Public Hearing #11

COUNTY AGENDA REQUEST

Department:	Planning & Zoning	Presenter(s):	Pete Frisina
Meeting Date:	Thursday, August 28, 2014	Type of Request:	Public Hearing

Wording for the Agenda:

Consideration of Petition No. 1237-14, Kathy S. James, Owner, and Randy Boyd, Agent, request to rezone 1.05 acres from A-R to R-45 for a Single-Family Residential lot, with said property being located in Land Lot 17 of the 9th District and fronting on State Route 92 North.

Background/History/Details:

The Planning Commission recommended (4-1) rezoning the the subject property (Petition 1237-14) from A-R to R-45 with one (1) recommended condition. The recommended condition is as follows:

That the owner/developer shall execute one (1) of the two (2) options below:

a. Remove the nonconforming single-family residence within 180 days from the effective date of this rezoning: or

b. If the owner/developer chooses to retain the single-family residence, variances from the Zoning Board of Appeals, to reduce the square footage requirement and allow the encroachment into the front yard setback, shall be obtained from the Zoning Board of Appeals within 180 days from the effective date of this rezoning. If the variances are denied, the owner/developer agrees to take all necessary action consistent with the direction of the Zoning Board of Appeals.

Staff recommendations approval of Petition 1236-14 with one (1) condition.

What action are you seeking from the Board of Commissioners?

Approval of the Planning Commission's and Staff's recommendation to approve Petition No. 1237-14, Kathy S. James, Owner, and Randy Boyd, Agent, request to rezone 1.05 acres from A-R to R-45 for a Single-Family Residential lot, with said property being located in Land Lot 17 of the 9th District and fronting on State Route 92 North with one (1) condition.

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:

RECOMMENDED CONDITIONS

If this petition is approved by the Board of Commissioners, it should be approved R-45 **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 shall execute one (1) of the two (2) options below:

    a. Remove the nonconforming single-family residence within 180 days from the effective date of this rezoning: or
    b. If the owner/developer chooses to retain the single-family residence, variances from the Zoning Board of Appeals, to reduce the square footage requirement and allow the encroachment into the front yard setback, shall be obtained from the Zoning Board of Appeals within 180 days from the effective date of this rezoning. If the variances are denied, the owner/developer agrees to take all necessary action consistent with the direction of the Zoning Board of Appeals.

To: Fayette County Board of Commissioners

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

Date: August 12, 2014

Subject: Board of Commissioners Public Hearing, August 28, 2014

The attached report is submitted for you consideration and contains the Staff's Recommendation and the Planning Commission's Recommendation on the rezoning application scheduled for public hearing on August 28, 2014.

PETITION NUMBER	LOCATION/ REQUEST	STAFF RECOMMENDATION	PLANNING COMMISSION RECOMMENDATION
1237-14	**SR 92 North/ A-R to R-45**	**APPROVE R-45 WITH ONE (1) RECOMMENDED CONDITION**	**APPROVE R-45 WITH ONE (1) RECOMMENDED CONDITION**

PLANNING COMMISSION RECOMMENDATION

DATE: August 7, 2014

TO: Fayette County Commissioners

The Fayette County Planning Commission recommends that Petition No. 1237-14, the application of Kathy S. James to rezone 1.05 acres from A-R to R-45, be:

4-1

_V_ Approved _____ Withdrawn _____ Disapproved

_____ Tabled until _____

This is forwarded to you for final action.

AL GILBERT, CHAIRMAN

JIM GRAW, VICE-CHAIRMAN

~~BILL BECKWITH~~ BRIAN HAREN

DOUG POWELL

BOB SIMMONS

Remarks:

_____

_____

_____

PLANNING COMMISSION REZONING REPORT

Pete Frisina said not to his knowledge.

Jim Graw said so the only entity with the 1,000 foot setback is the County.

Pete Frisina said as far as he knows that is correct.

7. **Consideration of Petition No. 1237-14, Kathy S. James, Owner, and Randy Boyd, Agent, request to rezone 1.05 acres from A-R to R-45 for a Single-Family Residential lot. This property is located in Land Lot 17 of the 9th District and fronts on SR 92 North.**

Randy Boyd said he was an engineer and registered land surveyor and was in business in this county for 30 years until the great recent housing recession. He said he had not been before this body for about five (5) years and he welcomes the two (2) new members. He said this property is owned by Kathy James and he would like to give the Planning Commission a picture of the family to pass around. He added that the subject property is on SR 92 North and is a nonconforming lot created in 1978 prior to the current zoning ordinance that was adopted in the November of 1980. He stated that an old house exists on the property and the applicant wants to build a larger house on the property and remove the old house. He said we are asking for an R-45 zoning to reduce the setbacks that are required by the A-R zoning district which is 100 feet on the front, 75 feet on the rear and 50 feet on the sides which takes up a large amount of a one (1) acre lot. He said R-45 requires 60 feet on the front, 30 feet on the rear and 20 feet on the sides with a minimum house size of 1,800 square feet. He said the request meets the land use plan and he thanks Dennis Dutton and Pete Frisina for working with us on this rezoning.

