COUNTY AGENDA REQUEST

Department:	Planning & Zoning	Presenter(s):	Pete Frisina
Meeting Date:	Thursday, February 28, 2013	Type of Request:	Public Hearing

Wording for the Agenda:

Consideration of Petition No. 1227-13, D. Michael Travis and Linda H. Travis Owners, and Alvin Williams, Agent, request to rezone property from R-40: Single-Family Residential District to G-B: General Business to develop a Movie and TV Production Studio. This property consists of 24.03 acres located in Land Lot 198 of the 13th District and fronts on S.R 138.

Background/History/Details:

Staff recommends approval of rezoning Petition 1227-13 with one condition.

The Planning Commission recommends approval of rezoning Petition 1227-13 with one condition.

The recommended condition is:

That the owner/developer connects the development to the Fayette County Water System for fire protection as required by the Fire Marshal.

What action are you seeking from the Board of Commissioners?

Approve Petition No. 1227-13, D. Michael Travis and Linda H. Travis Owners, and Alvin Williams, Agent, request to rezone property from R-40: Single-Family Residential District to G-B: General Business to develop a Movie and TV Production Studio, with said property consisting of 24.03 acres located in Land Lot 198 of the 13th District and fronting on S.R. 138, with one condition as recommended by staff and the Planning Commission.

If this item requires funding, please describe:

Not Applicable.

Has this request been considered within the past two years?	No	If so, when?	
Is Audio-Visual Equipment Required for this Request?*	No	Backup Provided with Request?	Yes

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

Approved by Finance	Not Applicable	Reviewed by Legal	
Approved by Purchasing	Not Applicable	County Clerk's Approval	Yes
Administrator's Approval			

Staff Notes:

PLANNING COMMISSION REZONING REPORT

PETITION NO.: 1227-13

APPLICANT: D. Michael Travis & Linda H. Travis
201 Meadows Ct.
Canton, GA 30114

STAFF RECOMMENDATION:

PLANNING COMMISSION HEARING: February 7, 2013

PLANNING COMMISSION RECOMMENDATION:

BOARD OF COMMISSIONERS HEARING: February 28, 2013

COMMISSION DECISION: _____

REQUEST: Request to rezone 24.03 from R-40 to G-B General Business to develop a Movie and TV Production Studio.

PARCEL SIZE: 24.03

EXISTING USE: Undeveloped

PROPOSED USE: Movie and TV Production Studio

LOCATION: Land Lot 198 of the 13th District and fronts on SR 138

ZONING OF SURROUNDING PROPERTY: R-40

LAND USE PATTERN: General Business

PLANNING COMMISSION HEARING NOTES:

See Attached Minutes.

MOTION AND VOTE OF PLANNING COMMISSION:

Doug Powell restated the motion to approve the petition with one (1) recommended condition. Jim Graw seconded the motion. Chairman Gilbert called the question. The motion passed unanimously 5-0.

REASON(S) FOR RECOMMENDATION:

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

PLANNING COMMISSION RECOMMENDATION

DATE: February 7, 2013

TO: Fayette County Commissioners

The Fayette County Planning Commission recommends that Petition No. 1227-13, the application of D. Michael Travis & Linda H. Travis to rezone 24.03 from R-40 to G-B General Business, be:

5-0

✓ Approved _____ Withdrawn _____ Disapproved

_____ Tabled until _____

This is forwarded to you for final action.

AL GILBERT, CHAIRMAN

JIM GRAW, VICE-CHAIRMAN

BILL BECKWITH

DOUG POWELL

TIM THOMS

Remarks:

3. **Consideration of Petition No. 1227-13, D. Michael Travis & Linda H. Travis Owners, and Alvin Williams, Agent, request to rezone property from R-40: Single-Family Residential District to G-B: General Business to develop a Movie and TV Production Studio. This property consists of 24.03 acres located in Land Lot 198 of the 13th District and fronts on S.R 138.**

Alvin Williams stated that it was his intent to build a TV and film studio on the property.

Chairman Gilbert asked if anyone would like to speak in support of the petition, hearing none, he asked if anyone would like to speak in opposition of the petition, hearing none, he stated that he will bring the item back to the board.

Doug Powell stated that there is one (1) recommended condition.

Chairman Gilbert asked Doug Powell to read the condition.

Doug Powell read the conditions as follows:

> That the owner/developer connects the development to the Fayette County Water System for fire protection as required by the Fire Marshal.

Chairman Gilbert asked Mr. Williams if he agreed with the condition.

Mr. Williams stated that he agreed with the condition.

Doug Powell stated that a lot of work had been put toward this in workshops and that the General – Business zoning district is a sound zoning district and it will serve the residents with a non-retail operation.

Doug Powell made a motion to approve the petition as stated in the agenda. Jim Graw seconded the motion. The motion passed unanimously 5-0.

Chairman Gilbert recognized David Brill from the audience.

David Brill stated that he was President of the North Fayette Community Association and he wanted to thank the Planning Commission and staff for working with the Association.

The Planning Commission thanked David Brill and the Association for their input.

Jim Graw stated that he wanted to rescind his second to the motion because the condition was not included in the motion.

Doug Powell restated the motion to approve the petition with one (1) recommended condition. Jim Graw seconded the motion.

Tim Thoms said he wanted to thank Mr. Williams for working with the neighborhood to address their concerns.

Jim Graw thanked Mr. Williams for his cooperation.

Chairman Gilbert called the question. The motion passed unanimously 5-0.

To: Fayette County Planning Commission

From: Dennis S. Dutton, Fayette County Planning & Zoning

Date: January 25, 2013

Subject: Planning Commission Public Hearing, February 7, 2013
Board of Commission Public Hearing, February 23, 2013

The attached report is submitted for you consideration and contains the Staff's Recommendation on the rezoning applications scheduled for public hearing on February 7, 2013.

