

**BOARD MEMBERS**

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

**STAFF**

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

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

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

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**NEW BUSINESS**

1. Call to Order.
2. Pledge of Allegiance.
3. Approval of Agenda.
4. Consideration of the Minutes of the meeting held on January 15, 2026
5. Plats
  - a. Minor Final Plat of Fayette Padgett 14.

**PUBLIC HEARING**

6. Consideration of Petition RDP-022-26, Ted V. Ehrhart, Owner. Applicant request approval of a Revised Development Plan to allow the subdivision of Parcel 0508 031 into two (2) parcels, within the Coventry Estates Subdivision. Property is located in Land Lots 34 of the 5<sup>th</sup> District and fronts Brookshire Drive.
7. Consideration of Petition RDP-023-26, Phoebe Jernigan Bryan, Trustee of the David Gerald Stout Bryan Spousal Trust, Owner. Applicant request approval of a Revised Development Plan to allow the subdivision of Parcel 0515 037 into six (6) parcels, within the Coventry Estates Subdivision. Property is located in Land Lots 65 and 66 of the 5<sup>th</sup> District and fronts Lester Road and Red Fox Run.

# Meeting Minutes 01/15/2026

**THE FAYETTE COUNTY PLANNING COMMISSION** met on January 15<sup>th</sup>, 2026, at 7:00 P.M. in the Fayette County Administrative Complex, 140 Stonewall Avenue West, Fayetteville, Georgia.

**MEMBERS PRESENT:** John Kruzan, Chairman  
Danny England, Vice-Chairman  
John H. Culbreth Sr  
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

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1. Call to Order. *Vice-Chairman Danny England called the January 15, 2026, meeting to order at 7:01 pm.*
2. Pledge of Allegiance. *Vice-Chairman Danny England offered the invocation and led the audience in the Pledge of Allegiance.*
3. Approval of Agenda. *Jim Oliver made a motion to approve the agenda as presented. Boris Thomas seconded the motion. The motion carried 4-0. Debbie Bell, Planning and Zoning Director, and Chairman John Kruzan were absent.*
4. Consideration of the Minutes of the meeting held on December 4, 2025. *Jim Oliver made a motion to approve the minutes of the meeting held on December 4, 2025. Boris Thomas seconded the motion. The motion carried 4-0.*
5. Plats. *No Plats were presented on January 15, 2026, hearing.*
6. Installation of Mr. Virgil Hooper as New Board Member. *E. Allison Ivey Cox, County Attorney read the Oath of Office to Virgil Hooper, who was sworn in as a board member of the Planning Commission.*
7. Election of the Chairman. *Jim Oliver made the motion to elect Danny England as the Chairman of the 2026 Fayette County Planning Commission. Boris Thomas seconded the motion. The motion passed 4-0.*
8. Election of the Vice-Chairman. *Jim Oliver made the motion to elect Boris Thomas as the Vice Chairman of the 2026 Fayette County Planning Commission. Chairman Danny England seconded the motion. The motion passed 4-0.*

9. Election of the Secretary. ***Jim Oliver made the motion to elect Maria Binns as the Secretary of the 2026 Fayette County Planning Commission. Vice- Chairman Boris Thomas seconded the motion. The motion passed 4-0.***

### **PUBLIC HEARING**

10. ***Consideration of Petition 1374-25***, Joseph Reeves Akin Jr, Owner. Applicant proposes to rezone 3.1 acres from R-40 (Single Family) to A-R (Agricultural Residential Single Family). Property is located in Land Lots 198 of the 13<sup>th</sup> District and fronts Highway 314.

Staff are requesting a motion to table Petition 1374-25 until March 5, 2026, pending the outcome of Petition No. 1372-25-A-B, with the Board of Commissioners on February 26, 2026.

***Petition 1374-25 was tabled for the March 5, 2026, Planning Commission Meeting. Jim Oliver made a motion to ACCEPT THE MOTION TO TABLED PETITION 1374-25 TO THE MARCH 5, 2026 Planning Commission Meeting, Vice- Chairman Boris Thomas seconded the motion. The motion carried 4-0.***

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*Jim Oliver moved to adjourn the January 15, 2026, Planning Commission meeting. Virgil Hooper seconded. The motion passed 4-0.*

*The meeting adjourned at 7:07 pm.*

ATTEST:

PLANNING COMMISSION  
OF  
FAYETTE COUNTY

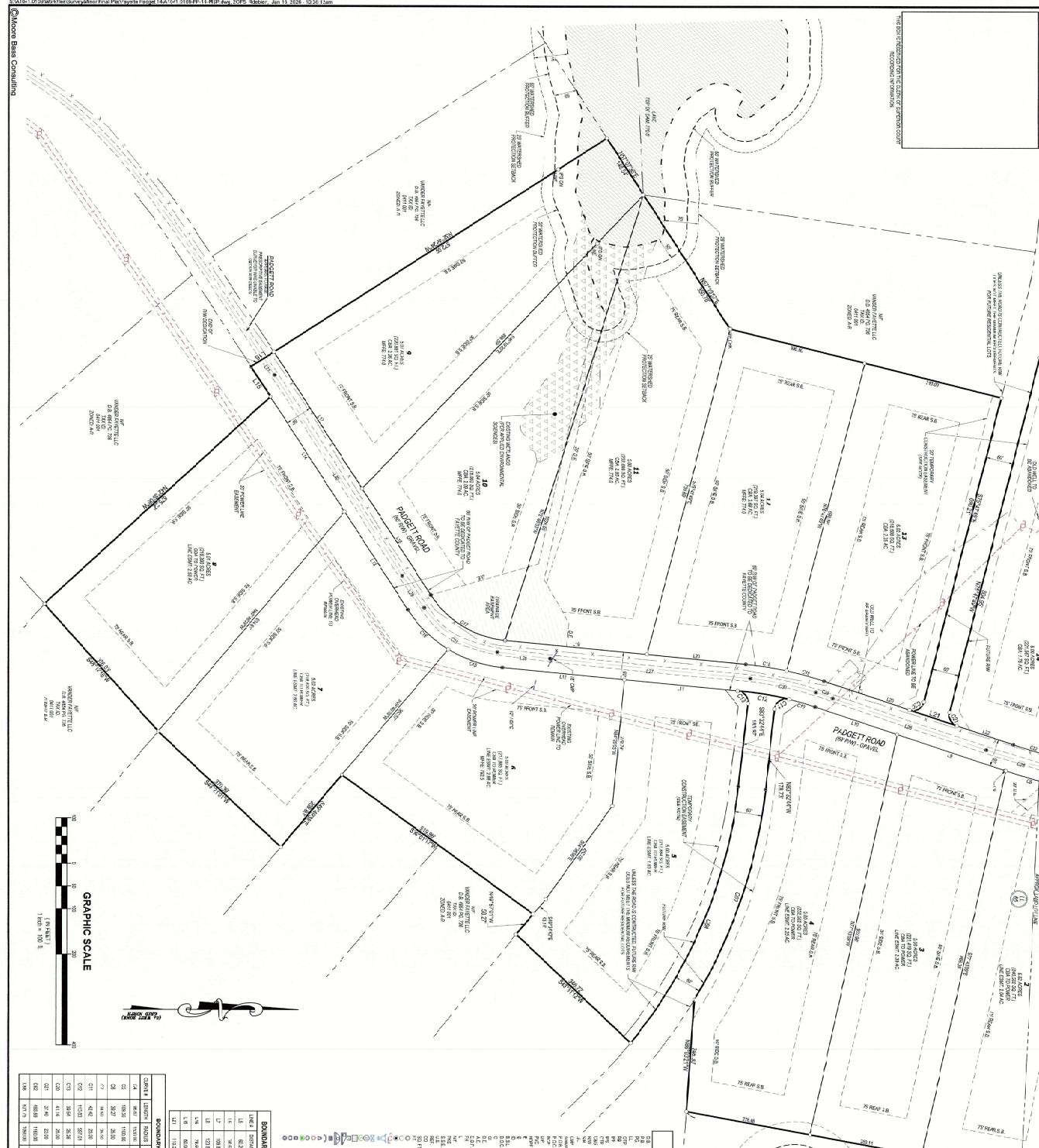
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DANNY ENGLAND, CHAIRMAN

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DEBORAH BELL  
DIRECTOR, PLANNING & ZONING





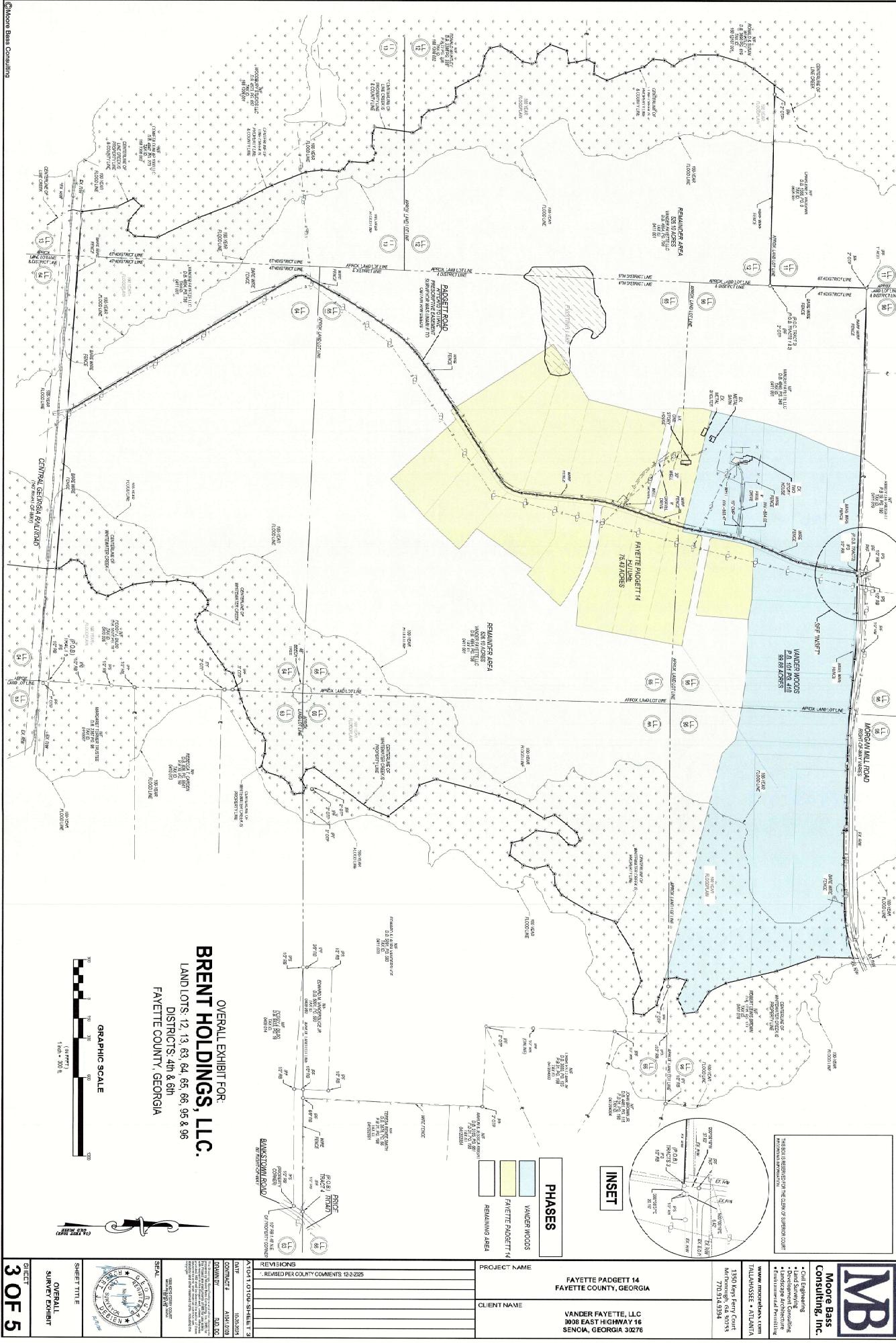
MINOR FINAL PLAT OF:  
**FAYETTE PADGETT 14**  
FAYETTE COUNTY, GEORGIA

**MB**  
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Consulting, Inc.

\*Civil Engineering  
• Land Surveying  
• Landscape Architecture  
• Environmental Consulting  
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TALLAHASSEE, FLORIDA  
McDonough, GA 02733  
770.574.3344

| LOT NUMBER | LINEAR FEET |       |        |
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|            | LINEAR FEET | WIDTH | DEPTHS |
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**MB**  
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\* Civil Engineering  
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\* Environmental Permitting

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TALLAHASSEE, FLORIDA  
Mr. Manning, Esq. 843-0733  
770-943-3394

This drawing is the copy of surveyor's copy  
of record and is not to be used for any other purpose.





**RDP-022-26**

**REQUESTED ACTION:** Revise the Development Plan for Coventry Estates

**PARCEL NUMBER:** 0508 031

**PROPOSED USE:** R-40, Single-Family Subdivision

**EXISTING USE:** Lot in single-family residential neighborhood

**LOCATION:** Lot 48, Coventry Estates aka 245 Brookshire Dr.

**ZONING:** R-40, Single-Family Residential

**LOT SIZE:** 4.75 Acres

**DISTRICT/LAND LOT(S):** 5<sup>th</sup> District, Land Lot 34

**OWNER(S):** Ted Ehrhart

**AGENTS:** N/A

**PLANNING COMMISSION PUBLIC HEARING:** February 5, 2026

**BOARD OF COMMISSIONERS PUBLIC HEARING:** February 26, 2026

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**REQUEST**

Per Sec. 104-595.(2)h.2., proposed revisions to a recorded major final plat shall, after prescribed public notice, be considered in public hearings before the planning commission and board of commissioners.

**APPLICANT'S INTENT**

Applicant proposes to revise the development plan for Coventry Estates by subdividing Lot 48, consisting of 4.75 Acres, into 2 parcels. Proposed Lot 48-A will consist of approximately 2.73 acres and proposed Lot 48-B will consist of approximately 2.02 acres.

**STAFF RECOMMENDATION**

Staff recommends **CONDITIONAL APPROVAL**, subject to the following condition(s):

1. Fayette County Watershed Protection Ordinance will apply to the parcel(s). Existing structures shown to be in the watershed protection setbacks on a new final plat will be allowed to remain, however no new structures or expansion into the Watershed Protection setbacks will be permitted.

