration of the Minutes of the meeting held on August 1, 2024
5. Plats
 - a. Final Plat for Wright Chancey McBride LLC
 - b. Minor Final Plat for 385 Snead Road
 - c. Riverbend Overlook

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 5th District and fronts on Banks Road and Highway 54.

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 7th District and fronts on Palmetto Road.
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 7th District and fronts on Davis Road and Huiet Drive.
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.
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.
11. Consideration of Amendments to Chapter 110. Zoning Ordinance, regarding Article IV.- District use requirements. - Sec.110-142.- Office institutional district.

Meeting Minutes 8/01/2024

THE FAYETTE COUNTY PLANNING COMMISSION met on August 1st, 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
Danny England
Jim Oliver
Boris Thomas

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

NEW BUSINESS

1. Call to Order.
2. Pledge of Allegiance.
3. Approval of Agenda.
The agenda was amended to move item number 8 to item 6 and the addition of the preliminary plat of Nash Oaks (West of 199 Callaway Road). Jim Oliver made a motion to approve the August 1st Agenda. John Kruzan seconded the motion. The motion passed 4-0 Danny England was absent.
4. Consideration of the Minutes of the meeting held on July 18, 2024. *Jim Oliver made a motion to approve the minutes of the meeting held on July 18, 2024. John Kruzan seconded the motion. The motion carried 4-0.*
5. Approval of the Preliminary Plat of Nash Oaks (West of 199 Callaway Road). Ms. Sims explained this was the second time the preliminary plat expired they were getting ready to start construction of the streets, staff has re-reviewed and re-approved, and we are seeking a planning commission to re-approved and continue for 24 months. Mr. John Culbreth asked if there were any questions.? No one responded. He asked then if there was a motion.? *John Kruzan made a motion to approve the Minor Final Plat for Nash Oaks (West of 199 Callaway Road). Jim Oliver seconded the motion. The motion carried 3-1. Boris Thomas abstained.*

PUBLIC HEARING

6. Consideration of Petition No. 1352-24, Ernest Guy Harris Estate, Keith D. Harris & Connie Harris Redd owners; request to rezone 2.88 acres from A-R (Agricultural-Residential) to R-70 (Single-Family Residential) for the purpose of developing single-family homes. Property is located in Land Lot 3 of the 5th District and fronts on Harris Road. Ms. Sims added the staff is recommending conditional approval. Mr. Harris states his dad passed away and that his sister will be getting his house and subdividing some of his property. He lives on the adjacent lot, just north of it, and has five acres currently, they will merge part of and separate the house to get 2.8 acres and he will take the remaining land and will have 14.11 acres, his sister will have 2.8 acres. It will be A-R to R-70 for her house, no new construction or anything will be done. Mr. Culbreth asked if there was anyone in favor of the petition.? No one responded. He asked then if anyone was in opposition.? Ms. Sims clarified we recommended approval without conditions. No one responded, and Mr. Culbreth brought the petition back to the board. Ms. Sims added it falls under the future use plan; staff didn't find any problems. ***Jim Oliver made the motion to recommend approval of Petition 1352-24 and Boris Thomas seconded the motion. The motion carried 4-0.***
7. Consideration of Petition No. 1351-24, Reign R. Enterprises, LLC, owner; request to rezone 9.74 acres from A-R(Agricultural-Residential) to R-70 (Single-Family Residential) for the purpose of developing single-family home. Property is located in Land Lot 65 of the 5th District and fronts on Lester Road and Davis Road. Staff is recommending conditional approval, the conditions we are recommending are Dedication right away as needed on Lester Road to make 50 feet of right of way and dedication right away on Davis Road. This particular property goes along with the future land use plan, it does have Stephens Lake on the back of it so there are some environmental sensitivity areas, but it should work fine, is zoned A-R. Mr. Jeff Lammes, representing Reign R. Enterprises, we worked with the staff and the future land use plan to present this to you if you have any questions. Mr. Culbreth asked if anyone was in support of the petition.? No one responded, he asked if anyone was in opposition.? Mr. Bill Peters asked questions to clarify some questions about the property, is it 9.7 acres.? Are they trying to rezone from A-R to R-70.? Presently there is a home with over 2,200 sq ft connected to 7.74 acres and he stated he doesn't believe the property can be subdivided, is that correct.? Ms. Sims replied that would be part of what the surveyor does, they will draw it up and it will come back for a minor final plat if is approved to be zoned R-70. Mr. Peters then asked about the setback on the lake on the frontage is about two acres and R-70 calls for two acres with a minimum of 1,500 sq ft for a dwelling. In this area within just 2-3 houses run from \$800 to over a million dollars. We are concerned that this property will affect the property values, the second concern is the property adjacent to this property 20 acres on that lake is up for sale, and we don't know if this petition is approved will have an impact on those 20 acres. I'm suggesting that we look at R-78 or R-75 which will put the minimum house size from 2,500-3,000 sq ft. Mr. Andrew Barlow, the neighbor, stated he lives on Davis Rd, his concern is the traffic on Davis Road people drive very fast on that road, and is a narrow road. Canoe Club built a road at Davis Rd. and there is a blind spot, we need to consider the road where this new home will be on. Mr. Norman Nolde stated lives on Davis Road and is also a user of the airport Willow Pond across this property. Once we zoned for R-70 in this area, we are going to be creating a situation where the neighbor's property will go down, I have a 3,100 sq ft he doesn't want the petitioner

to build a smaller home on that lot. Also, aircraft travel for 800-1000 sq ft down the airport, the aircraft are noisy, and people might complain about it. And we are setting a situation where you are creating more homes in underneath path of the airport. It's not fair to the property owner and he states he's been there for 30 years; don't want any R-70 close to his property. Mr. Charles Bindson, a neighbor who lives in the airport FAA, states it's been in this situation before where other subdivisions want to shut down our airport and just want to make other people aware that we have a sign stating that the airport is there on Lester Road and was established on the '50s and might be a lot of noise at times, we are good neighbors but the noise might bother other. Are they going to have county water.? Mr. Chris Lampe presented himself and he is at 456 Lester across the street from the property in question. Davis Road intercepts Lester Road in front of my house, the road is more like a "Y" people making the right turn, and large vehicles line up destroying my yard and I'm tired of cleaning after that mess. He stated he doesn't know where the access for the new home will be – what street – either way. He states there are crashes and he said he lives in the airport and love it as well as living there. He said the neighbors don't want a 2-acre lot around them. Mr. Lammes states he is open to the chancing to R-75 or R-78 if needed, to build one home. Ms. Sims added as it stands right now A-R zoning, the square footage minimum is 1,200 sq ft so this will be larger than what they will be required to build as a stand. Mr. Jim Oliver asked why are we here for a rezoning.? Ms. Sims responded that he could subdivide the lot; if he got less than 10 acres he could not subdivide than into two lots and have two lots that are at least 5 acres. Mr. Oliver asked the petitioner if he wanted to build another home on the secondary lot.? Mr. Lammes responded yes. The existing home has been renovated and it's coming into the market for \$1.4 so they just wanted to clarify that question. Mr. Culbreth explained that there will be one additional home and you are open to additional square footage. Mr. Kruzan asked staff to change the zoning, what would that intent.? Ms. Sims replied that to recommend that in the two-acre zoning, you can go to R-78 which will require a 3,000 sq ft house or R-75 is 2,500 sq ft but most of what we have with R-78 we get the 2 acres we need and get the larger square footage. Mr. Kruzan asked but the condition of R-75 we can stipulate in this particular case of 2,500 sq ft as.? Alli Cox, County attorney responded It is a lesser density as far as the use, I will go ahead and rezone it to R-78. Mr. Culbreth asked the petitioner if he was okay with the recommendation of rezoning to R-75. Mr. Thomas recommended the petitioner to zone to R-78 to satisfy all parties. Mr. Lammes agreed to R-78 zoning. ***John Kruzan recommended Petition 1351-24 be amended to R-78 and approved with the following conditions:***

- 1. Lester Road is a County Minor Arterial on the Fayette County Thoroughfare Plan. The developer shall dedicate land, as needed, to provide 50 feet of right-of-way as measured from the existing centerline of Lester Road.***
- 2. Davis Road is a County Collector on the Fayette County Thoroughfare Plan. The developer shall dedicate land, as needed, to provide 40 feet of right-of-way as measured from the existing centerline of Lester Road.***
- 3. Submittal of all warranty deed(s) and legal descriptions for right-of-way dedications shall be provided to the County within 60 days of the approval of the rezoning request, or prior to the final plat approval, whichever comes first.***

Boris Thomas seconded the motion. The motion carried 4-0.

8. Consideration of Petition Consideration of Petition No. 1349-24, Wright Chancey McBride, Inc, owner; request to rezone 114.228 acres from A-R (Agricultural-Residential) to R-80 (Single-Family Residential) for the purposes of developing a residential neighborhood of single-family detached homes. Property is located in Land Lot 249 and 250 of the 4th District and fronts on Antioch Road. Mr. Culbreth asked if the petitioner was present.? Mr. Sims added staff recommended conditional approval. Mr. Rod Wright, he is asking for approval of the rezoning and accept the two conditions. Mr. Culbreth asked if there was anyone in favor of the petition.? No one responded. He asked then if anyone was in opposition.? The petition was brought to the board. Mr. Jim Oliver asked Mr. Wright was doing the same as Ebenezer.? Mr. Wright responded this one will be about 3,800 foots of roads and 3 acre lots I chose here instead of going with the conservation, as the land has no negative impacts, a beautiful tract of land. I decided to make it 3-acre lots so people could have more space. Mr. Culbreth asked how many lots.? Mr. Wright responded 32 in the new development. Mr. Thomas responded he had a small concern in regard to the increase in traffic, they just put a roundabout in between Hwy 92 and Antioch, with the increase in traffic will cost the taxpayers more money to put up a traffic light because it going to be new. Also, our comprehensive plan does conform, I don't know if you would like 3 acres instead of 5. Mr. Wright responded it meets the future land use plan and he doesn't think they will not increase traffic on the roundabout. Ms. Sims added that according to the GDOT online traffic data, the annual average daily traffic for Antioch Road is 1,920 vehicles per day in 2022. Under A-R zoning, a development of 4 homes generates 38 trips per day (a 2% increase on Antioch Road). With R-80 zoning, development of 27 homes (assuming 30% of the land used for roads, stormwater, etc.) would generate approximately 256 trips per day (a 13.4% increase). Mr. Thomas added he just lived in Antioch and there were a lot of traffic and accidents, and they might have to use taxpayer dollars to add a traffic light. ***Jim Oliver made the motion to recommend approval of Petition 1349-24 with the following conditions:***

- 1. If a new road is constructed to access the lots, the entrance shall have a deceleration lane and acceleration taper per the Fayette County Entrance and Striping Detail.***
- 2. Antioch Road is a collector road. 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 Antioch Road.***

John Kruzan seconded the motion. The motion carried 4-0.

9. Consideration of Revised Development Plan RDP-019-24, Camp Southern Ground, Inc. owners; request approval of the Revised Development Plan for Camp Southern Ground as depicted in the Revised Site Development Plan submitted on June 10, 2024. Property is located in Land Lot 213 of the 4th District and fronts Ebenezer Church Road, Arnold Road, and Southern Ground Parkway. Ms. Sims added they want to add includes additions to staff housing; archery pavilion; fire pit; additional restroom facilities; program shops, bike park and shop; and a future maintenance building. She showed the maps and the areas to be change. Mr. Oliver asked why the petitioner has come to the planning commission to add an archery.? Ms. Sims replied that with the PUD zoning if they want to change anything we have to revised it

because they wanted to put up solar panels in certain areas. Mr. Culbreth asked if it was present.? Mr. Drake Bivins, CFO of Camp Southern Ground since 2012, says they want to do it in about 3 areas, he refers to the maps where he shows the exact location of the new facilities will be place and better Sutter for the camp. They were trying to put in mini houses before but that not an option anymore. Now with the new items, we will protect the kids. Mr. Culbreth asked if anyone would like to speak in favor of the petition.? No one responded, then he asked if there was anyone in opposition.? No one responded, he brought the item back to the board. Mr. Oliver asked the staff anytime they want to make a change they have to come to us for approval.? Ms. Sims responded anytime they want to make a change to an approve PUD development plan yes, sr. they do by law. Mr. Culbreth asked for a motion after no more comments. ***John Kruzan made the motion to recommend approval of Petition RDP-019-24 and Jim Oliver seconded the motion. The motion carried 4-0.***

10. Consideration of Amendments to Chapter 110. Zoning Ordinance, regarding Sec. 110-125. – A-R, Agricultural-Residential District, to add a provision to allow an existing home to remain temporarily for occupancy while a new home is built in the A-R Zoning District. Ms. Sims's staff recommends that this is approved with the following conditions: (a)The original, primary dwelling structure shall be remain for a period of time that does not exceed 12 months.; and (b)The original, primary dwelling structure shall at all times be occupied for residential purposes by the property owner; and (c) Occupancy of the original, primary dwelling structure is merely a temporary residency during the period of time necessary to complete construction of a new primary dwelling structure on the property, in no event to exceed a period of 12 months; and (d) The Certificate of Occupancy for the new dwelling structure shall not be issued until the original primary dwelling structure has been properly demolished. A demolition permit is required. Mr. Oliver explained that he is in the building and development business and that 12 months is not enough time to build a house with materials and labor, I might suggest that the period not exceed 12 months and let's bring It back for an extension and maybe the extension can be granted in 3 months intermittent. Mr. Culbreth asked for any more questions from the board. Ms. Sims responded that 3 months is not realistic, people who are applying right now in August are hearing in October so, if they have to come back every 3 months, they will have to re-apply. Mr. Oliver responded probably if they are applying now, they already have their plan done and they are ready to go. Allison Cox, County Attorney asked how long it takes to build a house.? Mr. Oliver responded right now anywhere from 12-14 months and that's for a builder that has proof. Ms. Cox responded that if this increases to 18 months, we give them one extension out of the month. What we are trying to avoid is having two primary residences in an A-R property without getting it rezoned. Mr. Thomas suggested the board 15 months. He thinks too much time it gives owners excuses. Ms. Cox added maybe two six-month extensions. Mr. Culbreth asked for a motion. ***Jim Oliver made the motion to recommend approval of Consideration of Amendment to Chapter 110. Zoning Ordinance regarding Sec. 110-125. – A-R, Agricultural-Residential District, to add a provision to allow an existing home to remain temporarily for occupancy while a new home is built in the A-R Zoning District with the following conditions:***

1. ***(7) During the construction of a new primary dwelling structure, the original primary dwelling structure on the parcel may be retained on the property under the following***

circumstances:

- a. The original, primary dwelling structure shall be allowed to remain for a period not to exceed 15 months. Applicants may request no more than two (2) six month extensions.*
- b. The original, primary dwelling structure shall at all times be occupied for residential purposes by the property owner; and*
- c. Occupancy of the original, primary dwelling structure is merely a temporary residency during the period of time necessary to complete construction of a new primary dwelling structure on the property, in no event to exceed a period of 15 months; and*
- d. The Certificate of Occupancy for the new dwelling structure shall not be issued until the original primary dwelling structure has been properly demolished. A demolition permit is required.*

Boris Thomas seconded the motion. The motion carried 4-0.

ADJOURNMENT:

Jim Oliver moved to adjourn the meeting. John Kruzan seconded. The motion passed 4-0.

The meeting adjourned at 8:00 p.m.

**PLANNING COMMISSION
OF
FAYETTE COUNTY**

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

ATTEST:

**DEBORAH BELL
DIRECTOR, PLANNING & ZONING**

PETITION NO: 1353-24

REQUESTED ACTION: Rezone from A-R to C-C

PARCEL NUMBER: 0532 023

PROPOSED USE: Convenience Store with fuel pumps

EXISTING USE: Vacant land

LOCATION: Banks Road and SR 54 East

DISTRICT/LAND LOT(S): 5th District, Land Lot 151

ACREAGE: 4.86 acres

OWNER(S): The Estate of Richard N. Cates/Carol Denise Cates Mercer, Executrix

APPLICANT(S): Sudesh Dhingra

AGENT(S): Jim Kelly, Agent; Newton Galloway, Attorney

PLANNING COMMISSION PUBLIC HEARING: September 5, 2024

BOARD OF COMMISSIONERS PUBLIC HEARING: September 26, 2024

APPLICANT'S INTENT

Applicant proposes 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.

STAFF RECOMMENDATION

As defined in the Fayette County Comprehensive Plan, Low Density Residential (1 unit/1 acre) is designated for this area, so the request for C-C zoning is not appropriate. Based on the Investigation and Staff Analysis, Planning & Zoning Staff recommends **DENIAL** of the request for a zoning of C-C, Community Commercial District. If the rezoning is approved, staff recommends the following **CONDITIONS**:

1. Applicant to provide a minimum of 40 feet of ROW as measured from the existing road centerline or at least 10 feet beyond edge of payment for acceleration / deceleration lanes, whichever is greater.
2. 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.
3. Applicant shall extend existing sidewalk along Banks Road for the length of the property.

INVESTIGATION

A. GENERAL PROPERTY INFORMATION

The property is a legal, nonconforming lot. It does not contain the minimum required acreage for the A-R zoning district, but it is a legal lot of record based on the ordinance criteria. The reduction in lot area was a result of right-of-way acquisitions for road improvements.

The property has access on Banks Road and SR 54 East. Georgia DOT will review and approve access engineering & construction plans within their jurisdiction. Please refer to GDOT comments in the Departmental Comments section.

This property is located in the General State Route Overlay Zone. All developments are required to meet the Overlay criteria.

B. REZONING HISTORY:

The property was the subject of a rezoning application in 2003 (Petition No. 1109-03). The owner(s) requested to rezone from A-R to C-H. The Planning Commission recommended a rezoning to R-40 rather than C-H, as that was in alignment with the Future Land Use Plan. The Board of Commissioners heard the request to rezone to C-H on June 26, 2003, and voted 5-0 to deny the request.

C. CURRENT DEVELOPMENT HISTORY:

The property is currently vacant land.

D. SURROUNDING ZONING AND USES

Near the subject property is land which is zoned A-R, R-20, and R-40. See the following table and the attached Zoning Map.

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

Direction	Acreage	Zoning	Use	Comprehensive Plan
Northwest	7.6	R-40	Single Family Residential	Low Density Residential (1 Unit /1 acre)
East (across Hwy 54)	2.0 3.75	R-40 A-R	Single Family Residential	Low Density Residential (1 Unit /1 acre)
Southwest (across Banks Rd)	2.8	R-45	Single Family Residential	Low Density Residential (1 Unit /1 acre)
South (across intersection)	1.1	R-40	Single-Family Residential	Low Density Residential (1 Unit /1 acre)

E. COMPREHENSIVE PLAN

Future Land Use Plan: The subject property lies within an area designated for Low Density Residential on the Future Land Use Plan map. This request **DOES NOT** conform to the Fayette County Comprehensive Plan.

F. DEPARTMENTAL COMMENTS

- Water System** – FCWS has no objections to the rezoning.
- Public Works**
 - **Road Frontage Right of Way Dedication** -- Banks Road is a **collector road**. Applicant to provide a minimum of 40 feet of ROW as measured from the existing road centerline or at least 10 feet beyond edge of payment for acceleration / deceleration lanes, whichever is greater. Please refer to the Fayette County detail "Typical Decel Lane". SR 54 is a state route and GDOT controls right of way along the existing frontage.
 - **Traffic Data** -- According to the GDOT on-line traffic data, the annual average daily traffic for SR 54 is **16,660 vehicles per day (2023)**. Banks Road traffic data by Fayette County Public Works was **12,751 vehicles per day (2022)**.
 - **Sight Distance and access** -- Minimum sight distances will have to be satisfied for the proposed new road intersection on Banks Road. GDOT will provide access to SR 54 and sight distance requirements.
 - **GDOT Comments** -- The GDOT right way stops just beyond the radius of Banks Road; however, an access on Banks Road should be a minimum of 200' from the radius return of SR 54 and an access on SR 54 should be a minimum of 350' from the radius return of Banks Road. *Stanford Taylor*
- Environmental Management**
 - **Floodplain Management** -- The site **DOES NOT** contain floodplain per FEMA FIRM panel 13113C0108E dated September 26, 2008, or in the FC Flood Study.
 - **Wetlands** -- The property **DOES NOT** contain wetlands per the U.S. Department of the Interior, Fish and Wildlife Service 1994 National Wetland Inventory Map.
 - **Watershed Protection** -- There **ARE NO** state waters located on the subject property per Fayette County GIS.
 - **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 and be classified as a hotspot per the stormwater ordinances.
 - **Landscape and Tree Replacement Plan** -- This development **WILL BE** subject to the Nonresidential Development Landscape Requirements and Tree Retention, Protection and Replacement Ordinances.
- Environmental Health Department** – This office has no objection to the rezoning. This does not constitute approval or agreeance of usable soils for septic purposes.
- Fire** – No objections to the requested rezoning.

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 Low Density Residential Uses. This request does not conform to the Fayette County Comprehensive Plan in terms of the use.
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 might adversely affect the existing or future uses of nearby properties.
3. It is staff's opinion that the zoning proposal may have an excessive or burdensome impact on streets. Staff does not think this development will have an adverse impact on utilities or schools.
4. The proposal is not consistent in character and use with the surrounding uses as low density residential.

ZONING DISTRICT STANDARDS

Sec. 110-143. C-C, Community Commercial District.