PAGE	PETITION NUMBER	LOCATION/ REQUEST	STAFF RECOMMENDATION
1-1	**1226-12**	**Barsi Point/ A-R to R-70 to develop one (1) Single-Family Residential lot on 2.17 acres**	**APPROVE R-70 WITH ONE (1) RECOMMENDED CONDITION**
2-1	**1227-12**	**SR 138/ R-40 to G-B for a Movie and TV Production Studio**	**APPROVE G-B WITH ONE (1) RECOMMENDED CONDITION**

DSD

cc: Dennis A. Davenport, Acting County Attorney
Peter A. Frisina, Director of Planning & Zoning
Dennis S. Dutton, Zoning Administrator/PC Secretary

REQUESTED ACTION: R-40 to G-B General Business

PROPOSED USE: Movie and TV Production Studio

EXISTING USE: Undeveloped

LOCATION: SR 138

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

OWNER: D. Michael Travis & Linda H. Travis

AGENT: Alvin Williams

PLANNING COMMISSION PUBLIC HEARING: February 7, 2013

BOARD OF COMMISSIONERS PUBLIC HEARING: February 28, 2013

APPLICANT'S INTENT

Applicant proposes to develop a Movie and TV Production Studio on 24.03 acres.

STAFF RECOMMENDATION

APPROVAL WITH ONE (1) CONDITION

INVESTIGATION

A. PROPERTY SITE

The subject property is a 24.03 tract fronting on SR 138 in Land Lot(s) 198 of the 13th District. SR 138 is classified as a Major Arterial road on the Fayette County Thoroughfare Plan. The subject property is undeveloped and currently zoned R-40.

History: A Preliminary Plat for Travis Estates (residential subdivision), which contained the subject property, was approved in 2008. The proposed subdivision had 34 lots on a total of 59 acres. The subdivision was not developed and the Preliminary Plat approval has expired.

B. SURROUNDING ZONING AND USES

The general situation is a 24.03 tract that is zoned R-40. See the following table and also the attached Zoning Location Map.

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

Direction	Acreage	Zoning	Use	Comprehensive Plan
North (Clayton County across SR 138)	18,000 sq. ft. minimum (.42 acres)	RS 180 Residential District (Clayton County)	Seven (7) Single-Family Residences	Mixed Use (Clayton County)
South	2.4	R-40	Single-Family Residential (Dix Lee On subdivision)	Low Density Residential (1 Unit/1 to 2 Acres
South	60	R-40	Single-Family Residential	Low Density Residential (1 Unit/1 to 2 Acres
East	25	R-40	Single-Family Residential	General Business
West	50	R-40	Private School	Public Facilities/Institutional

C. COMPREHENSIVE PLAN

The subject property lies within an area designated for General Business. This request conforms to the Fayette County Comprehensive Plan.

D. ZONING/REGULATORY REVIEW

The applicant seeks to rezone R-40 from to G-B General Business for the purpose of developing a Movie and TV Production Studio.

Setbacks and Buffers

Zoning District	Zoning Setbacks	Minimum Lot Size	Minimum House Size	Lot Width at Building Line	Buffer
G-B (proposed zoning district)	F - 100 ' Arterial F - 80' Collector F - 65' Minor S - 25 ' R - 25'	1 Acre* 1.5 Acre**	1,200 sq ft	125 ' Arterial 125 ' Collector 125 ' Minor	50'
R-40 (existing zoning district)	F - 60 ' Arterial F - 60 ' Collector F - 40 ' Local S - 15' R - 30'	1 Acre* 1.5 Acres **	1,500 sq ft	150 ' Arterial 150 ' Collector 125 ' Minor	N/A

* A minimum lot size of one (1) acre where a central water distribution system is provided.

** One-half (.50) acre where a central sanitary sewage and central water distribution systems are provided.

*** A minimum lot size of one (1) acre where a central sanitary sewage or central water distribution systems are provided..

**** One and one-half (1.50) acres where neither a central sanitary sewage nor a central water distribution system is provided.

State Route Overlay

Due to the frontage on State Route 138, development of the property is subject to the requirements of the SR 138 and North SR 314 Overlay Zone. The Overlay Zone requirements are in addition to the zoning district requirements and any Conditional Use requirements, and in cases where there is a conflict between requirements, the most restrictive regulation applies. Overlay Zone requirements including, but not limited to, the following: a 100 foot setback from the right-of-way of SR 138, a 50 foot setback for parking from right-of-way of SR 138, and architectural standards for buildings.

Platting

Should this request be approved, the applicant is reminded that before any lots can be sold or building permits issued, the subject property must be platted per the Fayette County Subdivision Regulations, as applicable.

Right-of-Way Requirements

SR 138 is classified as a Major Arterial road (major thoroughfare) on the Fayette County Thoroughfare Plan. This being a State Route, any dedication will be the responsibility of the Georgia Department of Transportation (GDOT) to secure from the property owner and must be indicated on the plat.

Access

The Concept Plan submitted indicates one (1) access from SR 138.

Site Plan

Should this petition be approved, the owner/developer must submit a Site Plan as required by Section 8-26., c. of the Development Regulations. Access must comply with the provisions of Section 8-53. of the Development Regulations and the Georgia D.O.T., as appropriate. The subject property must comply with Fayette County ordinances including but not limited to: Sections 5-18. Screening Required and 5-19. Screening Standards of the Fayette County Zoning Ordinance and 8-159. Fayette County Landscape and Buffer Requirements, Article VI. Tree Retention, Protection, and Replacement, and Article VIII. Off-Street Parking and Service Requirements of the Fayette County Development Regulations.

E. TRAFFIC AND TRIP GENERATION

The Institute of Transportation Engineers (ITE)' "Trip Generation, 7th Edition", **does not** contain a category for a Movie and/or TV Production Studio. Only one traffic study was found, on the internet, for a 280,659 square foot movie studio development in Park City, Utah. The study states that there is no specific published trip generation data for movie studios. Instead, the Engineer used an ITE trip generation factor for a Business Park as the Park City, Utah development has a mix of uses related to a Business Park in his opinion consisting of a hotel, offices, small-scale retail and restaurants, studio space, screening rooms, and other support services.