## **STAFF ASSESSMENT**

At 4.75 acres, the lot is a legal lot of record and meets or exceeds all the requirements of the R-40 zoning district. Both proposed lots will continue to meet the requirements of the R-40 district. The existing structures on Lot 48-A will meet these requirements if the property is subdivided as per the concept plan. It is staff's opinion that this change in the development is not likely to adversely impact the existing subdivision by adding a residential lot.

|       | <b>FACTORS TO CONSIDER</b>  | <b>STAFF ASSESSMENT</b>   |
|-------|---|---|
| (i)   | <i>Street character.</i> Whether the request will result in a residence or accessory structure that will be out of character with the alignment of existing residences and accessory structures. Aspects to consider are the front setback established on the final plat, the alignment of existing residences and accessory structures, the degree a proposed residence or accessory structure will be out of alignment with the setback and/or existing residences and accessory structures and the presence of vegetation (trees, bushes, shrubbery, etc.) which may provide visual screening. | <i>This request does not add or alter the location or setback of any structures and should not significantly alter the character of the neighborhood. The existing homes are set well back from the road, and some of them are set near the very backs of the lots.</i> |
| (ii)  | <i>Lot size character.</i> Whether the request will result in a lot that will be out of character with the size of existing lots. Aspects to consider are the lot width required by the zoning district, the minimum and maximum range of lots sizes, the number of lots within a size range, the average lot size and the degree proposed lots will be smaller than existing lots.   | <i>This request would not change the character of the residential lots. Several of the larger lots have been subdivided previously.</i>   |
| (iii) | <i>Lot width character.</i> Whether the request will result in a lot that will be out of character with the width of existing lots. Aspects to consider are the lot width required by the zoning district, the minimum and maximum range of lot widths, the lot widths within a range, the average lot width and the degree proposed lots will be more narrow than existing lots.   | <i>The lot width character will be somewhat different. The road frontage requirement will be met, then the lot will be wider at the rear to accommodate a house with the appropriate lot width and setbacks.</i>  |
| (iv)  | <i>Change of principal use.</i> Whether the change of use will adversely affect the existing use or usability of adjacent or nearby property, will result in a use which will or could cause an excessive or burdensome use of existing or planned streets, or utilities, or other conditions which give supporting grounds for either approval or disapproval of the change of use proposal.   | <i>The proposal will not change the use of property; the new lot will be single-family residential and is large enough to retain the agricultural character of the neighborhood.</i>  |

## INVESTIGATION

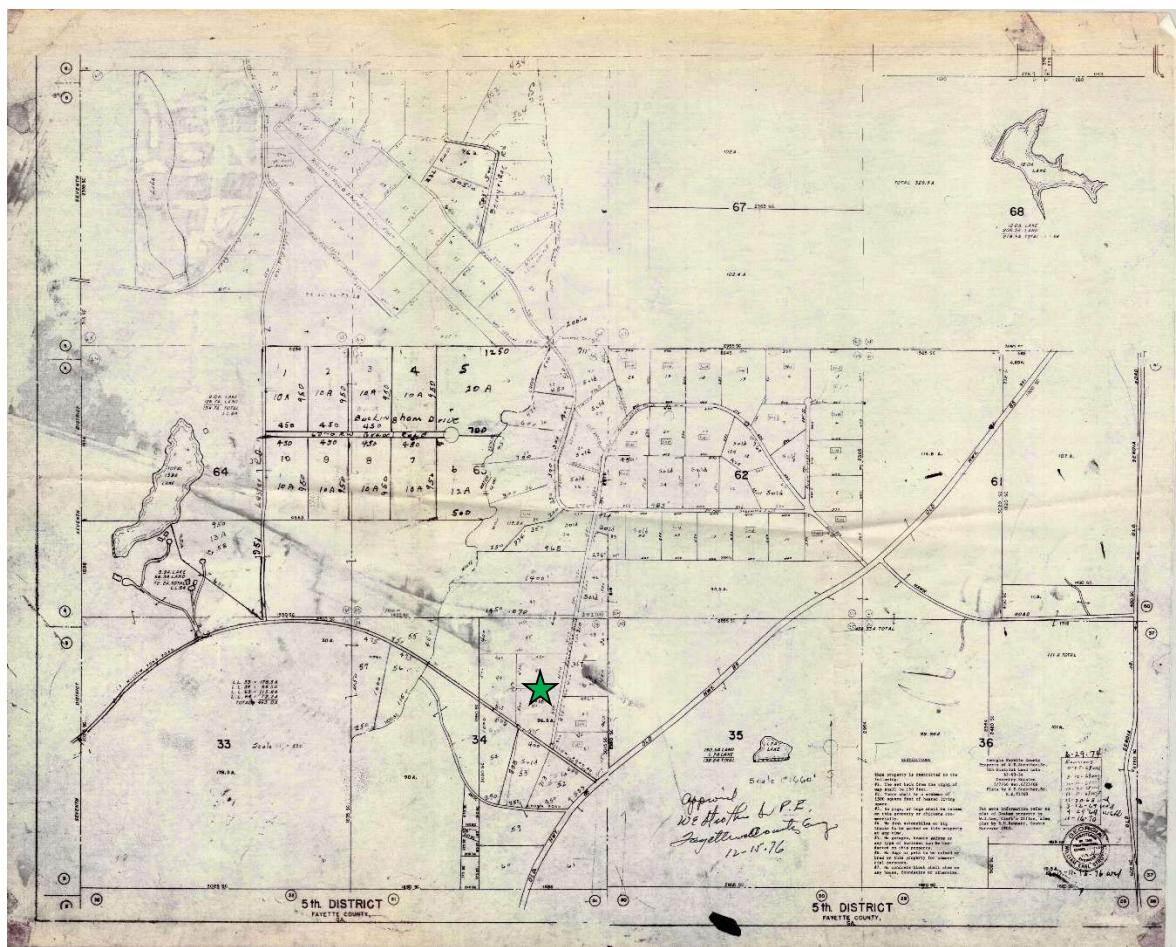
### A. GENERAL PROPERTY INFORMATION

The subject property is currently zoned R-40 (Single-Family Residential). It is platted as lot 48 in Coventry Estates subdivision, recorded in Plat Book 5, Page 105, on September 15, 1969. This property is not located in an Overlay District.

#### **Rezoning History:**

The property is depicted as R-40 on the 1971 Zoning Map.

The Tax Map below provides the early layout of the subdivision.



## B. SURROUNDING ZONING AND USES

The parcels surrounding the subject property are all zoned R-40 and the Future Land Use Map for all these parcels is Low Density Residential, 1 Unit/ Acres and Environmentally Sensitive Areas. 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  |
|-----------|---------|--------|---------------------------|---|
| North     | 9.80    | R-40   | Single-family Residential | Low Density Residential – 1-acre minimum / Environmentally Sensitive Area |
| South     | 5.50    | R-40   | Single-family Residential | Low Density Residential – 1-acre minimum / Environmentally Sensitive Area |
| East      | 3.7     | R-40   | Single-Family Residential | Low Density Residential – 1-acre minimum                                  |
| West      | 6.97    | R-40   | Single-Family Residential | Environmentally Sensitive Area  |

## C. COMPREHENSIVE PLAN

**Future Land Use Plan:** The subject property lies within an area designated for Low Density Residential and Environmentally Sensitive Areas on the Future Land Use Plan map. This request conforms to the Fayette County Comprehensive Plan.

## D. ZONING/REGULATORY REVIEW

**Access & Right-of Way:** The property has existing access on Brookshire Drive.

**Site Plan:** The applicant submitted a concept plan for the property. It DOES meet the current requirements for R-40, which requires that a parcel be at least 65,340 square feet (1.5 acres) in size where neither a central sanitary sewer nor a central water distribution system is provided.

## F. DEPARTMENTAL COMMENTS

- Water System** – Fayette County Water System has no objections to the Revised Development Plan. Area is not served by Fayette County Water System.
- Public Works/Environmental Management** – No objections.
  - **Site Distance** - Brookshire Drive has a speed limit of 25 MPH, requiring 280-ft of sight distance.

- **Access Management** - Brookshire Drive is a County Local with an apparent 50-ft right of way. There is no traffic data for Brookshire Drive. A driveway permit will be required for the new lot.
- **Environmental Health Department** - This office has no objection. However, the following criteria apply and must be reflected in the final plat.
  - **Floodplain Management** - The property **DOES** contain floodplain per FEMA FIRM panel 13113C0111E dated September 26, 2008. The property **DOES** contain floodplain delineated in the FC 2013 Dewberry Flood Study.
  - **Wetlands** - The property **DOES** contain wetlands per the U.S. Department of the Interior, Fish and Wildlife Service 1994 National Wetland Inventory Map. The owner or developer may be responsible for submitting proper documentation during the development process as to the existence or non-existence of wetlands depending on the plan submitted.
  - **Watershed Protection** - It has not been determined if there are state waters located on the subject property. The site **WILL BE** subject to the Fayette County Watershed Protection Ordinance upon subdivision.
  - **Groundwater** - The property **IS NOT** within a groundwater recharge area.
  - **Post Construction Stormwater Management** - This development **WILL NOT BE** subject to the Post-Development Stormwater Management Ordinance if re-zoned and developed with more than 5,000 square feet of impervious surfaces for a major subdivision or commercial site plan.
- **Fire** - No comment.
- **GDOT** - Not applicable, not on State Route.

## **STANDARDS FOR CONSIDERATION OF A REVISED DEVELOPMENT PLAN**

### **Article XV. – Subdivision Regulations.**

#### **Sec. 104-595. – Approval of subdivisions.**

*(2) Major or minor final plat.*

h. *Revision to a recorded final plat.*

*[Staff Note: Please refer to the table on the page 2 for staff assessment of these factors.]*

1. A revision to a recorded final plat shall show the name, phase (if any), date of the recorded subdivision plat being revised, and the exact citation with regard to the clerk of superior court records and the book and page number wherein said plat is recorded. See [section 104-596](#) for requirements to be indicated on the revised final plat, as applicable. In addition, proposed revisions to a recorded final plat that substantially changes the street and/or utility layout, unless initiated by the county, shall require a revised preliminary plat in accordance with this section.
2. Proposed revisions to a recorded major final plat of any existing residential or agricultural-residential subdivisions which adds property to, increases the number of platted lots, or changes the principal use on a lot shall be considered in public hearings before the planning commission and the board of commissioners and public notification shall comply with [section 110-301](#), Public notification. The following factors shall be considered by the planning and zoning department, the planning commission and the board of commissioners when reviewing these requests:
  - i. *Street character.* Whether the request will result in a residence or accessory structure that will be out of character with the alignment of existing residences and accessory structures. Aspects to consider are the front setback established on the final plat, the alignment of existing residences and accessory structures, the degree a proposed residence or accessory structure will be out of alignment with the setback and/or existing residences and accessory structures and the presence of vegetation (trees, bushes, shrubbery, etc.) which may provide visual screening.
  - ii. *Lot size character.* Whether the request will result in a lot that will be out of character with the size of existing lots. Aspects to consider are the lot width required by the zoning district, the minimum and maximum range of lots sizes, the number of lots within a size range, the average lot size and the degree proposed lots will be smaller than existing lots.
  - iii. *Lot width character.* Whether the request will result in a lot that will be out of character with the width of existing lots. Aspects to consider are the lot width required by the zoning district, the minimum and maximum range of lot widths,

- the lot widths within a range, the average lot width and the degree proposed lots will be more narrow than existing lots.
- iv. *Change of principal use.* Whether the change of use will adversely affect the existing use or usability of adjacent or nearby property, will result in a use which will or could cause an excessive or burdensome use of existing or planned streets, or utilities, or other conditions which give supporting grounds for either approval or disapproval of the change of use proposal.

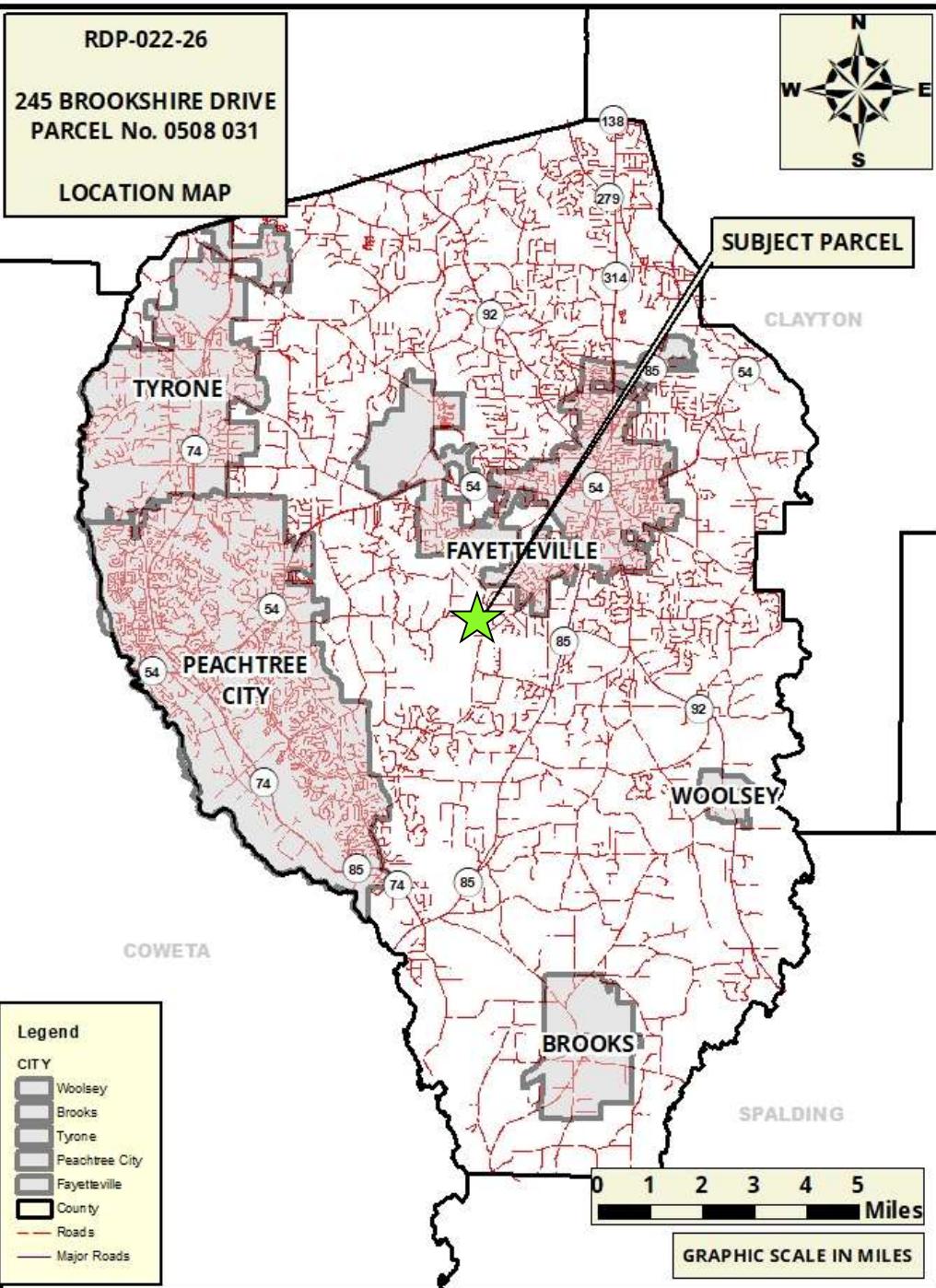
## **ZONING DISTRICT STANDARDS**

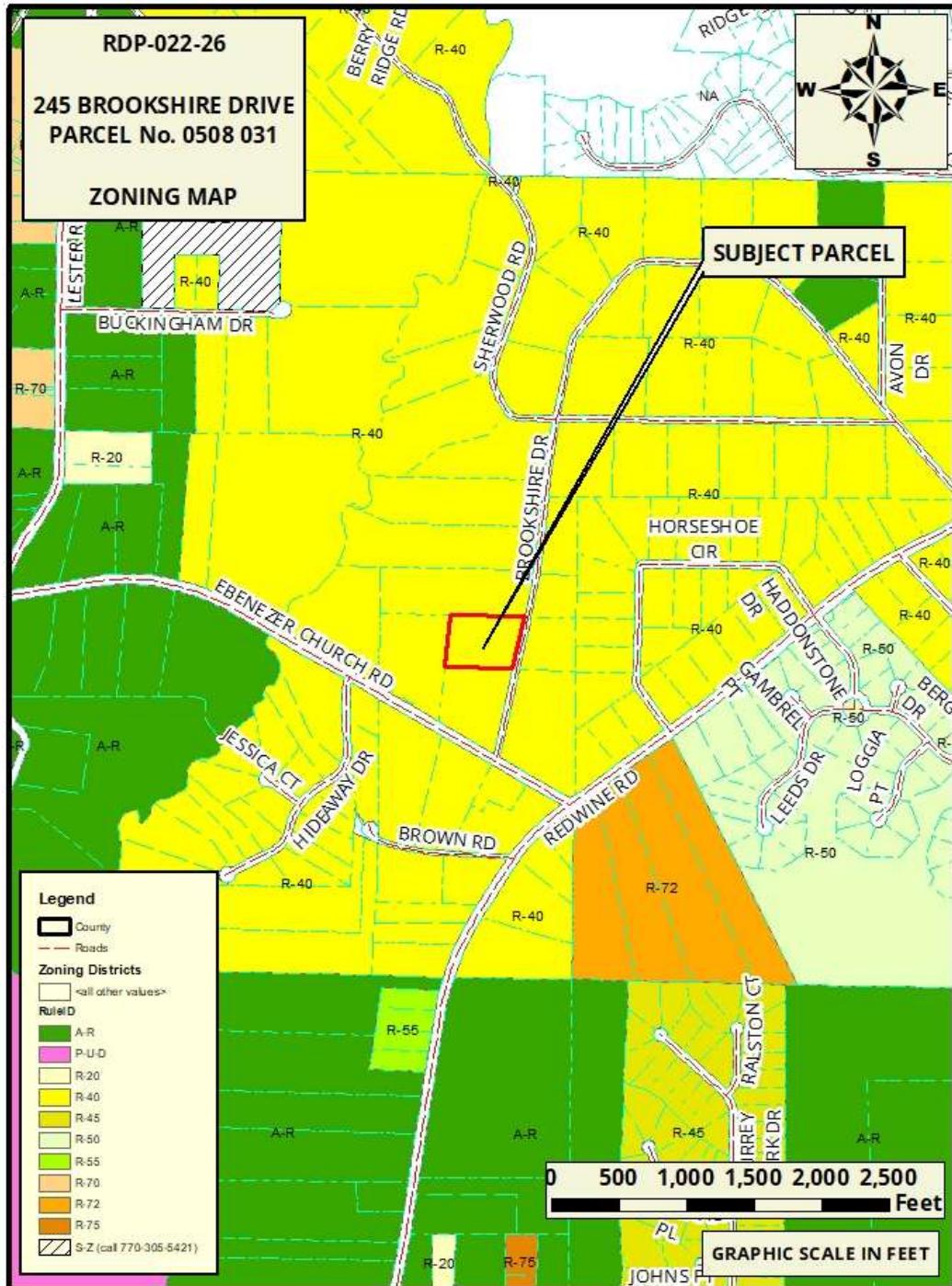
### **Sec. 110-137. R-40, Single-Family Residential District.**