Doug Powell said he would read the following recommended condition for the record:

That the owner/developer shall execute one (1) of the two (2) options below:

a. Remove the nonconforming single-family residence within 180 days from the effective date of this rezoning: or
b. If the owner/developer chooses to retain the single-family residence, variances from the Zoning Board of Appeals, to reduce the square footage requirement and allow the encroachment into the front yard setback, shall be obtained from the Zoning Board of Appeals within 180 days from the effective date of this rezoning. If the variances are denied, the owner/developer agrees to take all necessary action consistent with the direction of the Zoning Board of Appeals.

Randy Boyd said the applicant agrees to the condition and will probably choose option a.

Chairman Gilbert said the main reason for the rezoning is to reduce the setbacks.

Randy Boyd that is the main reason for the rezoning because the house could be built but the building area is very limited with the A-R setbacks.

Doug Powell asked about the note on the concept plan about dedicating right-of-way to the state and don't we normally put that as a condition of rezoning.

Pete Frisina said we don't acquire right-of-way on a state route that is a GDOT function and the applicant is willing to give right-of-way to the state if they want it.

Randy Boyd said there would still be one (1) acre left with the right-of-way dedication.

Al Gilbert made a motion to recommend approval of Petition 1237-14 with one (1) condition. Brian Haren seconded the motion. The motion passed 4-1. Doug Powell voted against the motion because it is R-45 surrounded by A-R and R-70 and it sets precedence.

****

Doug Powell made a motion to adjourn the meeting.

Chairman Gilbert said so moved.

Chairman Gilbert said the meeting was adjourned at 8:10 pm.

PLANNING COMMISSION
OF
FAYETTE COUNTY

_____
Al GILBERT, CHAIRMAN

ATTEST:

_____

REQUESTED ACTION: A-R to R-45

PROPOSED USE: Single-Family Residential

EXISTING USE: Single-Family Residential

LOCATION: SR 92 North

DISTRICT/LAND LOT(S): 9th District, Land Lot(s) 17

OWNER: Kathy S. James

APPLICANT: Randy Boyd

PLANNING COMMISSION PUBLIC HEARING: August 7, 2014

BOARD OF COMMISSIONERS PUBLIC HEARING: August 28, 2014

APPLICANT'S INTENT

Applicant proposes a Single-Family Residential lot on 1.05 acres.

STAFF RECOMMENDATION
APPROVAL with ONE (1) CONDITION

1. 1237-14

INVESTIGATION

A. PROPERTY SITE

The subject property is a 1.05 acres tract fronting on SR 92 North in Land Lot(s) 17 of the 9th District. SR 92 North is classified as a Major Arteral road on the Fayette County Thoroughfare Plan. The subject property contains a single-family residence and is currently zoned A-R.

History: The subject property is a nonconforming lot. A deed was recorded on September 9, 1978 prior to the effect date of the zoning ordinance adopted on November 13, 1980.

B. SURROUNDING ZONING AND USES

The general situation is a 1.05 acres tract that is zoned A-R. In the vicinity of the subject property is land which is zoned A-R and R-70. 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 and West	7.69	A-R	Single-Family Residential	Low Density Residential (1 Unit/1 to 2 Acres)
South (across SR 92)	2.4	R-70	Single-Family Residential	Rural Residential (1 Unit/2 to 3 Acres)
East	10	A-R	Single-Family Residential	Low Density Residential (1 Unit/1 to 2 Acres)

C. COMPREHENSIVE PLAN

The subject property lies within an area designated for Low Density Residential (1 Unit/1 to 2 Acres). This request conforms to the Fayette County Comprehensive Plan.

Nonconforming Single-Family Residence

The applicant's intent is to remove the existing single-family dwelling and shed, and construct a new single-family dwelling that will comply with the R-45 zoning District (see Concept Plan).

Fayette County tax records indicate that the existing single-family residence was built in 1900 and is 1,348 square feet in size. The R-45 zoning district requires a floor area of 1,800 square feet. Floor Area is defined in the zoning ordinance as follows:

> *Floor Area, Principal Structure*. The area of a dwelling exclusive of unheated space shall be measured from the face of the exterior walls. Unheated space shall include, but not be limited to: attic, basement, garage, carport, patios, and open porches.

Section 110-170 (q) (2) of the Zoning Ordinance states:

> A property that is improved with an existing residential structure, which would become nonconforming in terms of the minimum square footage requirements within the zoning district for which a rezoning is being sought, may be considered for rezoning. Any actions necessary to achieve compliance will be handled through conditions of rezoning approval.