The proposed Movie and TV Production Studio associated with this rezoning does not have this mix of uses. Per the applicant's Letter of Intent, this facility will house set design and construction, soundstage, professional grade video equipment with a professional staff. For the purposes of comparison only, the ITE trip generation factor for General Light Industrial is 6.97 trips per 1,000 square feet of gross floor for a weekday and the ITE trip generation factor for General Office Building is 11.01 trips per 1,000 square feet of gross floor for a weekday which, for 60,000 square feet, produces a trip generation range of 418 to 660 trips for a weekday for these uses. Again, there is not a specific ITE trip generation factor for a Movie and TV Production Studio in which to generate traffic estimates.

F. REVIEW OF CONCEPT PLAN

The applicant is advised that the Concept Plan is for illustration purposes only. Any deficiencies must be addressed at the time of submittal of the Preliminary Plat, Final Plat, and/or Site Plan, as applicable.

G. DEPARTMENTAL COMMENTS

Water System

No water this section of SR 138.

Public Works/Engineering

Public Works/Engineering offers the following comments for consideration by the applicant as they plan and budget for development.

1. Service Entry and Truck Movement – It is not clear from the concept plan if a service entry is proposed, but the right-angle drives around perimeter of building may not provide sufficient room for trucks and emergency response vehicles.
2. Ingress/Egress – Curb cut on SR 138 to be permitted by the Georgia Department of Transportation. Turn lanes or other improvements to the State Route may be required. Existing Albania Drive on north side of SR 138 will influence location of driveway and curb cut.

Stormwater

Floodplain: Per FEMA FIRM panel 13113C0037E, the property **DOES NOT** contain floodplain.

Wetlands: The property **DOES NOT** contain wetlands per the U.S. Department of the Interior, Fish and Wildlife Service 1994 National Wetland Inventory Map

Watershed Protection: Per the Fayette County GIS and site visits, there **ARE** water bodies subject to the county watershed protection ordinance. These buffers and setbacks have been correctly identified on the plans.

Groundwater Recharge Area: The property is not within the groundwater recharge area, per the Georgia Department of Natural Resources' 1992 Ground-Water Pollution Susceptibility Map of Georgia (Hydrologic Atlas 20). Any hazardous or toxic materials stored on this property must be contained by a spill and leak collection system.

Environmental Health Department

Our department has no comment regarding the rezoning request.

Fire and EMS

Compliance with Building and Fire Code requirements will be applied at point of building construction. Per our conversation at the TRC meeting, a waterline will have to be extended from the Fayette County System to the Old Travis Property Re-Zoning # 1227-13, for fire protection purposes.

Georgia Department of Transportation

Our comments are the same as last time submitted. They will have to convert the two way left lane in to a left turn lane, and as a requirement that Fayette county requested the decel lane.

Fulton County

Pete, thank you for sending the information to me. At this time we do not have a comment. Morgan

STAFF ANALYSIS

This request is based on the petitioner's intent to rezone said property from R-40 to G-B General Business for the purpose of developing a Movie and TV Production Studio. Per Section 11-11 of the Fayette County Zoning Ordinance, Staff makes the following evaluations:

1. The subject property lies within an area designated for General Business. This request conforms to the Fayette County Comprehensive Plan.

2. The proposed rezoning will not adversely affect the existing use or usability of adjacent or nearby property. The property to the west is being used in a non-residential manor as a private school and the 25 acre lot to the east contains one single-family residence and is also designated as General Business on the Future Land Use Plan representing a future non-residential use. The southern portion of the subject property contains two lakes that act as an increased buffer to residential properties to the south.

3. The proposed rezoning will not result in a burdensome use of roads, utilities, or schools. SR 138 is a four lane state highway with a center two-way turn lane (see Georgia Department of Transportation comments)

4. Existing conditions and the area's proposed development as a non-residential district support this petition.

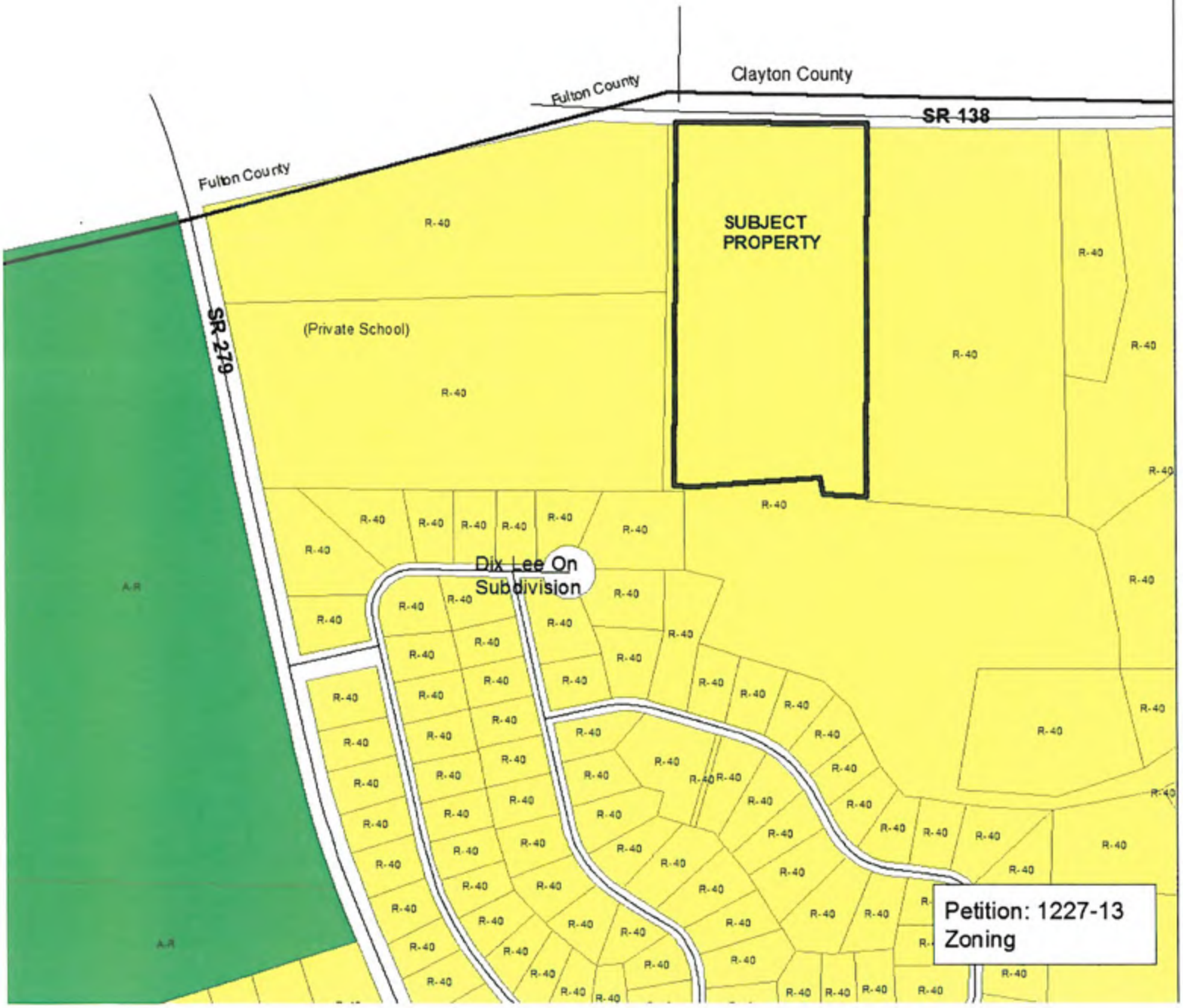
Based on the foregoing Investigation and Staff Analysis, Staff recommends **APPROVAL WITH ONE (1) CONDITION.**