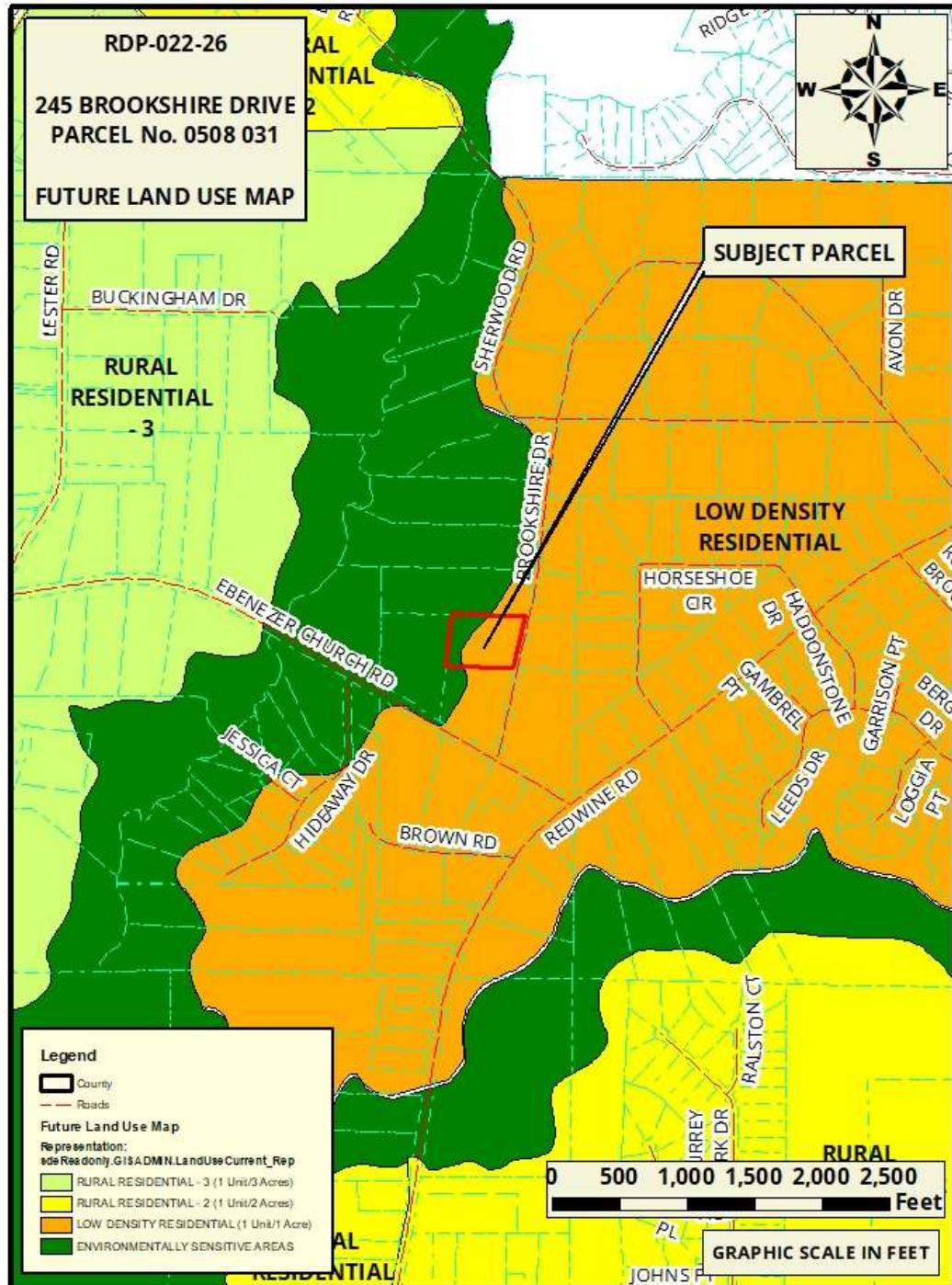
- (a) *Description of district.* This district is composed of certain lands and structures in the county, having a low density single-family residential character and is designed to protect against the depreciating effects of small lot development and those uses incompatible with such a residential environment.
- (b) *Permitted uses.* The following permitted uses shall be allowed in the R-40 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-40 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 within the R-40 zoning district shall be as follows:
  - (1) Lot area per dwelling unit:
    - a. Where central sanitary sewage or central water distribution systems are provided: 43,560 square feet (one acre).
    - b. Where neither a central sanitary sewage nor a central water distribution system is provided: 65,340 square feet (1.5 acres).
  - (2) Lot width:
    - a. Major thoroughfare:
      - 1. Arterial: 150 feet.
      - 2. Collector: 150 feet.
    - b. Minor thoroughfare: 125 feet.
  - (3) Floor area: 1,500 square feet.
  - (4) Front yard setback:
    - a. Major thoroughfare:
      - 1. Arterial: 60 feet.

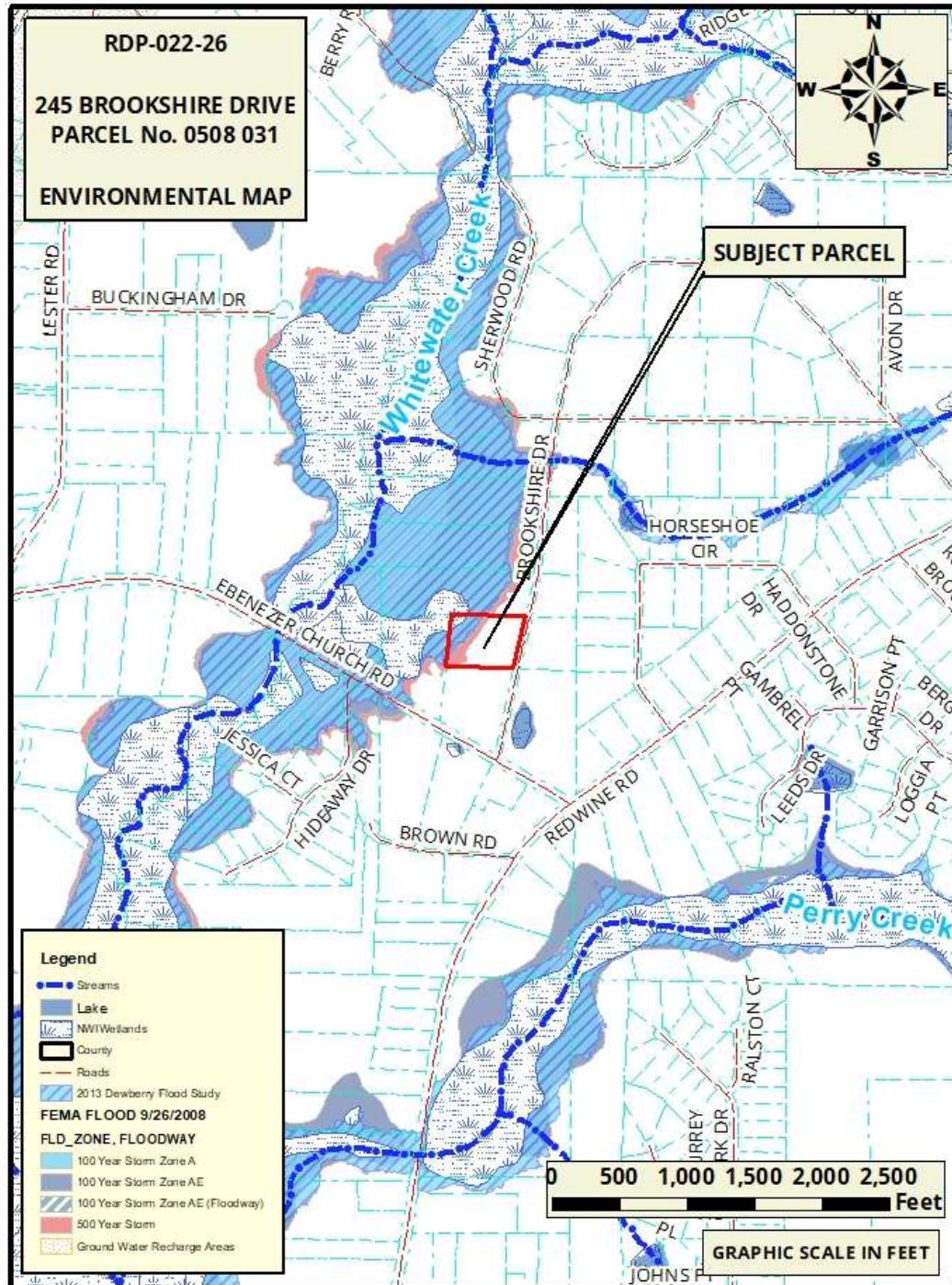
2. Collector: 60 feet.
- b. Minor thoroughfare: 40 feet.

- (5) Rear yard setback: 30 feet.
- (6) Side yard setback: 15 feet.
- (7) Height limit: 35 feet.

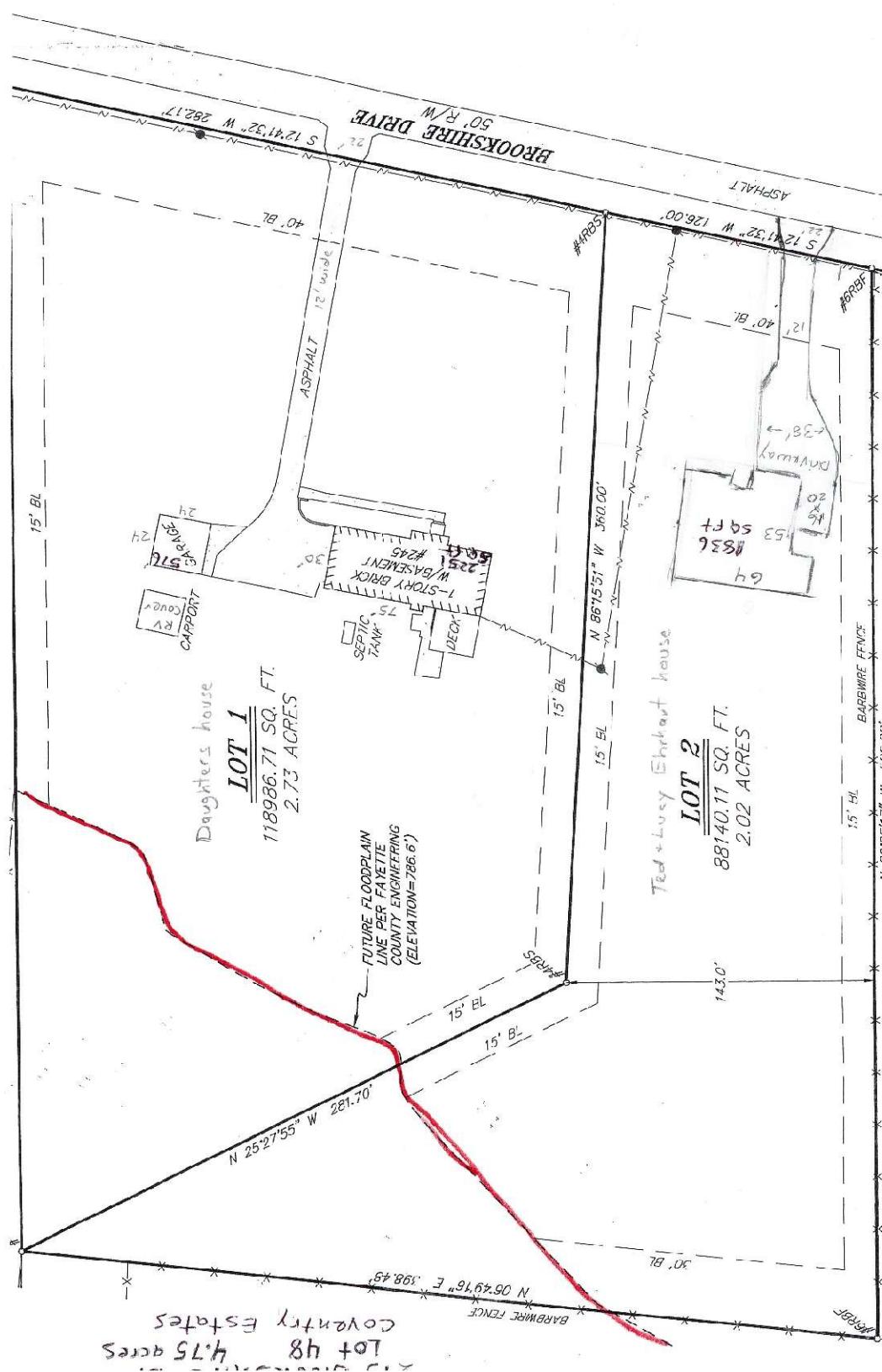


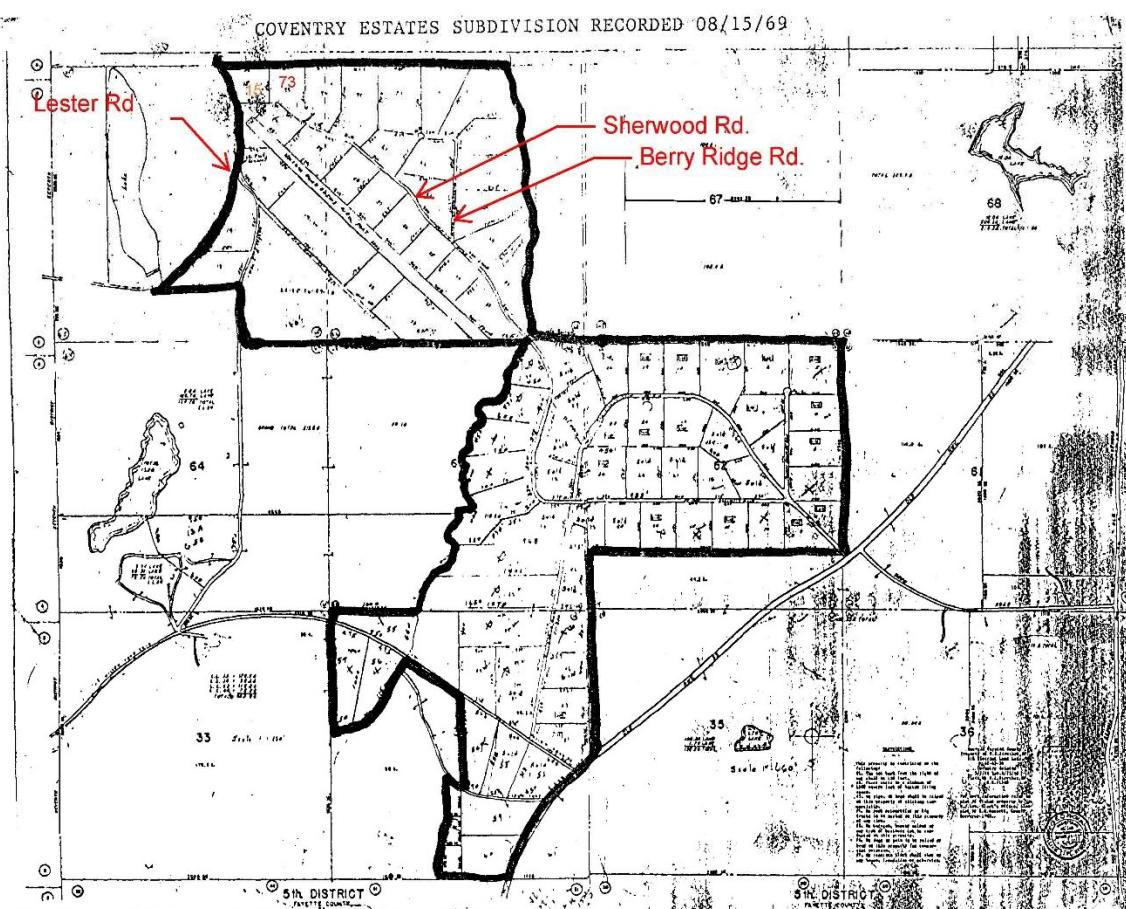












Recorded 8-15-69 re a Ballard, Clark.