The applicant's Survey indicates that the existing single-family dwelling is approximately three (3) feet from the front property line and, therefore, will, not meet the 60 foot front yard setback for R-45 along SR 92. Section 110-170 of the Zoning Ordinance states:

> A property that is improved with a legally existing structure, which would become nonconforming in terms of the setbacks only within the zoning district for which a rezoning is being sought, may be considered for rezoning, except as otherwise provided in article IV of this chapter, O-I, and article V of this chapter, transportation corridor overlay zone. Upon approval of the rezoning request, a variance authorized by the zoning board of appeals shall be necessary for the structure to remain within the setback (see article V of this chapter). Any enlargement, expansion, or extension of said structure which serves to increase nonconformance, either vertical and/or horizontal, shall only be made with the authorization of the zoning board of appeals. Any new structure shall comply with the dimensional minimum requirements herein.

Staff will recommend the following condition:

1. That the owner/developer shall execute one (1) of the two (2) options below:

    a. Remove the nonconforming single-family residence within 180 days from the effective date of this rezoning: or

b. If the owner/developer chooses to retain the single-family residence, variances from the Zoning Board of Appeals, to reduce the square footage requirement and allow the encroachment into the front yard setback, shall be obtained from the Zoning Board of Appeals within 180 days from the effective date of this rezoning. If the variances are denied, the owner/developer agrees to take all necessary action consistent with the direction of the Zoning Board of Appeals.

D. ZONING/REGULATORY REVIEW

The applicant seeks to rezone A-R from to R-45 for a Single-Family Residential use.

Access

The survey submitted indicates access from SR 92 North.

E. DEPARTMENTAL COMMENTS

Water System
There is no conflict with this request. Approved

Public Works/Engineering
No Public Work comments.

Environmental Management
Environmental Management does not have comments for the rezoning there is no floodplain, wetlands, watershed buffers or setbacks, or ground water recharge for the parcel in question.

Environmental Health Department
This department has no objection to the proposed rezoning. Approval of the final plat will require verification that any existing septic system serving the structure is at least 5' within the indicated property lines, and 100' from any wells.

Fire
The Bureau of Fire Prevention will neither approve nor deny requests that fall outside the scope of ISO requirements.

Georgia Department of Transportation
We have no issues with rezoning.

STAFF ANALYSIS

This request is based on the petitioner's intent to rezone said property from A-R to R-45 for the purpose of developing Single-Family Residential. 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 Low Density Residential (1 Unit/1 to 2 Acres). 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.

3. The proposed rezoning will not result in a burdensome use of roads, utilities, or schools.

4. Existing conditions and the area's continuing development as a single-family 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 R-45 **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 shall execute one (1) of the two (2) options below:

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LEGEND

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RBS=REBAR SET
L L =LAND LOT
L L L =LAND LOT LINE
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THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH BY SURVEYOR ALL INFORMATION REGARDING RECORD EASEMENTS ADJOINERS AND OTHER DOCUMENTS THAT MIGHT AFFECT THE QUALITY OF TITLE TO TRACT SHOWN WERE NOT SUPPLIED TO THIS OFFICE

DECLARATION IS MADE TO ORIGINAL PURCHASER OF THE SURVEY ANY USE BY THIRD PARTIES IS AT THEIR OWN RISK SURVEY IS VALID ONLY IF PRINT HAS ORIGINALSEAL AND ORIGINAL SIGNATURE OF SURVEYOR

SURVEYOR'S CERTIFICATION

IT IS HEREBY CERTIFIED THAT THIS PLAT IS TRUE AND CORRECT AND WAS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE BY ME OR UNDER MY SUPERVISION. THAT ALL MONUMENTS SHOWN HEREON ACTUALLY EXIST OR ARE MARKED AS "FUTURE" AND THEIR LOCATION SIZE, TYPE, AND MATERIAL ARE CORRECTLY SHOWN THIS PLAT CONFORMS TO ALL REQUIREMENTS OF THE GEORGIA PLAT ACT(O C G A 15-6-67)

I CERTIFY THAT THIS PLAT DOES NOT CREATE ANY NEW STREETS OR ROADS REQUIRES NO UTILITY IMPROVEMENTS, AND REQUIRES NO NEW SANITARY SEWER LINES OR SEPTIC TANKS

SWINSON A GASKINS SR
GEORGIA REGISTERED LAND SURVEYOR NO 1620

CLOSURE STATEMENT
THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 42,167 FEET AND AN ANGULAR ERROR OF 00° 00' 02" PER ANGLE POINT AND HAS BEEN ADJUSTED USING THE LEAST SQUARES METHOD

THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 100,000+ FEET

ANGULAR & LINEAR MEASURMENTS WERE OBTAINED USING A LIECA 403 TCR TOTAL STATION

FLOOD STATEMENT
AS PER FEMA FLOOD INSURANCE RATE MAP (FIRM) OF FAYETTE COUNTY GEORGIA IT IS MY OPINION THAT THE SUBJECT PROPERTY DOES NOT LIE WITHIN A SPECIAL FLOOD HAZARD AREA
MAP NUMBER 13113C0017E
MAP REVISED SEPTEMBER 26, 2008