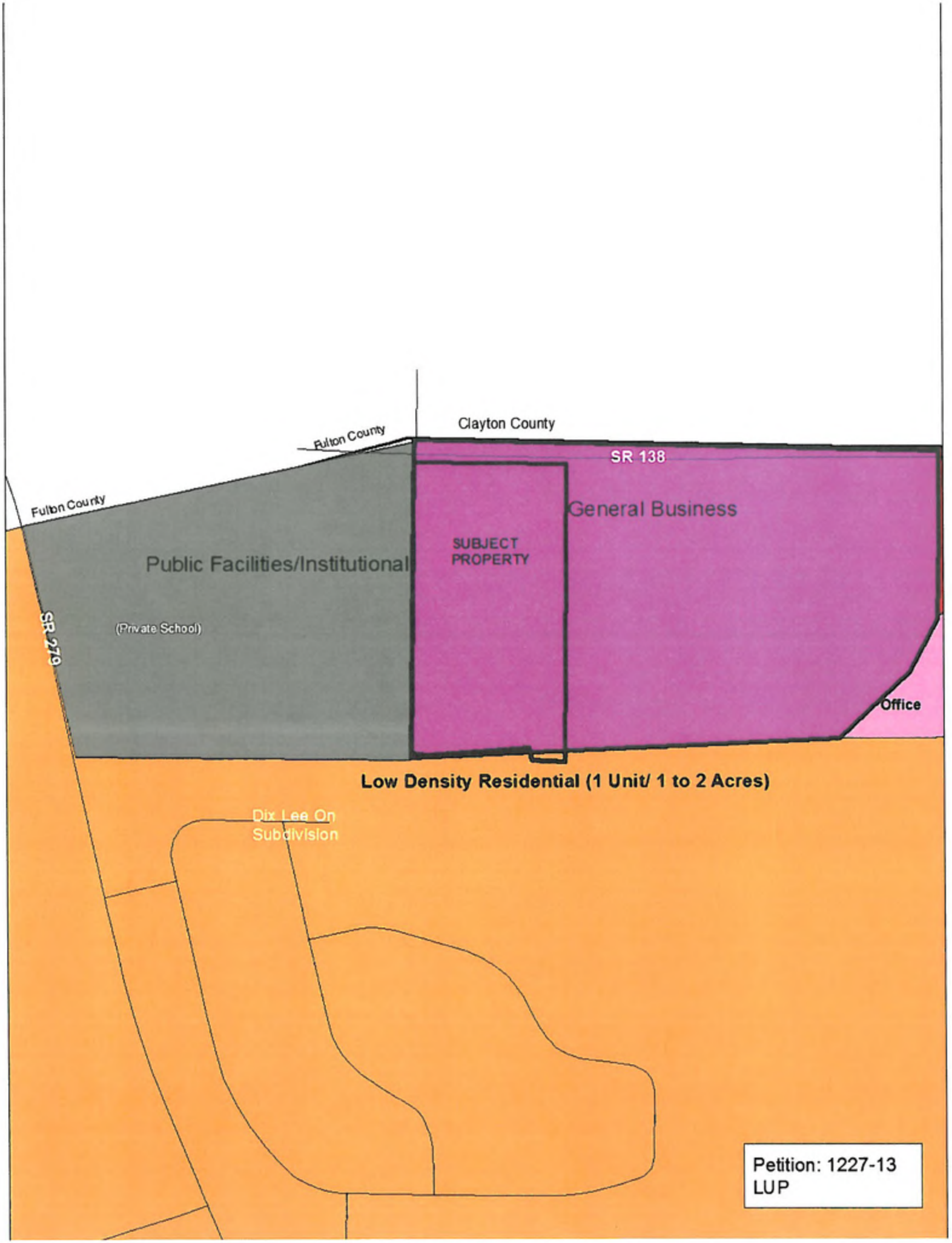
RECOMMENDED CONDITIONS

If this petition is approved by the Board of Commissioners, it should be approved G-B General Business **CONDITIONAL** subject to the following enumerated conditions. Where these conditions conflict with the provisions of the Zoning Ordinance, these conditions shall supersede unless otherwise specifically stipulated by the Board of Commissioners.

1. That the owner/developer connects the development to the Fayette County Water System for fire protection as required by the Fire Marshal.

