Public Hearing #9

COUNTY AGENDA REQUEST

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

Wording for the Agenda:

Consideration of Petition No. 1235-14, Max Fuller, Owner, and Moore Bass Consulting, Inc., Agent, request to rezone 10.56 acres from A-R to R-45, with said property being located in Land Lot 87 of the 5th District and fronting on South Jeff Davis Road.

Background/History/Details:

The Planning Commission recommended (4-1) rezoning the the subject property (Petition 1235-14) to R-50 with two (2) recommended conditions. The recommended conditions are as follows:

1. That a 30 foot undisturbed buffer, inclusive of the setback, is required along the western and southern boundary of the subject property. Said buffer shall be shown on the Final Plat and each property deed for the proposed lots shall also state the buffer requirements.

2. That a decel-accel lane is required along the entire frontage of the subject property.

Planning and Zoning/ Engineering staff recommends R-45 zoning with two conditions that include a 30 foot undisturbed buffer and required conditions to improve traffic safety.

Concerning the decel-accel lane: Public Works is supports of looking at other options, as proposed by the applicant, for addressing the sight-distance and associated safety concerns along South Jeff Davis. Those options are listed in the second recommended condition.

What action are you seeking from the Board of Commissioners?

Approval of the Staff's recommendation to rezone (Petition No. 1235-14) 10.56 acres from A-R to R-45 (Staff) with one (1) recommended Condition or Planning Commission's recommendation to rezone R-50 (Planning Commission) with two (2) recommended Conditions.

If this item requires funding, please describe:

Not Applicable.

Has this request been considered within the past two years?	Yes	If so, when?	Thursday, August 28, 2014
Is Audio-Visual Equipment Required for this Request?*	Yes	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:

This request is associated with Public Hearing #10- Petition No. RP-052-14. This item was tabled at the July 24, 2014 Board of Commissioners meeting at the applicant's / agent's request.

RECOMMENDED CONDITIONS

PLANNING COMMISSION RECOMMENDS APPROVAL TO R-50 WITH TWO RECOMMENDED CONDITIONS:

1) That a 30 foot undisturbed buffer, inclusive of the setback, is required along the western and southern boundary of the subject property. Said buffer shall be shown on the Final Plat and each property deed for the proposed lots shall also state the buffer requirements.

2) That a decal-accel lane is required along the entire frontage of the subject property

PLANNING AND ZONING/ENGINEERING STAFF RECOMMEND APPROVAL TO R-45 WITH RECOMMENDED CONDITIONs:

1) That a 30 foot undisturbed buffer, inclusive of the setback, is required along the western and southern boundary of the subject property. Said buffer shall be shown on the Final Plat and each property deed for the proposed lots shall also state the buffer requirements.

2) The following conditions are required to improve traffic safety:

    a. The development shall be limited to a maximum of four driveway cuts, with each driveway cut serving no more than two lots. Appropriate cross access easements shall be provided. The driveway cuts shall be placed in locations to maximize available sight distance. These locations and cross access easements shall be indicated on the Final Plat

    b. Within County right-of-way, each driveway shall have a minimum width of 15 feet wide and 15 foot return radii. This condition will be administered by the Engineering Department in conjunction with the Driveway Permit Application process and subsequent Building Permit.

    c. Each lot shall have an appropriate turn-around area to ensure vehicles can pull-out (rather than back-out) onto South Jeff Davis Road. The turn-around area shall be approved by the Engineering Department prior to issuance of a Building Permit.

To: Fayette County Board of Commissioners

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

Date: July 10, 2014

Subject: Board of Commissioners Public Hearing, July 24, 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 July 24, 2014.

PETITION NUMBER	LOCATION/ REQUEST	STAFF RECOMMENDATION	PLANNING COMMISSION RECOMMENDATION
1235-14	South Jeff Davis Drive / A-R to R-45	APPROVE R-45 WITH ONE (1) RECOMMENDED CONDITION	APPROVE R-50 WITH TWO (2) RECOMMENDED CONDITIONS

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 a 30 foot undisturbed buffer, inclusive of the setback, is required along the western and southern boundary of the subject property. Said buffer shall be shown on the Final Plat and each property deed for the proposed lots shall also state the buffer requirements.