DIMENSIONAL REQUIREMENTS IN THE R-45 ZONING DISTRICT SHALL BE AS FOLLOWS
1 LOT AREA PER DWELLING UNIT
a WHERE CENTRAL SANITARY SEWAGE OR CENTRAL WATER DISTRIBUTION SYSTEM IS PROVIDED 43 560 SQUARE FEET (ONE [1] ACRE)
b WHERE NEITHER A CENTRAL SANITARY NOR CENTRAL WATER DISTRIBUTION SYSTEM IS PROVIDED 65,340 SQUARE FEET (ONE AND ONE-HALF [1 5] ACRES)
2 LOT WIDTH 125 FEET
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II COLLECTOR 60 FEET
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5 REAR YARD SETBACK 40 FEET
6 SIDE YARD SETBACK 20 FEET
7 HEIGHT LIMIT 35 FEET

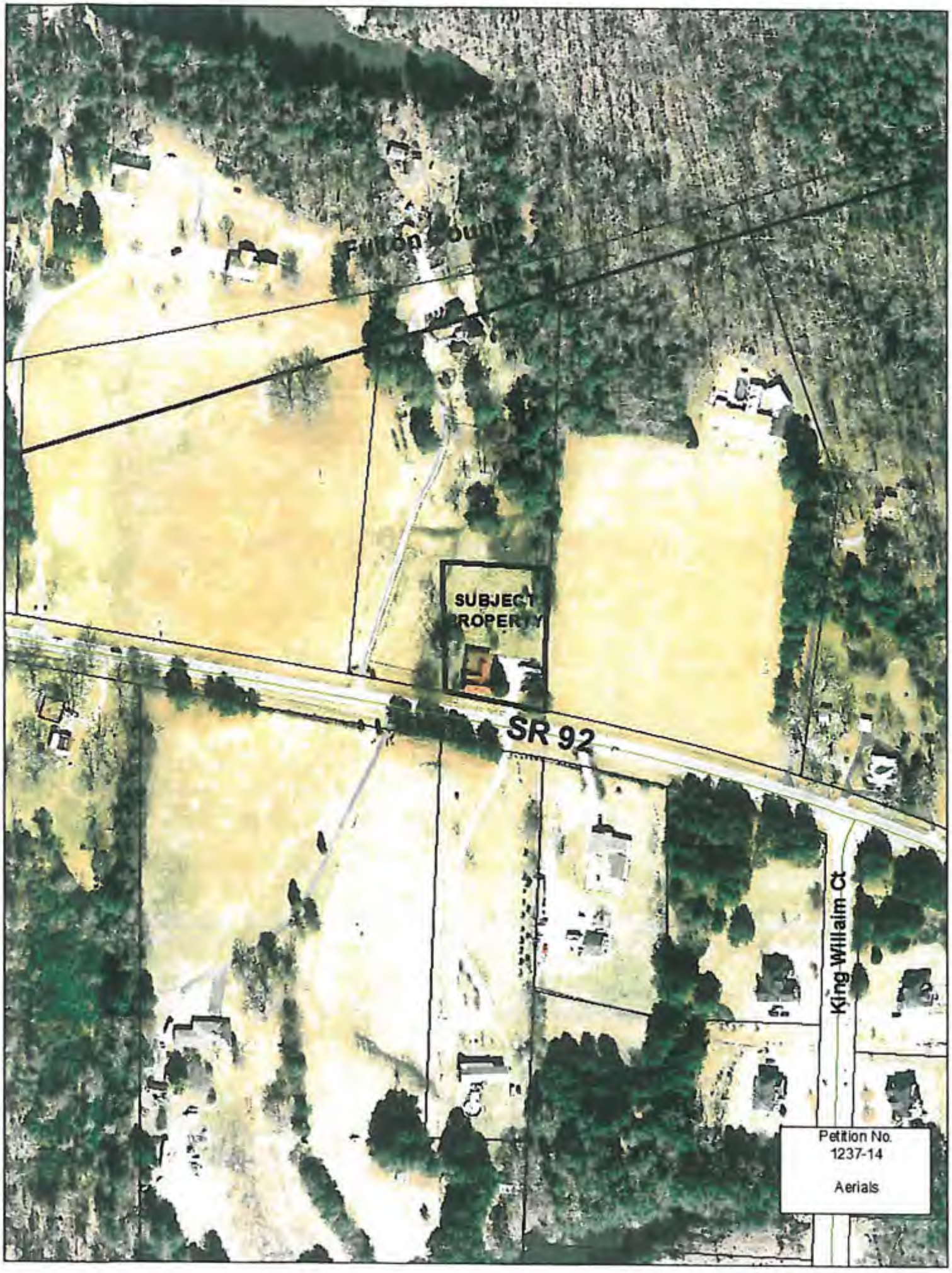
Prepared For: KATHI SIMPSON JAMES			
Address: 1803 Highway 92 North ~ Fayetteville, Ga			
District:	9th	References: DB 3923 PG 82	
Land Lot:	17	Date:	07/01/14
County	FAYETTE, GA	F.W.P.D	06/26/14
Scale	1" = 40'	Job No.	SA14-124