Petition: 1227-13
Aerials


Clayton County
Fulton County
SR 138
Fulton County
SR 279
SUBJECT PROPERTY
(Private School)
R-40
A-R
Dix Lee On Subdivision
Petition: 1227-13
Zoning


Clayton County
Fulton County
Fulton County
SR 138
General Business
SUBJECT PROPERTY
Public Facilities/Institutional
(Private School)
SR 279
Office
Low Density Residential (1 Unit/ 1 to 2 Acres)
Dix Lee On Subdivision
Petition: 1227-13 LUP

LEGEND

- City Limits
- Streams
- NWI Wetlands
- Ground Water Recharge Areas
- 500 Year Storm
- 100 Year Storm Zone A
- 100 Year Storm Zone AE
- 100 Year Storm Zone AE (Floodway)

Fayette County GEORGIA

1 inch = 300 feet

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 Warranty Deed for the subject property:

D. Michael Travis and Linda H. Travis

Please Print Names

Property Tax Identification Number(s) of Subject Property: [redacted]

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

(I) (We) hereby delegate authority to Alvin Williams **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.

Signature of Property Owner 1	**Signature of Notary Public**
201 Big Meadows Ct, Canton 30114	12/13/12
Address	**Date**
Signature of Property Owner 2	**Signature of Notary Public**
Address	**Date**
Signature of Property Owner 3	**Signature of Notary Public**
Address	**Date**
Signature of Authorized Agent	**Signature of Notary Public**
145 Robinson Dr.	12/13/12
Address	**Date**
Fayetteville, GA. 30214	

KIA P. COPELAND NOTARY EXPIRES GEORGIA MAY 17, 2013 PUBLIC FAYETTE COUNTY

KIA P. COPELAND NOTARY EXPIRES GEORGIA MAY 17, 2013 PUBLIC FAYETTE COUNTY

NAME: D. Michael Travis & Linda H. Travis PETITION NUMBER: 1227-13

ADDRESS: 201 Big Meadows Ct., Canton, GA 30114

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

Mike & Linda Travis **affirms that he is the owner or the specifically authorized agent of the property described below. Said property is located in a(n)** 13th **Zoning District. He/She respectfully petitions the County to rezone the property from its present classification and tenders herewith the sum of $** 450.00 **to cover all expenses of public hearing. He/She petitions the above named to change its classification to** G-B.

This property includes: (check one of the following)

[ ] See attached legal description on recorded Warranty Deed for subject property or

[✓] Legal description for subject property is as follows:

See attached

PUBLIC HEARING to be held by the Planning Commission of Fayette County on the 7th **day of** February, **20** 13 **at 7:00 P.M.**

PUBLIC HEARING to be held by the Board of Commissioners of Fayette County on the 28th **day of** February, **20** 13 **at 7:00 P.M.**

SWORN TO AND SUBSCRIBED BEFORE ME THIS 20th **DAY OF** December, **20** 12.

Susan R Dean
NOTARY PUBLIC

D Michael Travis
Linda H. Travis
APPLICANT'S SIGNATURE

SUSAN R DEAN NOTARY PUBLIC CHEROKEE COUNTY, GEORGIA MY COMMISSION EXPIRES 01/31/2014

December 31, 2012

Dear Pete:

Please accept this correspondence as an notification of our intent on how we plan to utilize the land which is know as "The Travis Estate," located in Fayette county facing Hwy 138.

We plan to build a 60,000 square foot film & television, under the company name Open Rivers Studios, in compliance with the Fayette County zoning laws. This facility will be used to house; set design and construction, soundstage, professional grade video equipment with a professional staff that will allow the creation of content that will distributed and showcased on the digital format, cable and broadcast television and other exhibition platforms.

In addition, our intent is to reside on the portion of the land that is zoned for residential.

For additional information, please feel free to contact me at 678-699-4173.