2. The following conditions are required to improve traffic safety:

    a. The development shall be limited to a maximum of four driveway cuts, with each driveway cut serving no more than two lots. Appropriate cross access easements shall be provided. The driveway cuts shall be placed in locations to maximize available sight distance. These locations and cross access easements shall be indicated on the Final Plat

    b. Within County right-of-way, each driveway shall have a minimum width of 15 feet wide and 15 foot return radii. This condition will be administered by the Engineering Department in conjunction with the Driveway Permit Application process and subsequent Building Permit.

    c. Each lot shall have an appropriate turn-around area to ensure vehicles can pull-out (rather than back-out) onto South Jeff Davis Road. The turn-around area shall be approved by the Engineering Department prior to issuance of a Building Permit.

Fayette County Engineering Department
Plan Review Comment Sheet

115 McDonough Road, Fayetteville, GA 30215

Project Data

Item:	Rezoning Application for 1235-14
Name:	Max Fuller
Location:	10.56 acres in LL 87 of 5th district
Date on Drawings:	Concept Plan August 11, 2014
"Received" Date:	August 14, 2014
Eng. Department Reviewer:	Phil Mallon, P.E., County Engineer pmallon@fayettecountyga.gov 770-320-6010

Rezoning proposed from A-R to R-45.

Comments

Following the Planning Commission hearing on this application the Engineering Department had several communications with the Applicant and Consultant. As a result of these meetings the Consultant provided the attached Concept Plan and Sight Distance Profile. Below are my comments on the application before the Board. Recommended Conditions of Zoning are provided in **bold**.

1. *Engineering does not support the Condition of Zoning for a continuous right turn/deceleration lane along the front of the property*. This requirement is not consistent with County regulations or American Association of State Highway and Transportation Officials (AASHTO) standards. It would be a large cost and construction project relative to the proposed subdivision and the benefits to the public are uncertain.

2. **The development shall be limited to a maximum of four driveway cuts, with each driveway cut serving no more than two lots. Appropriate cross access easements shall be provided. The driveway cuts shall be placed in locations to maximize available sight distance. These locations and cross access easements shall be indicated on the Final Plat.**

   The Applicant has demonstrated, via the Sight Distance Profile, that each of the proposed lots should be able to have a driveway that satisfies the minimum desired sight distance of 500 feet for the posted speed limit of 45 mph (road grade is less than 3 percent).

   The Engineering Department reviewed this information and visited the site to observe field condition along the road. South Jeff Davis is a heavily travelled road (AADT in excess of 5,000 vpd) and many vehicles travel in excess of the posted speed limit. In addition, there is a vertical curve along the property's frontage. Because of these conditions, Engineering recommends shared

driveways to improve safety for both the travelling public and future residents in the proposed lots. Use of shared driveways allows for enhanced locations, fewer conflict points, and reduced risk of simultaneous turning movements.

Note - Shared driveways often straddle a common property line. This standard, however, may result in a driveway being located along the far edge of a property line despite builder/homeowner preference. For implementation purposes, a five percent tolerance (of maximum distance) will be used for field staking.

3. **Within County right-of-way, each driveway shall have a minimum width of 15 feet wide and 15 foot return radii. This condition will be administered by the Engineering Department in conjunction with the Driveway Permit Application process and subsequent Building Permit.**