- (a) *Description of district.* This district is composed of certain lands and structures providing for convenient community shopping facilities having a broad variety of sales and services.
- (b) *Permitted uses.* The following uses shall be permitted in the C-C zoning district:
 - (1) Amusement or recreational facility, indoor or outdoor (see chapter 18);
 - (2) Appliance sales and incidental repair;
 - (3) Art studio;
 - (4) Auto parts and/or tire sales and installation;
 - (5) Bakery;
 - (6) Bank and/or financial institution;
 - (7) Banquet hall/event facility;
 - (8) Catering service;

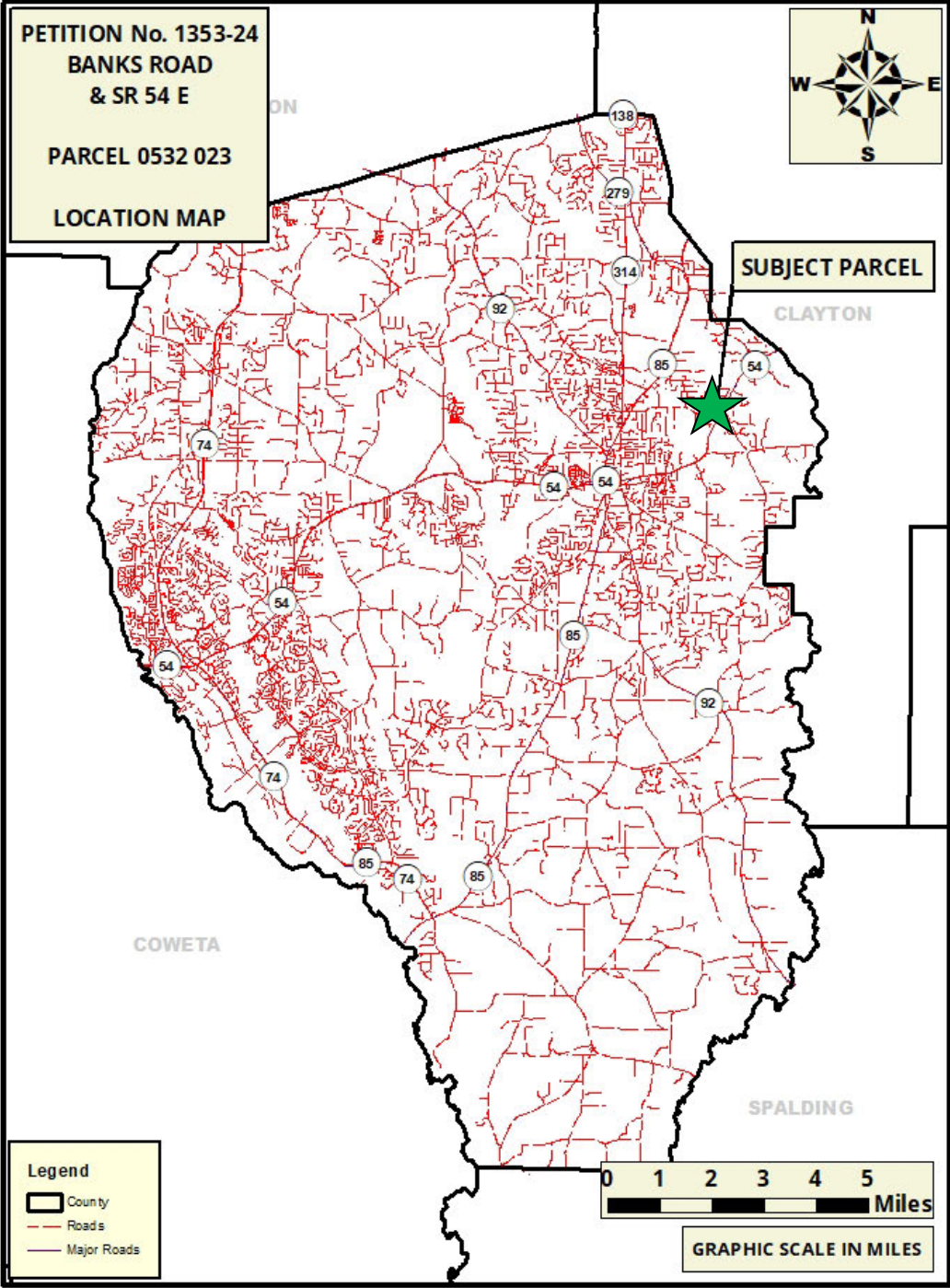
- (9) Church and/or other place of worship, excluding outdoor recreation, parsonage, and cemetery or mausoleum;
- (10) College and/or university, including classrooms and/or administration only;
- (11) Copy shop;
- (12) Cultural facility;
- (13) Day spa;
- (14) Department store, variety store, and/or clothing store;
- (15) Drug store;
- (16) Educational/instructional/tutoring facilities, including, but not limited to: academic, art, computer, dance, driving and/or DUI school, martial arts, music, professional/business/trade, and similar facilities;
- (17) Electronic sales and incidental repair;
- (18) Emission testing facility (inside only);
- (19) Firearm sales and/or gunsmith;
- (20) Florist;
- (21) Gift shop;
- (22) Grocery store;
- (23) Hardware store;
- (24) Health club and/or fitness center;
- (25) Jewelry shop;
- (26) Laboratory serving professional requirements, (e.g., medical, dental, etc.);
- (27) Library;
- (28) Medical/dental office (human treatment);
- (29) Messenger/courier service;
- (30) Military recruiting office;
- (31) Movie theatre (excluding drive-in);
- (32) Museum;
- (33) Office;
- (34) Office equipment sales and/or service;
- (35) Parking garage/lot;
- (36) Personal services, including, but not limited to: alterations; barber shop; beauty salon; clothing/costume rentals; counseling services; electrolysis and/or hair removal; fitness center; laundry drop-off/pick-up; locksmith; nail salon; photography studio; shoe repair; and tanning salon.
- (37) Plant nursery, growing crops/garden, and related sales;
- (38) Printing, graphics, and/or reproductions;
- (39) Private clubs and/or lodges;

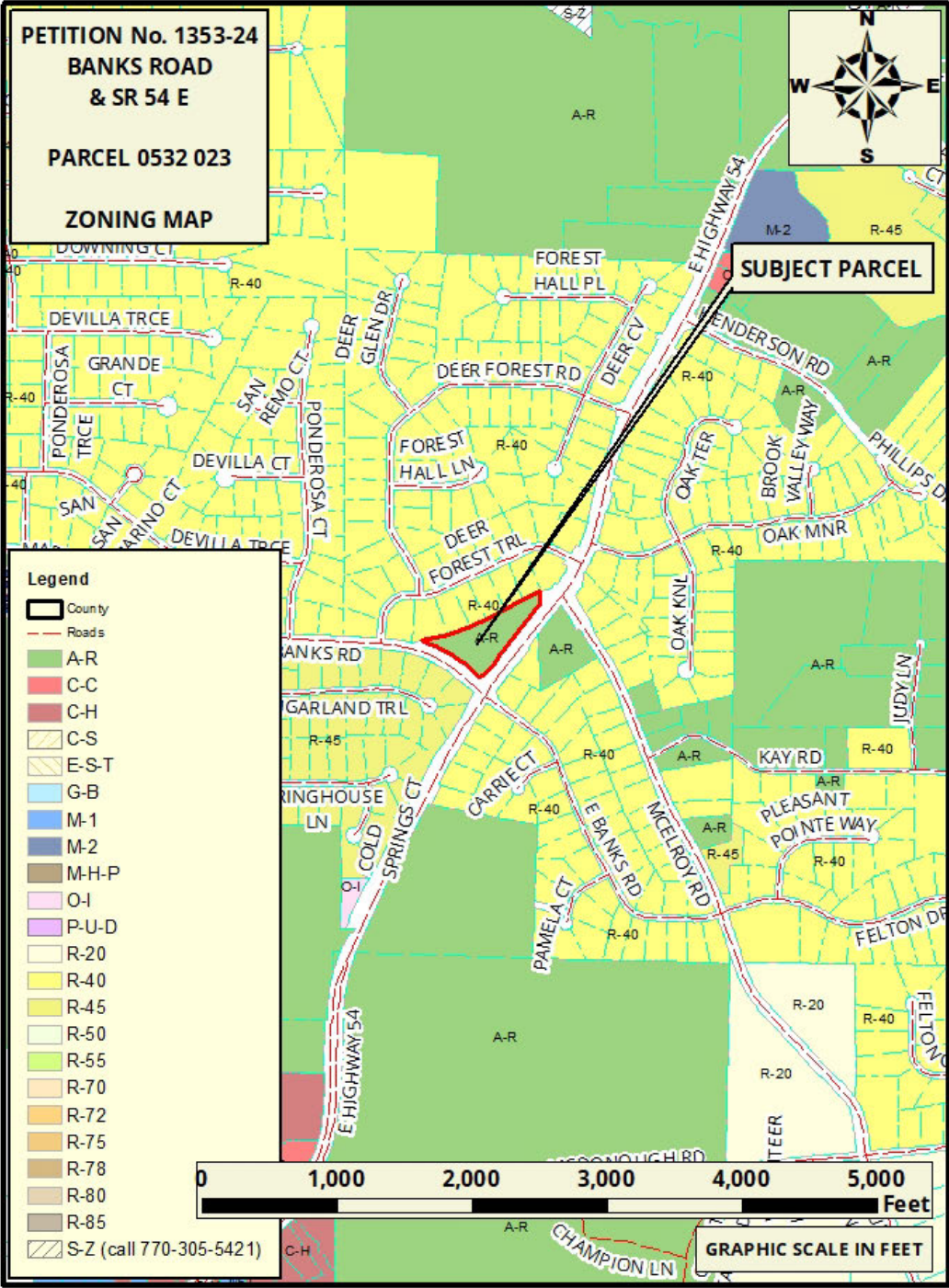
- (40) Private school, including, classrooms and/or administration only;
 - (41) Radio studio;
 - (42) Recording studio (audio and video);
 - (43) Restaurant, (including drive-in and/or drive-through);
 - (44) Retail establishment;
 - (45) Smoking lounge (subject to state and local tobacco sales and smoking laws);
 - (46) Taxidermist; and
 - (47) Television/movie studio.
- (c) *Conditional uses.* The following conditional uses shall be allowed in the C-C zoning district provided that all conditions specified in article V of this chapter are met:
- (1) Adult day care facility;
 - (2) Animal hospital, kennel (commercial or noncommercial), and/or veterinary clinic;
 - (3) Automobile service station, including, gasoline sales and/or inside or outside emission testing, in conjunction with a convenience store;
 - (4) Care home, convalescent center, and/or nursing home;
 - (5) Church and/or other place of worship;
 - (6) College and/or university, including, but not limited to: classrooms, administration, housing, athletic fields, gymnasium, and/or stadium;
 - (7) Commercial driving range and related accessories;
 - (8) Child care facility;
 - (9) Dry cleaning plant;
 - (10) Golf course (minimum 18-hole regulation) and related accessories;
 - (11) Home occupation;
 - (12) Hospital;
 - (13) Kennel (see animal hospital, kennel (commercial or noncommercial), and/or veterinary clinic);
 - (14) Laundromat, self-service or otherwise;
 - (15) Private school, including, but not limited to: classrooms, administration, playground, housing, athletic fields, gymnasium, and/or stadium;
 - (16) Religious tent meeting;
 - (17) Seasonal sales, outdoor;
 - (18) Single-family residence and residential accessory structures and/or uses (see article III of this chapter); and
 - (19) Temporary tent sales.
 - (20) Vehicle/boat sales.
- (d) *Dimensional requirements.* The minimum dimensional requirements in the C-C zoning district shall be as follows:

- (1) Lot area:
 - a. Where a central water distribution system is provided: 43,560 square feet (one acre).
 - b. Where central sanitary sewage and central water distribution systems are provided: 21,780 square feet (one-half acre).
 - (2) Lot width: 125 feet.
 - (3) Front yard setback:
 - a. Major thoroughfare:
 1. Arterial: 75 feet.
 2. Collector: 70 feet.
 - b. Minor thoroughfare: 65 feet.
 - (4) Rear yard setback: 15 feet.
 - (5) Side yard setback: 15 feet.
 - (6) Buffer. If the rear or side yard abuts a residential or A-R zoning district, a minimum buffer of 50 feet adjacent to the lot line shall be provided in addition to the required setback and the setback shall be measured from the buffer.
 - (7) Height limit: 35 feet.
 - (8) Screening dimensions for parking and service areas as provided in article III of this chapter and chapter 104.
 - (9) Lot coverage limit, including structure and parking area: 60 percent of total lot area.
- (Code 1992, § 20-6-19; Ord. No. 2012-09, § 4, 5-24-2012; Ord. No. 2012-14, § 3, 12-13-2012; Ord. No. 2018-03, § 13, 9-22-2018; Ord. No. 2018-11, § 4, 10-25-2018; Ord. No. 2021-09, § 2, 5-27-2021)

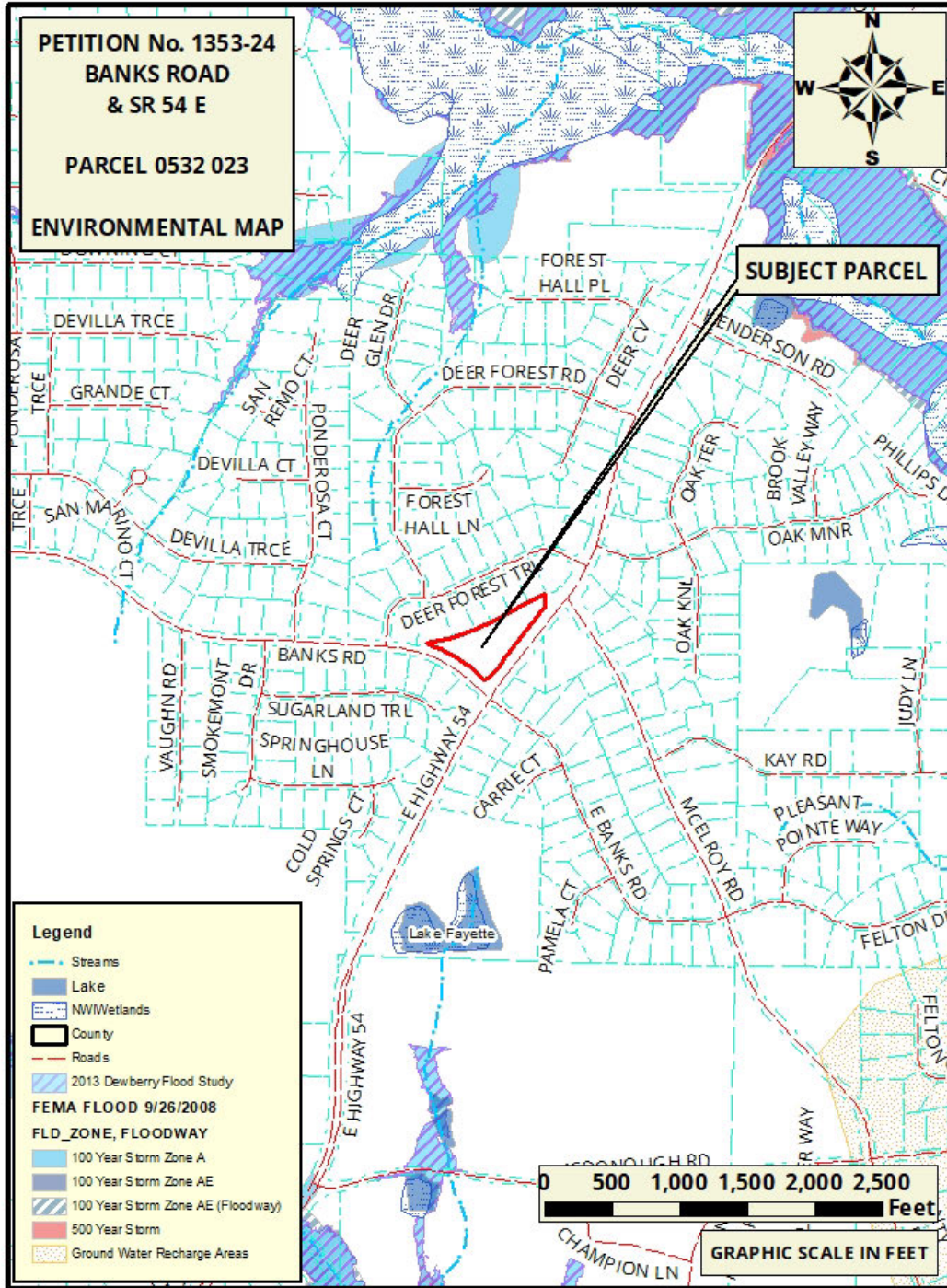
Sec. 110-169. Conditional use approval.

- 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.

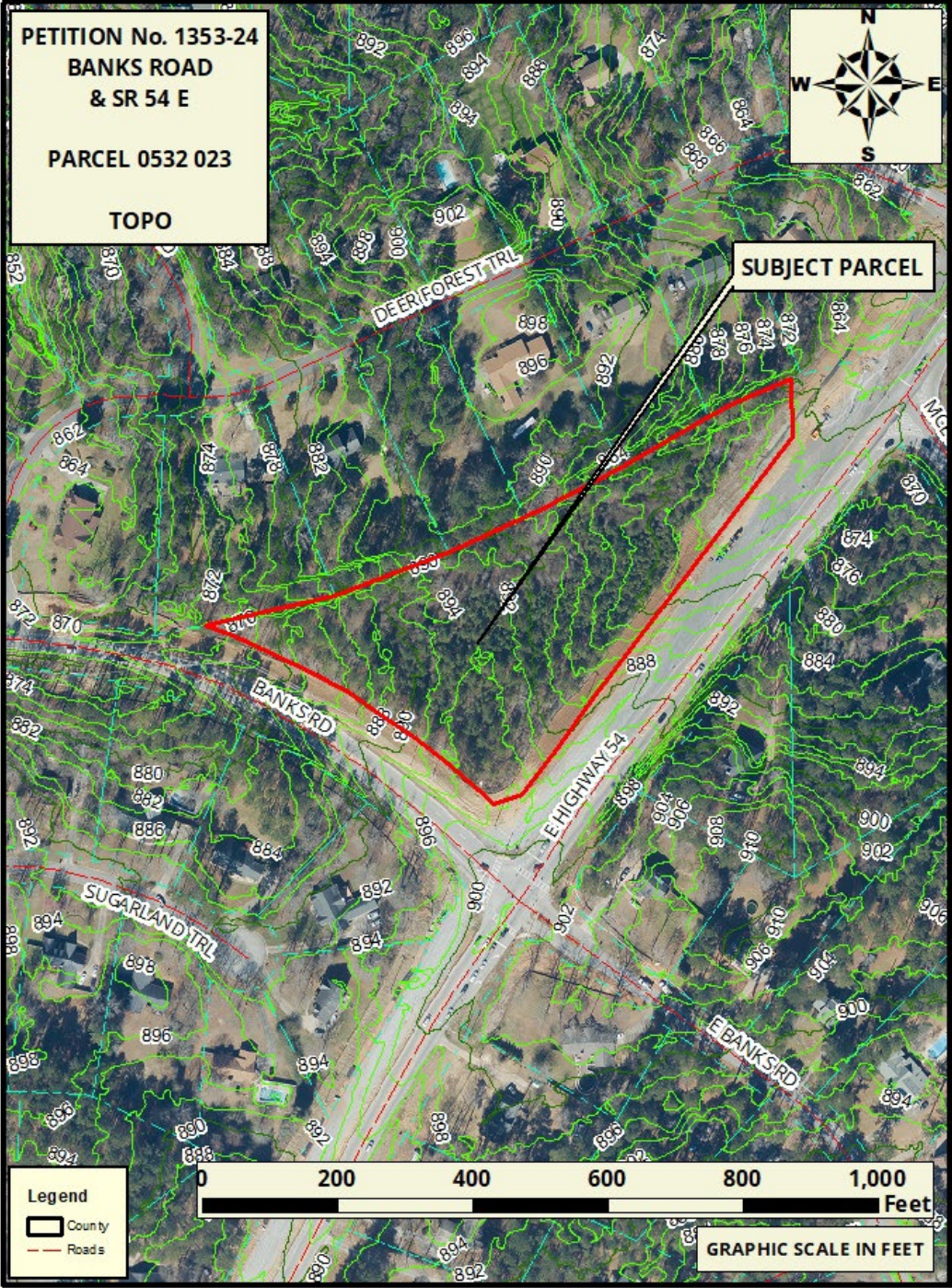














SITE CONCEPT

PETITION No (s): _____

STAFF USE ONLY

APPLICANT INFORMATION

Name Sudesh Dhingra

Address 535 Birkdale Dr.

City Fayetteville

State GA Zip 30215

Email [REDACTED]

Phone [REDACTED]

PROPERTY OWNER INFORMATION

Name The Estate of Richard N Cates / Denise Mercer

Address 25 Pineview Dr.

City Sharpsburg

State GA Zip 30277

Email [REDACTED]

Phone [REDACTED]

AGENT(S) (if applicable)

Name Newton Galloway - Attorney

Address 406 N Hill St

City Griffin

State GA Zip 30223

Email ngalloway@gallyn-law.com

Phone (770) 233-6230

Name Jim Kelly - TrueMark Realty

Address 106 Brookgrove LN

City Peachtree City

State GA Zip 30269

Email jkelly@TrueMarkRealty.com

Phone (404) 380-1289

(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: _____ Date: _____

DATE OF PLANNING COMMISSION HEARING: _____

DATE OF COUNTY COMMISSIONERS HEARING: _____

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

Date Paid: _____ Receipt Number: _____

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

STAFF USE ONLY

PROPERTY INFORMATION *(please provide information for each parcel)*

Parcel # (Tax ID): 0532 023 Acreage: 4.86
Land District(s): 5th Land Lot(s): 151
Road Name/Frontage L.F.: GA Hwy 54 / 486.75' Road Classification: Median State Highway
Existing Use: Vacant Land Proposed Use: Convenience Store
Structure(s): None Type: N/A Size in SF: N/A
Existing Zoning: A-R Proposed Zoning: C-C
Existing Land Use: Vacant Land Proposed Land Use: Retail/C-Store
Water Availability: Yes Distance to Water Line: 0' Distance to Hydrant: 0'

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:

The Estate of Richard N Cates / Denise Mercer (Executrix)

(Please Print)

Property Tax Identification Number(s) of Subject Property: 05-32-023

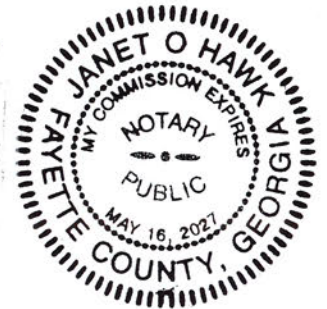
(I am) (we are) the sole owner(s) of the above-referenced property requested to be rezoned. Subject property is located in Land Lot(s) 151 of the 5th District, and (if applicable to more than one land district) Land Lot(s) _____ of the _____ District, and said property consists of a total of 4.86 acres (legal description corresponding to most recent recorded plat for the subject property is attached herewith).