CONCEPTUAL PLAN

0' 40' 80' 120'

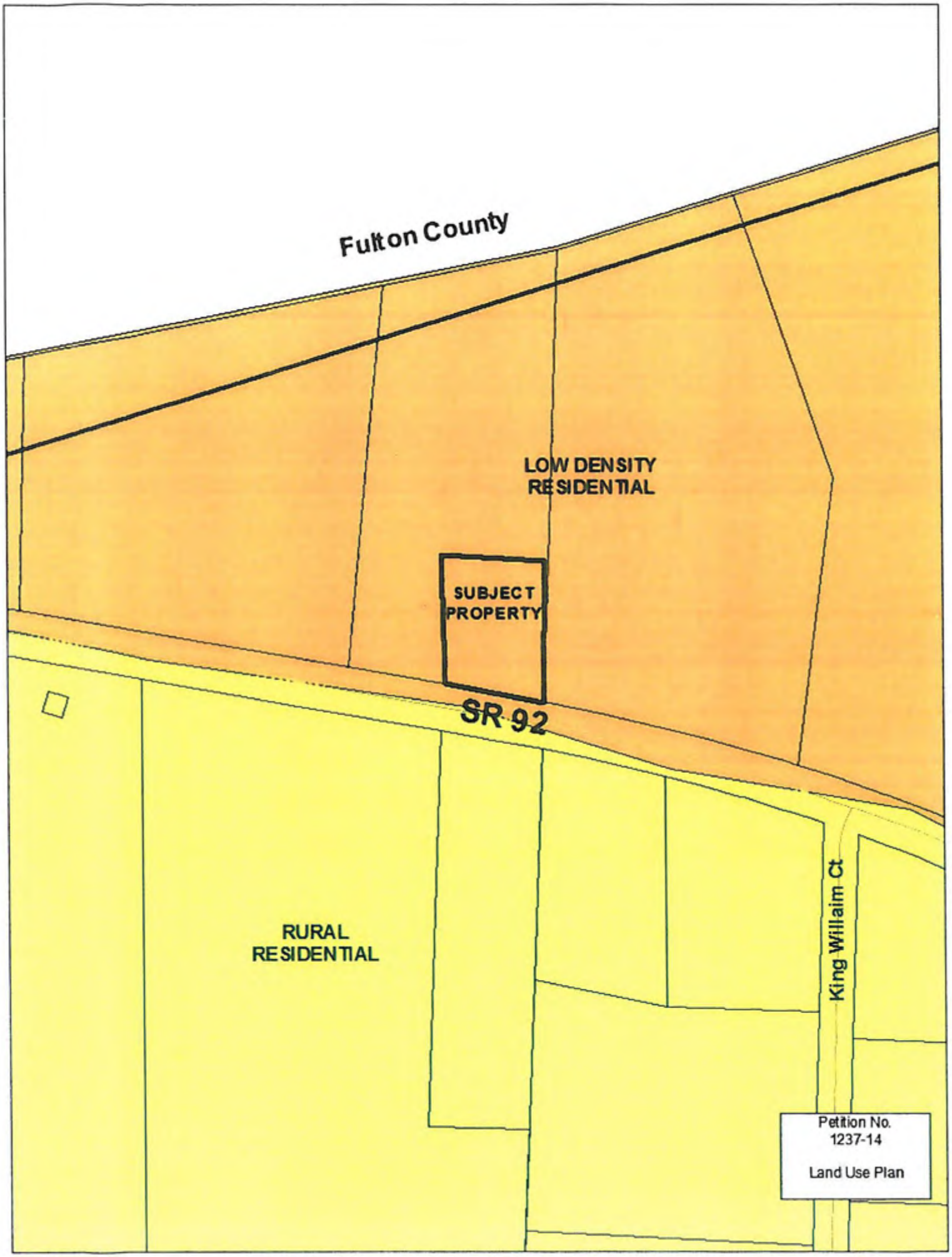
S.A. GASKINS & ASSOCIATES, LLC
surveyors ~ planners ~ development consultants
770-460-9342 P.O. BOX 321 BROOKS, GA 30205