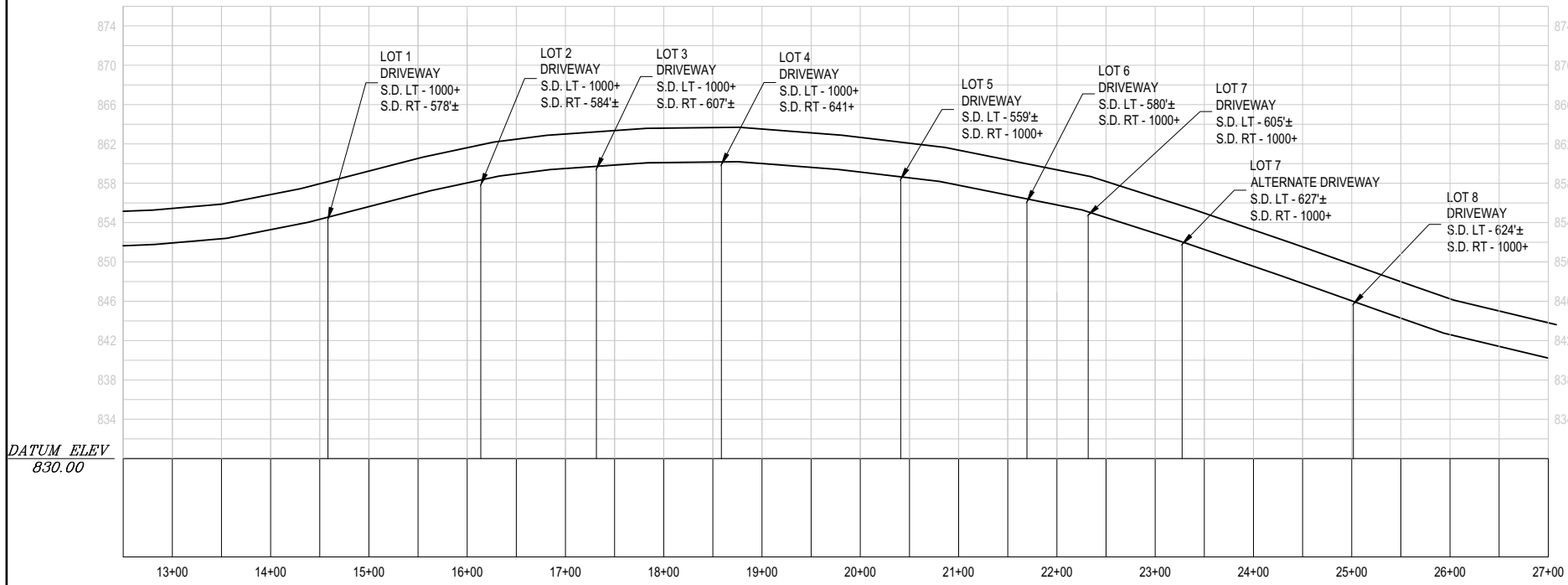
   This enhancement is suggested by the Applicant on the Concept Plan. The wider driveways help turn movements into the driveways.

4. **Each lot shall have an appropriate turn-around area to ensure vehicles can pull-out (rather than back-out) onto South Jeff Davis Road. The turn-around area shall be approved by the Engineering Department prior to issuance of a Building Permit.**

   This enhancement is also suggested by the Applicant on the Concept Plan. Engineering will work with the Permits & Inspections Department during the home construction process to ensure adequate turn-around area is provided.

All conditions should be documented on the Final Plat.

PJM 8/20/14



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PROJECT NAME
SOUTH JEFF DAVIS DRIVE SUBDIVISION

CLIENT NAME
BRENT, LLC
210 N. JEFF DAVIS DRIVE
FAYETTEVILLE, GA 30214

REVISIONS

MB

A418 Rezone Exhibit 01.dwg

DATE 8/11/14

FILE #

CONTRACT #

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SEAL

855 N. GADSDEN STREET
TALLAHASSEE, FL 32303
CERTIFICATE OF
AUTHORIZATION NO. 00008108

SHEET TITLE

SIGHT DISTANCE PROFILE

SHEET

2.0

GRAPHIC SCALE

1 inch = 30 ft

MAGNETIC

SOUTH JEFF DAVIS DRIVE - 80' R/W

Δ 5° 55' 46"
R 4761.32'(S)
L 492.74'(S)
CH N 59° 13' 15" W
492.52'(S)