Cordially,

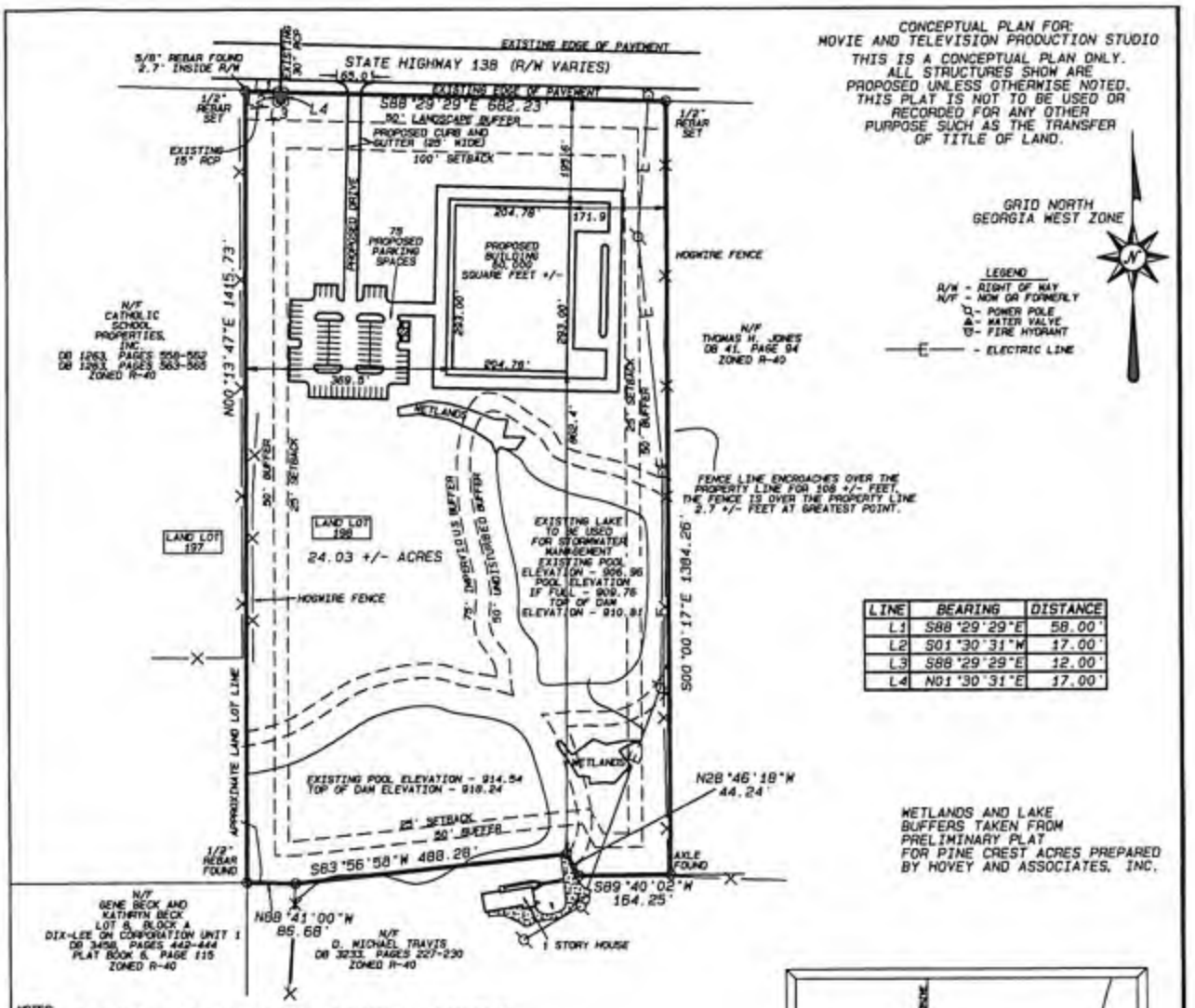
Alvin V. Williams

Alvin Williams
678-699-4173

All that tract or parcel of land lying and being in Land Lot 198 of the 13th District, Fayette County, Georgia and being more particularly described as follows;

Beginning at a 1/2" rebar set at the intersection of the Southerly right-of-way of State Highway 138 (right-of-way varies) and the Westerly Land Lot line of Land Lot 198, Thence along said right-of-way South 88 degrees 29 minutes 29 seconds East a distance of 58.00 feet to a point; thence South 01 degrees 30 minutes 31 seconds West a distance of 17.00 feet to a point; thence South 88 degrees 29 minutes 29 seconds East a distance of 12.00 feet to a point; thence North 01 degrees 30 minutes 31 seconds East a distance of 17.00 feet to a point; thence South 88 degrees 29 minutes 29 seconds East a distance of 682.23 feet to a point; thence leaving said right-of-way South 00 degrees 00 minutes 17 seconds East a distance of 1384.26 feet to an axle found; thence South 89 degrees 40 minutes 02 seconds West a distance of 164.25 feet to a point; thence North 28 degrees 46 minutes 18 seconds West a distance of 44.24 feet to a point; thence South 83 degrees 56 minutes 58 seconds West a distance of 488.28 feet to a point; thence North 88 degrees 41 minutes 00 seconds West a distance of 86.68 feet to a 1/2" rebar found on the Westerly Land Lot line of Land Lot 198, thence along said Land Lot line North 00 degrees 13 minutes 47 seconds East a distance of 1415.73 feet to a 1/2" rebar set on the Southerly right-of-way of State Highway 138 and the point of beginning; said tract containing 24.03 acres more or less as shown on a plat by W.D. Gray and Associates, Inc. for Brooks Real Estate Development, Inc. dated 12/11/2012.

CONCEPTUAL PLAN FOR:
MOVIE AND TELEVISION PRODUCTION STUDIO
THIS IS A CONCEPTUAL PLAN ONLY.
ALL STRUCTURES SHOW ARE
PROPOSED UNLESS OTHERWISE NOTED.
THIS PLAT IS NOT TO BE USED OR
RECORDED FOR ANY OTHER
PURPOSE SUCH AS THE TRANSFER
OF TITLE OF LAND.



GRID NORTH
GEORGIA WEST ZONE

LEGEND
R/W - RIGHT OF WAY
N/F - NOW OR FORMERLY
- POWER POLE
- WATER VALVE
- FIRE HYDRANT
- ELECTRIC LINE

LINE	BEARING	DISTANCE
L1	S88°29'29"E	58.00'
L2	S01°30'31"W	17.00'
L3	S88°29'29"E	12.00'
L4	N01°30'31"E	17.00'

WETLANDS AND LAKE BUFFERS TAKEN FROM PRELIMINARY PLAT FOR PINE CREST ACRES PREPARED BY HOVEY AND ASSOCIATES, INC.

NOTES:
1) THIS PROPERTY IS SUBJECT TO ALL EASEMENTS, RESTRICTIONS, AND RIGHTS-OF-WAY SHOWN OR NOT SHOWN, RECORDED OR NOT RECORDED.
2) THIS SURVEY WAS DONE WITHOUT THE BENEFIT OF A TITLE REPORT. OTHER ENCUMBRANCES MAY EXIST THAT A CURRENT TITLE REPORT PREPARED BY A QUALIFIED TITLE EXAMINER WOULD REVEAL.
3) W.D. GRAY AND ASSOCIATES, INC. HAS MADE NO INVESTIGATION AS TO THE EXISTENCE OR NON-EXISTENCE OF UNDERGROUND UTILITIES AND/OR STRUCTURES.
4) W.D. GRAY AND ASSOCIATES, INC. HAS MADE NO INVESTIGATION AS TO THE EXISTENCE OR NON-EXISTENCE JURISDICTIONAL WETLANDS. WETLANDS SHOWN TAKEN FROM REFERENCED PLAN. ANY WETLANDS ARE UNDER THE JURISDICTION OF THE U.S. ARMY CORPS OF ENGINEERS. OWNERS MAY BE SUBJECT TO PENALTY BY LAW FOR DISTURBING WETLAND AREAS WITHOUT PROPER AUTHORIZATION.
5) NO ADDITIONAL FIELD WORK WAS PERFORMED FOR THE PREPARATION OF THIS PLAT
6) OTHER IMPROVEMENTS EXIST ON THIS LOT BUT ARE NOT SHOWN AS IT WAS OUTSIDE THE SCOPE OF THIS SURVEY.