(I) (We) hereby delegate authority to Newton Galloway 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) Carol Denise Cates Mercer
 Signature of Property Owner 1
25 Pineview Dr., Sharpsburg, GA 30277
 Address

Janet O Hawk
 Signature of Notary Public
July 8th, 2024
 Date



Signature of Property Owner 2
 Address

Signature of Notary Public
 Date

Signature of Property Owner 3
 Address

Signature of Notary Public
 Date

[Signature]
 Signature of Authorized Agent
106 Bridgecreek Ln, Peachtree City GA 30269
 Address

Maria T. Binns
 Signature of Notary Public
07/08/2024
 Date



PETITION No.: _____

OWNER'S AFFIDAVIT

(Please complete an affidavit for each parcel being rezoned)

NAME: The Estate of Richard N Cates / Denise Mercer (Executrix)

ADDRESS: 25 Pineview Dr., Sharpsburg, GA 30277

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

Denise Mercer (Executrix) 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 \$ 250.00 to cover all expenses of public hearing. He/She petitions the above named to change its classification to C-C.

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 Thursday, September 5th, 20 24 at 7:00 P.M.

PUBLIC HEARING to be held by the Board of Commissioners of Fayette County on the day of Thursday, September 26th, 20 24 at 7:00 P.M.

SWORN TO AND SUBSCRIBED BEFORE ME THIS 8th DAY OF July, 20 24

Carol Denise Cates Mercer

SIGNATURE OF PROPERTY OWNER SIGNATURE OF PROPERTY OWNER

SIGNATURE OF PROPERTY OWNER

NOTARY PUBLIC



Janet Hawk

AGREEMENT TO DEDICATE PROPERTY FOR FUTURE RIGHT-OF-WAY

I/We, The Estate of Richard N Cates, 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 Hwy 54 & Banks RD 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 8th day of July, 2024.

Carol Denise Cates Mercer

SIGNATURE OF PROPERTY OWNER

SIGNATURE OF PROPERTY OWNER

NOTARY PUBLIC



Janet O Hawk

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".
 [X] 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 8th day of July, 2024.
[Signature]

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
- 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:
 - X 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.
 - X 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.
 - X 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.
 - N/A 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.
 - X e. Minimum zoning setbacks and buffers, as applicable.
 - X 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.
 - X g. Location and dimensions of exits/entrances to the subject property.
 - X h. Approximate location and elevation of the 100-year flood plain and Watershed Protection Ordinance requirements, as applicable.
 - X 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).

REZONING APPLICATION _____

Estate of Richard N. Cates, Deceased, Owner
Sudesh Dhingra, Applicant
A-R to C-C
4.86 acres
Tracts 0532 023
Georgia Highway 54/Banks Road

LETTER OF INTENT

Mr. Sudesh Dhingra (“Applicant”) submits this Letter of Intent in support of the above-styled Rezoning Application (the “Application”) in compliance with the Fayette County, Georgia Zoning Ordinance (the “Zoning Ordinance”), Section 110-296 seeking rezoning of certain real property located at the northeast corner of the intersection of Georgia Highway 54 and Banks Road, consisting of 4.86 acres located in the 5th Land District, Land Lot 151, and identified as parcel number: 0532 023, according to the current system of numbering used by the Fayette County Tax Assessor (the “Subject Property”) from Agricultural-Residential District (A-R) to Community-Commercial District (C-C).

The proposed development will consist of an approximate 6,600 square feet retail building located on a 2-acre portion of the Subject Property for the operation of a convenience store with gasoline service.

The proposed development on the Subject Property is not permitted in A-R zoning. C-C zoning, as requested, is intended for convenient community shopping and allows a wide variety of stores and services. This includes most retail stores expected in a community based shopping center like grocery stores, restaurants, and clothing stores. There are also a number of professional service uses allowed such as banks, medical and dental offices, and dry cleaners. The zoning district allows for some other uses with a conditional permit process, such car washes, gas stations, and childcare facilities. A site plan showing the proposed improvements on the Subject Property and concept buildings renderings are included with the Application and show the compatibility of the development with the surrounding community.

Pursuant to Zoning Ordinance, Section 110-143(C)(3), the proposed development is permitted in the C-C zoning district as a conditional use. Upon rezoning, conditional use approval is governed by Zoning Ordinance, Section 110-169(2)(h), subject to approval of the zoning administrator upon compliance with the requirements of the conditional use.



Doc ID: 009604670001 Type: CERT
 Recorded: 03/12/2015 at 10:00:00 AM
 Fee Amt: \$10.00 Page 1 of 1
 Transfer Tax: \$0.00
 Fayette, Ga. Clerk Superior Court
 Sheila Studdard Clerk of Court
 BK **4290** PG **736**

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

IN RE: ESTATE OF)
)
DIANA COUTU CATES,) ESTATE NO. 2014-4306
 DECEASED)

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

DATE ORDER GRANTED: February 20, 2015

GRANTOR: (NAME OF DECEDENT) Diana Coutu Cates

GRANTEE: (FULL NAME OF EACH PERSON AWARDED YEAR'S SUPPORT. The surviving spouse and/or minor children)
Spouse only, Richard Cates

ADDRESS OF GRANTEE: 190 Mapledale Trail, Sharpsburg GA 30277

LEGAL DESCRIPTION OF REAL PROPERTY AND INTEREST THEREIN Fayette County, State of Georgia lying and being in **Land Lot 151 of the Fifth Land District of Fayette County**, Georgia, being approximately 5.199 acres more or less located at the northwesterly corner of Highway 54 East and Banks Road being part and parcel of that same tract and parcel described by deed in Deed Book 1106 at Page 411 as recorded in the Office Clerk of Superior Court for Fayette County, Georgia. Said tract is also identified by the Tax Assessor for Fayette County as Tax parcel ID 0532 023

Also land in Coweta County

Original Certificate delivered or mailed to Clerk of Superior Court of Fayette County on February 20, 2015.

Certificate prepared by: _____ State Bar # 683120
 SIGNATURE OF ATTORNEY

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.

By: Sheila Studdard, Clerk of Court, 100 Court Square, Newnan, GA 30263
 Clerk/Deputy Clerk of the Probate Court Probate Court Return Mailing Address



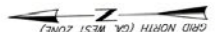
BANKS ROAD & HIGHWAY 54

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 151 OF THE 5TH LAND DISTRICT OF FAYETTE COUNTY, GEORGIA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A CONCRETE RIGHT OF WAY MARKER FOUND AT THE SOUTHERN MOST MITERED CORNER OF THE NORTHEASTERLY RIGHT OF WAY OF BANKS ROAD (R/W VARIES) AND THE NORTHWESTERLY RIGHT OF WAY OF STATE HIGHWAY 54 (R/W VARIES); THENCE ALONG THE NORTHEASTERLY RIGHT OF WAY OF BANKS ROAD THE FOLLOWING CALLS: N 47°18'17" W 49.47' TO A POINT; THENCE WITH A CURVE TURNING TO THE LEFT WITH AN ARC LENGTH OF 316.22', WITH A RADIUS OF 1164.94', WITH A CHORD BEARING OF N 55°04'52" W , WITH A CHORD LENGTH OF 315.25' TO A POINT; THENCE WITH A CURVE TURNING TO THE LEFT WITH AN ARC LENGTH OF 127.23', WITH A RADIUS OF 861.08', WITH A CHORD BEARING OF N 67°05'25" W , WITH A CHORD LENGTH OF 127.11' TO A POINT; THENCE S 18°59'40" W 10.00' TO A POINT; THENCE WITH A CURVE TURNING TO THE LEFT WITH AN ARC LENGTH OF 118.28', WITH A RADIUS OF 920.85', WITH A CHORD BEARING OF N 74°41'07" W , WITH A CHORD LENGTH OF 118.20' TO A 1/2" REBAR FOUND; THENCE LEAVING SAID RIGHT OF WAY N 79°00'41" E 53.99' TO A 1" CRIMP TOP PIPE FOUND; THENCE N 79°07'20" E 239.86' TO A 1" CRIMP TOP PIPE FOUND; THENCE N 71°22'23" E 180.00' TO A 1" CRIMP TOP PIPE FOUND; THENCE N 67°03'28" E 150.11' TO A 1" CRIMP TOP PIPE FOUND; THENCE N 64°19'36" E 160.03' TO A 5/8" REBAR FOUND; THENCE N 62°58'25" E 150.14' TO A 5/8" REBAR FOUND; THENCE N 62°57'59" E 50.17' TO A 5/8" REBAR FOUND; THENCE N 69°40'15" E 56.90' TO A 1/2" REBAR FOUND; THENCE S 00°40'56" E 95.05' TO A 1/2" REBAR FOUND ON THE NORTHWESTERLY RIGHT OF WAY OF STATE HIGHWAY 54; THENCE ALONG SAID RIGHT OF WAY S 37°35'41" W 486.75' TO A CONCRETE RIGHT OF WAY MARKER FOUND; THENCE CONTINUING ALONG SAID RIGHT OF WAY WITH A CURVE TURNING TO THE LEFT WITH AN ARC LENGTH OF 175.69', WITH A RADIUS OF 8662.72', WITH A CHORD BEARING OF S 37°00'49" W , WITH A CHORD LENGTH OF 175.68' TO A CONCRETE RIGHT OF WAY MARKER FOUND AT THE NORTHERN MITERED CORNER OF THE NORTHEASTERLY RIGHT OF WAY OF BANKS ROAD AND THE NORTHWESTERLY RIGHT OF WAY OF STATE HIGHWAY 54; THENCE ALONG SAID MITER S 69°29'50" W 45.47' TO A CONCRETE RIGHT OF WAY MARKER FOUND, WHICH IS THE POINT OF BEGINNING.

HAVING AN AREA OF 211591.08 SQUARE FEET, OR 4.86 ACRES.

RECORDING INFORMATION



LEGEND

- #RBF 1/2" REBAR FOUND
- #RBS 1/2" REBAR SET
- 1" OTF 1" CHAMP TOP PIPE FOUND
- 3/4" OTF 3/4" OPEN TOP PIPE FOUND
- FIRE HYDRANT
- POWER POLE
- SANITARY SEWER MANHOLE
- LIGHT POLE
- WHITE METER
- WATER VALVE
- POWER BOX
- POWER METER
- CABLE TV PEDestal
- TELEPHONE PEDestal
- TRAFFIC SIGNAL BOX
- UTILITY BOX
- GAS METER
- GAS VALVE
- — — OVERHEAD POWER
- X — X — FENCE

THIS PLAT IS A RETIREMENT OF AN EXISTING SURVEY OR PARCELS OF LAND AND DOES NOT CREATE A NEW PARCEL OR MAKE ANY CHANGES TO ANY REAL PROPERTY BOUNDARIES. THE RECORDING INFORMATION OF THE DOCUMENTS, PARCELS OR PARCELS ARE STATED HEREIN IS FOR INFORMATION ONLY AND DOES NOT IMPLY APPROVAL OF ANY LOCAL AGENCIES OR INSTRUMENTS. THE UNDERSIGNED LAND SURVEYOR ASSUMES NO LIABILITY FOR ANY USE OF THIS PLAT FOR PURPOSES OTHER THAN THAT FOR WHICH IT WAS PREPARED. THE SURVEYOR ASSUMES NO LIABILITY FOR ANY USE OF THIS PLAT FOR PURPOSES OTHER THAN THAT FOR WHICH IT WAS PREPARED. THE SURVEYOR ASSUMES NO LIABILITY FOR ANY USE OF THIS PLAT FOR PURPOSES OTHER THAN THAT FOR WHICH IT WAS PREPARED.



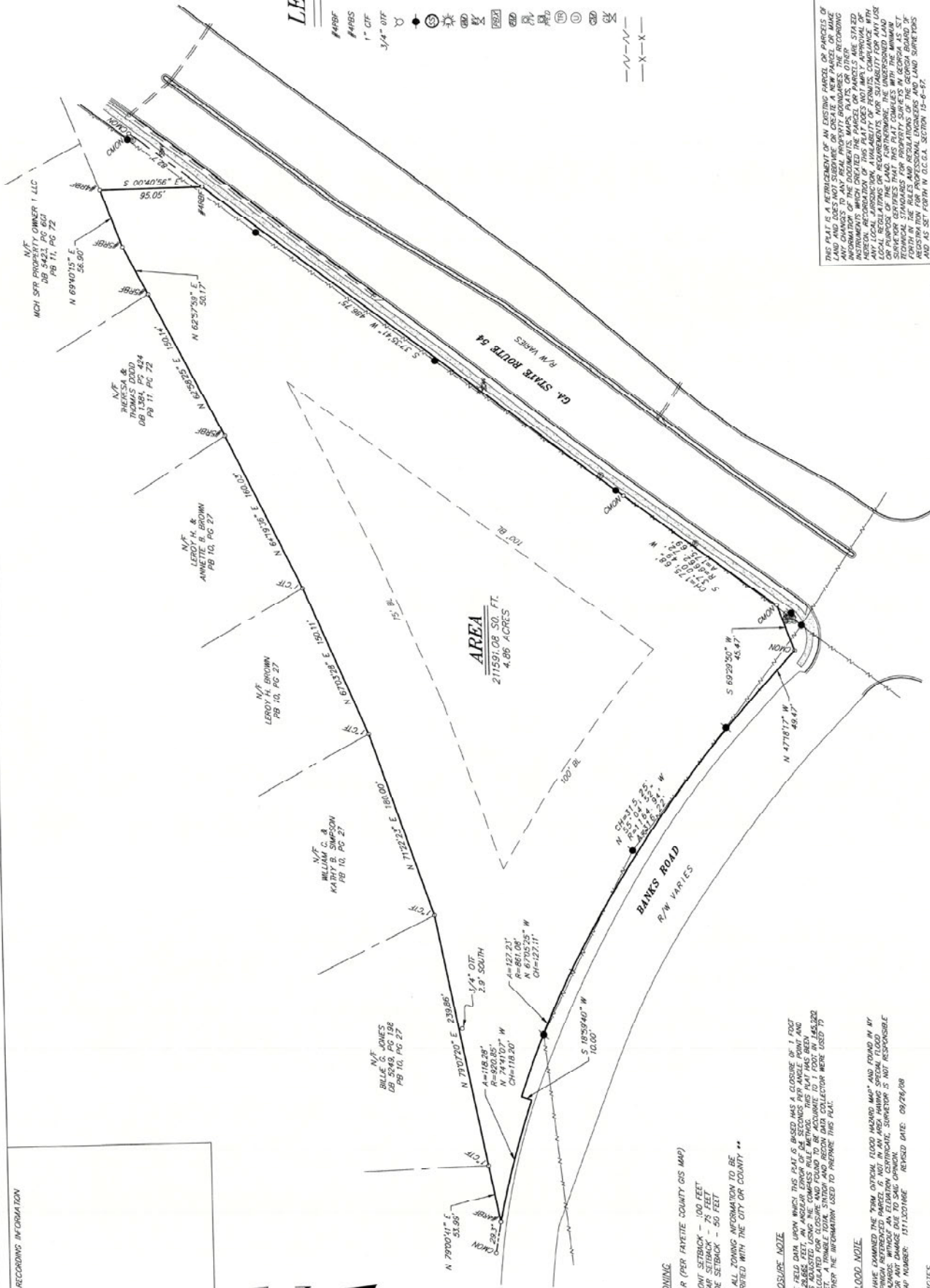
FIELD DATE	11/22/23
PLAT DATE	11/29/23
SCALE	1"=60'
COUNTY	FARETT
DISTRICT	5TH
LAND LOT	151

WIDE OPEN LAND SURVEYING LLC
 555 CURETON LANE
 MARIETTA, GA 30067
 678-633-5665
 WWW.WIDEOPENLANDSURVEYING.COM
 JOB #2868



- REFERENCES
1. DB 1106, PG 411 (P/W DEED)
 2. DB 4216, PG 386 (P/W DEED)

BOUNDARY SURVEY FOR:
 BANKS ROAD & GA STATE ROUTE 54 (TAX PARCEL #0332 023)
RICHARD CATES
 DB 4214, PG 424



ZONING
 A-R (PER FARETT COUNTY GIS MAP)
 FRONT SETBACK - 100 FEET
 REAR SETBACK - 75 FEET
 SIDE SETBACK - 50 FEET

** ALL ZONING INFORMATION TO BE VERIFIED WITH THE CITY OR COUNTY. **

CLOSURE NOTE
 THE FIELD DATA UPON WHICH THIS PLAT IS BASED WAS A CLOSURE OF 1 FOOT IN 29,864 FEET, AN ANGULAR EXCESS ADJUSTMENT METHOD. THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND FOUND TO BE ACCURATE TO 1 FOOT IN 29,862 FEET. A TRIMBLE TOTAL STATION AND TOTAL STATION WERE USED TO GATHER THE INFORMATION USED TO PREPARE THIS PLAT.

FLOOD NOTE
 I HAVE EXAMINED THE FIRM OFFICIAL FLOOD HAZARD MAP AS FOUND IN MY MARIETTA, GA. I HAVE FOUND NO FLOOD HAZARD AREAS WITHIN THE BOUNDARIES OF THIS PLAT. THE SURVEYOR IS NOT RESPONSIBLE FOR ANY DAMAGE DUE TO SUE OR OTHER CAUSES. THE SURVEYOR IS NOT RESPONSIBLE FOR ANY DAMAGE DUE TO SUE OR OTHER CAUSES. THE SURVEYOR IS NOT RESPONSIBLE FOR ANY DAMAGE DUE TO SUE OR OTHER CAUSES.

NOTES
 1. THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A CURRENT AND ACCURATE AERIAL PHOTOGRAPHIC RECORD. THE SURVEYOR'S KNOWLEDGE OF ANY CHANGES TO THE BOUNDARIES OF THIS PLAT IS SUBJECT TO ANY FINDINGS THAT A TITLE REPORT MAY DISCLOSE.
 2. ONLY MOBILE UTILITIES SHOWN.

FAYETTE COUNTY

PETITION FOR REZONING CERTAIN PROPERTIES IN UNINCORPORATED AREAS OF FAYETTE COUNTY, GEORGIA

PUBLIC HEARING to be held before the Fayette County Planning Commission on Thursday, September 5, 2024, at 7:00 P.M., and before the Fayette County Board of Commissioners on Thursday, September 26, 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.: 1353-24

Owner/Agent: The Estate of Richard N. Cates/Carol Denise Cates Mercer, Executrix; Jim Kelly, Agent; Newton Galloway - Attorney

Existing Zoning District: A-R

Proposed Zoning District: C-C

Parcel Number: 0532 023

Area of Property: 4.86 acres

Proposed Use: Commercial

Land Lot(s)/District: Land lot 151 of the 5th District

Fronts on: Banks Road and Highway 54

Legal Description

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 151 OF THE 5TH LAND DISTRICT OF FAYETTE COUNTY, GEORGIA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT A CONCRETE RIGHT OF WAY MARKER FOUND AT THE SOUTHERN MOST MITERED CORNER OF THE NORTHEASTERLY RIGHT OF WAY OF BANKS ROAD (R/W VARIES) AND THE NORTHWESTERLY RIGHT OF WAY OF STATE HIGHWAY 54 (R/W VARIES); THENCE ALONG THE NORTHEASTERLY RIGHT OF WAY OF BANKS ROAD THE FOLLOWING CALLS: N 47° 0' 18.17" W 49.47' TO A POINT; THENCE WITH A CURVE TURNING TO THE LEFT WITH AN ARC LENGTH OF 316.22', WITH A RADIUS OF 1164.94', WITH A CHORD BEARING OF N 55° 00' 45.2" W, WITH A CHORD LENGTH OF 315.25' TO A POINT; THENCE WITH A CURVE TURNING TO THE LEFT WITH AN ARC LENGTH OF 127.23', WITH A RADIUS OF 861.08', WITH A CHORD BEARING OF N 67° 00' 52.5" W, WITH A CHORD LENGTH OF 127.11' TO A POINT; THENCE S 18° 05' 59.40" W 10.00' TO A POINT; THENCE WITH A CURVE TURNING TO THE LEFT WITH AN ARC LENGTH OF 118.28', WITH A RADIUS OF 920.85', WITH A CHORD BEARING OF N 74° 04' 1.07" W, WITH A CHORD LENGTH

OF 118.20' TO A 1/2" REBAR FOUND; THENCE LEAVING SAID RIGHT OF WAY N 79° 00' 41.1" E 53.99' TO A 1" CRIMP TOP PIPE FOUND; THENCE N 79° 00' 7.20" E 239.86' TO A 1" CRIMP TOP PIPE FOUND; THENCE N 71° 02' 23.1" E 180.00' TO A 1" CRIMP TOP PIPE FOUND; THENCE N 67° 00' 3.28" E 150.11' TO A 1" CRIMP TOP PIPE FOUND; THENCE N 64° 19' 1.36" E 160.03' TO A 5/8" REBAR FOUND; THENCE N 62° 05' 58.25" E 150.14' TO A 5/8" REBAR FOUND; THENCE N 62° 05' 57.59" E 50.17' TO A 5/8" REBAR FOUND; THENCE N 69° 04' 15.1" E 56.90' TO A 1/2" REBAR FOUND; THENCE S 00° 04' 05.6" E 95.05' TO A 1/2" REBAR FOUND ON THE NORTHWESTERLY RIGHT OF WAY OF STATE HIGHWAY 54; THENCE ALONG SAID RIGHT OF WAY S 37° 35' 41.1" W 486.75' TO A CONCRETE RIGHT OF WAY MARKER FOUND; THENCE CONTINUING ALONG SAID RIGHT OF WAY WITH A CURVE TURNING TO THE LEFT WITH AN ARC LENGTH OF 175.69', WITH A RADIUS OF 8662.72', WITH A CHORD BEARING OF S 37° 00' 49" W, WITH A CHORD LENGTH OF 175.68' TO A CONCRETE RIGHT OF WAY MARKER FOUND AT THE NORTHERN MITERED CORNER OF THE

NORTHEASTERLY RIGHT OF WAY OF BANKS ROAD AND THE NORTHWESTERLY RIGHT OF WAY OF STATE HIGHWAY 54; THENCE ALONG SAID MITER S 69° 02' 59.50" W 45.47' TO A CONCRETE RIGHT OF WAY MARKER FOUND, WHICH IS THE POINT OF BEGINNING. HAVING AN AREA OF 211591.08 SQUARE FEET, OR 4.86 ACRES. 08/14

REZONING APPLICATION _____

Estate of Richard N. Cates, Deceased, Owner
Sudesh Dhingra, Contract Purchaser/Applicant
A-R to C-C
4.86 acres
Tracts 0532 023
Georgia Highway 54/Banks Road

CONSTITUTIONAL OBJECTION TO RESTRICTIONS IN THE
ZONING ORDINANCE OF FAYETTE COUNTY, GEORGIA

As applied to the following property:

Tax Parcel No.: 0532 023; 4.86 acres
Estate of Richard N. Cates, Owner
Sudesh Dhingra, Contract Purchaser/Applicant

located in unincorporated Fayette County, Georgia and as identified pursuant to the current parcel number assigned by the Fayette County Tax Assessor (the "Subject Property"), being zoned Agricultural-Residential (A-R), subject of the above-referenced Rezoning Application, the Fayette County, Georgia Zoning Ordinance ("Zoning Ordinance") is unconstitutional in that the Owner's and Contract Purchaser's (cumulatively, "Applicants") property rights in and to the Subject Property have been destroyed without first receiving fair, adequate and just compensation for such property rights. As applied to the Subject Property, the Zoning Ordinance deprives the Applicants of constitutionally protected rights in violation of Article I, Section I, Paragraph 1 of the Constitution of the State of Georgia of 1983, Article I, Section III, Paragraph 1 of the Constitution of the State of Georgia of 1983, and the Due Process Clause of the Fourteenth Amendment to the Constitution of the United States.