Δ 0° 20' 27"
R 87958.42'(S)
L 523.13'(S)
CH N 56° 31' 31" W
523.13 (S)

LOT 1 1 06 AC (46 208 SF)
LOT 2 1 31 AC (57 011 SF)
LOT 3 1 75 AC (76 934 SF)
LOT 4 1 62 AC (70 616 SF)
LOT 5 1 37 AC (59 824 S)
LOT 6 1 12 AC (48 915 SF)
LOT 7 1 00 AC (43 569 SF)
LOT 8 1 00 AC (43 569 SF)

PARCEL # 0519 007 ZONED: A R

PARCEL # 0519 022 ZONED: A R

PARCEL # 0519 061 ZONED: A R

PROPOSED SHARED DR VEWAY TYP

PROPOSED ALTERNATE DRIVEWAY LOCAT ON FOR LOT 7

10' R/W DEDICATION PER FAYETTE COUNTY 0.32 AC. (13,908 SF)

PROPOSED 25' UND STURBED BUFFER

PROPOSED 25' UNDISTURBED BUFFER

60' FRONT SETBACK TYP

40' REAR SETBACK TYP

10' SIDE SETBACK TYP

EXISTING LOT LINE PRIOR TO SUBDIVISION PLAT

N/F THE WOODLANDS PHASE 1 P B 19 PG 27 LOT 3

N/F THE WOODLANDS PHASE 1 P B 19 PG 27 LOT 4

N/F THE WOODLANDS PHASE 1 P B 19 PG 27 LOT 5

THE WOODLANDS
PHASE ONE
CURRENT ZONING: 'R-45'

N/F JEFF DAVIS PLANTATION PHASE ONE P B 18 PG 175 LOT 9

N/F JEFF DAVIS PLANTATION PHASE ONE P B 18 PG 175 LOT 8

N/F JEFF DAVIS PLANTATION PHASE ONE P B 18 PG 175 LOT 7

N/F JEFF DAVIS PLANTATION PHASE ONE P B 18 PG 175 LOT 6

N/F JEFF DAVIS PLANTATION PHASE ONE P B 18 PG 175 LOT 5

N/F JEFF DAVIS PLANTATION PHASE ONE P B 18 PG 175 LOT 4

N/F JEFF DAVIS PLANTATION PHASE ONE P B 18 PG 175 LOT 3

N/F JEFF DAVIS PLANTATION PHASE ONE P B 18 PG 175 LOT 2

N/F JEFF DAVIS PLANTATION PHASE ONE P B 18 PG 175 LOT 1

APPROX. LAND LOT LINE

LL 87

LL 74

JEFF DAVIS PLANTATION
PHASE ONE
CURRENT ZONING: 'R-40'

EXISTING EDGE OF PAVEMENT

EXISTING POWER POLE

PROPOSED SHARED DRIVEWAY TYP

EXISTING S. JEFF DAVIS RD. RIGHT OF WAY

NOTES:

1. EACH LOT WILL BE EQUIPPED WITH ADEQUATE SPACE FOR VEHICLE TURN AROUND TO PREVENT VEHICLES FROM BACKING INTO SOUTH JEFF DAVIS ROAD.

VICINITY MAP

NOT TO SCALE

SHELBY LN
CALLAWAY RD.
BRIERWOOD DR.
AMBERWOOD DR
SITE
SOUTH JEFF DAVIS DR
CAVAL ER CT
EMERALD LAKE DR.
OLD SOUTH CT
ANTEBELLUM WAY
WARREN WAY
LAMAR LN