*Coventry Estates*

**PETITION No (s):** RDP-022-26

**SAGES REFERENCE No.:** \_\_\_\_\_

STAFF USE ONLY

**APPLICANT INFORMATION**

Name Ted V Ehrhart  
Address 245 Brookshire Dr  
City Fayetteville  
State GA Zip 30215  
Email [REDACTED]  
Phone [REDACTED]

**PROPERTY OWNER INFORMATION**

Name Ted V Ehrhart  
Address 245 Brookshire Dr  
City Fayetteville  
State GA Zip 30215  
Email [REDACTED]  
Phone [REDACTED]

**AGENT(S) (if applicable)**

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

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: Maria Binnis Date: 12/04/2025

DATE OF PLANNING COMMISSION HEARING: February 5, 2026

DATE OF COUNTY COMMISSIONERS HEARING: February 26, 2026

Received from Ted V. Ehrhart 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: 12/04/2025 Receipt Number: 025943

PETITION No.: RDP-022-26 Fees Due: 250.00 Sign Deposit Due: 20.00  
STAFF USE ONLY

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

Parcel # (Tax ID): 0508 031 Acreage: 4.75  
Land District(s): 5 Land Lot(s): 34  
Road Name/Frontage L.F.: Brookshire Dr/408' Road Classification: Local  
Existing Use: Residential Proposed Use: Residential  
Structure(s): 2 Type: House / Garage Size in SF: 2251 / 576  
Existing Zoning: R-40 Proposed Zoning: R-40  
Existing Land Use: Residential Proposed Land Use: Residential  
Water Availability: None Distance to Water Line: \_\_\_\_\_ Distance to Hydrant: None

---

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:

Ted V Ehrhart

(Please Print)

**Property Tax Identification Number(s) of Subject Property:** 0508 031

(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) 34 of the 5<sup>th</sup> District, and (if applicable to more than one land district) Land Lot(s) \_\_\_\_\_ of the \_\_\_\_\_ District, and said property consists of a total of 4.75 acres (legal description corresponding to most recent recorded plat for the subject property is attached herewith).

(I) (We) hereby delegate authority to Ted V Ehrhart 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) Ted V Ehrhart

Signature of Property Owner 1  
245 Brookshire Drive

Address  
1000 Brookshire Drive

Signature of Property Owner 2

Address

Signature of Property Owner 3

Address

Signature of Authorized Agent

Address

5/7/21  
Signature of Notary Public  
12/02/2025

Date

Signature of Notary Public

Date

Signature of Notary Public

Date

Signature of Notary Public

Date



PETITION No.: RDP-022-26

OWNER'S AFFIDAVIT

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

NAME: Ted V Ehrhart

ADDRESS: 245 Brookshire Dr Fayetteville GA 30215

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

Ted V Ehrhart 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 to cover all expenses of public hearing. He/She petitions the above named to change its classification to \_\_\_\_\_.

This property includes: (check one of the following)

See attached legal description on recorded deed for subject property or

Legal description for subject property is as follows:

PUBLIC HEARING to be held by the Planning Commission of Fayette County on the day of February 5, 2026 at 7:00 P.M.

PUBLIC HEARING to be held by the Board of Commissioners of Fayette County on the day of February 26, 2026 at 5:00 P.M.

SWORN TO AND SUBSCRIBED BEFORE ME THIS 2<sup>nd</sup> DAY OF December, 2025

Ted V Ehrhart

SIGNATURE OF PROPERTY OWNER

SIGNATURE OF PROPERTY OWNER

MIA FISHER  
NOTARY PUBLIC



## AGREEMENT TO DEDICATE PROPERTY FOR FUTURE RIGHT-OF-WAY

I/We, Ted V Ehrhart, 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 245 Brookshire Dr Fayetteville GA 30215 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<sup>nd</sup> day of December,  
2025.

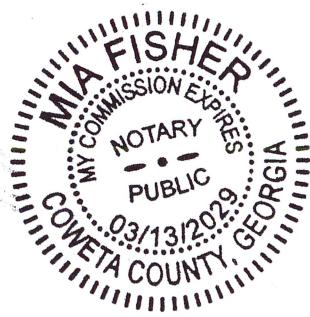


SIGNATURE OF PROPERTY OWNER

SIGNATURE OF PROPERTY OWNER



NOTARY PUBLIC



## 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/](http://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 2<sup>nd</sup> day of December, 2025.

  
APPLICANT'S SIGNATURE

## Developments of Regional Impact - Tiers and Development Thresholds

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

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## DISCLOSURE STATEMENT

(Please check one)

Campaign contributions:

No

Yes (see attached disclosure report)

### TITLE 36. LOCAL GOVERNMENT

#### PROVISIONS APPLICABLE TO COUNTIES AND MUNICIPAL CORPORATIONS

##### CHAPTER 67A. CONFLICT OF INTEREST IN ZONING ACTIONS

O.C.G.A. § 36-67A-3 (2011)

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

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

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

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

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

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

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

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

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

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

## CHECKLIST OF ITEMS REQUIRED FOR REZONING REQUEST

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

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

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 Please return to: MCMANAMY MCLEOD HELLER, LLC  
 3520 Piedmont Road, Suite 110  
 Atlanta, Georgia 30305  
 File # 11-04-1952



Doc ID: 008732180001 Type: WD  
 Recorded: 12/21/2011 at 03:00:00 PM  
 Fee Amt: \$10.00 Page 1 of 1  
 Transfer Tax: \$0.00  
 Fayette, Ga. Clerk Superior Court  
 Sheila Studdard Clerk of Court

BK 3835 PG 185

STATE OF TEXAS  
 COUNTY OF DALLAS

**LIMITED WARRANTY DEED**

THIS INDENTURE made this 16<sup>th</sup> day of December, 2011 between

**FEDERAL NATIONAL MORTGAGE ASSOCIATION**

as party or parties of the first part, hereinafter called Grantor, and

**TED V. EHRHART**

as party or parties of the second part, hereinafter called Grantee (the words "Grantor" and "Grantee" to include their respective heirs, successors and assigns where the context requires or permits).

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

**ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 34 OF THE 5TH DISTRICT OF FAYETTE COUNTY, GEORGIA, BEING LOT 48 OF COVENTRY ESTATES SUBDIVISION, AS PER PLAT RECORDED AT PLAT BOOK 5, PAGE 105, FAYETTE COUNTY, GEORGIA RECORDS, WHICH PLAT IS INCORPORATED HEREIN BY THIS REFERENCE AND THEREBY MADE A PART HEREOF, AND BEING FURTHER KNOWN AS 245 BROOKSHIRE DRIVE, FAYETTEVILLE, GEORGIA 30215, ACCORDING TO THE PRESENT SYSTEM OF NUMBERING ADDRESSES IN FAYETTE COUNTY, GEORGIA. MAP #0508-031**

GRANTEE HEREIN SHALL BE PROHIBITED FROM CONVEYING CAPTIONED PROPERTY FOR A SALES PRICE OF GREATER THAN \$156,006.00 FOR A PERIOD OF THREE MONTHS FROM THE DATE OF THIS DEED. GRANTEE SHALL ALSO BE PROHIBITED FROM ENCUMBERING SUBJECT PROPERTY WITH A SECURITY INTEREST IN THE PRINCIPAL AMOUNT OF GREATER THAN \$156,006.00 FOR A PERIOD OF THREE MONTHS FROM THE DATE OF THIS DEED. THESE RESTRICTIONS SHALL RUN WITH THE LAND AND ARE NOT PERSONAL TO THE GRANTEE. THESE RESTRICTIONS SHALL TERMINATE IMMEDIATELY UPON CONVEYANCE AT ANY FORECLOSURE SALE RELATED TO THE MORTGAGE OR DEED OF TRUST.

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

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

IN WITNESS WHEREOF, Grantor has hereunto set grantor's hand and seal this first day and year first above written:

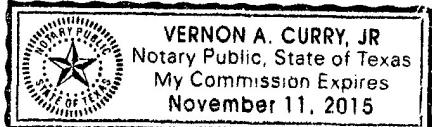
Signed, sealed and delivered in the presence of:

Witness

*Cindy Dolezal*

Notary Public

My commission expires



**FEDERAL NATIONAL MORTGAGE ASSOCIATION**

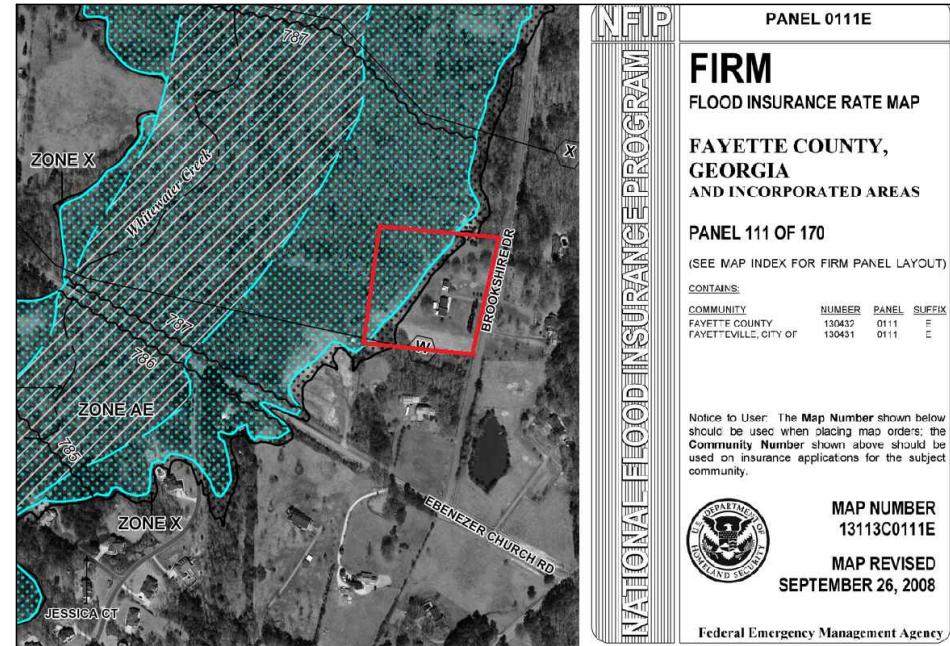
By:

Printed Name:  
 Title:

**STEPHANIE JACKSON  
 ASST. VICE PRESIDENT**

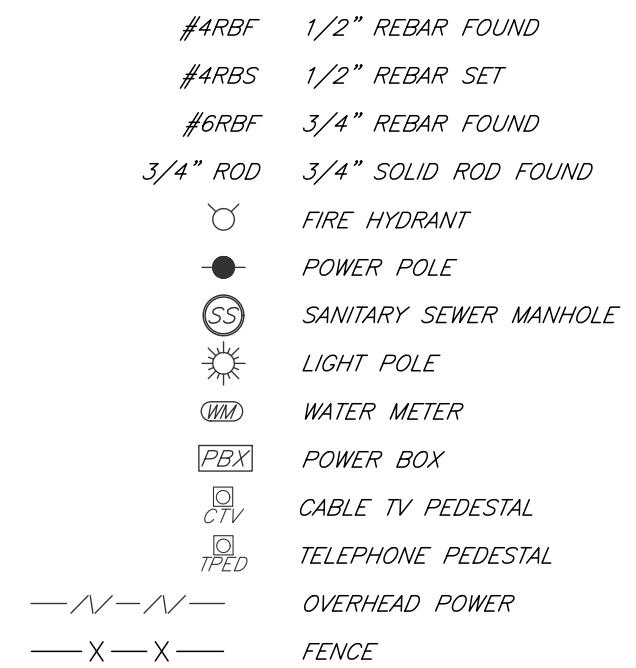
**Book: 3835 Page: 185 Seq: 1**

*RECORDING INFORMATION*



## LEGEND

1. OWNER/DEVELOPER:  
    TED EHRHART  
    245 BROOKSHIRE DRIVE  
    FAYETTEVILLE, GA 30215  
    678-267-0671
2. TAX PARCEL #0508 031
3. LOT DATA:  
    LOT 1 AREA - 2.73 ACRES (118986.71 SQ. FT.)  
    LOT 2 AREA - 2.02 ACRES (88140.11 SQ. FT.)  
    TOTAL AREA - 4.75 ACRES (207126.82 SQ. FT.)
4. ZONING INFORMATION:  
    R-40  
    FRONT SETBACK - 40 FEET  
    REAR SETBACK - 30 FEET  
    SIDE SETBACK - 15 FEET  
    MIN. LOT AREA - 1.5 ACRES
5. WATER SERVICE TO BE PROVIDED INDIVIDUAL WELL.
6. WASTEWATER SERVICE TO BE PROVIDED BY INDIVIDUAL SEPTIC SYSTEMS.
7. ALL DISTANCES SHOWN ARE GROUND DISTANCES.
8. ALL STRUCTURES SHOWN ARE TO REMAIN.
9. THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A CURRENT AND ACCURATE TITLE REPORT. EASEMENTS AND OTHER ENCUMBRANCES OF RECORD MAY EXIST BUT MAY NOT BE SHOWN BY THIS SURVEY. THIS PLAT IS SUBJECT TO ANY FINDINGS THAT A TITLE REPORT MAY DISCLOSE.
10. ONLY VISIBLE UTILITIES SHOWN.
11. STREAM BUFFERS ARE TO REMAIN IN A NATURAL AND UNDISTURBED CONDITION.
12. STRUCTURES ARE NOT ALLOWED IN DRAINAGE EASEMENTS.

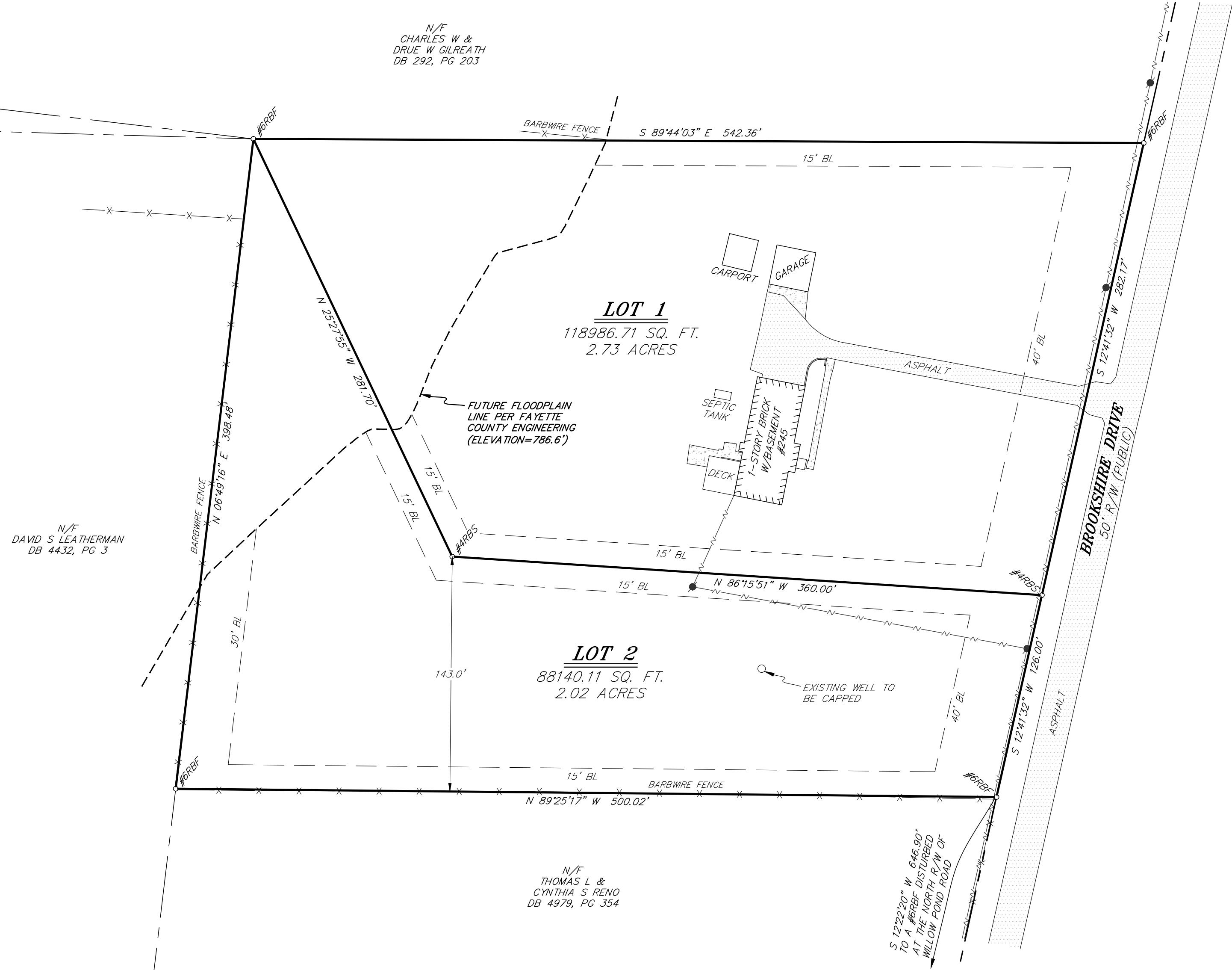


CLOSURE NOTE

THE FIELD DATA UPON WHICH THIS PLAT IS BASED WAS COLLECTED USING A CARLSON BRX7 GPS UNIT PROCESSED WITH EGPS SOLUTIONS INC. ALL POINTS COLLECTED USING GPS HAVE A POSITIONAL TOLERANCE LESS THAN 0.03 RESIDUAL WITH A 95% CONFIDENCE LEVEL. THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND FOUND TO BE ACCURATE TO 1 FOOT IN 145.663 FEET

*FLOOD NOTE*

ACCORDING TO THE F.I.R.M. OF FAYETTE COUNTY, PANEL NUMBER 13113C0111E AND DATED 09/26/08, A PORTION OF THIS PROPERTY IS LOCATED IN A SPECIAL FLOOD HAZARD AREA.