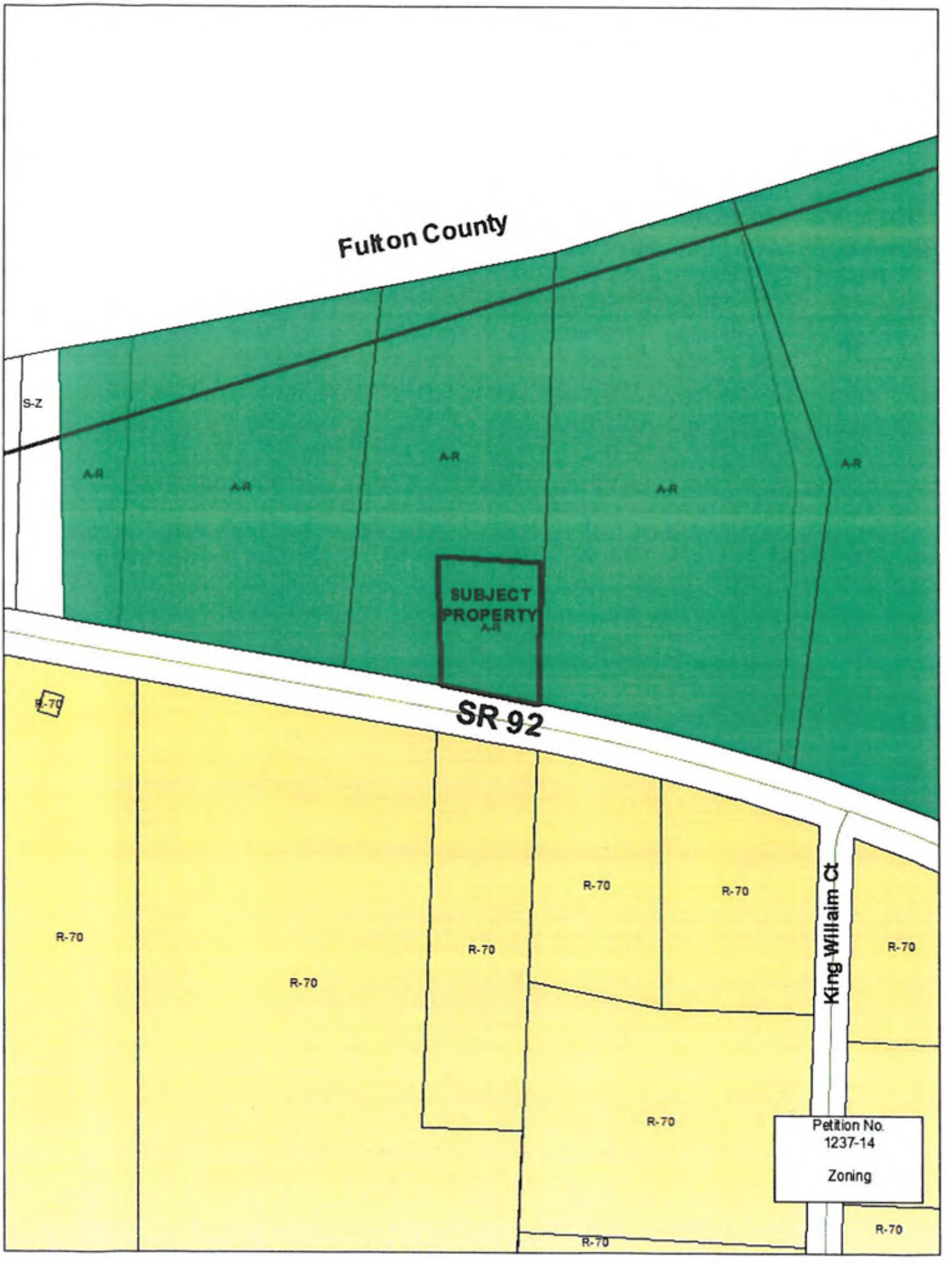
JOHN 3:16



Petition No.
1237-14

Aerials


Fulton County
LOW DENSITY
RESIDENTIAL
SUBJECT
PROPERTY
SR 92
RURAL
RESIDENTIAL
King Willaim Ct
Petition No.
1237-14
Land Use Plan