DEVELOPMENT DATA

SOUTH JEFF DAVIS SUBDIVISION
LAND LOT 87, 5TH DISTRICT

APPLICANT BRENT, LLC
ADDRESS 210 N JEFF DAVIS DRIVE, FAYETTEVILLE, GA 30214
TELEPHONE (770) 461 0478
PROPERTY OWNER MAX FULLER
ADDRESS 335 GOZA ROAD, FAYETTEV LLE, GA 30215
TELEPHONE (770) 301 4882
CONSULTANT MOORE BASS CONSULT NG, INC
ADDRESS 324 INDUSTRIAL BLVD , MCDONOUGH, GA 30253
TELEPHONE (770) 914 9394
SOURCE OF DATA MINOR SUBDIVISION PLAT PREPARED BY FOUR CORNERS SURVEYING, L L C , DATED 11/13/2013
LOCATION FAYETTE COUNTY, GA
PROJECT AREA 10 56 ACRES GROSS
CURRENT ZONING A R
PROPOSED ZONING R 45
TYPE OF SUBDIVISION SINGLE FAMILY RESIDENTIAL
NUMBER OF LOTS 8
LOT SIZE 1 00 AC (MIN)
TYPE OF STREETS PUBLIC (EXIST NG)
BUILDING SETBACKS
FRONT 60'
REAR 40'
SIDE 20'
UTILITIES
WATER FAYETTE COUNTY WATER DEPARTMENT
SEWER ON SITE SEPTIC SYSTEMS

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PROJECT NAME: SOUTH JEFF DAVIS DRIVE SUBDIVISION

CLIENT NAME: BRENT, LLC
210 N. JEFF DAVIS DRIVE
FAYETTEVILLE, GA 30214

REVISIONS

MB

A418 Rezone Exhibit 01 dwg

DATE 8/11/14

FILE #

CONTRACT #

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SEAL

855 N GADSDEN STREET
TALLAHASSEE FL 32303
CERTIFICATE OF AUTHOR ZAT ON NO 00006108

SHEET TITLE

CONCEPTUAL PLAN

SHEET 1.0

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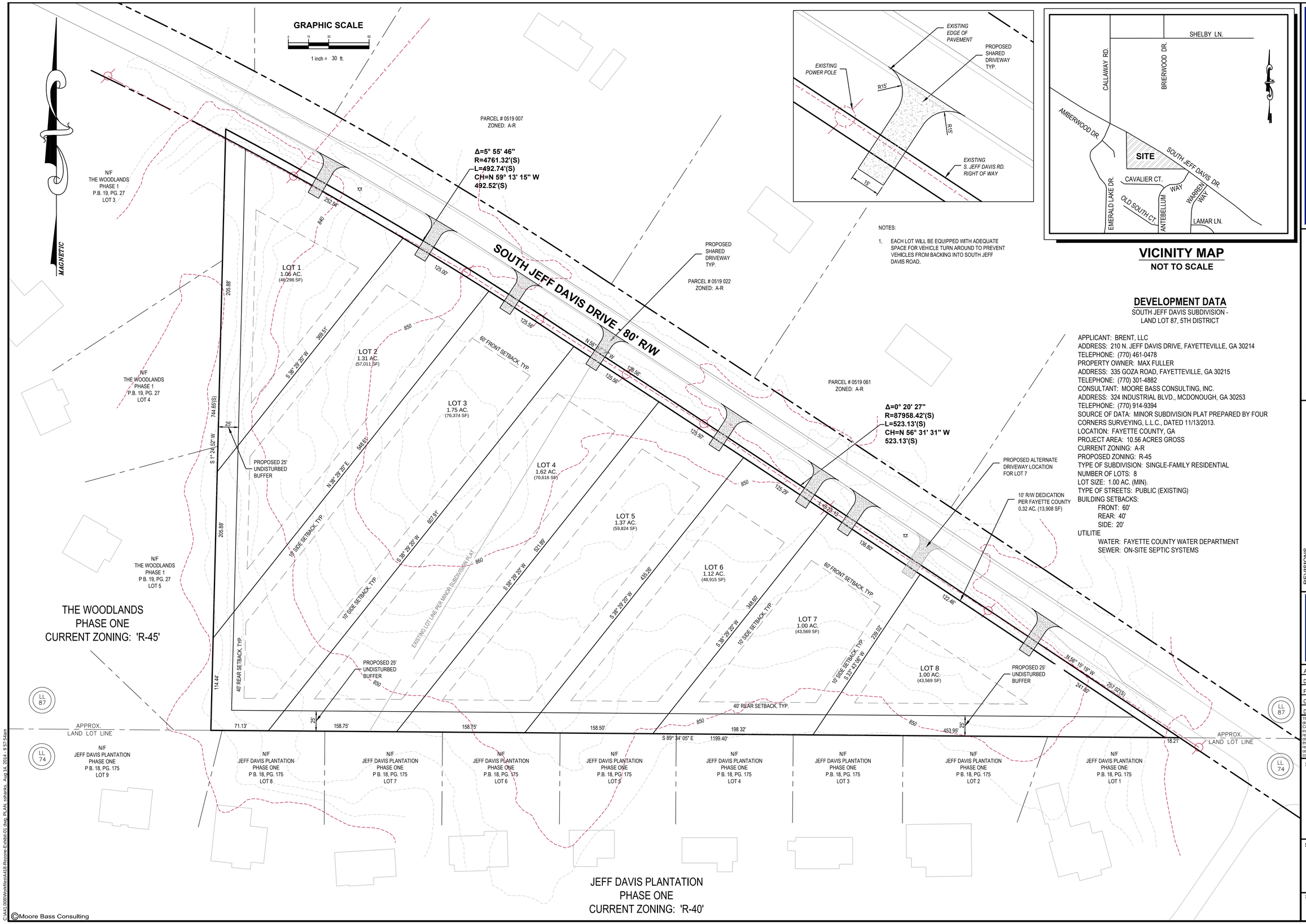