Application of the Zoning Ordinance to the Subject Property is unconstitutional, illegal, arbitrary, capricious, null and void, constituting a taking of the Subject Property in violation of the

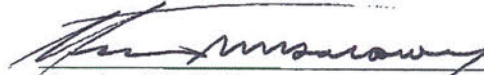
Just Compensation Clause of the Fifth Amendment and the Due Process Clause of the Fourteenth Amendment to the Constitution of the United States, Article I, Section I, Paragraph 1, and Article I, Section III, Paragraph 1 of the Constitution of the State of Georgia of 1983, and the Equal Protection Clause of the Fourteenth Amendment to the Constitution of the United States thereby denying the Applicants an economically viable use of the Subject Property while not substantially advancing legitimate state interests.

Inasmuch as it is impossible for the Applicants to use the Subject Property and simultaneously comply with the Zoning Ordinance, the Zoning Ordinance constitutes an arbitrary, capricious, and unreasonable act by Fayette County, Georgia without any rational basis therefore and constitutes an abuse of discretion in violation of Article I, Section I, Paragraph 1 of the Constitution of the State of Georgia of 1983, Article I, Section III, Paragraph 1 of the Constitution of the State of Georgia of 1983, and the Due Process Clause of the Fourteenth Amendment to the Constitution of the United States.

Application of the Zoning Ordinance to the Subject Property is unconstitutional and discriminates against the Applicants in an arbitrary, capricious, and unreasonable manner between the Applicants and others similarly situated in violation of Article I, Section I, Paragraph 2 of the Constitution of the State of Georgia of 1983 and the Equal protection Clause of the Fourteenth Amendment to the Constitution of the United States.

WHEREFORE, Applicants request that Fayette County, Georgia approve this Rezoning Application and rezone the Subject Property to Community Commercial (C-C) as specified and requested herein.

GALLOWAY & LYNDALL, LLP
Counsel for Applicants



Newton M. Galloway
Georgia Bar No.: 283069

The Lewis-Mills House
406 North Hill Street
Griffin, Georgia 30223
(770) 233-6230
ngalloway@gallyn-law.com

REZONING APPLICATION _____

Estate of Richard N. Cates, Deceased, Owner
Sudesh Dhingra, Applicant
A-R to C-C
4.86 acres
Tracts 0532 023
Georgia Highway 54/Banks Road

EVIDENTIARY OBJECTIONS TO ZONING HEARING BASED ON
YORK V. ATHENS COLLEGE OF MINISTRY, INC.

As applied to the following property:

Tax Parcel No.: 0532 023; 4.86 acres
Estate of Richard N. Cates, Owner
Sudesh Dhingra, Contract Purchaser/Applicant

located in unincorporated Fayette County, Georgia and as identified pursuant to the current parcel number assigned by the Fayette County Tax Assessor (the "Subject Property"), being zoned Agricultural-Residential (A-R), subject of the above-referenced Rezoning Application, Applicants give notice of the following evidentiary objections based on *York v. Athens College of Ministry, Inc.*, 348 Ga. App. 58, 632, 821 S.E.2d 120 (2018):

Simultaneously herewith, Applicants filed a Constitutional Objection to the denial of the above referenced Application which is incorporated herein by reference as if fully set forth.

Applicants object to comments provided by any and all members of the public presented before the Board of Commissioners of Fayette County, Georgia ("BOC") in opposition to the Rezoning Application to the extent that (but not limited to) such individuals lack standing to challenge the Rezoning Application because they: (a) do not satisfy the substantial interest-aggrieved citizen test; (b) are not under oath; (c) are not subject to cross-examination; (d) lack sufficient training or expertise to present evidence on and/or make statements that would otherwise require presentation by witness(es) constituting expert opinion without such individuals being

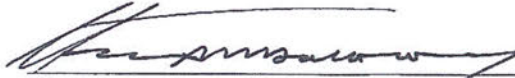
qualified as experts; (e) present evidence on and/or make statements that are irrelevant and/or immaterial to the factors for approval of rezoning under the Zoning Ordinance; and/or (f) present evidence and/or make statements that are founded, wholly or in part, upon inadmissible, unreliable, nonprobative, insubstantial and/or lay, nonexpert opinion and hearsay evidence.

Additionally, Applicants object to any action of the BOC that does not approve the Rezoning Application or approves rezoning subject to unreasonable conditions to the extent that (but not limited to) the same are: (a) in violation of O.C.G.A. § 50-13-19(h); (b) in violation of constitutional, statutory or ordinance provisions; (c) in excess of the statutory or constitutional authority of either the BOC; (d) made upon unlawful procedure; (e) affected by other error of law; (f) clearly erroneous in view of the reliable probative, and substantial evidence on the whole record; or (g) arbitrary or capricious or characterized by abuse of discretion or clearly unwarranted exercise of discretion; (h) founded, wholly or in part, upon inadmissible, unreliable, nonprobative, insubstantial, unsubstantiated and/or lay, nonexpert opinion evidence; and/or (i) contrary to the exclusive factors for approval of a variance set forth in the Zoning Ordinance.

By and through this *York* Objection, Applicants preserve all the above and incorporated Objections and assert them on and within the record before, and for consideration and resolution by, the BOC of Fayette County, Georgia.

WHEREFORE, Applicants request that Fayette County, Georgia approve the Rezoning Application set forth above.

GALLOWAY & LYNDALL, LLP.
Counsel for Applicants



Newton M. Galloway
Georgia Bar No.: 283069

The Lewis-Mills House
406 North Hill St.
Griffin, GA 30223
(770) 233-6230
ngalloway@gallyn-law.com

PETITION NO: 1354-24

REQUESTED ACTION: Rezone from A-R to R-45

PARCEL NUMBER: 0739 020

PROPOSED USE: To combine this portion of the parcel with Parcel No. 0739 053

EXISTING USE: Single-family residential

LOCATION: Palmetto Road

DISTRICT/LAND LOT(S): 7th District, Land Lot 148

ACREAGE: 0.453 acres

OWNER(S): Marion L. Holt

APPLICANT: Mary A. Holt (Mary A. Banks), Attorney-in-fact

AGENT: Mary A. Holt (Mary A. Banks), Attorney-in-fact

PLANNING COMMISSION PUBLIC HEARING: September 5, 2024

BOARD OF COMMISSIONERS PUBLIC HEARING: September 23, 2024

APPLICANT'S INTENT

Applicant proposes to rezone 0.453 acres from A-R (Agricultural-Residential) to R-45 (Single-Family Residential) for the purposes of combining this acreage with Parcel No. 0739 053.

STAFF RECOMMENDATION

Staff has identified a problem with the legal description that makes the request inappropriate at this time and Staff will request to withdraw the petition. We have discussed the issues with the surveyor and applicant and will work with them to find an alternative.

INVESTIGATION

A. GENERAL PROPERTY INFORMATION

The property is a legal lot of record based on the ordinance criteria.

B. REZONING HISTORY:

Parcel 0739 020 has not been rezoned. Parcel 0739 053 was rezoned from A-R to R-45 in 2002.

C. CURRENT DEVELOPMENT HISTORY:

The property is currently single-family residential.

B. SURROUNDING ZONING AND USES

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

Direction	Acreage	Zoning	Use	Comprehensive Plan
North	7	N/A	Residential	Town of Tyrone
East	13	A-R; R-70	Single Family Residential	Low Density Residential (1 Unit /1 acre)
South	5	A-R	Single Family Residential	Low Density Residential (1 Unit /1 acre)
West	1.8	A-R	Single Family Residential	Low Density Residential (1 Unit /1 acre)

C. COMPREHENSIVE PLAN

Future Land Use Plan: The subject property lies within an area designated for Low Density Residential (1 unit / 1 acre) on the Future Land Use Plan map. This request does conform to the Fayette County Comprehensive Plan.

D. ZONING/REGULATORY REVIEW

Access & Right-of Way: The property has existing access on Palmetto Road.

Site Plan: The applicant submitted a concept for the property with a certified legal description.

E. DEPARTMENTAL COMMENTS

- Water System** - Water availability limited. Line extension may be required to serve multiple residences.
- Public Works** - No objections.
- Environmental Management** - No objections.
- Environmental Health Department** - This office has no objection to the rezoning.
- Fire** - No objections to the requested rezoning.
- GDOT** - N/A.

STANDARDS

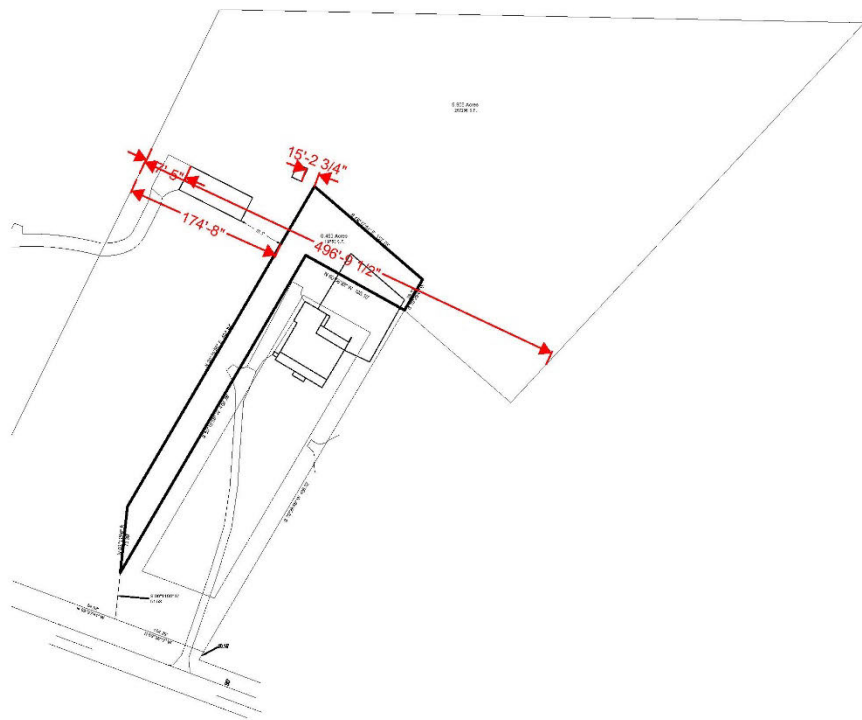
Sec. 110-300. - Standards for map amendment (rezoning) evaluation.

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 current legal description submitted with the request does not create a parcel that can be legally rezoned. Staff will work with the applicants to determine an appropriate solution.



PETITION No (s): 1354-24
STAFF USE ONLY

APPLICANT INFORMATION

Name Linda H. Thompson and Mary A. Holt
Address 255 Palmetto Road
City Tyrone
State GA Zip 30290
Email [REDACTED]
Phone [REDACTED]

PROPERTY OWNER INFORMATION

Name Marion L. Holt
Address 255 Palmetto Road
City Tyrone
State GA Zip 30290
Email [REDACTED]
Phone [REDACTED]

AGENT(S) (if applicable)

Name Mary A. Holt
Address 283 Palmetto Road
City Tyrone
State GA Zip 30290
Email [REDACTED]
Phone [REDACTED]

Name PAUL THOMPSON
Address _____
City _____
State _____ Zip _____
Email _____
Phone [REDACTED]

(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: _____ Date: _____

DATE OF PLANNING COMMISSION HEARING: _____

DATE OF COUNTY COMMISSIONERS HEARING: _____

Received from Linda Thompson 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: 7/8/2024

Receipt Number: 21385

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

STAFF USE ONLY

PROPERTY INFORMATION (please provide information for each parcel)

Parcel # (Tax ID): 0739 020 Acreage: 6.572

Land District(s): 7th Land Lot(s): 148

Road Name/Frontage L.F.: Palmetto Road/ 196.77 Road Classification: _____

Existing Use: _____ Proposed Use: _____

Structure(s): 1 Type: Dwelling Size in SF: 1600

Existing Zoning: A-R Proposed Zoning: R-45

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:
 Marion L. Holt

(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) _____ of the _____ 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 Mary A. Holt 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) Marion L. Holt
 Signature of Property Owner 1

Address

Signature of Property Owner 2

Address

Signature of Property Owner 3

Address

Signature of Authorized Agent

Address

Linda M. Howard
 Signature of Notary Public

Date

7-2-24

Signature of Notary Public

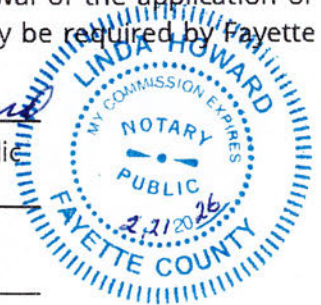
Date

Signature of Notary Public

Date

Signature of Notary Public

Date



AGREEMENT TO DEDICATE PROPERTY FOR FUTURE RIGHT-OF-WAY

I/We, Marion L. Holt, 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)

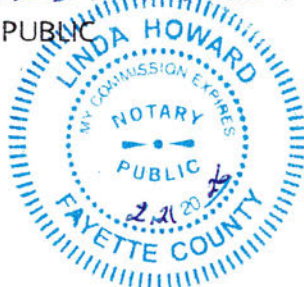
Sworn to and subscribed before me this 2 day of July, 2024.

Marion Holt

SIGNATURE OF PROPERTY OWNER

SIGNATURE OF PROPERTY OWNER

Linda M. Howard
NOTARY PUBLIC



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.

AFTER RECORDING RETURN TO:
Lawson & Beck, LLC
560 Newnan Crossing Bypass, Suite 100
Newnan, GA 30265

SPECIFIC POWER OF ATTORNEY

I, **Marion Lounell Holt**, hereby constitute and appoint **Mary A. Banks**, my true and Lawful Attorney-in-Fact, with power and authority to sign my name, and do all the things necessary and proper which shall be as binding on me as fully and to all intents and purposes as if done by me personally, and I hereby ratify and confirm all that my said Attorney-in-Fact may lawfully do and perform by virtue of these presents in reference to my ownership in certain real estate as described on Exhibit "A" attached hereto and made a part hereof.

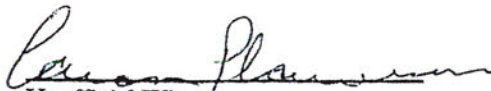
This Power of Attorney is not limited by, but specifically grants the right to:

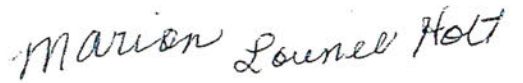
- (1) Sign my name on any contract and to any extension or renewal thereof which my Attorney-in-Fact deems necessary or appropriate;
- (2) Sign my name to and deliver any required appropriate warranty deed(s) conveying my interest in said property;
- (3) Attach this instrument, or a copy of such, as may be required to any warranty deed and record same as part of said warranty deed;
- (4) Sign my name to and deliver any and all other instruments and documents which may be necessary, required or appropriate in order to effect purchasing, holding, managing or selling said property; and
- (5) Receive and receipt for any and all sums of money or payments due in connection with said property; and
- (6) To pay all applicable real estate, transfer, or intangible taxes, recording fees, and real estate agent's commissions.

In Acting pursuant to this Power of Attorney, the Attorney-in-Fact is relieved of any and all liability to the Principal or any other party.

The foregoing Power of Attorney if a power coupled with an interest, is and shall be irrevocable, shall survive my death or incapacity, and shall continue in full force and effect until same is revoked by written instrument recorded in the office of the Superior Court of Coweta County, Georgia.

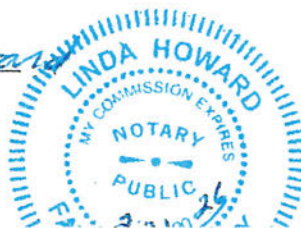
IN WITNESS WHEREOF, I have signed, sealed and delivered this instrument, this 2 day of July, 2024.


Unofficial Witness



Marion Lounell Holt


Notary Public



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, Sep-
 tember 5, 2024, at 7:00 P.M., and
 before the Fayette County Board of
 Commissioners on Thursday, Sep-
 tember 26, 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.: 1354-24
 Owner/Agent: Marion L. Holt,
 Owner
 Mary A. Holt & Paul Thompson,
 Agents

Existing Zoning District: A-R
 Proposed Zoning District: R-45
 Parcel Number: 0739 020
 Area of Property: 0.453 acres
 Proposed Use: Residential
 Land Lot(s)/District: Land lot 148
 of the 7th District
 Fronts on: Palmetto Road
 Request: Rezone from A-R to R-45
 for the purposes of creating addi-
 tional lots without any new infra-
 structure.

PROPERTY DESCRIPTION

Legal Description
 ALL THAT TRACT OR PARCEL
 OF LAND IN LAND LOT 148 OF
 THE 7 TH DISTRICT OF FAY-
 ETTE COUNTY, GEORGIA, AND
 BEING MORE PARTICULARLY
 DESCRIBED AS FOLLOWS: COM-
 MENCING AT A POINT WHERE
 THE NORTHERLY RIGHT-OF-
 WAY OF PALMETTO-FAYETTE-
 VILLE ROAD (RIGHT-OF-WAY
 VARIES) AND THE NORTHERN-
 LY RIGHT-OF-WAY OF PALMET-
 TO COURT INTERSECT AND
 RUNNING IN A NORTHWEST-
 ERNLY DIRECTION ALONG THE
 NORTHERLY RIGHT-OF-WAY
 OF PALMETTO-FAYETTEVILLE
 ROAD A DISTANCE OF 599.16'
 TO A POINT; THENCE RUNNING
 N 30 29 48 E A DISTANCE OF
 10.15' TO A 1/2" RBF; THENCE
 RUNNING N 69 35 17 W ALONG
 SAID RIGHT OF-WAY A DIS-
 TANCE OF 104.29' TO A 1/2" RBF;
 THENCE LEAVING SAID RIGHT-
 OF-WAY AND RUNNING N 06 11
 06 E A DISTANCE OF 51.53' TO A
 1/2" RBF AND THE TRUE POINT
 OF BEGINNING; THENCE RUN-
 NING N 06 11 06 E A DISTANCE
 OF 73.39' TO A POINT; THENCE
 RUNNING N 30 19 56 E A DIS-
 TANCE OF 409.82' TO A POINT;
 THENCE RUNNING S 49 17 41
 E A DISTANCE OF 157.78' TO A
 POINT; THENCE RUNNING S 30
 29 48 W A DISTANCE OF 39.31'
 TO A POINT; THENCE RUNNING
 N 60 56 32 W A DISTANCE OF
 125.10' TO A POINT; THENCE
 RUNNING S 30 19 56 W A DIS-
 TANCE OF 406.28' TO A 1/2" RBF
 AND THE TRUE POINT OF BE-
 GINNING.

AREA 0.453 ACRES
 08/14

PETITION NO: 1355-24

REQUESTED ACTION: Rezone from A-R to R-75

PARCEL NUMBER: 0703 012

PROPOSED USE: Single-Family Residential Subdivision with No New Infrastructure

EXISTING USE: Agricultural/Residential

LOCATION: Davis Road & Huiet Drive

DISTRICT/LAND LOT(S): 7th District, Land Lot 28

ACREAGE: 41.78

OWNER(S): Andrea Pope Camp; Jordan Camp, Attorney-in-Fact

APPLICANT: Jordan Camp, Attorney-in-Fact

AGENT: Randy M. Boyd

PLANNING COMMISSION PUBLIC HEARING: September 5, 2024

BOARD OF COMMISSIONERS PUBLIC HEARING: September 26, 2024

APPLICANT'S INTENT

Applicant proposes to rezone 41.78 acres from A-R (Agricultural-Residential) to R-75 (Single-Family Residential) for the purposes of developing a residential neighborhood of single-family detached homes.

STAFF RECOMMENDATION

As defined in the Fayette County Comprehensive Plan, Rural Residential – 2 (1 unit/2 acres) is designated for this area, so the request for R-75 zoning is appropriate. Staff recommends **CONDITIONAL APPROVAL** of the request for a zoning of R-75, Single-Family Residential District. *(Please see conditions on next page.)*

RECOMMENDED CONDITIONS FOR PETITION No. 1355-24

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.

Staff Note from Public Works regarding Condition #4:

The potential traffic load from the parcel under the existing A-R zoning is approximately 72 trips per day. The trip estimate for the proposed zoning is 144 trip per day or greater if an internal local road is provided to increase lot yield beyond 16. This is a 100% increase, or greater. Although there are larger residential developments in the area, they have alternative access points so drivers can avoid travel on a gravel road. Conversely, all traffic for this development would be on one or both gravel roads and the start/destination points concentrated across the Davis Road and Huiet Drive frontages.

The design standard and level-of-service for these existing roads is low. They are gravel, narrow, and often with limited or no right-of-way. This limits Fayette County's ability to clear vegetation for sight distance, remove obstructions, and provide adequate ditches and cross-drains for drainage. In

addition, some areas have substandard horizontal and vertical geometries. For these reasons, maintaining gravel roads is on-going challenge even at existing traffic volumes. The increased traffic and curb cuts would exceed what the roads are able to support. Improvements are needed to provide an adequate level-of-service for the proposed change in density.