OWNER'S ACKNOWLEDGEMENT

I/WE, THE UNDERSIGNED, CERTIFY THAT AS THE LEGAL OWNER/OWNERS OF THE SUBJECT PROPERTY, I/WE HEREBY AUTHORIZE THE SUBMITTAL OF THIS FINAL PLAT FOR THE SUBDIVISION OF MY/OUR PROPERTY.

OWNER/MORTGAGEE DATE

WE, THE UNDERSIGNED OWNER(S) AND/OR MORTGAGEE(S) OF THE  
\_\_\_\_\_ SUBDIVISION, HEREBY OFFER TO DEDICATE AND/OR RESERVE  
FOR PUBLIC USE THE RIGHTS-OF-WAY, EASEMENTS AND OTHER GROUND  
SHOWN ON THIS PLAT.

---

DATE ENVIRONMENTAL HEALTH SPECIALIST

---

*OWNER/MORTGAGEE* *DATE*

ALL PROPERTY CONTAINED WITHIN THE RIGHT-OF-WAY OF ALL NEW STREETS AND ALL EXISTING STREETS ADJACENT TO THE SUBDIVISION AS INDICATED HEREON, ARE HEREBY DEEDED TO FAYETTE COUNTY, A POLITICAL SUBDIVISION OF THE STATE OF GEORGIA, AT NO COSTS TO FAYETTE COUNTY UPON RECORDATION OF SAID MINOR SUBDIVISION PLAT WITH THE FAYETTE COUNTY CLERK OF SUPERIOR COURT.

---

DATE **STORMWATER MANAGEMENT DIRECTOR**

MINOR PLAT FOR:  
245 BROOKSHIRE DRIVE  
***TED V. EHRHART***  
LOT 48 OF COVENTRY ESTATES SUBDIVISION

APPROVED BY FAYETTE COUNTY ZONING ADMINISTRATOR

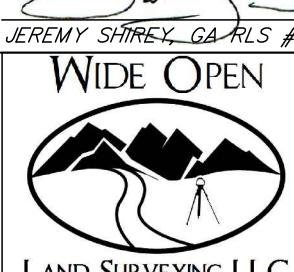
CH/BL/CE/2020-2021/10/14

I HEREBY CERTIFY THAT THIS PLAT IS TRUE AND CORRECT AND WAS  
PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY BY ME OR  
UNDER MY SUPERVISION; THAT ALL MONUMENTS AND INFRASTRUCTURE  
SHOWN HEREON ACTUALLY EXIST OR ARE MARKED AS "FUTURE"; AND  
THEIR LOCATION, SIZE, TYPE AND MATERIAL ARE CORRECTLY SHOWN.

BY: Jem Shy DIGITALLY SIGNED ON 11/20/25  
21. DESIGNATED TITLE: SPONSOR'S NUMBER: 47150  
22. DATE:

EQUIRED BY SUBSECTION (D) OF O.C.G.A. SECTION 15-6-67, THIS HAS BEEN PREPARED BY A LAND SURVEYOR AND APPROVED BY APPLICABLE LOCAL JURISDICTIONS FOR RECORDING AS EVIDENCED APPROVAL CERTIFICATES, SIGNATURES, STAMPS, OR STATEMENTS ON. SUCH APPROVALS OR AFFIRMATIONS SHOULD BE CONFIRMED BY THE APPROPRIATE GOVERNMENTAL BODIES BY ANY PURCHASER OF THIS PLAT AS TO INTENDED USE OF ANY PARCEL. HERMORE, THE UNDERSIGNED LAND SURVEYOR CERTIFIES THAT PLAT COMPLIES WITH THE MINIMUM TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN THE RULES AND REGULATIONS OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH O.C.G.A. SECTION 15-6-67.

Tom Shu  
DIGITALLY SIGNED BY TM/SHU



|   |  |                              |          |
|---|--|------------------------------|----------|
| 3156  |  | DIGITALLY SIGNED ON 11/20/25 |          |
|   |  | DATE                         |          |
| <p>52 CURETON LANE<br/>MORELAND, GA 30259<br/>678-633-5685</p> <p>WWW.WIDEOPENLANDSURVEYING.COM</p> |  | FIELD DATE:                  | 11/19/25 |
|   |  | PLAT DATE:                   | 11/20/25 |
|   |  | SCALE:                       | 1"=50'   |
|   |  | COUNTY:                      | FAYETTE  |
|   |  | DISTRICT:                    | 5TH      |
|   |  | LAND LOT:                    | 34       |
| 108-1173252   |  |                              |          |



Wednesday, January 21, 2026

Continued from page B2

Fayette County News B3

PETITION FOR REVISION  
TO DEVELOPMENT PLAN OF  
COVENTRY ESTATES SUBDI-  
VISION IN UNINCORPORATED  
AREAS OF FAYETTE COUNTY,

Legals continued page B4

Continued from page B3

GEORGIA

PUBLIC HEARING to be held be-  
fore the Fayette County Planning  
Commission on Thursday, Feb-  
ruary 5, 2026, at 7:00 P.M., and  
before the Fayette County Board  
of Commissioners on Thursday,  
February 27, 2026, at 5:00 P.M., in  
the Fayette County Administrative  
Complex, 140 Stonewall Avenue  
West, Public Meeting Room, First  
Floor, Fayetteville, Georgia.

Petition No.: RDP-022-26

Owner/Agent: Ted V. Ehrhart

Zoning District: R-40

Parcel Number: 0508 031

Area of Property: 4.75 acres

Land Lot(s): 34

District: 5th

Fronts on: Brookshire Drive

Request: Request approval of a  
Revised Development Plan to al-  
low the subdivision of Parcel 0508  
031 into two (2) parcels, within the  
Coventry Estates Subdivision.

PROPERTY DESCRIPTION

All that tract or parcel of land ly-  
ing and being in Land Lot 34 of  
the 5th District of Fayette County,  
Georgia and being Lot 48 of Cov-  
entry Estates Subdivision, as per  
plat recorded at Plat Book 5, Page  
105, Fayette County, Georgia re-  
cords, which plat is incorporated  
herein by this reference and there-  
by made a part hereof, and being  
further known as 245 Brookshire  
Drive, Fayetteville, Georgia 30215  
according to the present system  
of numbering addresses in Fayette  
County, Georgia.

**RDP-023-26**

**REQUESTED ACTION:** Revise the Development Plan for Coventry Estates

**PARCEL NUMBER:** 0515 037

**PROPOSED USE:** R-40, Single-Family Subdivision

**EXISTING USE:** Lot in single-family residential neighborhood

**LOCATION:** Coventry Estates aka 538 Lester Rd.

**ZONING:** R-40, Single-Family Residential

**LOT SIZE:** 21.15 Acres

**DISTRICT/LAND LOT(S):** 5<sup>th</sup> District, Land Lots 65 and 66

**OWNER(S):** David Gerald Stout Bryan Spousal Trust, Phoebe Jernigan Bryan, Trustee

**AGENTS:** N/A

**PLANNING COMMISSION PUBLIC HEARING:** February 5, 2026

**BOARD OF COMMISSIONERS PUBLIC HEARING:** February 26, 2026

---

**REQUEST**

Per Sec. 104-595.(2)h.2., proposed revisions to a recorded major final plat shall, after prescribed public notice, be considered in public hearings before the planning commission and board of commissioners.

**APPLICANT'S INTENT**

Applicant proposes to revise the development plan for Coventry Estates by subdividing 538 Lester Road, consisting of 21.15 Acres, into 6 parcels. Proposed Lot 1 will consist of approximately 4.13 acres, proposed Lot 2 is 3.66 acres, Lot 3 is 3.23 acres, Lot 4 is 3.31 acres, Lot 5 is 3.31 acres, and proposed Lot 6 is 3.51 acres.

**STAFF RECOMMENDATION**

Staff recommends **CONDITIONAL APPROVAL**, subject to the following condition(s):

1. Fayette County Watershed Protection Ordinance will apply to the parcels upon subdivision.

## **STAFF ASSESSMENT**

At 21.15 acres, the lot is a legal lot of record and meets or exceeds all the requirements of the R-40 zoning district. All proposed lots will continue to meet the requirements of the R-40 district. The existing structures on Lot 1 are required to be removed since an accessory structure cannot exist without a primary structure if the property is subdivided as per the concept plan. It is staff's opinion that this change in the development is not likely to adversely impact the existing subdivision by adding a residential lot.

|       | <b>FACTORS TO CONSIDER</b>  | <b>STAFF ASSESSMENT</b>   |
|-------|---|---|
| (i)   | <i>Street character.</i> Whether the request will result in a residence or accessory structure that will be out of character with the alignment of existing residences and accessory structures. Aspects to consider are the front setback established on the final plat, the alignment of existing residences and accessory structures, the degree a proposed residence or accessory structure will be out of alignment with the setback and/or existing residences and accessory structures and the presence of vegetation (trees, bushes, shrubbery, etc.) which may provide visual screening. | <i>This request does not add or alter the location or setback of any structures and should not significantly alter the character of the neighborhood. The existing homes are set well back from the road, and some of them are set near the very backs of the lots.</i> |
| (ii)  | <i>Lot size character.</i> Whether the request will result in a lot that will be out of character with the size of existing lots. Aspects to consider are the lot width required by the zoning district, the minimum and maximum range of lots sizes, the number of lots within a size range, the average lot size and the degree proposed lots will be smaller than existing lots.   | <i>This request would not change the character of the residential lots. Several of the larger lots have been subdivided previously.</i>   |
| (iii) | <i>Lot width character.</i> Whether the request will result in a lot that will be out of character with the width of existing lots. Aspects to consider are the lot width required by the zoning district, the minimum and maximum range of lot widths, the lot widths within a range, the average lot width and the degree proposed lots will be more narrow than existing lots.   | <i>The lot width character will be somewhat different. The road frontage requirement will be met, then the lot will be wider at the rear to accommodate a house with the appropriate lot width and setbacks.</i>  |
| (iv)  | <i>Change of principal use.</i> Whether the change of use will adversely affect the existing use or usability of adjacent or nearby property, will result in a use which will or could cause an excessive or burdensome use of existing or planned streets, or utilities, or other conditions which give supporting grounds for either approval or disapproval of the change of use proposal.   | <i>The proposal will not change the use of property; the new lot will be single-family residential and is large enough to retain the agricultural character of the neighborhood.</i>  |

## **INVESTIGATION**

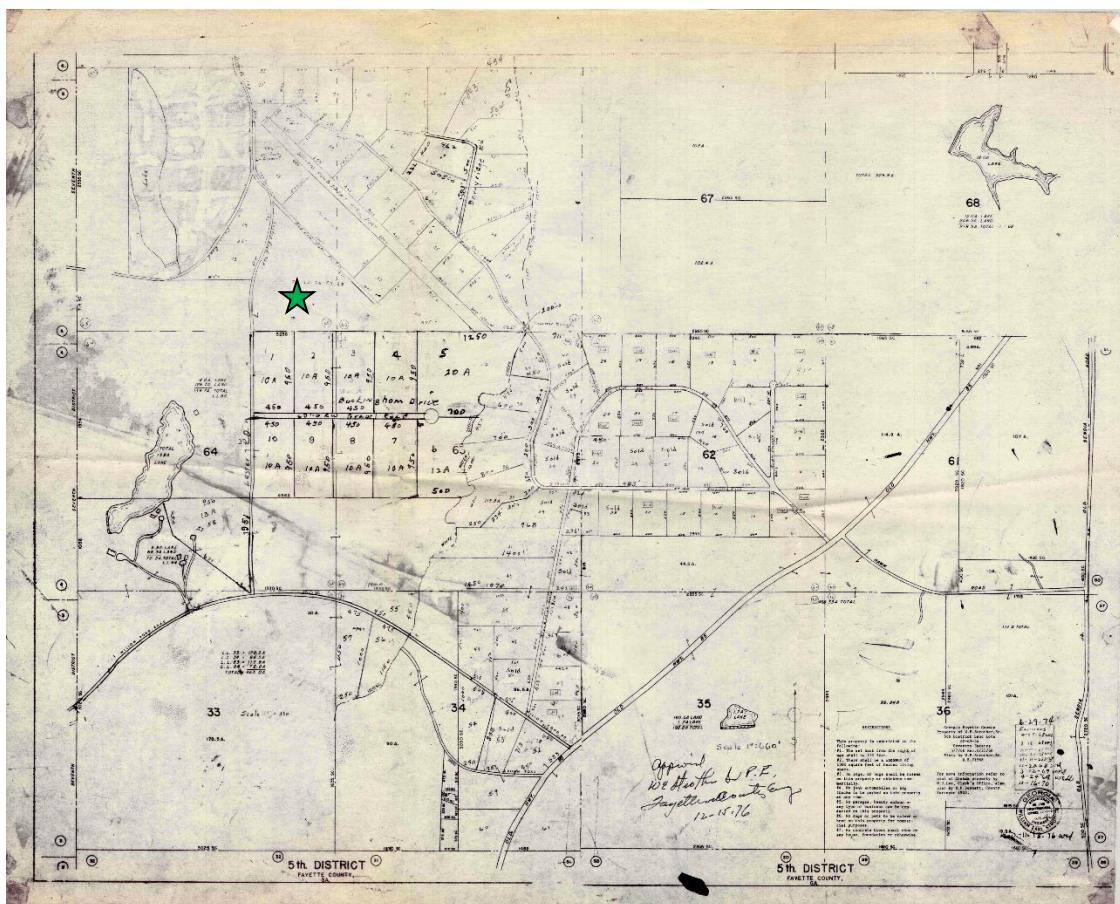
## A. GENERAL PROPERTY INFORMATION

The subject property is currently zoned R-40 (Single-Family Residential). It is platted as a lot in Coventry Estates subdivision, recorded in Plat Book 5, Page 105, on August 15, 1969. This property is not located in an Overlay District.

## Rezoning History:

The property is depicted as R-40 on the 1971 Zoning Map.

The Tax Plat below provides the best depiction of the early layout of the subdivision.



## B. SURROUNDING ZONING AND USES

The parcels surrounding the subject property are all zoned A-R and the Future Land Use Map for all these parcels is Rural Residential-2, 1 Unit/2 Acres and Rural Residential-3, 1 Unit/3 Acres. 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                              |
|-----------|----------------------|-------------------|---------------------------|---|
| North     | 6.70                 | R-40              | Single-family Residential | Rural Residential - 3                           |
| South     | 5.00<br>20.80        | A-R<br>A-R & R-40 | Agricultural-Residential  | Rural Residential - 3                           |
| East      | 4.50<br>4.20<br>7.40 | R-40              | Single-Family Residential | Rural Residential - 2 and Rural Residential - 3 |
| West      | 5.40<br>2.10<br>2.00 | R-70              | Single-Family Residential | Rural Residential - 3                           |

## C. COMPREHENSIVE PLAN

**Future Land Use Plan:** The subject property lies within an area designated for Rural Residential – 2 and Rural Residential - 3 on the Future Land Use Plan map. This request conforms to the Fayette County Comprehensive Plan.

## D. ZONING/REGULATORY REVIEW

**Access & Right-of Way:** The property has existing access on Lester Road and Red Fox Fun.

**Site Plan:** The applicant submitted a concept plan for the property. It DOES meet the current requirements for R-40, which requires that a parcel be at least 65,340 square feet (1.5 acres) in size where neither a central sanitary sewer nor a central water distribution system is provided.