CONCEPTUAL PLAN NOTES:
1) TOTAL AREA = 24.03 +/- ACRES
2) CURRENT ZONING: R-40
3) PROPOSED ZONING: G-B GENERAL-BUSINESS DISTRICT
AREA TO BE REZONED = 24.03 +/- ACRES
LOT AREA:
WHERE PUBLIC WATER IS AVAILABLE: 43,560 SQ. FT. (1 ACRE)
WHERE PUBLIC WATER IS NOT AVAILABLE: 65,340 SQ. FT. (1.5 ACRES)
LOT WIDTH: 125'
FRONT YARD SETBACK:
MAJOR ARTERIAL: 100'
ARTERIAL: 100'
COLLECTOR: 80'
MINOR THOROUGHFARE: 65'
REAR YARD SETBACK: 25'
SIDE YARD SETBACK: 25'
BUFFER: IF THE REAR OF SIDE YARD ABUTS A RESIDENTIAL OR A-R ZONING DISTRICT, A MINIMUM BUFFER OF 50' SHALL BE PROVIDED ADJACENT TO THE LOT LINE. IN ADDITION TO THE REQUIRED SETBACK, THE SETBACK SHALL BE MEASURED FROM THE BUFFER.
HEIGHT LIMIT: 40'

OWNERS:
MIKE AND LINDA TRAVIS
201 BIG MEADOWS COURT
CANTON, GA 30114

AGENT:
ALVIN WILLIAMS
145 ROBINSON DRIVE
FAYETTEVILLE, GA 30214

BROOKS REAL ESTATE DEVELOPMENT, INC.
LAND LOT 198, 13TH DISTRICT
FAYETTE COUNTY, GA.
SCALE: 1" = 60'
DATE OF SURVEY: 03/25/2007
DATE OF DRAWING: 04/10/2007
CONCEPT PLAN PREPARED 12/27/2012

In my opinion, this property does not lie within the 100 year flood plain as shown on the FLOOD INSURANCE RATE MAP
No: 13113C0037E
Dated: SEPTEMBER 26, 2008

THIS PLAT WAS PREPARED FOR THE EXCLUSIVE USE OF THE PERSON, PERSONS, OR ENTITY NAMED HEREON. SAID PLAT DOES NOT EXTEND TO ANY UNAMED PERSON, PERSONS OR ENTITY WITHOUT A RECERTIFICATION BY THE SURVEYOR NAMING SAID PERSON, PERSONS OR ENTITY.

GRAPHIC SCALE 1"=200'
0 200 400 600

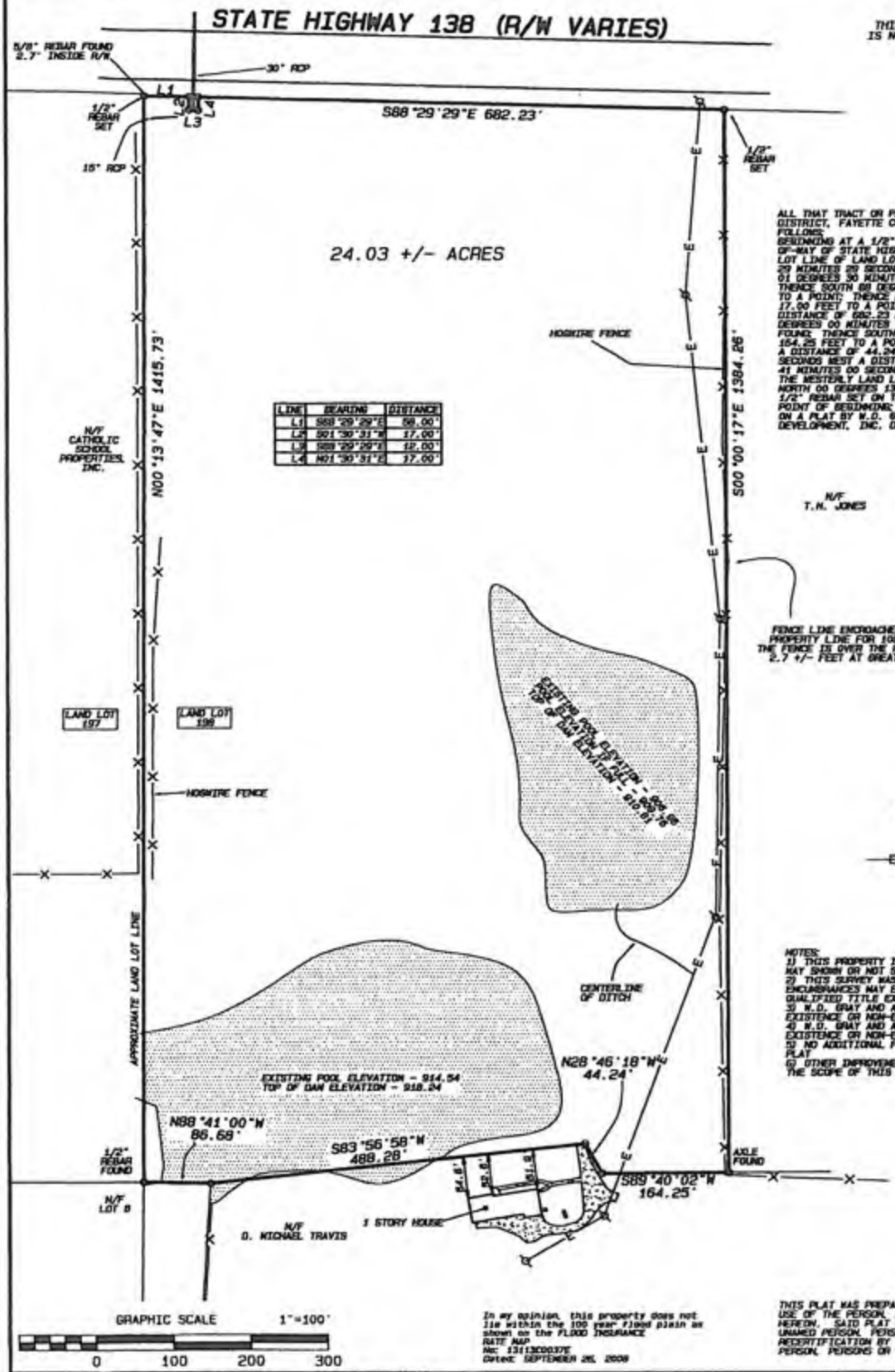
Job No: 070064

W.D. GRAY AND ASSOCIATES, INC.