The recommended dollar value payment is based on Fayette County's cost estimate to design and construct road improvements along the portion of Davis Road (1,403 ft +/-), Huiet Drive (1,495 ft +/-) fronting the parcel, plus an extension north along Huiet Drive to tie in with existing pavement (300 ft +/-). The scope of work includes the design, right-of-way acquisition, utility relocations, and construction work necessary to improve the road from its current condition to a paved Collector Road, that meets Fayette County's Development Regulations.

The cost estimate to improve 2,898 ft of existing gravel road to County Collector Standards is \$1,105,000.

This estimate includes design, surveying, right-of-way acquisition, and construction. It assumes all the work is outsourced and is based on today dollars (no inflation). It also assumes no stormwater management features beyond culverts and ditches and no grading easements beyond the 80-ft ROW.

INVESTIGATION

A. GENERAL PROPERTY INFORMATION

The property is a legal lot of record in the A-R zoning district. There is a single-family home and barn on the property. This property is not located in an overlay zone.

B. REZONING HISTORY:

There is no record of a prior rezoning.

C. CURRENT DEVELOPMENT HISTORY:

The property has a single-family home and a barn on it. The house does not meet the minimum requirements for R-75, so staff is recommending a condition for removal. The barn will not meet the minimum requirements for an accessory structure in R-75, so staff is recommending a condition for removal.

D. SURROUNDING ZONING AND USES

Near the subject property is land which is zoned A-R and R-40. See the following table and the attached Zoning Map.

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

Direction	Acreage	Zoning	Use	Future Land Use Plan
North	11	R-40	Single-Family Residential	Rural Residential – 2 (1 unit/2 acres)
East	10	R-40	Single Family Residential	Rural Residential – 2 (1 unit/2 acres)
South (across Davis Road)	48	A-R	Single Family Residential & Agricultural	Rural Residential – 3 (1 unit/3 acres)
West (across Huiet Drive)	60	A-R	Single Family Residential & Agricultural	Rural Residential – 3 (1 unit/3 acres)

E. COMPREHENSIVE PLAN

Future Land Use Plan: The subject property lies within an area designated for Rural Residential - 3 on the Future Land Use Plan map. This request **DOES CONFORM** to the Fayette County Comprehensive Plan/Future Land Use Map.

F. ZONING/REGULATORY REVIEW

Access & Right-of Way: The property has existing access on Huiet Drive and Davis Road.

Site Plan: The applicant submitted a survey with concept plan for the property. A full site plan review (minor final plat) will be conducted when an application for development is submitted.

G. DEPARTMENTAL COMMENTS

- Fayette County Public Schools** -- This rezoning will not be an issue for the school system.
- Water System** -- No objections.
- Public Works & Environmental Management**
 - **Access Management**
 - Huiet Drive is a County Collector. There is no traffic data for Huiet Drive.
 - Davis Road is a County Collector. There is no traffic data for Davis Drive.
 - **Sight Distance** -- The speed limit on Huiet Drive and Davis Road is 25 MPH, requiring 280 ft. of sight distance. Sight distance has not been verified.
 - **Floodplain Management** -- The property **DOES NOT** contain additional floodplain delineated in the FC 2013 Future Conditions Flood Study. The property **DOES NOT** contain floodplain per FEMA FIRM panel 13113C0092E dated September 26, 2008.
 - **Wetlands** -- The property **DOES NOT** contain wetlands per the U.S. Department of the Interior, Fish and Wildlife Service 1994 National Wetland Inventory Map. The owner or developer will be responsible for submitting proper documentation during the development process as to the existence or non-existence of wetlands.
 - **Watershed Protection** -- There **ARE NOT** state waters located on the subject property and the site **WILL NOT BE** subject to the Fayette County Watershed Protection Ordinance upon subdivision.
 - **Groundwater** -- The property **IS** within a groundwater recharge area.
 - **Post Construction Stormwater Management** -- This development **WILL BE** subject to the Post-Development Stormwater Management Ordinance if rezoned and developed with more than 5,000 square feet of impervious surfaces for a major subdivision or commercial site plan.

- **Environmental Health Department** – This office has no objection to the rezoning of this parcel. This approval is only for rezoning and no other future requirements of this office.
- **Fire** – Due to the number of lots proposed and distance to the adjacent water line in Canoe Club S/D, water will be required to be ran to all proposed lots in this S/D, including installation of fire hydrants as stated below.
 - Sec. 12-90. - Mandatory connection to public water system.
 - (a) Every lot of a proposed subdivision shall be supplied with adequate water and waste water facilities which shall be approved by the state commissioner of health. Septic tank drain field approval shall be on an individual lot basis. Where public water or waste water facilities are available within the distance specified below, the subdivider shall assure that every lot of the subdivision shall be provided with public water.
 - Number of Lots: 6 or more. Minimum Distance from Water Line: 2,500 feet.
 - For each additional lot after six, an additional 150 feet shall be added per lot to the minimum distance from a water line requiring connection thereto.
 - *Measured along public right-of-way to closest point on property. Cost differentials based on line sizes and fire hydrants needed to serve a subdivision versus that needed as part of the overall system will be determined by the water system.
 - (b) Standard fire hydrants will be provided at the spacing defined under section 12-91. Design standards shall be as specified by the American Water Works Association.

(Code 1992, § 9-82; Ord. of 9-24-1987, § 5-2; Ord. No. 90-15, § 9-82, 9-27-1990; Ord. No. 2000-14A, § 1, 9-28-2000)

- **GDOT** – n/a

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 Rural Residential Uses. This request does conform to the Fayette County Comprehensive Plan in terms of the use and the minimum lot size.
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 adversely affect the existing or future uses of nearby properties.
3. It is staff's opinion that the zoning proposal will not have an excessive or burdensome impact on schools. The project does meet criteria that require extension of public water lines to serve the property. Staff has determined that the development would have an adverse impact on local roads.
4. The proposal is consistent in character and land use with the surrounding uses as low density residential.

ZONING DISTRICT STANDARDS

Sec. 110-131. R-75, Single-Family Residential District.

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

(b) *Permitted uses.* The following uses shall be permitted in the R-75 zoning district:

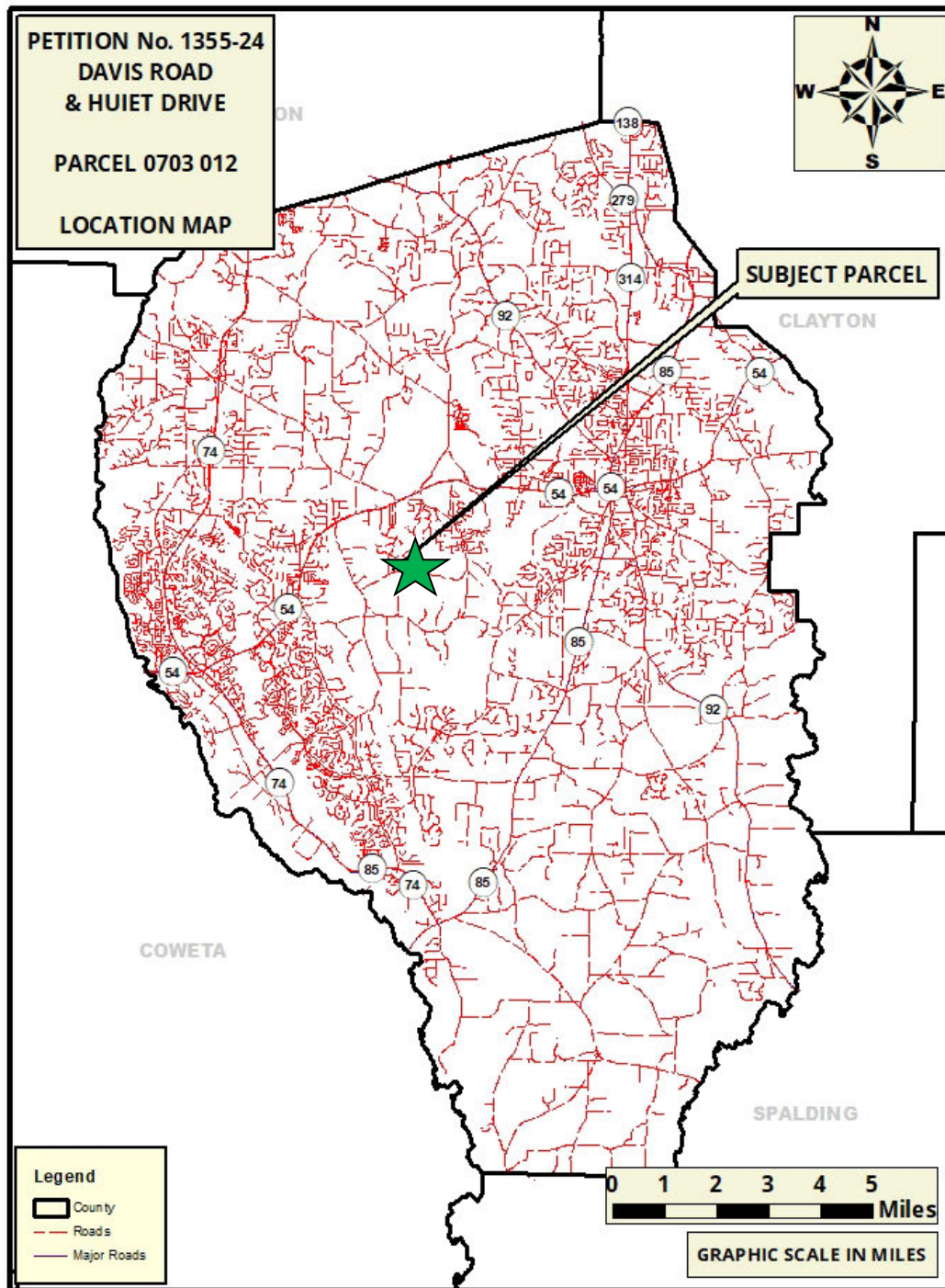
- (1) Single-family dwelling;
- (2) Residential accessory structures and uses (see article III of this chapter); and
- (3) Growing crops, gardens.

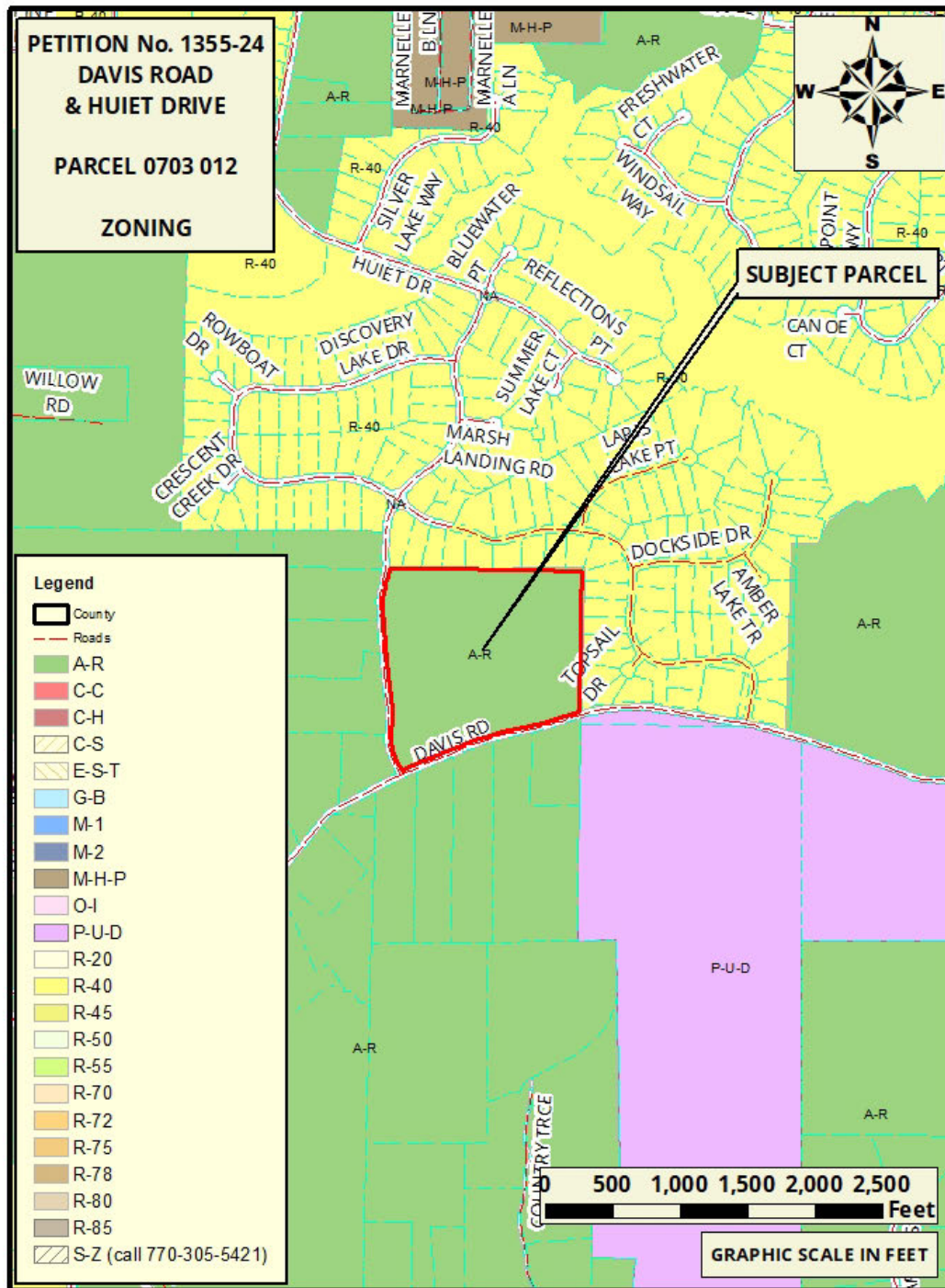
(c) *Conditional uses.* The following conditional uses shall be allowed in the R-75 zoning district provided that all conditions specified in article V of this chapter are met:

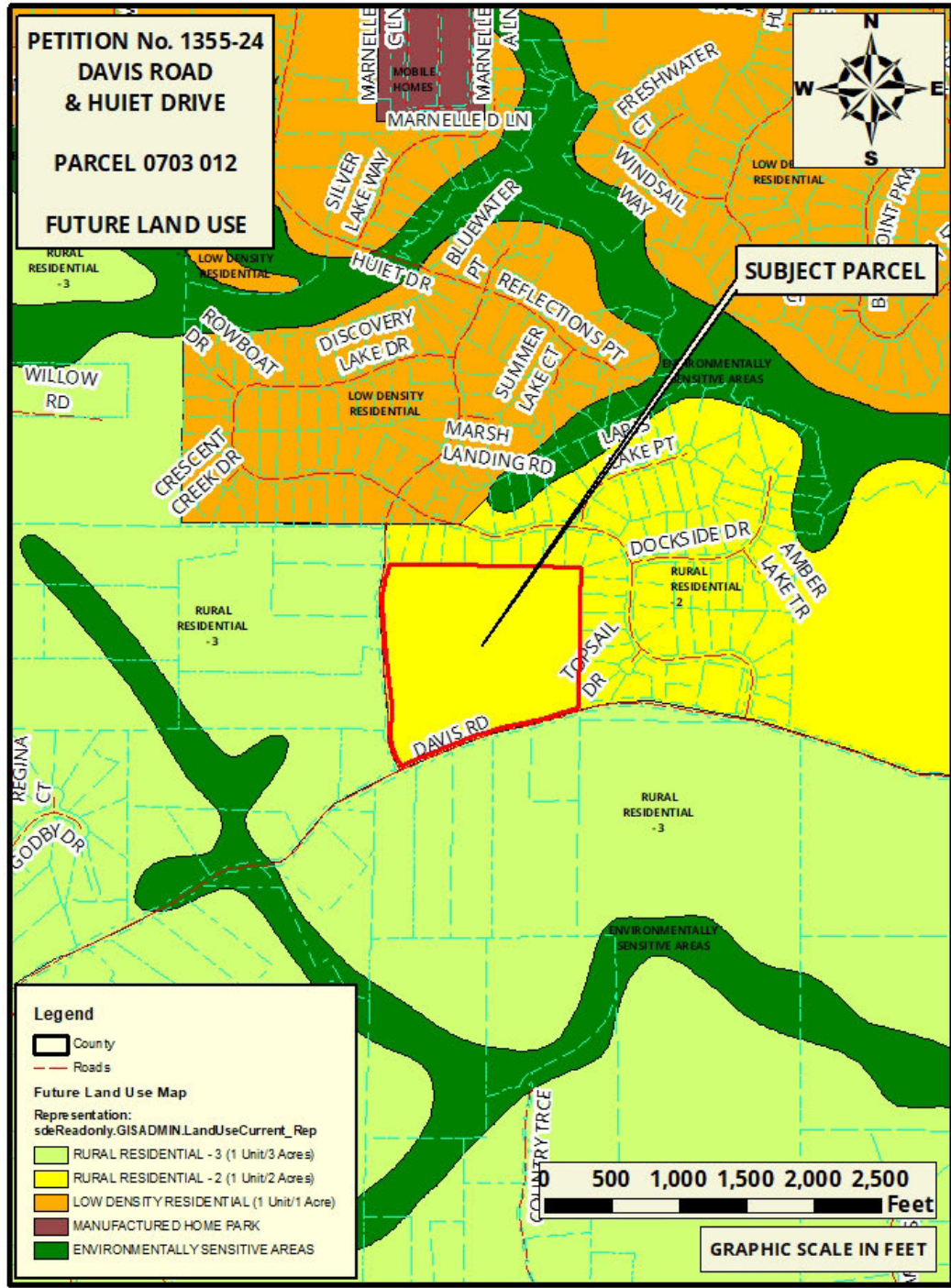
- (1) Church and/or other place of worship;
- (2) Developed residential recreational/amenity areas;
- (3) Home occupation;
- (4) Horse quarters; and
- (5) Private school, including, but not limited to: classrooms, administration, playground, housing, athletic fields, gymnasium, and stadium.

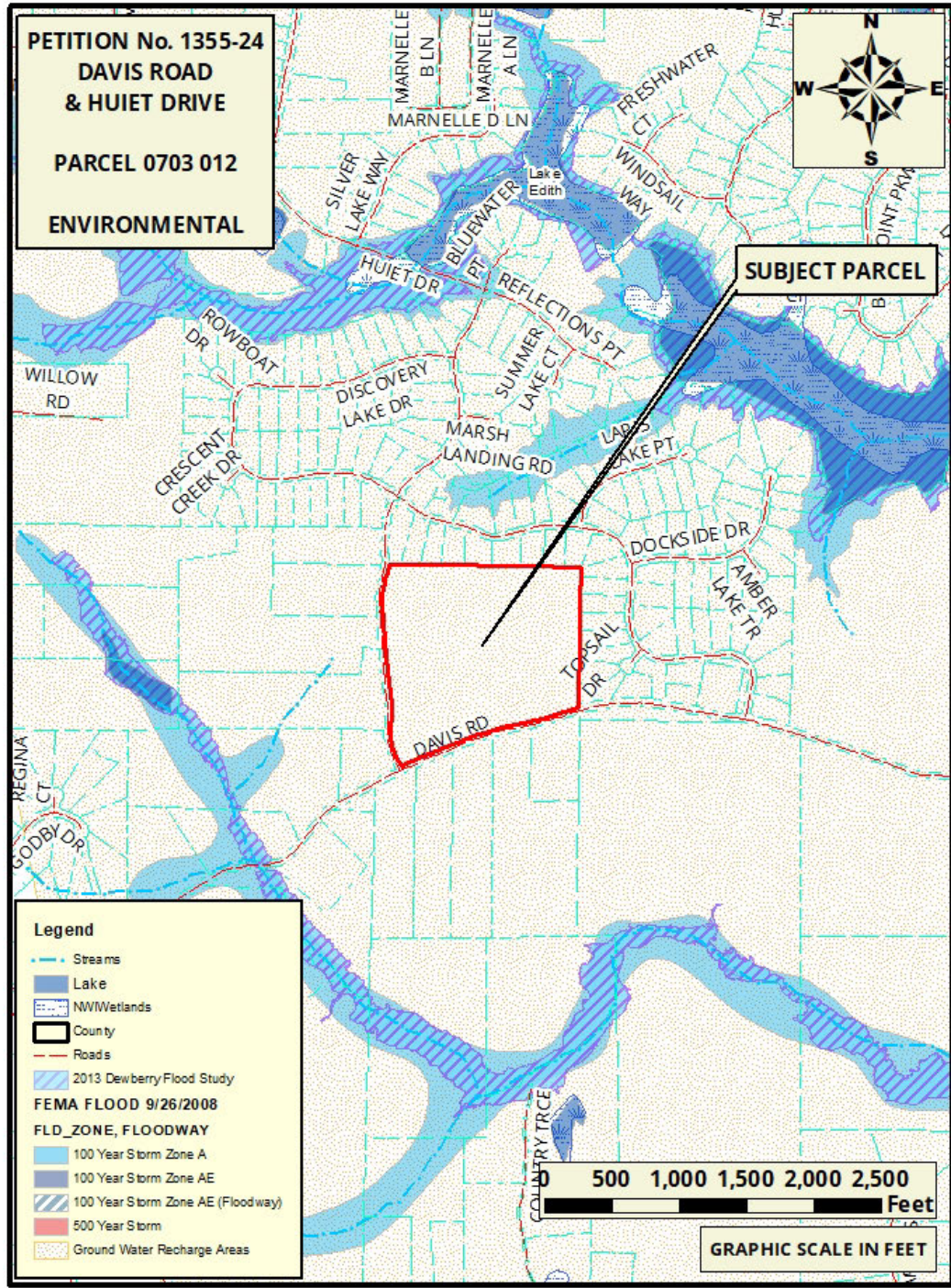
(d) *Dimensional requirements.* The minimum dimensional requirements in the R-75 zoning district shall be as follows:

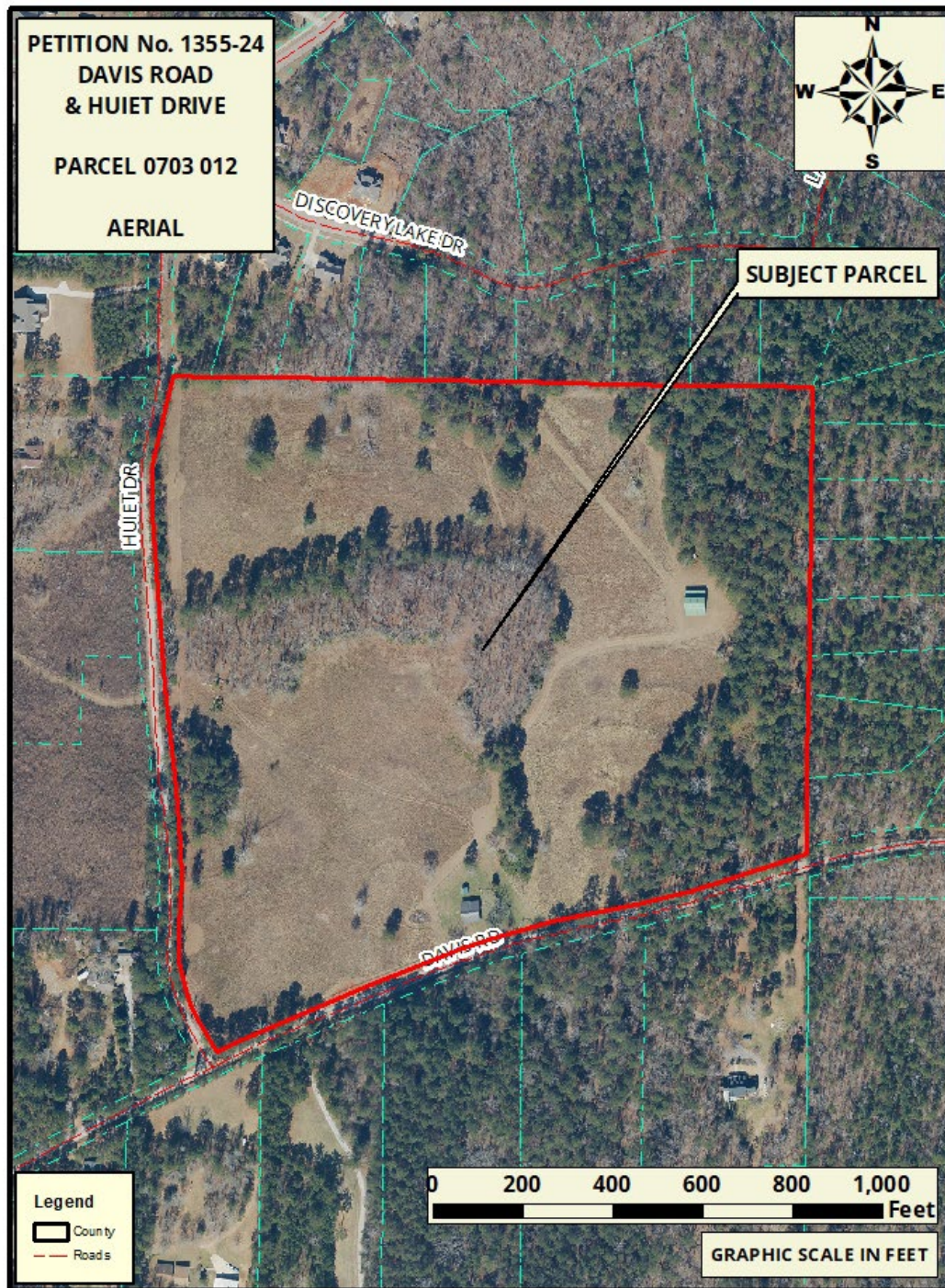
- (1) Lot area per dwelling unit: 87,120 square feet (two acres).
- (2) Lot width: 125 feet.
- (3) Floor area: 2,500 square feet.
- (4) Front yard setback:
 - a. Major thoroughfare:
 1. Arterial: 100 feet.
 2. Collector: 75 feet.
 - b. Minor thoroughfare: 50 feet.
- (5) Rear yard setback: 50 feet.
- (6) Side yard setback: 25 feet.
- (7) Height limit: 35 feet.

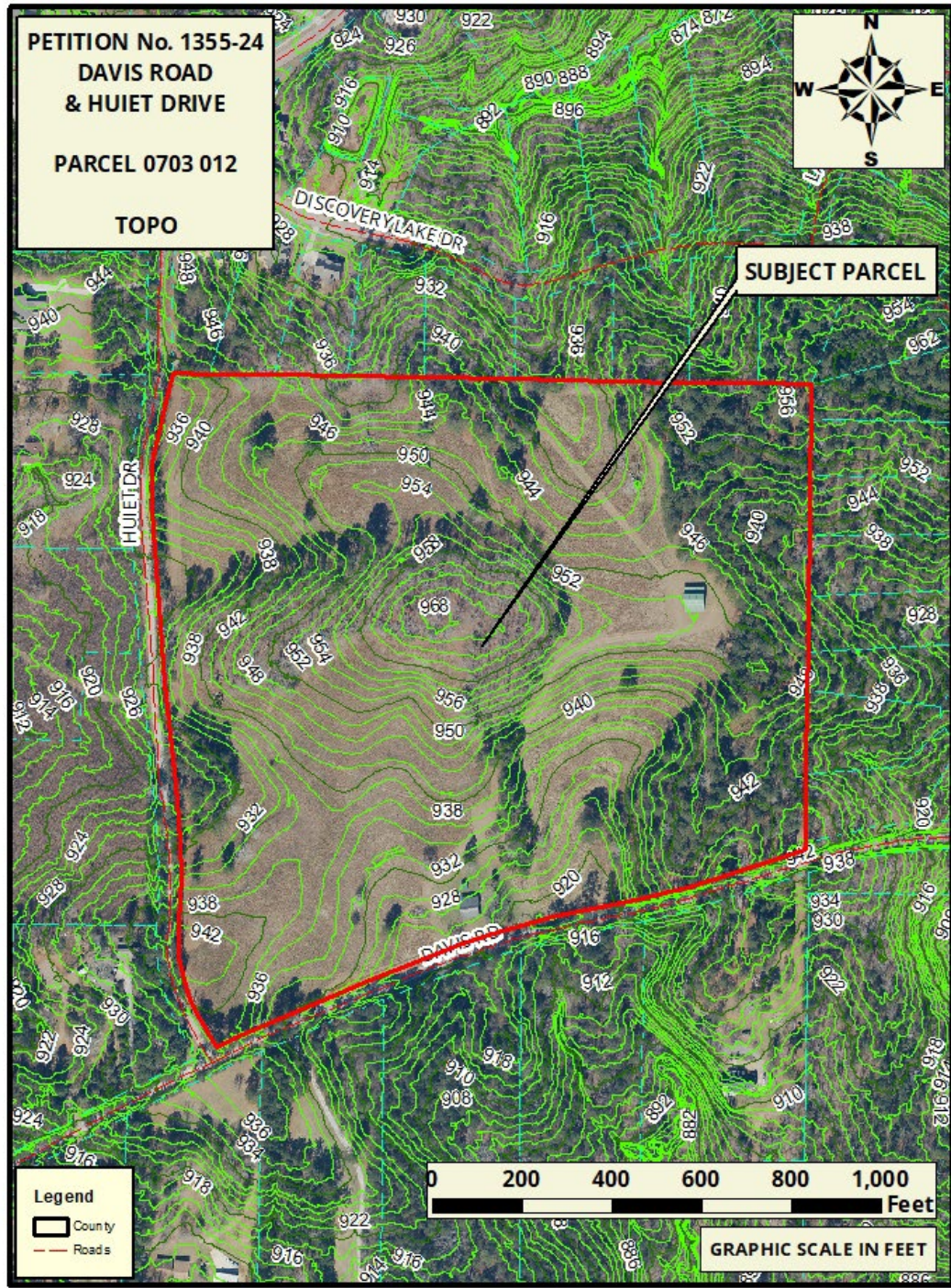














REZONING APPLICATION

TO AMEND THE OFFICIAL ZONING MAP
OF FAYETTE COUNTY, GA

A COMPLETE REZONING APPLICATION MUST BE SUBMITTED TO THE PLANNING AND ZONING DEPARTMENT BY 12:00 NOON ON THE TENTH (10th) DAY OF THE MONTH 2 MONTHS PRIOR TO HEARING DATE.

If the tenth day of the month is on a weekend or holiday, the application filing deadline is extended to the next business day (see Hearing Schedule on page 2).

Yield Plan: The Conservation Subdivision (C-S) and Estate Residential District (EST) zoning districts require a Yield Plan to be submitted prior to the Rezoning Application. The Yield Plan must be submitted via the County's online plan review program by 12:00 noon on the tenth day of the month. If the tenth day of the month is on a weekend or holiday, the application filing deadline is extended to the next business day. If a Yield Plan is in review and all departmental comments have not been addressed and approved by the advertising deadline, the application will be delayed until the next month for which it can be properly advertised. Please request a Yield Plan checklist.

Fayette County Planning and Zoning Department
140 Stonewall Avenue West, Suite 202
Fayetteville, GA 30214
Phone: 770- 305-5421
E-mail: zoning@fayettecountyga.gov

REZONING APPLICATION FILING FEES (per parcel being rezoned)

(based on number of acres to be rezoned)

0 to 5 Acres	\$250.00*
6 to 20 Acres	\$350.00*
21 to 100 Acres	\$450.00*
101 or more Acres	\$550.00*

450
40 (2x20)
490

*An additional \$20.00 deposit is required (per public hearing sign posted on property). If the sign frame(s) is returned to the Planning and Zoning Department within five (5) working days of the last applicable public hearing, the sign deposit will be reimbursed to the applicant. **The application filing fee and sign deposit may be combined on one (1) check made payable to Fayette County.** Application filing fees may be refunded ONLY when an application request is withdrawn in writing by the applicant PRIOR TO placement of the legal advertisement for said public hearing request (at least 30 days before scheduled Planning Commission public hearing).

A submittal that is missing any required documents, or that has inaccurate or out-of-date documents, is not considered a complete application, and may be moved to a later meeting date. Please refer to the checklist on page 10 for a list of required documents.

PETITION No.: 1355-24 Fees Due: _____ Sign Deposit Due: _____

STAFF USE ONLY

PROPERTY INFORMATION (please provide information for each parcel)

Parcel # (Tax ID): 0703-012 Acreage: 41.78 ACRES
Land District(s): 7H Land Lot(s): 28
Road Name/Frontage L.F.: DAVIS RD. - 1387.5' Road Classification: DAVIS RD. & HUIST DR.
Existing Use: AGRICULTURAL - HUIST DR. 1354.4' Proposed Use: RESIDENTIAL SUBDIVISION (COLLECTOR)
Structure(s): 2 Type: HOUSE & BARN (TO BE REMOVED) Size in SF: HOUSE - 864 SQ. FT. BARN - 2400 SQ. FT.
Existing Zoning: AR Proposed Zoning: R-75
Existing Land Use: AGRICULTURAL Proposed Land Use: RESIDENTIAL SUBDIVISION
Water Availability: YES Distance to Water Line: AT NORTHWEST PROPERTY CORNER Distance to Hydrant: SAME

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: _____

PETITION No (s): 1355.24

STAFF USE ONLY

POWER OF ATTORNEY FOR ANDREA CAMP
APPLICANT INFORMATION

Name JORDAN CAMP
Address [REDACTED]
City [REDACTED]
State [REDACTED]
Email [REDACTED]
Phone [REDACTED]

PROPERTY OWNER INFORMATION

Name ANDREA POPE CAMP
Address [REDACTED]
City [REDACTED]
State [REDACTED]
Email boyd2227@gmail.com
Phone 404-275-1677

AGENT(S) (if applicable)

Name RANDY M. BOYD
Address P.O. Box 64
City ZEBULON
State GA. Zip 30295
Email boyd2227@gmail.com
Phone 404-275-1677

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: Heborah Y Bell Date: 07/10/2024

DATE OF PLANNING COMMISSION HEARING: Sept 5, 2024

DATE OF COUNTY COMMISSIONERS HEARING: Sept. 26, 2024

Received from Southeastern Sand & Gravel LLC a check in the amount of \$ 490⁰⁰ for application filing fee, and \$ 40⁰⁰ ^{incl.} for deposit on frame for public hearing sign(s).

Date Paid: 07/10/2024 Receipt Number: 21419

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:

ANDREA POPE CAMP

(Please Print)

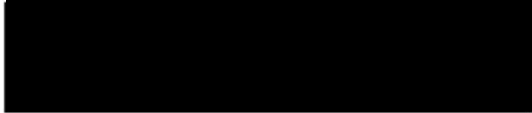
Property Tax Identification Number(s) of Subject Property: 0703 012

(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) 28 of the 7th District, and (if applicable to more than one land district) Land Lot(s) _____ of the _____ District, and said property consists of a total of 4.78 acres (legal description corresponding to most recent recorded plat for the subject property is attached herewith).

(I) (~~we~~) hereby delegate authority to RANDY M. BOYD 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.

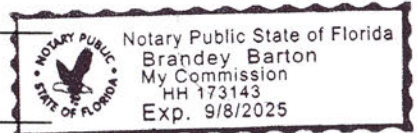
(I) (~~we~~) certify that all of the information filed with this application including written statements or showings made in any paper or plans submitted herewith are true and correct to the best of (my) (our) knowledge and belief. Further, (I) (~~we~~) understand that this application, attachments 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, P.O.A.



 Signature of Notary Public

07/08/2021
 Date



 Signature of Property Owner 2

 Signature of Notary Public

 Address

 Date

 Signature of Property Owner 3

 Signature of Notary Public

 Address

 Date

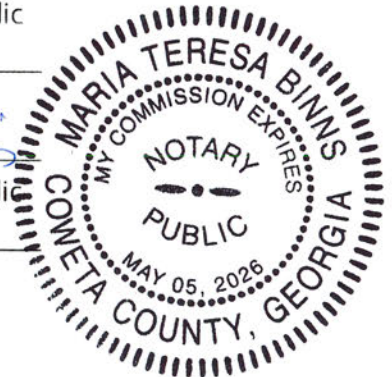
Randy M. Boyd
 Signature of Authorized Agent

Maria T. Binns
 Signature of Notary Public

P.O. Box 64

07/10/24
 Date

Zerwon, GA.
30295



PETITION No.: _____

OWNER'S AFFIDAVIT

(Please complete an affidavit for each parcel being rezoned)

NAME: ANDREA POPE CAMP

ADDRESS: _____

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

ANDREA POPE CAMP affirms that she is the owner or the specifically authorized agent of the property described below. Said property is located in a(n) AR Zoning District. ~~He~~/She respectfully petitions the County to rezone the property from its present classification and tenders herewith the sum of \$ 490.00 to cover all expenses of public hearing. ~~He~~/She petitions the above named to change its classification to R-75.

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 SEPTEMBER 5, 20 24 at 7:00 P.M.

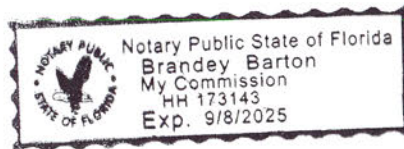
PUBLIC HEARING to be held by the Board of Commissioners of Fayette County on the day of SEPTEMBER 26, 20 24 at 500 P.M.

SWORN TO AND SUBSCRIBED BEFORE ME THIS 8th DAY OF July, 20 24

[Signature]
SIGNATURE OF PROPERTY OWNER, P.O.A.

[Signature]
SIGNATURE OF PROPERTY OWNER

NOTARY PUBLIC



AGREEMENT TO DEDICATE PROPERTY FOR FUTURE RIGHT-OF-WAY

I/We, ANDREA POPE CAMP, said property owner(s) of subject property requested to be rezoned, hereby agree to dedicate, at no cost to Fayette County, **40** feet of right-of-way along HUIET ROAD AND DAVIS ROAD 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:

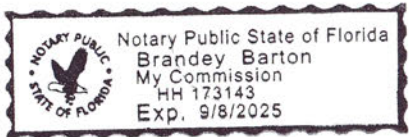
- Local Street (Minor Thoroughfare) 60-foot right-of-way (30' measured from each side of road centerline)
- Collector Street (Major Thoroughfare) 80-foot right-of-way (40' measured from each side of road centerline)
- Arterial Street (Major Thoroughfare) 100-foot right-of-way (50' measured from each side of road centerline)

Sworn to and subscribed before me this 8th day of July, 2024.

[Signature]
SIGNATURE OF PROPERTY OWNER, P.O.A.

[Signature]
SIGNATURE OF PROPERTY OWNER

NOTARY PUBLIC [Signature]



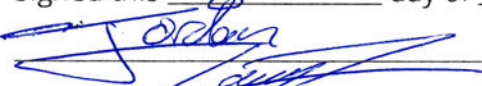
DEVELOPMENTS OF REGIONAL IMPACT (DRI)

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 8th day of July, 2024.


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
- 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).

DURABLE POWER OF ATTORNEY
FOR
FINANCIAL MATTERS FOR
ANDREA CAMP

State of Georgia
County of Fulton

DURABLE POWER OF ATTORNEY FOR FINANCIAL MATTERS

IMPORTANT INFORMATION REGARDING THIS DOCUMENT:

This power of attorney is consistent with and in compliance with the Georgia Standard form provided in O.C.G.A. §10-6B, the "Georgia Power of Attorney Act".

This power of attorney authorizes another person (your agent) to make decisions concerning your property for you (the principal). Your agent will be able to make decisions and act with respect to your property (including your money) whether or not you are able to act for yourself. The meaning of authority over subjects listed on this form is explained in O.C.G.A. §10-6B.

This power of attorney does not authorize the agent to make health care decisions for you.

You should select someone you trust to serve as your agent. Unless you specify otherwise, generally the agent's authority will continue until you die or revoke this power of attorney or the agent resigns or is unable to act for you.

Your agent is not entitled to any compensation unless you state otherwise in the Special Instructions. Your agent shall be entitled to reimbursement of reasonable expenses incurred in performing the acts required by you in your power of attorney.

This form provides for designation of one agent. If you wish to name more than one agent, you may name a successor agent or name a co-agent in the Special Instructions. Co-agents will not be required to act together unless you include that requirement in the Special Instructions.

If your agent is unable or unwilling to act for you, your power of attorney will end unless you have named a successor agent. You may also name a second successor agent.

This power of attorney shall be durable unless you state otherwise in the Special Instructions.

This power of attorney becomes effective immediately unless you state otherwise in the Special Instructions.

If you have questions about this power of attorney or the authority you are granting to your agent, you should seek legal advice before signing this form.

PART ONE

DESIGNATION OF AGENT(S)

I, ANDREA CAMP, name the following person as my agent:

My son, JORDAN CAMP

If my agent is unable or unwilling to act for me, I name as my successor-agent:

N/A

PART TWO

GRANT OF GENERAL AUTHORITY

I, ANDREA CAMP, grant my agent and any successor agent general authority, including but not limited to such authority described in O.C.G.A. §10-6B-40(c), to act for me with respect to the following subjects as defined in O.C.G.A. §10-6B:

(INITIAL each subject you want to include in the agent's general authority. If you wish to grant general authority over all of the subjects you may initial "All preceding subjects" instead of initialing each subject.)

_____ **(Initials)** 1. **Real Property.** To demand, buy, lease, receive, accept as a gift or as security for an extension of credit or otherwise acquire or reject an interest in real property or a right incident to real property. To sell; exchange; convey with or without covenants, representations or warranties; quitclaim; release; surrender; retain title for security; encumber; partition; consent to partitioning; subject to an easement or covenant; subdivide; apply for zoning or other governmental permits; plat or consent to platting; develop; grant an option concerning; lease; sublease; contribute to an entity in exchange for interest in that entity; or otherwise grant or dispose of an interest in real property or a right incident to real property. To pledge or mortgage an interest in real property or right incident to real property as security to borrow money or pay, renew, or extend the time of payment of a debt of mine or a debt guaranteed by me. To release, assign, satisfy or enforce by litigation or otherwise a mortgage, deed of trust, conditional sale contract, encumbrance, lien or other claim to real property which exists or is asserted. To manage or conserve an interest in real property or a right incident to real property owned or claimed to be owned by me, including: insuring against liability or casualty or other loss; obtaining or regaining possession of or protecting the interest or right by litigation or otherwise; paying, assessing, compromising, or contesting taxes or assessments or applying for and receiving refunds in connection with such taxes or assessments; and purchasing supplies, hiring assistance or labor, and making repairs or alterations to the

real property. To use, develop, alter, replace, remove, erect, or install structures or other improvements upon real property in or incident to which I have, or claim to have, an interest or right. To participate in a reorganization with respect to real property or an entity that owns an interest in or right incident to real property and receive, and hold, and act with respect to stocks and bonds or other property received in a plan of reorganization, including: selling or otherwise disposing of them; exercising or selling an option, right of conversion, or similar right with respect to them. To change the form of title of an interest in or right incident to real property, and to dedicate to public use, with or without consideration, easements or other real property in which I have, or claim to have, an interest. To record a power of attorney in connection with a conveyance involving real property pursuant to the authority described in O.C.G.A. §10-6B-19.

_____ **(Initials) 2. Tangible Personal Property.** To demand, buy, receive, accept as a gift or as security for an extension of credit, or otherwise acquire or reject ownership or possession of tangible personal property or an interest in tangible personal property. To sell; exchange; convey with or without covenants, representations, or warranties; quitclaim; release; surrender; create a security interest in; grant options concerning; lease; sublease; or otherwise dispose of tangible personal property or an interest in tangible personal property. To grant a security interest in tangible personal property or an interest in tangible personal property as security to borrow money or pay, renew, or extend the time of payment of a debt of mine or a debt guaranteed by me. To release, assign, satisfy, or enforce by litigation or otherwise, a security interest, lien, or other claim on behalf of me, with respect to tangible personal property or an interest in tangible personal property. To manage or conserve tangible personal property or an interest in tangible personal property on behalf of me, including: insuring against liability or casualty or other loss; obtaining or regaining possession of or protecting the property or interest by litigation or otherwise; paying, assessing, compromising, or contesting taxes or assessments or applying for and receiving refunds in connection with such taxes or assessments; moving the property from place to place; storing the property for hire or on a gratuitous bailment; and using and making repairs, alterations, or improvements to the property. To change the form of title of an interest in tangible personal property.

_____ **(Initials) 3. Stocks and Bonds.** To buy, sell, and exchange stocks and bonds. To establish, continue, modify, or terminate an account with respect to stocks and bonds. To pledge stocks and bonds as security to borrow, pay, renew or extend the time of payment of a debt of mine. To receive certificates and other evidences of ownership with respect to stocks and bonds.