## F. DEPARTMENTAL COMMENTS

- Water System** – Water is not within the distance required to connect to public water system by approximately 500 feet. Fayette County Water System has no objections to this revised development plan.
- Public Works/Environmental Management** – No objections.
  - Site Distance** - The speed limit on Lester Road is 35 MPH, requiring 390-ft. of sight distance. Red Fox Run has a speed limit of 25 MPH, requiring 280-ft of sight distance.
  - Access Management** - Lester Road is a Minor Arterial with an apparent 60-ft right of way. Red Fox Run is a County Local with an apparent 50-ft right of way. There is no traffic data for these roads. A driveway permit will be required for each new lot.
- Environmental Health Department** – This office has no objection. However, the following criteria apply and must be reflected in the final plat.
  - Floodplain Management** - The property **DOES NOT** contain floodplain per FEMA FIRM panels 13113C0092E and 13113C0111E dated September 26, 2008. The property **DOES NOT** contain additional flood plain delineated in the FC 2013 Dewberry Flood Study.
  - Wetlands** - The property **DOES** contain wetlands per the U.S. Department of the Interior, Fish and Wildlife Service 1994 National Wetland Inventory Map. 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** state waters located on the subject property and the site **WILL 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 NOT BE** subject to the Post-Development Stormwater Management Ordinance if re-zoned and developed with more than 5,000 square feet of impervious surfaces for a major subdivision or commercial site plan.
- Fire** – Mandatory water connection not required due to the distance to existing water service.
- GDOT** – Not applicable, not on State Route.

## **STANDARDS FOR CONSIDERATION OF A REVISED DEVELOPMENT PLAN**

### **Article XV. – Subdivision Regulations.**

#### **Sec. 104-595. – Approval of subdivisions.**

*(2) Major or minor final plat.*

h. *Revision to a recorded final plat.*

*[Staff Note: Please refer to the table on the page 2 for staff assessment of these factors.]*

1. A revision to a recorded final plat shall show the name, phase (if any), date of the recorded subdivision plat being revised, and the exact citation with regard to the clerk of superior court records and the book and page number wherein said plat is recorded. See [section 104-596](#) for requirements to be indicated on the revised final plat, as applicable. In addition, proposed revisions to a recorded final plat that substantially changes the street and/or utility layout, unless initiated by the county, shall require a revised preliminary plat in accordance with this section.
2. Proposed revisions to a recorded major final plat of any existing residential or agricultural-residential subdivisions which adds property to, increases the number of platted lots, or changes the principal use on a lot shall be considered in public hearings before the planning commission and the board of commissioners and public notification shall comply with [section 110-301](#), Public notification. The following factors shall be considered by the planning and zoning department, the planning commission and the board of commissioners when reviewing these requests:
  - i. *Street character.* Whether the request will result in a residence or accessory structure that will be out of character with the alignment of existing residences and accessory structures. Aspects to consider are the front setback established on the final plat, the alignment of existing residences and accessory structures, the degree a proposed residence or accessory structure will be out of alignment with the setback and/or existing residences and accessory structures and the presence of vegetation (trees, bushes, shrubbery, etc.) which may provide visual screening.
  - ii. *Lot size character.* Whether the request will result in a lot that will be out of character with the size of existing lots. Aspects to consider are the lot width required by the zoning district, the minimum and maximum range of lots sizes, the number of lots within a size range, the average lot size and the degree proposed lots will be smaller than existing lots.
  - iii. *Lot width character.* Whether the request will result in a lot that will be out of character with the width of existing lots. Aspects to consider are the lot width required by the zoning district, the minimum and maximum range of lot widths, the

lot widths within a range, the average lot width and the degree proposed lots will be more narrow than existing lots.

iv. *Change of principal use.* Whether the change of use will adversely affect the existing use or usability of adjacent or nearby property, will result in a use which will or could cause an excessive or burdensome use of existing or planned streets, or utilities, or other conditions which give supporting grounds for either approval or disapproval of the change of use proposal.

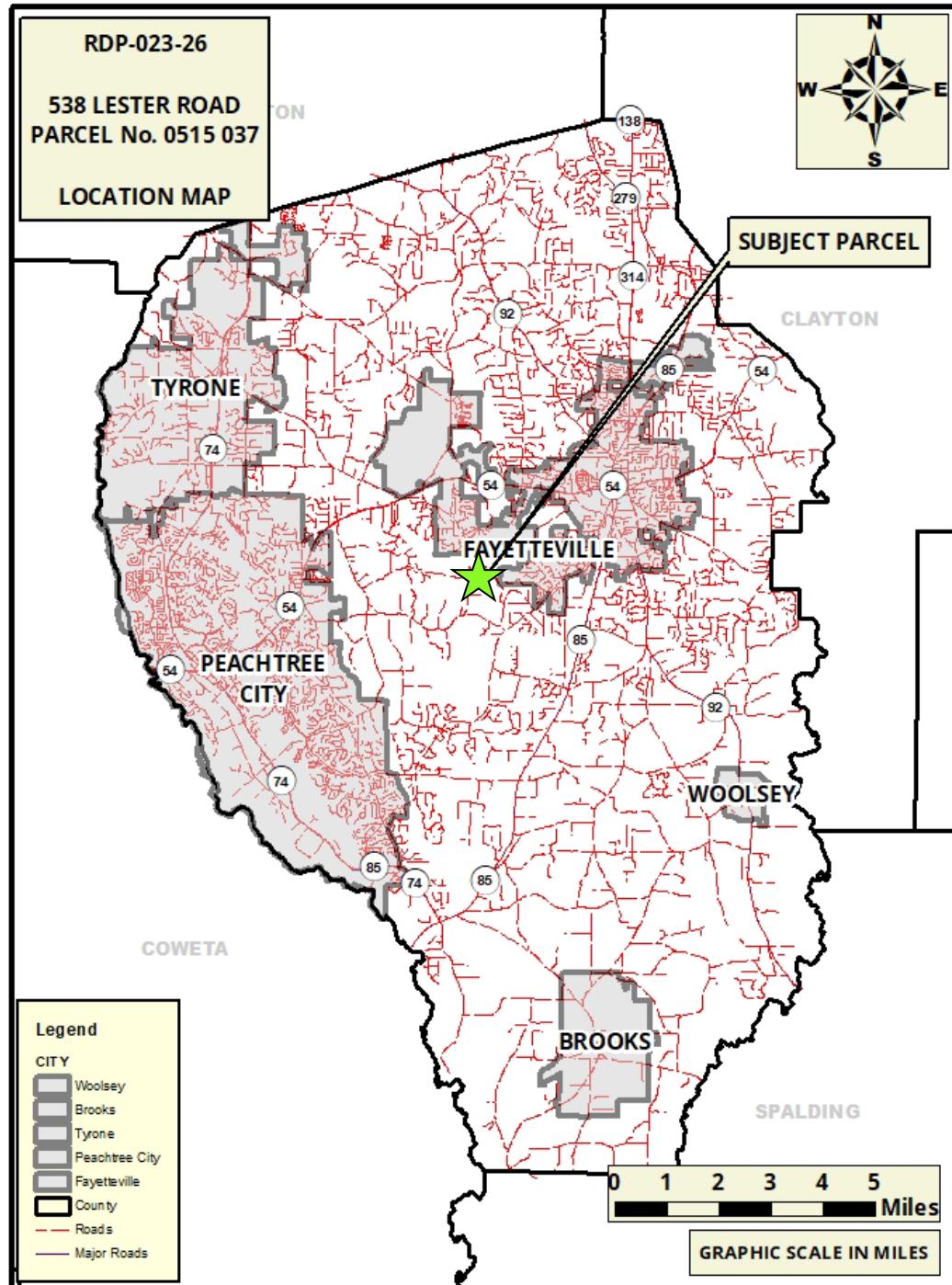
## **ZONING DISTRICT STANDARDS**

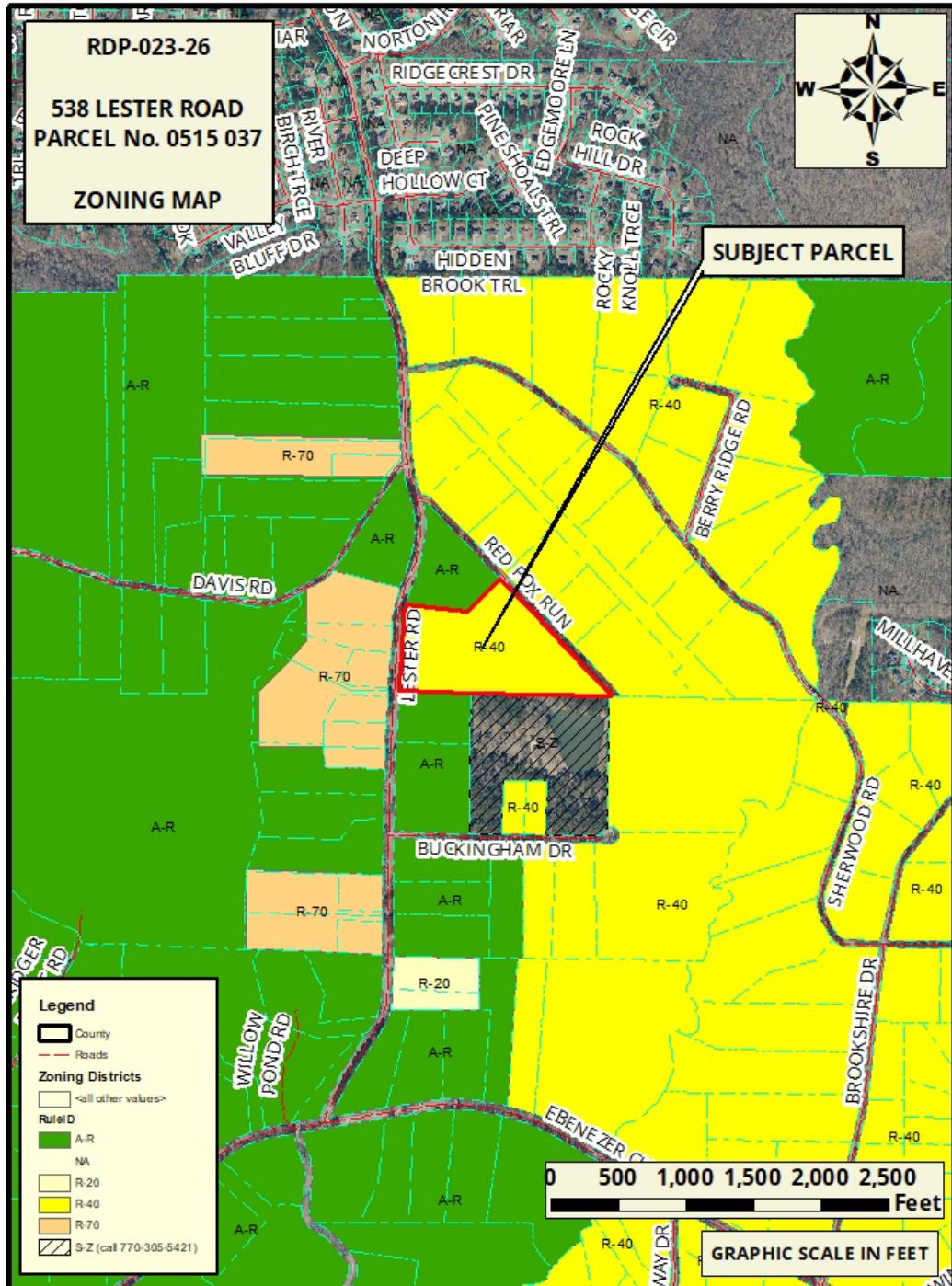
### **Sec. 110-137. R-40, Single-Family Residential District.**

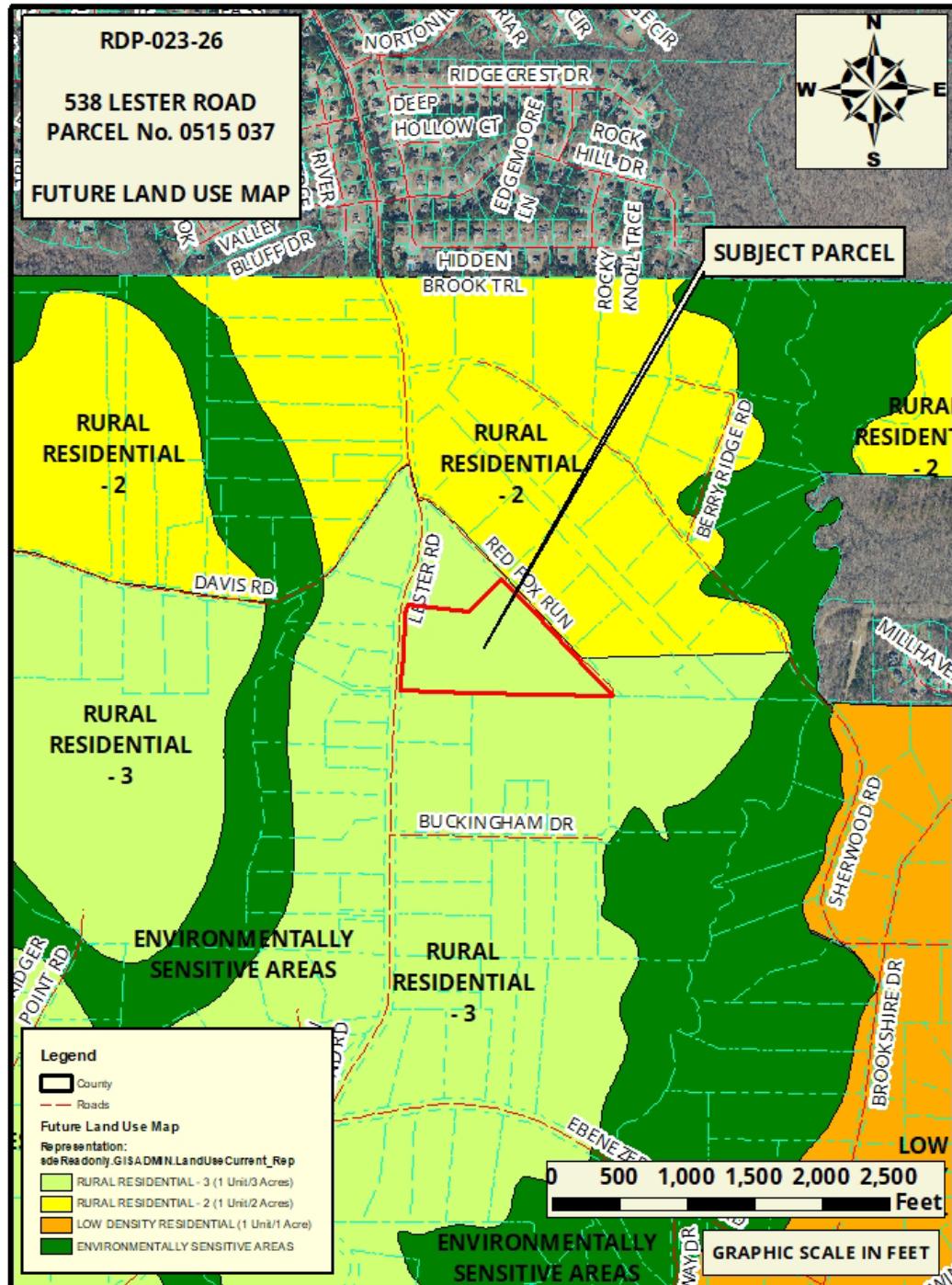
- (a) *Description of district.* This district is composed of certain lands and structures in the county, having a low density single-family residential character and is designed to protect against the depreciating effects of small lot development and those uses incompatible with such a residential environment.
- (b) *Permitted uses.* The following permitted uses shall be allowed in the R-40 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-40 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 within the R-40 zoning district shall be as follows:
  - (1) Lot area per dwelling unit:
    - a. Where central sanitary sewage or central water distribution systems are provided: 43,560 square feet (one acre).
    - b. Where neither a central sanitary sewage nor a central water distribution system is provided: 65,340 square feet (1.5 acres).
  - (2) Lot width:
    - a. Major thoroughfare:
      - 1. Arterial: 150 feet.
      - 2. Collector: 150 feet.
    - b. Minor thoroughfare: 125 feet.
  - (3) Floor area: 1,500 square feet.
  - (4) Front yard setback:
    - a. Major thoroughfare:
      - 1. Arterial: 60 feet.
      - 2. Collector: 60 feet.
    - b. Minor thoroughfare: 40 feet.
  - (5) Rear yard setback: 30 feet.