NOTES:

1. EACH LOT WILL BE EQUIPPED WITH ADEQUATE SPACE FOR VEHICLE TURN AROUND TO PREVENT VEHICLES FROM BACKING INTO SOUTH JEFF DAVIS ROAD.

VICINITY MAP

NOT TO SCALE

DEVELOPMENT DATA

SOUTH JEFF DAVIS SUBDIVISION -
LAND LOT 87, 5TH DISTRICT

APPLICANT: BRENT, LLC
ADDRESS: 210 N. JEFF DAVIS DRIVE, FAYETTEVILLE, GA 30214
TELEPHONE: (770) 461-0478
PROPERTY OWNER: MAX FULLER
ADDRESS: 335 GOZA ROAD, FAYETTEVILLE, GA 30215
TELEPHONE: (770) 301-4882
CONSULTANT: MOORE BASS CONSULTING, INC.
ADDRESS: 324 INDUSTRIAL BLVD., MCDONOUGH, GA 30253
TELEPHONE: (770) 914-9394
SOURCE OF DATA: MINOR SUBDIVISION PLAT PREPARED BY FOUR CORNERS SURVEYING, L.L.C., DATED 11/13/2013.
LOCATION: FAYETTE COUNTY, GA
PROJECT AREA: 10.56 ACRES GROSS
CURRENT ZONING: A-R
PROPOSED ZONING: R-45
TYPE OF SUBDIVISION: SINGLE-FAMILY RESIDENTIAL
NUMBER OF LOTS: 8
LOT SIZE: 1.00 AC. (MIN).
TYPE OF STREETS: PUBLIC (EXISTING)
BUILDING SETBACKS:
FRONT: 60'
REAR: 40'
SIDE: 20'
UTILITIE
WATER: FAYETTE COUNTY WATER DEPARTMENT
SEWER: ON-SITE SEPTIC SYSTEMS

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PROJECT NAME
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CLIENT NAME
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FAYETTEVILLE, GA 30214

REVISIONS

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CERTIFICATE OF AUTHORIZATION NO. 00006108