_____ **(Initials) 4. Commodities and Options.** To buy, sell, exchange, assign, settle and exercise commodity futures contracts and call or put options on stocks or stock indexes traded on a regulated option exchange. To establish, continue, modify and terminate option accounts.

_____ **(Initials) 5. Banks and Other Financial Institutions.** To continue, modify, and terminate an account or other banking arrangement made by or on behalf of me. To establish, modify, and terminate an account or other banking arrangement with a bank,

trust company, savings and loan association, credit union, thrift company, brokerage firm, or other financial institution selected by my agent. To contract for services available from a financial institution, including renting a safe deposit box or space in a vault. To withdraw, by check, order, electronic funds transfer, or otherwise, money or property of mine deposited with or left in the custody of a financial institution. To receive statements of account, vouchers, notices, and similar documents from a financial institution and act with respect to them. To enter a safe deposit box or vault and withdraw or add to the contents. To borrow money and pledge as security personal property of mine necessary to borrow money or pay, renew, or extend the time of payment of a debt of mine or a debt guaranteed by me. To make, assign, draw, endorse, discount, guarantee, and negotiate promissory notes, checks, drafts and other negotiable or nonnegotiable paper of mine or payable to me or my order, transfer money, receive the cash or other proceeds of those transactions, and accept a draft drawn by a person upon me and pay it when due. To receive for me and act upon a sight draft, warehouse receipt, or other document of title whether tangible or electronic, or other negotiable or nonnegotiable instrument. To apply for, receive, and use letters of credit, credit and debit cards, electronic transaction authorizations, and traveler's checks from a financial institution and give an indemnity or other agreement in connection with letters of credit. To consent to an extension of the time of payment with respect to commercial paper or a financial transaction with a financial institution.

_____ **(Initials) 6. Operation of Entity or Business.** To operate, buy, sell, enlarge, reduce, or terminate an ownership interest. To perform a duty or discharge a liability and exercise in person or by proxy a right, power, privilege, or option that I have, may have or claim to have. To enforce the terms of an ownership agreement. To initiate, participate in, submit to alternative dispute resolution, settle, oppose, or propose or accept a compromise with respect to litigation to which I am a party because of an ownership interest. To exercise in person or by proxy, or enforce by litigation or otherwise, a right, power, privilege, or option I have or claim to have as the holder of stocks and bonds. To initiate, participate in, submit to alternative dispute resolution, settle, oppose or propose or accept a compromise with respect to litigation to which I am a party concerning stocks and bonds. With respect to an entity or business owned solely by me, to continue, modify, renegotiate, extend and terminate a contract made by or on behalf of me with respect to the entity or business before execution of this power of attorney; to determine the location of its operation, the nature and extent of its business, the methods of manufacturing, selling, merchandising, financing, accounting and advertising employed in its operation, the amount and types of insurance carried, and the mode of engaging, compensating and dealing with its employees and accountants, attorneys or other advisors; to change the name or form of organization under which the entity or business is operated and enter into an ownership agreement with other persons to take over all or part of the operation of the entity or business; and to demand and receive money due or claimed by me or on my behalf in the operation of the entity or business and control and disburse the money in the operation of the entity or business. To put additional capital into an entity or business in which I have an interest. To join in a plan of reorganization, consolidation, conversion, domestication or merger of the entity or business. To sell or liquidate all or part of an entity or business. To establish the value of an entity or

business under a buy-out agreement to which I am a party. To prepare, sign, file and deliver reports, compilations of information, returns or other papers with respect to an entity or business and make related payments. To pay, compromise or contest taxes, assessments, fines or penalties and perform any other act to protect me from illegal or unnecessary taxation, assessments, fines or penalties, with respect to an entity or business, including attempts to recover, in any manner permitted by law, money paid before or after the execution of this power of attorney. To exercise any fiduciary powers granted to me as they relate to any associated ownership interest, provided those powers are expressly and clearly identified in the Special Instructions herein and provided I specifically identify the individual(s), estate(s), trusts(s), or other legal or commercial entity or entities for whom I act as a fiduciary.

____ (Initials) 7. **Insurance and Annuities.** To continue, pay the premium or make a contribution on, modify, exchange, rescind, release or terminate a contract procured by me, or on behalf of me, which insures or provides an annuity to either me or another person, whether or not I am a beneficiary under the contract. To procure new, different and additional contracts of insurance and annuities for me and my spouse, children and other dependents, and select the amount, type of insurance or annuity, and mode of payment. To pay the premium or make a contribution on, modify, exchange, rescind, release or terminate a contract of insurance or annuity procured by my agent. To apply for and receive a loan secured by a contract of insurance or annuity. To surrender and receive the cash surrender value on a contract of insurance or annuity. To exercise an election. To exercise investment powers available under a contract of insurance or annuity. To change the manner of paying premiums on a contract of insurance or annuity. To change or convert the type of insurance or annuity with respect to which I have or claim to have authority described in O.C.G.A. §10-6B-49. To apply for and procure a benefit or assistance under a law or regulation to guarantee or pay premiums of a contract of insurance on my life. To collect, sell, assign, hypothecate, borrow against or pledge my interest in a contract of insurance or annuity. To select the form and timing of the payment of proceeds from a contract of insurance or annuity. To pay, from proceeds or otherwise, compromise or contest, and apply for refunds in connection with, a tax or assessment levied by a taxing authority with respect to a contract of insurance or annuity or its proceeds or liability accruing by reason of such tax or assessment.

____ (Initials) 8. **Estates, Trusts and Other Beneficial Interests.** To accept, receive, receipt for, sell, assign, pledge or exchange a share in or payment from an estate, trust, or other beneficial interest. To demand or obtain money or any other thing of value to which I am, may become or claim to be, entitled by reason of an estate, trust or other beneficial interest, by litigation or otherwise. To exercise for my benefit a presently exercisable general power of appointment held by me. To initiate, participate in, submit to alternative dispute resolution, settle, oppose or propose or accept a compromise with respect to litigation to ascertain the meaning, validity or effect of a deed, will, declaration of trust or other instrument or transaction affecting my interest. To initiate, participate in, submit to alternative dispute resolution, settle, oppose or propose or accept a compromise with respect to litigation to remove, substitute, or surcharge a fiduciary. To conserve, invest, disburse or use anything received for an authorized purpose. To create, amend, and/or

revoke a revocable trust so long as the terms of the trust only authorize distributions that would be allowable under a power of attorney if I held the trust assets outright and so long as the terms of the trust provide for the distribution of all trust assets to my estate upon my death. To transfer an interest of mine in real property, stocks and bonds, accounts with financial institutions or securities intermediaries, insurance, annuities and other property to the trustee of a revocable trust created by me as grantor or settlor. With respect to a bona fide dispute, to consent to a reduction in or modification of a share in or payment for an estate, trust or other beneficial interest.

____ (Initials) 9. **Claims and Litigation.** To assert and maintain before a court or administrative agency a claim, claim for relief, cause of action, counterclaim, offset, recoupment or defense, including an action to recover property or any other thing of value, recover damages sustained by me, eliminate or modify tax liability, or seek an injunction, specific performance, or other relief. To bring an action to determine adverse claims or intervene or otherwise participate in litigation. To seek an attachment, garnishment, order of arrest or other preliminary, provisional or intermediate relief and use an available procedure to effect or satisfy a judgment, order or decree. To make or accept a tender, offer of judgment or admission of facts; submit a controversy on an agreed statement of facts; consent to examination; and bind me in litigation. To submit to alternative dispute resolution, settle and propose or accept a compromise. To waive the issuance and service of process upon me; accept service of process; appear for me; designate persons upon which process directed to me may be served; execute and file or deliver stipulations on my behalf; verify pleadings; seek appellate review; procure and give surety and indemnity bonds; contract and pay for the preparation and printing of records and briefs; receive, execute and file or deliver a consent, waiver, release, confession of judgment, satisfaction of judgment, notice, agreement or other instrument in connection with the prosecution, settlement, or defense of a claim or litigation. To act for me with respect to bankruptcy or insolvency, whether voluntary or involuntary, concerning me or some other person, or with respect to a reorganization, receivership or application for the appointment of a receiver or trustee which affects an interest of mine in property or any other thing of value. To pay a judgment, award or order against me or a settlement made in connection with a claim or litigation. To receive money or any other thing of value paid in settlement of or as proceeds of a claim or litigation.

____ (Initials) 10. **Personal and Family Maintenance.** To perform the acts necessary to maintain my customary standard of living and the customary standard of living of my spouse and the following individuals, whether living when this power of attorney is executed or later born: my minor children, my adult children who are pursuing a postsecondary school education and are under twenty-five (25) years of age, my parents or my spouse's parents or my minor dependents who are not also my children, if I had established a pattern of such payments, my adult descendants who are not also my children who are pursuing a postsecondary school education and are under twenty-five (25) years of age provided I had established a pattern of such payments, and any other individuals legally entitled to be supported by me. To make periodic payments of child support and other family maintenance required by a court or governmental agency or an agreement to which I am a party. To provide living quarters for the individuals described

in this paragraph by purchase, lease or other contract; or paying the operating costs, including interest, amortization payments, repairs, improvements and taxes, for premises owned by me or occupied by those individuals. To provide normal domestic help, usual vacations and travel expenses, and funds for shelter, clothing, food, appropriate education, including postsecondary and vocational education, and other current living costs for individuals described in this paragraph to enable such individuals to maintain their customary standard of living. To pay expenses for necessary health care and custodial care on behalf of the individuals described in this paragraph. To act as my personal representative pursuant to the Health Insurance Portability and Accountability Act, §§1171-1179 of the Social Security Act, 42 U.S.C. §1320d, in effect on February 1, 2018, and applicable regulations in effect on February 1, 2018 (the "Act"), in making decisions related to the past, present or future payment for the provision of health care consented to by me or anyone authorized under the laws of this state to consent to health care on my behalf. To continue any provision made by me for automobiles or other means of transportation, including registering, licensing, insuring and replacing them, for the individuals described in this paragraph. To maintain credit and debit accounts for the convenience of the individuals described in this paragraph and open new accounts. To continue payments incidental to my membership or affiliation in a religious institution, club, society, order or other organization or to continue contributions to those organizations. Authority with respect to personal and family maintenance shall be neither dependent upon, nor limited by, authority that the agent may or may not have with respect to gifts under O.C.G.A. §10-6B-56.

_____ **(Initials) 11. Benefits from Governmental Programs or Civil or Military Service.**

To execute vouchers in my name for allowances and reimbursements payable by the United States or a foreign government or by a state or political subdivision of a state to me, including allowances and reimbursements for transportation of the individuals described in paragraph (1) of subsection (a) of O.C.G.A. §10-6B-52, and for shipment of their household effects. To take possession and order the removal and shipment of property of mine from a post, warehouse, depot, dock or other place of storage or safekeeping, either governmental or private, and execute and deliver a release, voucher, receipt, bill of lading, shipping ticket, certificate or other instrument for such purpose. To enroll in, apply for, select, reject, change, amend or discontinue, on my behalf, a benefit or program. To prepare, file, and maintain a claim of mine for a benefit or assistance, financial or otherwise, to which I may be entitled under a law or regulation. To initiate, participate in, submit to alternative dispute resolution, settle, oppose or propose or accept a compromise with respect to litigation concerning any benefit or assistance I may be entitled to receive under a law or regulation. To receive the financial proceeds of a claim described in paragraph (4) of O.C.G.A. §10-6B-53 and conserve, invest, disburse or use for a lawful purpose anything so received.

_____ **(Initials) 12. Retirement Plans.** To select the form and timing of payments under a retirement plan and withdraw benefits from a plan. To make a rollover, including a direct trustee-to-trustee rollover, of benefits from one retirement plan to another. To establish a retirement plan in my name. To make contributions to a retirement plan. To exercise

investment powers available under a retirement plan. To borrow from, sell assets to, or purchase assets from a retirement plan.

_____ **(Initials) 13. Taxes.** To prepare, sign and file federal, state, local, and foreign income, gift, payroll, property, Federal Insurance Contributions Act and other tax returns, claims for refunds, requests for extension of time, petitions regarding tax matters and any other tax-related documents, including receipts, offers, waivers and consents, including consents and agreements under I.R.C. §2032A, 26 U.S.C. §2032A, in effect on February 1, 2018, closing agreements, and any power of attorney required by the Internal Revenue Service (the "IRS") or other taxing authority with respect to a tax year upon which the statute of limitations has not run and the following twenty-five (25) tax years. To pay taxes due, collect refunds, post bonds, receive confidential information and contest deficiencies determined by the IRS or other taxing authority. To exercise any election available to me under federal, state, local or foreign tax law. To act for me in all tax matters for all periods before the IRS, or other taxing authority.

_____ **(Initials) 14. All Preceding Subjects.**

PART THREE

GRANT OF SPECIFIC AUTHORITY

My agent SHALL NOT have the power to do any of the following specific acts for me UNLESS I have INITIALED the specific authority listed below:

(CAUTION: Granting any of the following powers will give your agent the authority to take actions that could significantly reduce your property or change how your property is distributed at your death. INITIAL ONLY the specific authority you WANT to give your agent. You may give your agent specific instructions in the Special Instructions when you authorize your agent to make gifts.)

_____ **(Initials) 1. Inter Vivos Trust.** To create, fund, amend, revoke, or terminate an inter vivos trust.

_____ **(Initials) 2. Gifts.** To make a gift, subject to the limitations of O.C.G.A. §10-6B-56 and any Special Instructions in this power of attorney. To make outright to, or for the benefit of, a person, a gift of any of my property, including by the exercise of a presently exercisable general power of appointment held by me, (a) in an amount per donee not to exceed the annual dollar limits of the federal gift tax exclusion under I.R.C. §2503(b), 26 U.S.C. §2503(b), in effect on February 1, 2018, without regard to whether the federal gift tax exclusion applies to the gift, or (b) in the event that my spouse agrees to consent to a split gift pursuant to I.R.C. §2513, 26 U.S.C. §2513, in effect on February 1, 2018, in an amount per donee not to exceed twice the annual federal gift tax exclusion limit; and to consent, pursuant to I.R.C. §2513, 26 U.S.C. §2513, in effect on February 1, 2018, to the

splitting of a gift made by my spouse in an amount per donee not to exceed the aggregate annual gift tax exclusions for both spouses.

- _____ (Initials) 3. **Rights of Survivorship.** To create or change rights of survivorship.
- _____ (Initials) 4. **Beneficiary Designation.** To create or change a beneficiary designation.
- _____ (Initials) 5. **Authorization to Another Person.** To authorize another person to exercise the authority granted under this power of attorney.
- _____ (Initials) 6. **Beneficiary Waiver.** To waive my right to be a beneficiary of a joint and survivor annuity, including a survivor benefit under a retirement plan.
- _____ (Initials) 7. **Electronic Communications.** To access the content of electronic communications.
- _____ (Initials) 8. **Fiduciary Powers.** To exercise fiduciary powers that I have authority to delegate and that are expressly and clearly identified (including the identity of the each person for whom I act as a fiduciary) in the Special Instructions herein.
- _____ (Initials) 9. **Interest in Property.** To disclaim or refuse an interest in property, including a power of appointment.

PART FOUR

LIMITATION ON AGENT'S AUTHORITY

An agent who is not my ancestor, spouse or descendant SHALL NOT use my property to benefit the agent or a person to whom the agent owes an obligation of support unless I have included that authority in the Special Instructions.

PART FIVE

SPECIAL INSTRUCTIONS

(You may give special instructions on the following lines. You may add lines or place your special instructions in a separate document and attach it to this power of attorney):

Certain Policies of Life Insurance. Notwithstanding any other provision herein, no powers stated or granted herein and conferred on my agent shall be construed to grant or transfer to said attorney any "incidents of ownership" within the meaning of that phrase under I.R.C. §2042 in a policy or policies of life insurance owned by me on said agent's life.

Additional Powers. In addition to the special instructions and powers granted in the preceding paragraphs of this page and in the preceding pages of this Durable Power of Attorney for Financial Matters, I expressly and specifically grant my agent the following powers. These powers are granted in addition to any powers conferred by the provisions of this Durable Power of Attorney for Financial Matters, by Georgia statutes and/or by general rules of law, and with the direction that a grant of a specific power shall not be construed as a limitation of any general power granted herein, by statute or by law, all of which may be exercised by my agent.

1. **Lend or borrow money.** To loan or borrow money and to give or take collateral therefor on such terms as my attorney may deem best, and to evidence the same by notes or other agreements containing such terms and conditions as my attorney may think fit.

2. **Exercise Limited Powers of Appointment.** To exercise any and all limited powers of appointment granted to me under any trust or trusts, without regard to whether the trust agreement or other governing instrument for such trust was executed before or after the date of this Durable Power of Attorney for Financial Matters, and to exercise any powers exercisable by me as the grantor of any trust, including, but not limited to, powers pursuant to I.R.C. §675(4)(C).

3. **Waiver of attorney-client privilege.** For me and in my name, place and stead, to seek and compel any attorney retained by me at anytime and on any matter whatsoever to release any information prepared for me or on my behalf or to divulge any communications by and between myself and said attorney which are protected by the attorney-client privilege, and to receive, retain and protect said information or communications under the attorney-client privilege.

4. **Waiver of physician-patient privilege.** For me and in my place and stead, to seek and compel any physician retained by me at anytime or on any matter whatsoever to release any information prepared for me or on my behalf or to divulge any communications by and between myself and said physician which are protected by the physician-client privilege, and to receive, retain and protect such information under the physician-client privilege. It is my intent that my attorney be treated as if said attorney were me with respect to my rights regarding the access, use and disclosure of my medical records or other health information. Specifically, my attorney shall be considered my personal representative to access, use and disclose any information governed by the Act. I authorize all medical personnel, health care providers, insurance companies and health care information clearing houses covered by the Act to release and disclose to my attorney without any restriction and without limitation all of my health information and medical records.

PART SIX

EFFECTIVE DATE

This power of attorney is effective immediately unless I have stated otherwise in the special instructions.

PART SEVEN

NOMINATION OF CONSERVATOR

If it becomes necessary for a court to appoint a conservator of my estate, I nominate my agent, as named herein, to be appointed as conservator.

PART EIGHT

RELIANCE ON THIS POWER OF ATTORNEY

Any person, including my agent, may rely upon the validity of this power of attorney or a copy of it unless that person has actual knowledge it has terminated or is invalid.

[SIGNATURES AND ACKNOWLEDGEMENTS ARE CONTAINED ON THE FOLLOWING PAGE.]

IN WITNESS WHEREOF, this Durable Power of Attorney for Financial Matters is executed under seal this 30 day of October, 2023.



ANDREA CAMP (SEAL)

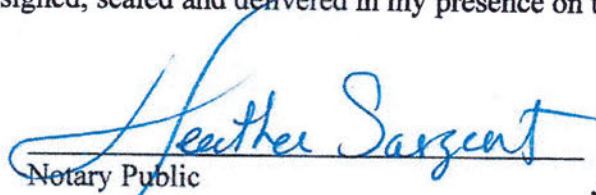
This document was signed, sealed and delivered in the presence of:



Witness Name:

State of Georgia
County of Fulton

This document was signed, sealed and delivered in my presence on the date written above by ANDREA CAMP.



Notary Public

[NOTARY SEAL]



This document was prepared by the firm of Smith, Gambrell & Russell, LLP.

SGR/43032575.1

Doc ID: 008642670001 Type: ESTD
 Recorded: 08/29/2011 at 08:00:00 AM
 Fee Amt: \$10.00 Page 1 of 1
 Transfer Tax: \$0.00
 Fayette, Ga. Clerk Superior Court
 Sheila Studdard Clerk of Court
 BK 3788 PG 453

EXECUTOR'S DEED OF ASSENT

James F. Biles
 245 Mimosa Drive
 Fayetteville, GA 30214

STATE OF GEORGIA
 COUNTY OF FAYETTE

THIS INDENTURE, made this 27th day August, 2011, between ANDREA POPE CAMP as Executor of the Estate of MILDRED MERONEY POPE, deceased, of Fayette County, Georgia, Party of the First Part, and ANDREA POPE CAMP, hereinafter called Party of the Second Part.

WITNESSETH:

The First Party is the duly qualified and acting Executor of the Estate of MILDRED MERONEY POPE, who died seized and possessed of the property hereunder described. Said executor was appointed in the Probate Court of Fayette County, Georgia. The Order of the Probate Court admitted the Will to record in solemn form on July 19, 2011. Under the terms of the appointment the Executor is authorized to transfer said property to Party of the Second Part.

NOW THEREFORE, under and pursuant to the authority conferred upon her, and in consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration, the First Party hereby grants, bargains, sells and conveys unto the Second Party, her heirs and assigns, the deceased's interest in the following described real property situated in Fayette County, Georgia:

ALL THAT TRACT or parcel of land lying and being in Land Lot 28 of the 7th District of Fayette County, Georgia and being more particularly described as follows:

BEGINNING at an iron pin found marking the Northeast intersection of Davis Road and Huiet Road; running thence Northerly along the Easterly side of Huiet Road and following the curvature thereof, 1554.4 feet to an iron pin found; thence North 89 degrees 16 minutes East, 1432 feet to an iron pin found; thence 0 degrees 59 Minutes East, 1045.7 feet to an iron pin found on the Northerly side of Davis Road; thence Southwesterly along the right of way of Davis Road, 1387.5 feet to Huiet Road and the point of beginning; containing 41.78 acres as per survey of Richard T. Conner, dated November 3, 1970.

TO HAVE AND TO HOLD the same unto the Party of the Second Part, her heirs and assigns.

And the Party of the First Part does warrant that the deceased had good title to said property and does hereby warrant the title unto the Party of the Second Part, and will defend the same against the claims of all persons whomsoever.

IN WITNESS WHEREOF, the said Party of the First Part has caused these presents to be executed and has hereunto set her hand and seal, the day and year first above-written.