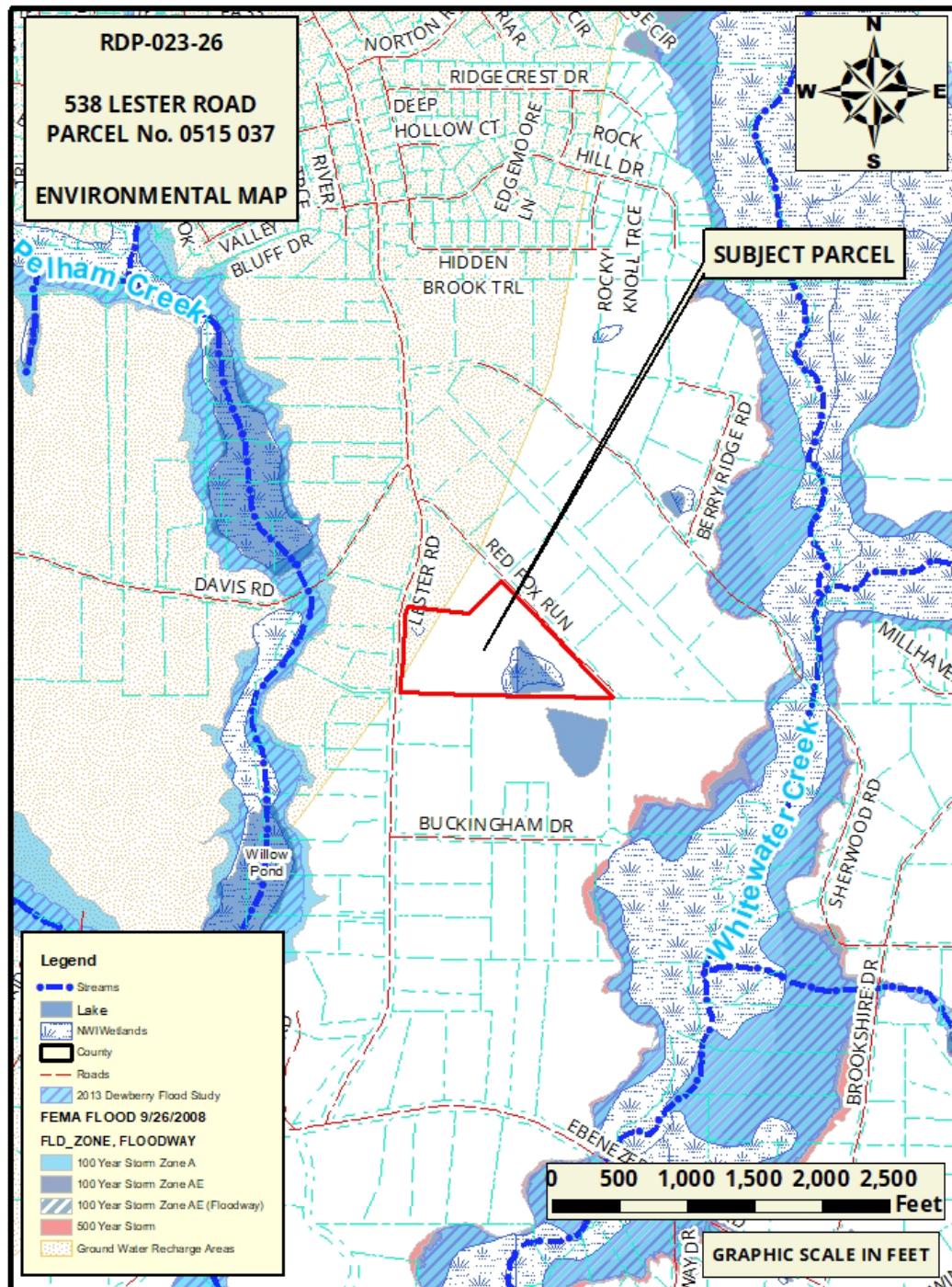
(6) Side yard setback: 15 feet.

(7) Height limit: 35 feet.

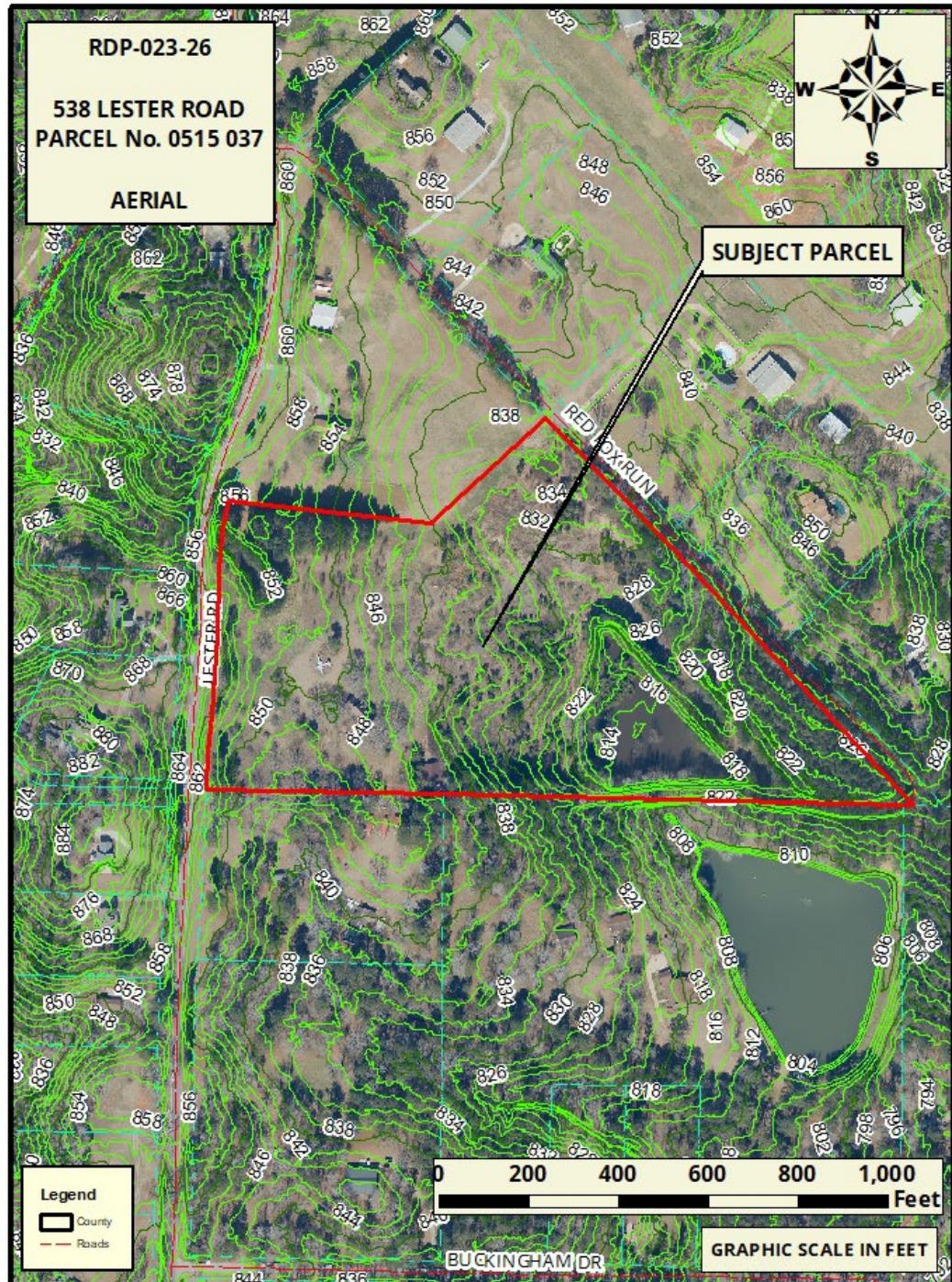




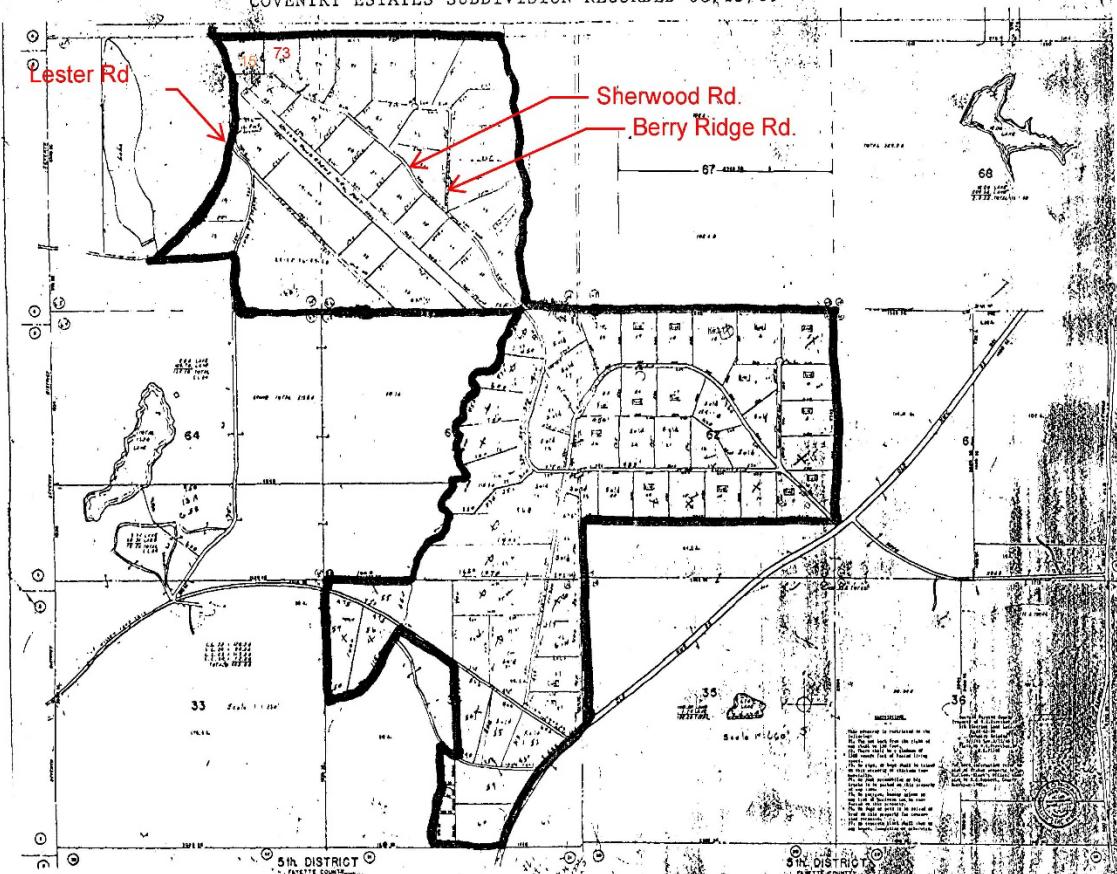






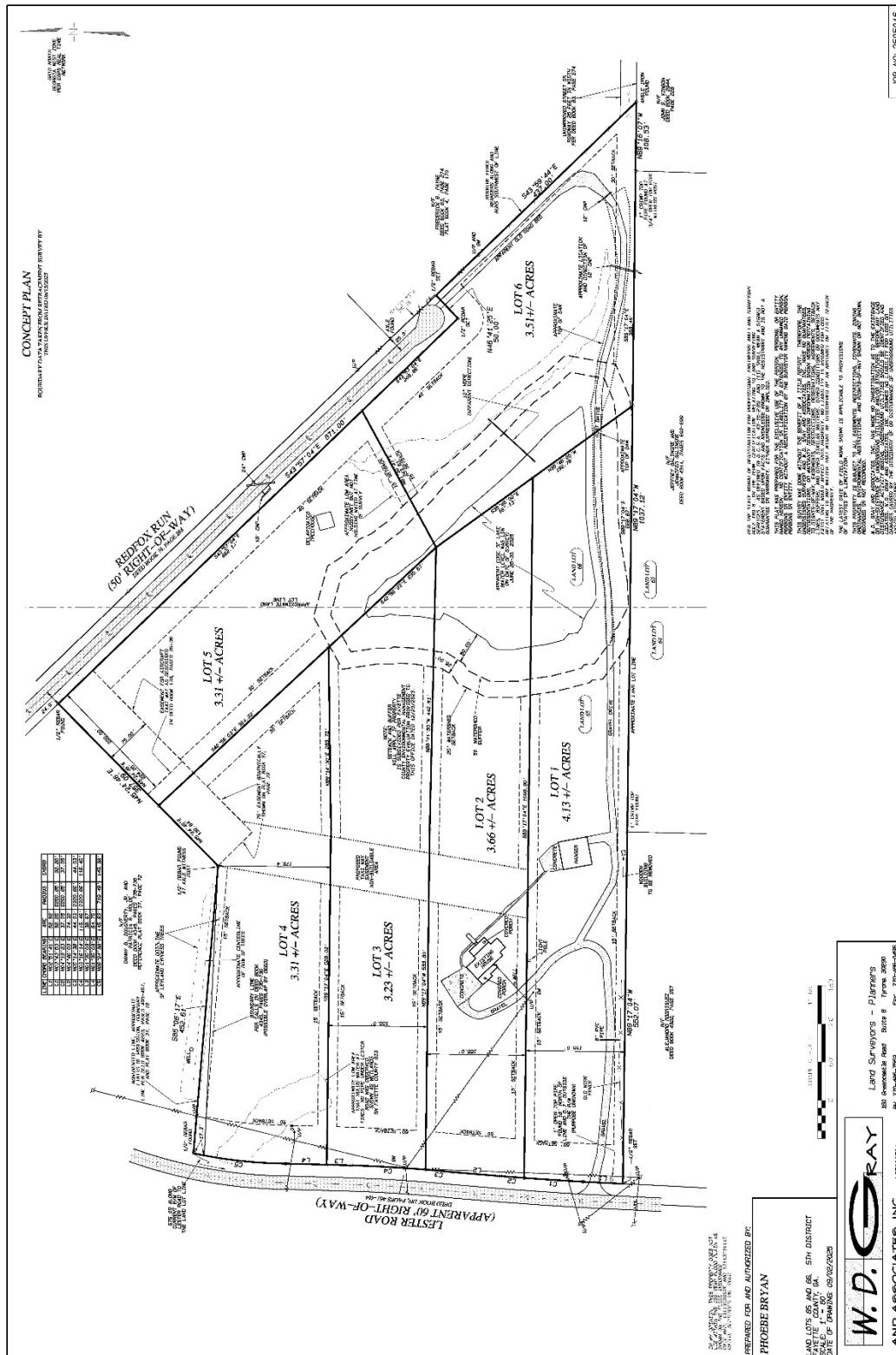


COVENTRY ESTATES SUBDIVISION RECORDED 08/15/69



Recorded 8-15-69 re a Ballard, Clark.

*Coventry Estates*



## CONCEPT PLAN

**PETITION No (s):** RDP-023-26

**STAFF USE ONLY**

**APPLICANT INFORMATION**

Name Phoebe J. Bryan, Trustee  
Address REDACTED  
City F  
State GA Zip 30015  
Email REDACTED  
Phone REDACTED

**AGENT(S) (if applicable)**

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: Maria Binns Date: 12/09/2025

DATE OF PLANNING COMMISSION HEARING: February 5, 2026

DATE OF COUNTY COMMISSIONERS HEARING: February 26, 2026

Received from Phoebe Bryan a check <sup>CC</sup> in the amount of \$ 350.00 for application filing fee, and \$ 40.00 for deposit on frame for public hearing sign(s).

Date Paid: 12/09/2025 Receipt Number: 025983

**SAGES REFERENCE No.:** \_\_\_\_\_

**PROPERTY OWNER INFORMATION**

Name David Gerald Stout  
Address Bryan Sponsal  
City Trust  
State Same address Zip \_\_\_\_\_  
Email \_\_\_\_\_  
Phone \_\_\_\_\_

PETITION No.: RDP-023-26 Fees Due: 350.00 Sign Deposit Due: 40.00  
STAFF USE ONLY

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

Parcel # (Tax ID): 0515 037 Acreage: \_\_\_\_\_  
Land District(s): 5 TH Land Lot(s): 65 AND 66  
Road Name/Frontage L.F.: LESTER / RED FOX 676/871 Road Classification: MINOR ARTERIAL / INTERNAL LOCAL  
Existing Use: RESIDENTIAL Proposed Use: RESIDENTIAL  
Structure(s): YES Type: HOUSE + HANGER Size in SF: 1775 +/- / 3790 +/-  
Existing Zoning: R-40 Proposed Zoning: R-40  
Existing Land Use: RESIDENTIAL Proposed Land Use: RESIDENTIAL  
Water Availability: NO Distance to Water Line: \_\_\_\_\_ Distance to Hydrant: 3000' +/-

---

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:

Phoebe J. Bryan, Trustee of David Gerald Start Spousal Trust  
(Please Print)

**Property Tax Identification Number(s) of Subject Property:** 0515 037

(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) 65-66 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 \_\_\_\_\_ acres (legal description corresponding to most recent recorded plat for the subject property is attached herewith).

(I) (We) hereby delegate authority to \_\_\_\_\_ to act as (my) (our) Agent in this rezoning. As Agent, they have the authority to agree to any and all conditions of zoning which may be imposed by the Board.

(I) (We) certify that all of the information filed with this application including written statements or showings made in any paper or plans submitted herewith are true and correct to the best of (my) (our) knowledge and belief. Further, (I) (We) understand that this application, attachments and fees become part of the official records of the Fayette County Zoning Department and may not be refundable. (I) (We) understand that any knowingly false information given herein by me/us will result in the denial, revocation or administrative withdrawal of the application or permit. (I) (We) further acknowledge that additional information may be required by Fayette County in order to process this application.