SHEET TITLE
CONCEPTUAL PLAN

SHEET
1.0

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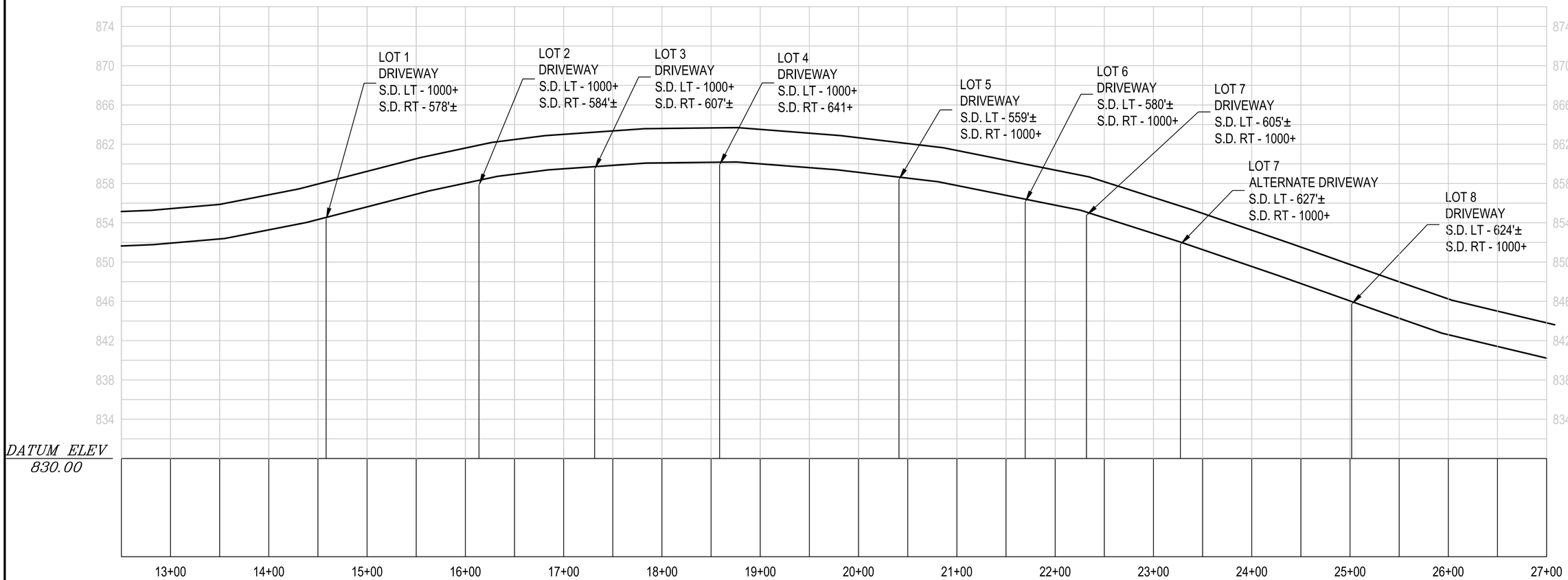

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TALLAHASSEE, FL 32303
CERTIFICATE OF
AUTHORIZATION NO. 00006108

SHEET TITLE

SIGHT DISTANCE PROFILE

SHEET

2.0

PLANNING COMMISSION RECOMMENDATION

DATE: July 2, 2014

TO: Fayette County Commissioners

The Fayette County Planning Commission recommends that Petition No. 1235-14, the application of Max Fuller to rezone 10.56 acres from A-R to ~~R-45~~ R-50 conditional, be:

4-1

__✓__ Approved _____ Withdrawn _____ Disapproved

_____ Tabled until _____

This is forwarded to you for final action.

AL GILBERT, CHAIRMAN

JIM GRAW, VICE-CHAIRMAN

BRIAN HAREN

DOUG POWELL

BOB SIMMONS

Remarks:

THE FAYETTE COUNTY PLANNING COMMISSION met on July 2, 2014 at 7:00 P.M. in the Fayette County Administrative Complex, 140 Stonewall Avenue West, Fayetteville, Georgia.