Fulton County
S-Z
A-R
A-R
A-R
A-R
A-R
SUBJECT PROPERTY
A-R
R-70
SR 92
R-70
R-70
R-70
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King William Ct
Petition No.
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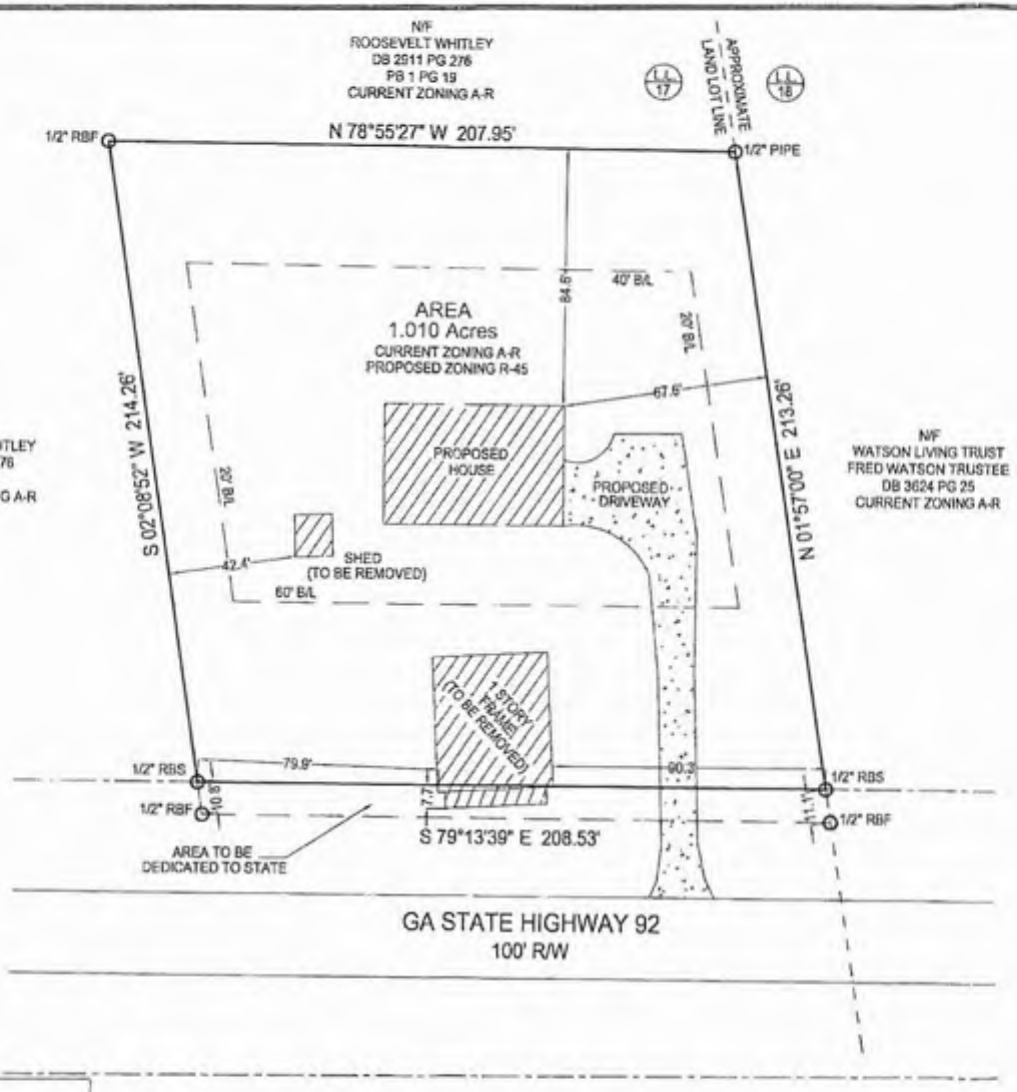

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MAP REVISED SEPTEMBER 26, 2008

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Prepared For: KATHI SIMPSON JAMES			
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S.A. GASKINS & ASSOCIATES, LLC
surveyors ~ planners ~ development consultants
770-460-9342 P.O. BOX 321 BROOKS, GA 30205 JOHN 3:16

APPLICATION TO AMEND
TO AMEND THE OFFICIAL ZONING MAP OF FAYETTE COUNTY, GA

PROPERTY OWNERS: KATHY S. JAMES

MAILING ADDRESS: 170 HILO ROAD FAYETTEVILLE, GA. 30215

PHONE: 770-703-6612 [redacted]

AGENT FOR OWNERS: Randy Boyd

MAILING ADDRESS: P.O. BOX 64 ZEBULON, GA. 30295

PHONE: 404-275-1677 FAX: 770-567-4132

E-MAIL: [redacted]

PROPERTY LOCATION: LAND LOT 17 LAND DISTRICT 9th PARCEL _____
LAND LOT _____ LAND DISTRICT _____ PARCEL _____

TOTAL NUMBER OF ACRES REQUESTED TO BE REZONED: 1.05 ACRES

EXISTING ZONING DISTRICT: AR PROPOSED ZONING DISTRICT: R-45

ZONING OF SURROUNDING PROPERTIES: AR

PRESENT USE OF SUBJECT PROPERTY: RESIDENTIAL

PROPOSED USE OF SUBJECT PROPERTY: RESIDENTIAL

LAND USE PLAN DESIGNATION: LOW DENSITY RESIDENTIAL (1 UNIT 1 TO 2 ACRES)

NAME AND TYPE OF ACCESS ROAD: GA. STATE HWY. 92

LOCATION OF NEAREST WATER LINE: ALONG GA. STATE HWY. 92

(THIS AREA TO BE COMPLETED BY STAFF): PETITION NUMBER: ZA 1237-14

| | Application Insufficient due to lack of: _____

by Staff: _____ Date: _____

| | Application and all required supporting documentation is Sufficient and Complete

by Staff: _____ Date: _____

DATE OF PLANNING COMMISSION HEARING: August 7, 2014

DATE OF COUNTY COMMISSIONERS HEARING: August 28, 2014

(250.00 Appl. & 20.00 Sign)

Received from _____ a check in the amount of $ 270.00 for application filing fee, and $_____ for deposit on frame for public hearing sign(s).