(II) Phoebe J. Bryan, Trustee

Signature of Property Owner 1

Address

Signature of Property Owner 2

Address

Signature of Property Owner 3

Address

Signature of Authorized Agent

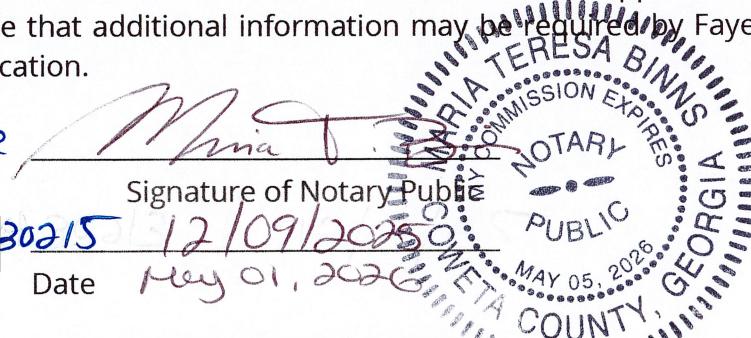
Address

Maria J. Binns

Signature of Notary Public

30215 12/09/2025

Date May 01, 2026



Signature of Notary Public

Date

Signature of Notary Public

Date

Signature of Notary Public

Date

PETITION No.: RDP-023-26

**OWNER'S AFFIDAVIT**

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

NAME: Phoebe J. Bryan  
ADDRESS: [REDACTED], GA 30215

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

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

This property includes: (check one of the following)

See attached legal description on recorded deed for subject property or  
 Legal description for subject property is as follows:

PUBLIC HEARING to be held by the Planning Commission of Fayette County on the day of February 5, 2026 at 7:00 P.M.

PUBLIC HEARING to be held by the Board of Commissioners of Fayette County on the day of February 26, 2026 at 5:00 P.M.

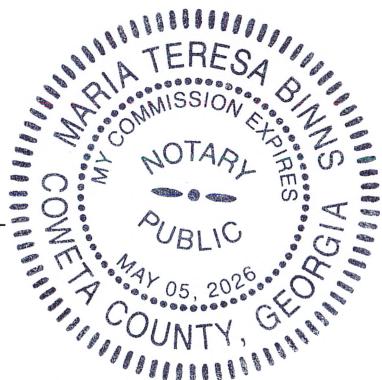
SWORN TO AND SUBSCRIBED BEFORE ME THIS 9th DAY OF December, 2025

By Bryan

SIGNATURE OF PROPERTY OWNER

SIGNATURE OF PROPERTY OWNER

Maria J. Binns  
NOTARY PUBLIC



## AGREEMENT TO DEDICATE PROPERTY FOR FUTURE RIGHT-OF-WAY

I/We, Phoebe J. Bryan, 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 Lester 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 9<sup>th</sup> day of December,  
2025.



SIGNATURE OF PROPERTY OWNER

SIGNATURE OF PROPERTY OWNER



NOTARY PUBLIC



## CHECKLIST OF ITEMS REQUIRED FOR REZONING REQUEST

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

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

## 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.

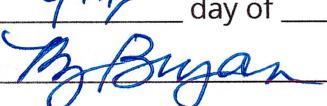
B. If the project does meet or exceed the established thresholds for the type of development proposed, the Georgia Department of Community Affairs (DCA) "Developments of Regional Impact: Request for Review Form" is available online at the following website address: [www.dca.state.ga.us/DRI/](http://www.dca.state.ga.us/DRI/).

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 9<sup>th</sup> day of December, 2025.

  
\_\_\_\_\_  
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.

Doc ID: 010221110003 Type: ESTD  
Recorded: 08/31/2017 at 10:00:00 AM  
Fee Amt: \$14.00 Page 1 of 3  
Transfer Tax: \$0.00  
Fayette, Ga. Clerk Superior Court  
Sheila Studdard Clerk of Court  
**BK4650 PG 148-150**

RETURN TO:  
Robert M. Goldberg & Associates  
P.O. Box 294  
Williamson, Georgia 30292

**EXECUTRIX'S DEED OF ASSENT**

**Fayette County, Georgia**

THIS INDENTURE made and entered into this 17th day of August, 2017, between **Phoebe Jernigan Bryan, as Executrix of the Estate of David Gerald Stout Bryan**, deceased by virtue of the Letters granted by the Probate Court of Fayette County, Georgia on July 21, 2017. Party of the first part, to **Phoebe Jernigan Bryan, Trustee of the David Gerald Stout Bryan Spousal Trust dated April 9, 2017**, Party of the Second Part;

Witnesseth:

THAT WHEREAS, *David Gerald Stout Bryan* died, a resident of Fayette County and Letters Testamentary were granted on July 21, 2017 by the Probate Court of Fayette County; and

WHEREAS, *Phoebe Jernigan Bryan*, qualified as Executrix and took the oath of office of Executrix's of said Estate and she has served since that date as Executrix of said Estate under and by virtue of the aforesaid Letters; and,

WHEREAS, the said decedent, *David Gerald Stout Bryan*, died vested and possessed of certain real property in Fulton County, Georgia, as hereinafter described; and

WHEREAS, the said *Phoebe Jernigan Bryan*, Executrix of the decedent's estate desires to make distribution of the hereinafter described real property to *Phoebe Jernigan Bryan, Trustee of the David Gerald Stout Bryan Spousal Trust dated April 9, 2017*, under and by virtue of the terms of the Last Will and Testament of *David Gerald Stout Bryan*; and

WHEREAS, The undersigned Executrix does hereby express her assent to the aforesaid devise of the real property hereinafter described, and the execution and delivery of the within instrument will evidence such assent by the aforesaid Executrix, pursuant to the pertinent provisions of the Laws of Georgia, so as to pass title to the real property hereinafter described to the party of the Second Part;

NOW THEREFORE, in order to consummate the purpose and intention of the *Last Will and Testament of David Gerald Stout Bryan*, and to pass title to the real property hereinafter described to the Party of the Second Part and in consideration of the power and authority conferred by the pertinent laws of Georgia and contained in said Letters, the Party of the First Part does hereby convey and deliver to the Party of the Second Part, specifically, the following real property, to wit;

538 Lester Road, Fayetteville, Fayette County and South of 430 Sherwood Road, Fayetteville, Fayette County, according to the numbering system in Fulton County, Georgia.

**TRACT 1**

All that tract or parcel of land lying and being in Land Lots 65 and 66 of the 5<sup>th</sup> Land District, Fayette County, Georgia, as shown by Plat of M.E. Hyde and Asso., dated July 19, 1982 entitled "Survey for Gerald S. Bryan" and in accordance with said plat being more particularly described below.

All that tract or parcel of land lying and being in Land Lot 66 of the 5<sup>th</sup> Land District of Fayette County, Georgia, containing 17.21 acres, more or less, as shown by Plat of M.E. Hyde and Assoc., dated July 15, 1982 entitled "Survey for Gerald S. Bryan" and in accordance with said plat being more particularly described as follows:

Beginning at the point where the center thread of a stream or creek known as Whitewater Creek intersects with the south line of Land Lot 66 aforesaid (which point of beginning is also located 670.1 feet westwardly, as measured along the south line of Land Lot 66 aforesaid, from the original southeast corner of said Land Lot 66); running thence in a general northwardly direction, as measured along the accutely meandering center thread of said Whitewater Creek, 1,360.4 feet, more or less, to a point, which point is marked by an offset iron pin located 1,360.4 feet north, 3 degrees 1 minute 13 seconds east, from the point of beginning last mentioned and is also located 8 feet south, 48 degrees 24 minutes 20 seconds west, from the center thread of the said Whitewater Creek; from the offset iron pin aforesaid, running thence south, 48 degrees 24 minutes 20 seconds west, (and transversing the right of way 50 feet in width of an improved public road known as Sherwood Road) 1,327 feet to an iron pin on the northeasterly margin of the Willow Pond Airport runway; thence south, 41 degrees 35 minutes 40 seconds east, as measured along the northeasterly margin of said Willow Pond Airport runway, 600 feet to an iron pin on the south line of Land Lot 66 aforesaid; thence south, 86 degrees 38 minutes 34 seconds east, as measured along the south line of Land Lot 66 aforesaid; 525 feet back to the point of beginning hereof.

Tract 2 above described embraces a public street or roadway known as Sherwood Road, which road has a right of way uniformly 50 feet in width. Said right of way, as the same is shown on the above referenced plat, is excepted from Tract 2 aforesaid.

**TRACT 2**

All that tract or parcel of land lying and being in Land Lot 66 of the 5<sup>th</sup> District, Fayette County, Georgia, and being shown as Lot 53 on Plat of the W. Earl Strother Property recorded in Plat Book 4, Page 170, Fayette County Records, and being more particularly described as follows:

Beginning at an iron pin at the intersection of the south line of Land Lot 66 with the west bank of White Water Creek, said iron pin also being located 610 feet west of the southeast corner of said Land Lot; thence running west along the south Land Lot line 525 feet to an iron pin on the northeast side of Willow Pond Air Port; thence running north 45 degrees west, along the northeast side of said Willow Pond Airport 600 feet to an iron pin at the southernmost corner of Lot 54, aforesaid plat; thence running northeasterly along the southeast lines of Lots 54 and 64 a distance of 1200 feet to an iron pin on the westerly bank of White Water Creek; thence running southerly along the westerly bank of White Water Creek, and following the meandering thereof, 1050 feet more or less, to the iron pin on the south line of said Land Lot A the point of beginning.

Together with the right of ingress and egress to and from the above described property over and across Sherwood Road, being a dedicated road shown on said plat across other property of W.E. Strother, Sr. and Jr.

Map Parcel # 05-15-011

To HAVE AND TO HOLD the above – described property, together with the rights, members and appurtenances thereunto belonging or in any wise appertaining to the proper use, benefit and behoof of the said Party of the Second Part, and its assigns, forever in as full and ample a manner as the same was possessed or enjoyed by the said *David Gerald Stout Bryan*, deceased in his lifetime in fee simple.

IN WITNESS WHEREOF, the said Party of the First Part has hereunto set her hand and seal, on the day and year first above written.

  
\_\_\_\_\_  
Phoebe Merrigan Bryan, Executrix of the  
Last Will and Testament of  
David Gerald Stout Bryan

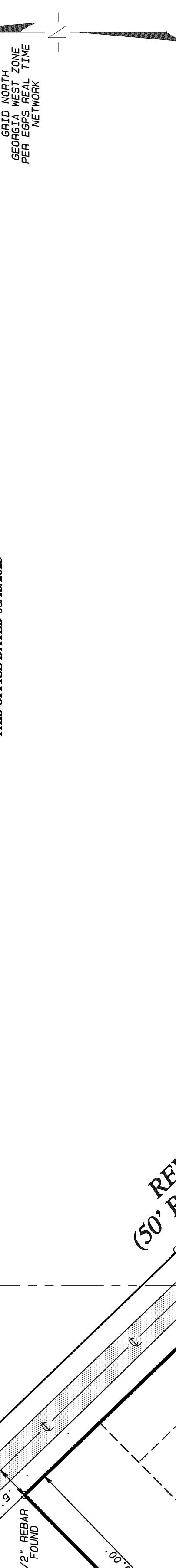
  
\_\_\_\_\_  
Witness

  
\_\_\_\_\_  
Notary Public  
My Commission Expires: 07/18/2017



# CONCEPT PLAN

BOUNDARY DATA TAKEN FROM RETRACEMENT SURVEY BY THIS OFFICE DATED 08/15/2025



|  |  |
|--|--|
| DANNY B. DOUGHERTY, JR. AND<br>PATRICIA R. NOEL, DE<br>REED BOOK 346, PAGES 35-736<br>DEED BOOK 423, PAGE 72 | MONUMENTED LINE, APPROXIMATE<br>LIMITS OF POSSESSION, BOUNDARY<br>LINE PER DEED BOOK 405-407,<br>LINE AND PLAT BOOK 31, PAGE 72              |
| S85°06'17"E<br>452.61'   | APPROXIMATE DRAPINE<br>OF LEYLAND CYPRESS TREES<br>BOUNDARY LINE<br>GALSON IN DEED BOOK<br>4246, PAGES 735-736<br>(POSSIBLY OVERLAP BY DEED) |

676.09 ALONG  
CURRENT R/W OF  
THE LAND LOT LINE

1/2" REBAR  
FOUND

LESSTER ROAD  
(APPARENT 60' RIGHT-OF-WAY)  
DEED BOOK 189, PAGES 463-464

676.09 ALONG  
CURRENT R/W OF  
THE LAND LOT LINE

1/2" REBAR  
FOUND

Continued from page B2

**PETITION FOR REVISION  
TO DEVELOPMENT PLAN OF  
COVENTRY ESTATES SUBDI-  
VISION IN UNINCORPORATED  
AREAS OF FAYETTE COUNTY,  
GEORGIA**

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

Petition No.: RDP-023-26

Owner: Phoebe Jernigan Bryan, Trustee of the David Gerald Stout Bryan Spousal Trust.

Agent: Phoebe Bryan

Zoning District: R-40

Parcel Number: 0515 037

Area of Property: 21.15 acres

Land Lot(s): 65 and 66

District: 5th

Fronts on: Lester Road and Red Fox Run

Request: Request approval of a Revised Development Plan to allow the subdivision of Parcel 0508 031 into six (6) parcels, within the Coventry Estates Subdivision.

**PROPERTY DESCRIPTION**

**TRACT 1**

All that tract or parcel of land lying and being in Land Lots 65 and 66 of the 5th Land District, Fayette County, Georgia, as shown by Plat of M.E. Hyde and Asso., dated July 19, 1982 entitled "Survey for Gerald S. Bryan" and in accordance with said plat being more particularly described below. All that tract or parcel of land lying and being in Land Lot 66 of the 5th Land District of Fayette County, Georgia, containing 17.21 acres, more or less, as shown by Plat of M.E. Hyde and Assoc., dated July 15, 1982 entitled "Survey for Gerald S. Bryan" and in accordance with said plat being more particularly described as follows: Beginning at the point where the center thread of a stream or creek known as Whitewater Creek intersects with the south line of Land Lot 66 aforesaid (which point of beginning is also located 670.1 feet westwardly, as measured along the south line of Land Lot 66 aforesaid, from the original southeast corner of said Land Lot 66); running thence in a general north-

wardly direction, as measured along the acutely meandering center thread of said Whitewater Creek, 1,360.4 feet, more or less, to a point, which point is marked by an offset iron pin located 1,360.4 feet north, 3 degrees 1 minute 13 seconds east, from the point of beginning last mentioned and is also located 8 feet south, 48 degrees 24 minutes 20 seconds west, from the center thread of the said Whitewater Creek; from the offset iron pin aforesaid, running thence south, 48 degrees 24 minutes 20 seconds west, (and transversing the right of way 50 feet in width of an improved public road known as Sherwood Road) 1,327 feet to an iron pin on the northeasterly margin of the Willow Pond Airport runway; thence south, 41 degrees 35 minutes 40 seconds east, as measured along the north- easterly margin of said Willow Pond Airport runway, 600 feet to an iron pin on the south line of Land Lot 66 aforesaid; thence south, 86 degrees 38 minutes 34 seconds east, as measured along the south line of Land Lot 66 aforesaid; 525 feet back to the point of beginning hereof. Tract 2 above described embraces a public street or roadway known as Sherwood Road, which road has a right of way uniformly 50 feet in width. Said right of way, as the same is shown on the above referenced plat, is excepted from Tract 2 aforesaid.

**TRACT 2**

All that tract or parcel of land lying and being in Land Lot 66 of the 5th District, Fayette County, Georgia, and being shown as Lot 53 on Plat of the W. Earl Strother Property recorded in Plat Book 4, Page 170, Fayette County Records, and being more particularly described as follows: Beginning at an iron pin at the intersection of the south line of Land Lot 66 with the west bank of White Water Creek, said iron pin also being located 610 feet west of the southeast corner of said Land Lot; thence running west along the south Land Lot line 525 feet to an iron pin on the northeast side of Willow Pond Air Port; thence running north 45 degrees west, along the northeast side of said Willow Pond Airport 600 feet to an iron pin at the southernmost corner of Lot 54, aforesaid plat; thence running northeasterly along the southeast lines of Lots 54 and 64 a distance of 1200 feet to an iron pin on the westerly bank of White Water Creek; thence running southerly along the westerly bank of White Water Creek, and following the meandering thereof, 1050 feet more or less, to the iron pin on the south line of said Land Lot A the point of beginning. Together with the right of ingress and egress to and from the above described property over and across Sherwood Road, being a dedicated road shown on said plat across other property of W.E. Strother, Sr. and Jr. Map Parcel# 05-15-11  
01/21