Land Surveyors - Planners
160 GREENCASTLE ROAD SUITE B TYRONE, GA 30290
PH. 770-486-7552 Fax 770-486-0496

REZONING PLAT

THIS PLAT IS FOR REZONING PURPOSES ONLY. THIS PLAT IS NOT TO BE USED OR RECORDED FOR ANY OTHER PURPOSE.



LINE	BEARING	DISTANCE
L1	S88°29'29"E	58.00'
L2	S01°30'31"W	17.00'
L3	S88°29'29"E	12.00'
L4	N01°30'31"E	17.00'

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 198 OF THE 13TH DISTRICT, FAYETTE COUNTY, GEORGIA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
BEGINNING AT A 1/2" REBAR SET AT THE INTERSECTION OF THE SOUTHERLY RIGHT-OF-WAY OF STATE HIGHWAY 138 (RIGHT-OF-WAY VARIES) AND THE WESTERLY LAND LOT LINE OF LAND LOT 198; THENCE ALONG SAID RIGHT-OF-WAY SOUTH 88 DEGREES 29 MINUTES 29 SECONDS EAST A DISTANCE OF 58.00 FEET TO A POINT; THENCE SOUTH 01 DEGREES 30 MINUTES 31 SECONDS WEST A DISTANCE OF 17.00 FEET TO A POINT; THENCE SOUTH 88 DEGREES 29 MINUTES 29 SECONDS EAST A DISTANCE OF 12.00 FEET TO A POINT; THENCE NORTH 01 DEGREES 30 MINUTES 31 SECONDS EAST A DISTANCE OF 17.00 FEET TO A POINT; THENCE SOUTH 88 DEGREES 29 MINUTES 29 SECONDS EAST A DISTANCE OF 682.23 FEET TO A POINT; THENCE LEAVING SAID RIGHT-OF-WAY SOUTH 00 DEGREES 00 MINUTES 17 SECONDS EAST A DISTANCE OF 1384.26 FEET TO AN AXLE FOUND; THENCE SOUTH 89 DEGREES 40 MINUTES 02 SECONDS WEST A DISTANCE OF 164.25 FEET TO A POINT; THENCE NORTH 28 DEGREES 46 MINUTES 18 SECONDS WEST A DISTANCE OF 44.24 FEET TO A POINT; THENCE SOUTH 83 DEGREES 56 MINUTES 58 SECONDS WEST A DISTANCE OF 488.28 FEET TO A POINT; THENCE NORTH 88 DEGREES 41 MINUTES 00 SECONDS WEST A DISTANCE OF 86.68 FEET TO A 1/2" REBAR FOUND ON THE WESTERLY LAND LOT LINE OF LAND LOT 198; THENCE ALONG SAID LAND LOT LINE NORTH 00 DEGREES 13 MINUTES 47 SECONDS EAST A DISTANCE OF 1415.73 FEET TO A 1/2" REBAR SET ON THE SOUTHERLY RIGHT-OF-WAY OF STATE HIGHWAY 138 AND THE POINT OF BEGINNING; SAID TRACT CONTAINING 24.03 ACRES MORE OR LESS AS SHOWN ON A PLAT BY W.D. GRAY AND ASSOCIATES, INC. FOR BROOKS REAL ESTATE DEVELOPMENT, INC. DATED 12/11/2012.

LEGEND

R/W - RIGHT OF WAY
N/F - NOW OR FORMERLY
- POWER POLE
- WATER VALVE
- FIRE HYDRANT
-E- - ELECTRIC LINE

NOTES:
1) THIS PROPERTY IS SUBJECT TO ALL EASEMENTS, RESTRICTIONS, AND RIGHTS-OF-WAY SHOWN OR NOT SHOWN, RECORDED OR NOT RECORDED.
2) THIS SURVEY WAS DONE WITHOUT THE BENEFIT OF A TITLE REPORT. OTHER ENCUMBRANCES MAY EXIST THAT A CURRENT TITLE REPORT PREPARED BY A QUALIFIED TITLE EXAMINER WOULD REVEAL.
3) W.D. GRAY AND ASSOCIATES, INC. HAS MADE NO INVESTIGATION AS TO THE EXISTENCE OR NON-EXISTENCE OF UNDERGROUND UTILITIES AND/OR STRUCTURES.
4) W.D. GRAY AND ASSOCIATES, INC. HAS MADE NO INVESTIGATION AS TO THE EXISTENCE OR NON-EXISTENCE JURISDICTIONAL WETLANDS.
5) NO ADDITIONAL FIELD WORK WAS PERFORMED FOR THE PREPARATION OF THIS PLAT.
6) OTHER IMPROVEMENTS EXIST ON THIS LOT BUT ARE NOT SHOWN AS IT WAS OUTSIDE THE SCOPE OF THIS SURVEY.

In my opinion, this property does not lie within the 100 year flood plain as shown on the FLOOD INSURANCE RATE MAP
No: 13113C0037E
Dated: SEPTEMBER 26, 2008

THIS PLAT WAS PREPARED FOR THE EXCLUSIVE USE OF THE PERSON, PERSONS, OR ENTITY NAMED HEREON. SAID PLAT DOES NOT EXTEND TO ANY UNNAMED PERSON, PERSONS OR ENTITY WITHOUT A RECERTIFICATION BY THE SURVEYOR MAKING SAID PERSON, PERSONS OR ENTITY.

W.D. Gray and Associates, Inc.
land surveyors – planners
P.O. Box 3847 Peachtree City, GA 30269
(770) 486-7552 Fax (770) 486-0496

PREPARED FOR:

BROOKS REAL ESTATE DEVELOPMENT, INC.
CONTACT: TODD BROOKS
4075 MOUNT VERNON DR.
WOODSTOCK, GA 30189
770-516-4577

Land Lot: 198	DATE OF SURVEY: 03/25/07 DATE OF DRAWING: 04/10/07
District: 13TH	PREPARED PLAT FOR REZONING: 12/11/2012
FAYETTE COUNTY, GA	Job No: 0701064
Scale: 1" = 100'	SHEET 1 OF 1