Date Paid: _____ Receipt Number: _____

PROPERTY OWNER CONSENT AND AGENT AUTHORIZATION FORM
(Applications require authorization by ALL property owners of subject property).

Name(s) of All Property Owners of Record found on the latest recorded deed for the subject property:

KATHY JAMES

Please Print Names

Property Tax Identification Number(s) of Subject Property: 0902 ~~038~~ 055

(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) 17 **of the** 9th **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 RANDY M. BOYD **to act as (my) (our) Agent in this rezoning. As Agent, they have the authority to agree to any and all conditions of zoning which may be imposed by the Board.**

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

Kathy Simpson James
Signature of Property Owner 1

Dianne B. Crowsover
Signature of Notary Public

170 Hilo Rd
Address

6-27-14
Date

Fayetteville, Ga 30215
Signature of Property Owner 2

Signature of Notary Public

DIANNE B CROWSOVER NOTARY PUBLIC FAYETTE COUNTY, GEORGIA MY COMMISSION EXPIRES MARCH 11, 2016

Address

Date

Signature of Property Owner 3

Signature of Notary Public

Address

Date

Randy M. Boyd
Signature of Authorized Agent

Dianne B. Crowsover
Signature of Notary Public

13103 Hwy. 18 West
Address

6-27-14
Date

ZEBULON, GA. 30295

DIANNE B CROWSOVER NOTARY PUBLIC FAYETTE COUNTY, GEORGIA MY COMMISSION EXPIRES MARCH 11, 2016

NAME: KATHY S. JAMES PETITION NUMBER: _____

ADDRESS: 170 HILO ROAD FAYETTEVILLE, GA. 30215

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

KATHY S. JAMES affirms that ~~he~~ She is the owner or the specifically authorized agent of the property described below. Said property is located in a(n) AR Zoning District. ~~He~~/She respectfully petitions the County to rezone the property from its present classification and tenders herewith the sum of $ 270.00 to cover all expenses of public hearing. ~~He~~/She petitions the above named to change its classification to R-45.

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 _____, 20_____ at 7:00 P.M.

PUBLIC HEARING to be held by the Board of Commissioners of Fayette County on the _____ day of _____, 20_____ at 7:00 P.M.

SWORN TO AND SUBSCRIBED BEFORE ME THIS 27th DAY OF June, 2014

Dianne B. Crowmover
NOTARY PUBLIC

Kathy Sexton James
APPLICANT'S SIGNATURE

DIANNE B CROWMOVER NOTARY PUBLIC FAYETTE COUNTY, GEORGIA MY COMMISSION EXPIRES MARCH 11, 2016

AGREEMENT TO DEDICATE PROPERTY FOR FUTURE RIGHT-OF-WAY

I/~~we~~, KATHY S. JAMES, said property owner(s) of subject property requested to be rezoned, hereby agree to dedicate, at no cost to Fayette County, _____ feet of right-of-way along _____ as measured from the centerline of the road.

Based on the Future Thoroughfare Plan Map streets have one of the following designations and the Fayette County Development Regulations require a minimum street width as specified below:

Local Street (Minor Thoroughfare) 60 foot right-of-way (30' measured from each side of road centerline)

Collector Street (Major Thoroughfare) 80 foot right-of-way (40' measured from each side of road centerline)

Arterial Street (Major Thoroughfare) 100 foot right-of-way (50' measured from each side of road centerline)

Sworn to and subscribed before me this 27th day of June, 20 14.

Kathy Susan James
SIGNATURE OF PROPERTY OWNER

_____
SIGNATURE OF PROPERTY OWNER

Dianne B. Crowmover
NOTARY PUBLIC

DIANNE B CROWMOVER NOTARY PUBLIC FAYETTE COUNTY, GEORGIA MY COMMISSION EXPIRES MARCH 11, 2016

Kathy S. James
170 Hilo Road
Fayetteville, Ga. 30215

July 24, 2014

VIA HAND DELIVERY

Fayette County Planning and Zoning Department
Pete Frisina, Director
140 Stonewall Avenue West, Suite 202
Fayetteville, GA. 30214

RE: Rezoning of property located at 1803 Hwy.92 North
Petition No. 1237-14

To Pete Frisina,

During our conversations concerning the rezoning of the property located at 1803 Hwy. 92 North from Agricultural-Residential (AR) to R-45, it is our understanding that Kathy S. James intends to demolish and remove the existing house and construct a new house on the above referenced property. She further intends to dedicate an additional ten (10) feet of right-of-way to provide fifty (50) feet from the existing centerline to the Georgia Department of Transportation, if required. These intentions are based on the approval of the requested rezoning (Petition No. 1237-14) by the Fayette County Board of Commissioners.

Randy M. Boyd (Agent for Kathy S. James)

Swinson A. Gaskins, Jr.