Signed, sealed and delivered
 In the presence of:

James F. Biles
 Notary Public
 FAYETTE COUNTY, GEORGIA
 NOVEMBER 1, 2011

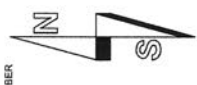
Andrea Pope Camp
 ANDREA POPE CAMP, Executor of the
 Estate of MILDRED MERONEY POPE,
 Deceased



S.A. GASKINS & ASSOCIATES, LLC
 SURVEYORS, PLANNERS, DEVELOPMENT CONSULTANTS
 P.O. BOX 903 BROOKS, GA 30205
 678-571-3154
 rdgaskins79@gmail.com

CONCEPT PLAN
 Land Lot 28 Of The 7th Land District
 Fayette County, Georgia

- LEGEND**
- REF=REBAR FOUND
 - RES=REBAR SET
 - PP=PIPE
 - LL=LAND LOT
 - CC=CONSTRUCTION ENTRANCE
 - EP=EDGE OF PAVEMENT
 - P.O.B.=POINT OF BEGINNING
 - PL=PLANNING LINE
 - D.E.=DRAINAGE EASEMENT
 - NF=NOW OR FORMERLY
 - F.W.P.D.=FIELD WORK
 - OP=OUT OF FLOOD PLAN
 - DR=DEED BOOK
 - PP=PLAT BOOK
 - PH=HOUSE NUMBER



HUIET DRIVE
 20'± WIDE DIRT/GRAVEL

OWNER: ANDREA POPE CAMP - DEED BOOK 3786, PAGE 453
 SITE AREA = 41.78 ACRES
 TAX PARCEL NO. 0783 012
 EXISTING ZONING: AR - AGRICULTURAL RESIDENTIAL
 LAND USE PLAN DESIGNATION: RURAL RESIDENTIAL - 2 (1 UNIT/2 ACRES)
 PROPOSED ZONING: R-75 SINGLE FAMILY RESIDENTIAL
 MINIMUM LOT SIZE = 2.00 ACRES
 SETBACKS: FRONT - 100' ARTERIAL
 FRONT - 75' LOCAL
 SIDE - 25'
 REAR - 50'
 MINIMUM HOUSE SIZE 2500 SQ. FT.
 MINIMUM LOT WIDTH AT BUILDING LINE: 125'
 EXISTING WATERLINE LOCATED AT THE NORTHWEST CORNER OF THIS SITE.
 THE PROPERTY INFORMATION TAKEN FROM DEED BOOK 3786, PAGE 453 AND FROM OPUBLIC.NET, FAYETTE COUNTY, GA, WEBSITE.
 DAVIS ROAD AND HUIET ROAD ARE CLASSIFIED AS A COLLECTOR ROAD ON THE FAYETTE COUNTY THROUGHFARE PLAN PURSUANT TO CHAPTER 104, ARTICLE 11, SECTION 104-11-01 OF THE FAYETTE COUNTY CODE. A MINIMUM RIGHT-OF-WAY OF 80 FEET IS REQUIRED FOR A COLLECTOR ROAD.
 THE FINAL DESIGN WILL BE BASED ON A CURRENT BOUNDARY SURVEY, A LEVEL III SOILS ANALYSIS AND A 2 FOOT CONTOUR TOPOGRAPHICAL SURVEY.



Job No. 19-047	Drawn By: _____	Revised By: _____
	R.D.G.	R.M.B.
	Issue Date: 07/09/24	
	F.W.P.D.: N/A	Date
	Revisions	

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, Sep-
 tember 5, 2024, at 7:00 P.M., and
 before the Fayette County Board of
 Commissioners on Thursday, Sep-
 tember 26, 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.: 1355-24
 Owner/Agent: Andrea Pope Camp
 & Jordan Camp/
 Randy M. Boyd, Agent
 Existing Zoning District: A-R
 Proposed Zoning District: R-75
 Parcel Number: 0703 012
 Area of Property: 41.78 acres
 Proposed Use: Residential
 Land Lot(s)/District: Land lot 28
 of the 7th District
 Fronts on: Davis Road and Huiet
 Drive
 Request: Rezone from A-R to R-75
 for the purposes of creating addi-
 tional lots without any new infra-
 structure.

PROPERTY DESCRIPTION
 EXHIBIT "A"

ALL THAT TRACT or parcel of land
 lying and being In Land Lot 28 of
 the 7th District of Fayette County,
 Georgia, and being more particu-
 larly described as follows : BEGIN-
 NING at an iron pin found marking
 the Northeast intersection of Davis
 Road and Huiet Road; running
 thence Northerly along the Easterly
 side of Huiet Road and following
 the curvature thereof, 1554.4 feet to
 an iron pin found; thence North 89
 0 16 r East, 1432 feet to an Iron pin
 found; thence South 0 0 59' East,
 1045.7 feet to an iron pin found on
 Che Northerly side of Davis Road;
 thence Southwesterly along the
 right of way of Davis Road, 1387.5
 feet to Huiet Road and the point of
 beginning; containing 41.78 acres
 as per survey of Richard T. Conner,
 dated November 3, 1970.

08/14

BID NOTICE

Fayette County, Georgia invites you
 to submit a bid for construction of
 a multiuse tunnel under Redwine
 Road. Bids will be received until
 3:00pm on Wednesday, Septem-
 ber 4, 2024. For the complete list
 of specifications, requirements
 and other relevant information,
 Invitation to Bid #2455-B Starrs
 Mill School Tunnel Construction
 are available for download on the
 Fayette County website at: [http://
 www.fayettcountyga.gov/pur-
 chasing/quotes_and_proposals.
 htm](http://www.fayettcountyga.gov/purchasing/quotes_and_proposals.htm) or email Sherry White at

PETITION NO: TA-0003-24

REQUESTED ACTION: Amend Sec. 110-175

In accordance with amendments to the State Zoning Procedure Laws, staff is presenting a recommendation to delete Sec. 110-175. (2) a., deleting Drug abuse treatment facility as a Special Use of Property, in its entirety, to be replaced by:

- a. Reserved.

STAFF RECOMMENDATION: Staff recommends approval of this amendment.

PLANNING COMMISSION PUBLIC HEARING: September 5, 2024

BOARD OF COMMISSIONERS PUBLIC HEARING: September 26, 2024

STAFF RECOMMENDATION FOR A TEXT AMENDMENT:

TA-0003-24 -- In accordance with amendments to the State Zoning Procedure Laws, staff is presenting a recommendation to delete Sec. 110-175. (2) a., deleting Drug abuse treatment facility as a Special Use of Property, in its entirety, to be replaced by:

- a. Reserved.

Sec. 110-175. Special use of property.

Special uses of property 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 permit for a special use of property for each use listed below upon compliance with all specified conditions and approvals by the appropriate state and county officials.

(1) *Special regulations.* Prior to issuance of a special use of property permit and/or a 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 special uses of property allowed within the various zoning districts.

(2) *Special uses of property allowed.*

- a. Reserved.

~~a. Drug abuse treatment facility. Allowed in the O-I zoning district.~~

~~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 vegetated buffer with a four-foot decorative fence shall be provided along all boundaries that abut any residential or A-R zoning district, irrespective of the use of the abutting property.~~

~~4. All building setbacks shall be measured from the required buffers.~~

~~5. Minimum setbacks:~~

~~i. Front yard: 100 feet~~

~~ii. Side yard: 50 feet~~

~~iii. Rear yard: 50 feet~~

~~6. The facility shall also be approved and licensed by the Georgia Department of Community Health.~~

~~7. The use shall meet the public notice and public hearing requirements as set forth in O.C.G.A. § 36-66-4(f).~~

(Ord. No. 2023-06, § 1, 7-27-2023; Ord. No. 2023-07, § 1, 7-27-2023)

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 September 5, 2024, at 7:00 P.M. and before the Fayette County Board of Commissioners on September 26, 2024, 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. 110-175. - SPECIAL USE OF PROPERTY.

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 14th day of August 2024.

Deborah Bell, Director
Planning and Zoning

08/14

PETITION NO: TA-0004-24

REQUESTED ACTION: Amend Sec. 110-169

Staff is presenting a recommendation to add Sec. 110-169.(2)s-1. - Drug abuse treatment facility as a Conditional Use in the O-I (Office-Institutional) Zoning District (please refer to pages 13-14 of the accompanying document).

STAFF RECOMMENDATION: Staff recommends approval of this amendment.

PLANNING COMMISSION PUBLIC HEARING: September 5, 2024

BOARD OF COMMISSIONERS PUBLIC HEARING: September 26, 2024

STAFF RECOMMENDATION FOR A TEXT AMENDMENT:

TA-0004-24 -- Staff is presenting a recommendation to add Sec. 110-169.(2)s-1 - Drug abuse treatment facility as a Conditional Use in the O-I (Office-Institutional) Zoning District (please refer to pages 13-14 of this document).

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.*

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.

(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-I 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.

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.
 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).
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.).

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.

l. *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.

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.

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.

s-1. Drug abuse treatment facility. Allowed in the O-I zoning district.

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 vegetated buffer with a four-foot decorative fence shall be provided along all boundaries that abut any residential or A-R zoning district, irrespective of the use of the abutting property.
4. All building setbacks shall be measured from the required buffers.
5. Minimum setbacks:
 - i. Front yard: 100 feet
 - ii. Side yard: 50 feet
 - iii. Rear yard: 50 feet

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".

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.

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.

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.

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. *Kennel.* 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. 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.

kk. *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.

ll. *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. *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.

nn. *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.

oo. *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.

pp. *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.

qq. *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.

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.

rr. *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. ss. *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".

tt. *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.

uu. *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.

vv. *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.

ww. *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.

xx. *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)

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 September 5, 2024, at 7:00 P.M, and before the Fayette County Board of Commissioners on September 26, 2024, 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. - CONDITIONAL USE APPROVAL.

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 14th day of August 2024.

Deborah Bell, Director
Planning and Zoning

08/14

PETITION NO: TA-0005-24

REQUESTED ACTION: Amend Sec. 110-142

Staff is presenting a recommendation to amend Sec. 110-142. – O-I, Office-Institutional District, to delete Sec. 110-142. (i) (1)., deleting drug abuse treatment facility as a special use of property allowed in the O-I zoning district, to be replaced by:

(1) Reserved.

And by adding drug abuse treatment facility as a conditional use in the O-I zoning district as Sec. 110-142. (d)(13). (Please refer to pages 3 and 7 of the accompanying document for redline changes.)

STAFF RECOMMENDATION: Staff recommends approval of this amendment.

PLANNING COMMISSION PUBLIC HEARING: September 5, 2024

BOARD OF COMMISSIONERS PUBLIC HEARING: September 26, 2024

STAFF RECOMMENDATION FOR A TEXT AMENDMENT:

TA-0005-24 -- In accordance with amendments to the State Zoning Procedure Laws, staff is presenting a recommendation to amend Sec. 110-142. – O-I, Office-Institutional District, to delete Sec. 110-142. (i) (1)., deleting drug abuse treatment facility as a special use of property allowed in the O-I zoning district, to be replaced by:

- (1) Reserved.

And by adding drug abuse treatment facility as a conditional use in the O-I zoning district as Sec. 110-142. (d)(13). (Please refer to pages 3 and 7 of this document for redline changes.)

Sec. 110-142. O-I, Office-Institutional District.

(a) *Description of district.* This district is composed of certain lands and structures having office and institutional uses which are compatible with or provide a transition into low-intensity land uses.

(b) *Permitted principal uses and structures.* The following permitted uses shall be allowed in the O-I zoning district:

- (1) Office;
- (2) Art gallery;
- (3) Bank and/or financial institution;
- (4) Banquet hall/event facility;
- (5) College and/or university, including classrooms and/or administration only;
- (6) Educational/instructional/tutorial facilities, including, but not limited to: academic, art, computer, dance, driving and/or DUI, martial arts, music, professional/business/trade, and similar facilities;
- (7) Health club and/or fitness center;
- (8) Hotel;
- (9) Insurance carrier, agent, and/or broker;
- (10) Laboratory, medical, and/or dental;
- (11) Legal services;
- (12) Massage therapy (see chapter 8);
- (13) Medical/dental office (human treatment);
- (14) Military recruiting office;
- (15) Museum;

(16) Performing arts theater;

(17) Private school, including classrooms and/or administration only;

(18) Professional services, including, but not limited to: accounting; advertising and marketing research services; architectural firms; bookkeeping, tax preparation; brokerage firms; computer system software design; consulting services; engineering firms; internet and web hosting firms; payroll services; photographic services; research services; specialized design services; telemarketing; and translation and interpretation services; and

(19) Real estate agent and/or broker.

(c) Permitted principal uses and structures for office parks with at least 100,000 square feet of floor area.

In an office park having at least 100,000 square feet of floor area, the following retail and service uses shall be permitted as long as collectively such uses comprise no more than ten percent of the total floor area, are located in a building in which office uses comprise at least 50 percent of the floor area and have no exterior advertising display:

(1) Beauty shop and/or barbershop;

(2) Blueprinting;

(3) Cafeteria;

(4) Commercial art and/or drafting service;

(5) Day care facility;

(6) Delivery and/or messenger service;

(7) Drug store;

(8) Florist;

(9) Gift shop;

(10) Photocopying and/or reproduction;

(11) Restaurant (limited to five percent of total floor area of office park and included in overall ten percent limitation);

(12) Stenographic and/or typing service;

(13) Teleconferencing center; and

(14) Travel agency and/or ticket office.

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

(1) Adult day care facility;

- (2) Animal hospital and/or veterinary clinic (with no animal boarding or outdoor runs);
- (3) Care home, convalescent center, and/or nursing home;
- (4) Church and/or other place of worship;
- (5) College and/or university, including, but not limited to: classrooms, administration, housing, athletic fields, gymnasium, and stadium;
- (6) Child care facility;
- (7) Home occupation;
- (8) Hospital;
- (9) Non-emergency medical transport service;
- (10) Private school, including, but not limited to: classrooms, administration, playground, housing, athletic fields, gymnasium, and stadium;
- (11) Religious tent meeting; and
- (12) Single-family residence and residential accessory structures and/or uses (see article III of this chapter).
- (13) Drug abuse treatment facility.

(e) Auxiliary conditional uses for an office building with a minimum of 10,000 square feet of floor area. The following auxiliary permitted uses shall be allowed within the area with a land use designation of office as indicated on the county future land use plan map defined as that area north of SR 54 West, east of Tyrone Road, and west of Sandy Creek Road. This area shall also be known as the county community hospital district (hospital district). Such uses will support and shall be compatible with the county community hospital, the medical industry, and the development of the office and institutional uses planned for this area.

- (1) *Uses.* The following auxiliary conditional uses shall be allowed in the O-I zoning district:
- a. Durable medical and rehabilitation equipment sales/rental (i.e., wheelchairs, crutches, etc.);
 - b. Pharmaceutical sales (for the purpose of filling prescriptions only);
 - c. Counter service restaurants, including but not limited to: a bakery, cafe, coffee shop, or deli. No drive-through, drive-in, or freestanding facilities shall be allowed;
 - d. Optical care center to include prescription eyeglass/contact lens sales;
 - e. Gift shop for the sale of items usually associated with a medical condition and/or hospital stay (i.e., get well cards, etc.); and

f. Floral sales.

(2) *Auxiliary conditional use limitations.*

a. These auxiliary conditional uses shall be allowed in an office building with a minimum of 10,000 square feet and such uses shall comprise no more than a total of 20 percent of the total floor area of the building and shall occupy space on the first floor of the building.

b. Multiple uses may be permitted concurrently, but may not exceed the 20 percent limitation.

(3) *Architectural requirements.*

a. Architecture shall conform to the existing hospital/medical office development. The architectural standards of the transportation corridor overlay zone shall not apply.

b. Elevation drawings shall be submitted as part of site plan approval.

(f) *Dimensional requirements.* The minimum dimensional requirements in the O-I zoning district shall be as follows:

(1) Lot area:

a. Where a central water distribution system is provided: 43,560 square feet (one acre).

b. Where central sanitary sewage and central water distribution systems are provided: 21,780 square feet (0.50 acre).

(2) Lot width: 125 feet.

(3) Outside storage shall not be permitted.

(4) Setbacks, yards adjoining rights-of-way:

a. Major thoroughfare:

1. Arterial: 75 feet.

2. Collector: 70 feet.

b. Minor thoroughfare: 55 feet.

(5) Setbacks, yards not adjoining rights-of-way:

a. Side yard: 15 feet.

b. Rear yard: 15 feet.

(6) Buffer: If the rear or side yard abuts a residential or A-R zoning district, a minimum buffer of 30 feet adjacent to such lot line shall be provided in addition to the required setback, and the setback shall be measured from the buffer. Additional buffer and setback requirements may be established as a condition of zoning approval.

(7) Height limit:

- a. 40 feet as defined in article I of this chapter.
- b. When a structure reaches a minimum height of four floors (including basements), it shall be sprinkled.

(8) Use of existing structure. When property containing legally conforming structures, under the current zoning, is rezoned to O-I, the dimensional requirements shall be reduced to the extent of, but only at the location of, any encroachment by the structures and said structures shall be considered legal nonconforming structures.

(9) Lot coverage limit, including structure and parking area: 60 percent of total lot area.

(g) *SR 74 North-East Side Special Development District.*

(1) The following will apply to the area identified in the county Comprehensive Plan, SR 74 North Overlay District on the east side of SR 74 North and designated as special development district and office on the county future land use plan map. The purpose of this special development district is to promote planned office development along the frontage of SR 74 North to a depth of approximately 800 feet to fulfill the stated goals for the future development of the corridor. The goals of the SR 74 North Overlay District are:

- a. To maintain the efficient traffic flow of SR 74 North as the county's main connection to Interstate 85;
- b. To enhance and maintain the aesthetic qualities of the corridor, as it is the gateway into the county; and
- c. To protect existing and future residential areas in the SR 74 North corridor.

(2) The assemblage of parcels will be necessary in some areas to meet the intent of the special development district. The minimum requirements for acreage and road frontage will necessitate large tracts of land to achieve a reduction in individual curb cuts, consistency and coordination in architectural scheme, and capacity to develop a required service road where applicable.

a. In a planned office development consisting of a minimum of ten acres and 600 feet of road frontage on SR 74 North, a maximum of 20 percent of the floor area of each individual building may consist of businesses providing support services for the larger development. Permitted support service uses include:

1. Restaurants (no drive-through, drive-in, or freestanding facilities shall be allowed);
2. Personal services, including, but not limited to: alterations; barber shop; beauty salon; clothing/costume rentals; electrolysis and/or hair removal; laundry drop-off/pick-up; locksmith; nail salon; photography studio; shoe repair; and tanning salon;
3. Convenience store (no gasoline sales);

4. Blueprinting, graphic, and/or copying service;
5. Office and/or computer sales and/or service; and
6. Cellular phone/communication device sales and/or service.

(h) *State Route 54 West Special Development District.*

(1) The following will apply to the area identified in the Comprehensive Plan as the SR 54 West Overlay District as specified in the Land Use Element and indicated on the future land use plan map. The purpose of this special development district is to expand uses in O-I on parcels of five acres or greater.

(2) On parcels zoned O-I with a minimum of five acres the following expanded business uses are allowed:

- a. Businesses that supply services, equipment and/or resources to the film industry;
- b. Call center;
- c. Cellular phone/communication device sales and/or service;
- d. Computer technology service, sales and/or repair;
- e. Medical equipment sales, rental and/or repair;
- f. Restaurant (no drive-through or drive-in);
- g. Television/radio broadcasting studio, movie/music/media productions or telecommunications;
- h. Server farm/data center; and
- i. Internal access self-storage facility.

1. No direct exterior access to individual storage units shall be allowed; all individual storage unit access shall be internal and the maximum size of an individual storage unit shall be 600 square feet.

2. Vehicle loading/unloading bays shall only be located on the side or rear, and not facing SR 54. Vehicle loading/unloading bays on the side of the internal access self-storage

facility shall require a canopy. Vehicle loading/unloading bays may also be internal to the structure or between two structures and a shed roof meeting the overlay pitch requirements may also be used in these instances.

3. Office, business and building contractor space with associated inside storage shall constitute a minimum of ten percent of the total building footprint area proposed for the internal access self-storage structure(s) excluding the footprint of a separate vehicle, recreational vehicle, boat, and/or trailer storage structure. This building contractor use shall only be allowed in conjunction with an internal access self-storage facility. The office, business and building contractor space may be located within the footprint of the internal access self-storage structure or an equivalent amount of

office, business and building contractor space may be located outside of the footprint in an attached portion of the structure.

4. No outside storage of materials or equipment shall be allowed.

5. A vehicle, recreational vehicle, boat, and/or trailer storage structure shall be fully enclosed and be to the rear of the principal internal access self-storage facility structure. This use shall only be allowed in conjunction with an internal access self-storage facility. Said structure shall only be used for vehicle, recreational vehicle, boat and/or trailer storage and individual vehicle, recreational vehicle, boat and/or trailer storage units may be externally accessed.

(3) If the side and/or rear yards abut a residential or A-R zoning district, the setbacks shall be increased five feet for every one foot of total building height over 40 feet.

(4) Mixed residential/office use. Based on the Mixed Residential/Office Use Recommendations in the Land Use Element of the Fayette County Comprehensive Plan, where large tracts are proposed with a mix of residential and office development along SR 54, it is required at the time of rezoning for O-I and residential zoning that the concept plan depict how the entire property will be developed indicating the division between office and residential zoning districts with associated legal descriptions required for rezoning, the SR 54 entrance, and internal connecting road network.

(i) *Special uses of property.* The following special uses of property shall be allowed in the O-I zoning district, provided that all conditions specified in article V of this chapter are also met:

(1) ~~Reserved.~~

(1) ~~Drug abuse treatment facility.~~

(Code 1992, § 20-6-18; Ord. No. 2012-09, § 4, 5-24-2012; Ord. No. 2012-14, § 3, 12-13-2012; Ord. No. 2017-04, §§ 3, 4, 3-23-2017; Ord. No. 2018-03, § 13, 9-22-2018; Ord. No. 2018-11, §§ 2, 3, 10-25-2018; Ord. No. 2019-04, § 1, 6-27-2019; Ord. No. 2020-02, § 9, 5-28-2020; Ord. No. 2020-08, § 1, 10-22-2020; Ord. No. 2023-08, § 1, 7-27-2023)

NOTICE OF PUBLIC HEARING
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CONSIDERATION OF AMENDMENTS TO CHAPTER 110. ZONING ORDINANCE, REGARDING ARTICLE IV. - DISTRICT USE REQUIREMENTS. - SEC. 110-142. - OFFICE-INSTITUTIONAL 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 14th day of August 2024.

Deborah Bell, Director
Planning and Zoning
08/14

Legals continued page B4