MEMBERS PRESENT: Al Gilbert, Chairman
Jim Graw, Vice-Chairman
Brian Haren
Douglas Powell
Bob Simmons

STAFF PRESENT: Peter A. Frisina, Director of Community Services
Dennis Dutton, Zoning Administrator

Welcome and Call to Order:

Chairman Gilbert called the Planning Commission Meeting to order and introduced the Commission Members and Staff.

* * * * * * * * * *

1. Recognition of Bill Beckwith and Tim Thoms.

NEW BUSINESS

2. **Consideration of Minor Subdivision Plat of Ellison Road Tract for the Scarbrough Group, Inc. The property will consist of one (1) residential lot zoned R-70 and is located in Land Lot 76 of the 7th District and fronts on Ellison Road.**

3. **Consideration of Minor Subdivision Plat of #101 Flowers Lane for the Scarbrough Group, Inc. The property will consist of one (1) residential lot zoned R-70 and is located in Land Lot 76 & 85 of the 7th District and fronts on Flowers Road.**

4. **Consideration of Minor Subdivision Plat of McNiel Farms Phase 2. The property will consist of nine lots zoned R-70 and is located in Land Lot 76, 77, 84, & 85 of the 7th District and fronts on Swanson Road.**

PUBLIC HEARING

5. **Consideration of Petition No. 1235-14 and Petition No. RP-052-14, Max Fuller, Owner, and Moore Bass Consulting, Inc., Agent, request to rezone 10.56 acres from A-R to R-45 to add six (6) lots to the Minor Subdivision Plat for Max Fuller. This property is located in Land Lot 87 of the 5th District and fronts on South Jeff Davis Road.**

Steve Moore of Moore Bass Consulting said he was representing Max Fuller who is the owner of the subject property and the request is to rezone 10.56 acres located on South Jeff Davis Drive

from A-R to R-40. He stated the property was previously subdivided into two lots in February of 2014 and the request is to add six (6) additional lots to the subdivision and the lots would be a minimum of one (1) acre in size. He added that the lots would be served by septic systems and public water and each lot would have a driveway cut on South Jeff Davis Drive. He said per the staff recommendation for approval the rezoning is in compliance with the Future Land Use Plan and the adjacent properties are also zoned one (1) acre zoning districts and he would be happy to answer any questions.

Chairman Gilbert asked if there was anyone who wished to speak in favor of the petition. Seeing none he asked if there was anyone who wished to speak in opposition of the petition

Frank Love said he was the developer and a resident of Jeff Davis Plantation subdivision which is adjacent to the subject property and he has some questions and comments about the rezoning. He said his concern is the traffic because Rivers Edge subdivision in Clayton County produces traffic on South Jeff Davis Drive and people drive fast above the speed limit on the road and the Sheriff's Office sits in this area to slow down the traffic. He added now this request will add eight (8) driveways on a hill where one (1) person was killed in front of his subdivision and another person was hit pulling out and he is not sure whose fault it was. He said this rezoning adds eight (8) driveways with no deceleration lane and the location of these driveways could impact his deceleration lane for his subdivision. He said his other concern is how much will be cleared on these lots and will they be clear cut and will their houses be visible from the lots in Jeff Davis Plantation subdivision and the storm water runoff could be an issue. He asked if the plan is to add six (6) one (1) acre lots to the two (2) A-R lots. He said his other concern is the 1,800 square foot house size in R-45 and does anybody know if is going to 1,800 square feet and are we going to go down from the 2,300 and 2,600 square feet in his subdivision down to 1,800 square feet in this subdivision where I can't sell the rest of my lots because I have six (6) lots to sell and the Woodlands subdivision could have even bigger homes. He added that he wished the rezoning would not be approved.

Marlene McCartha said she is adjacent to the proposed subdivision and her concern is the small houses that would be allowed on these lots as her property is not worth what it was 15 years ago and these homes will devalue her property even further. She added that when the previous property owner cut some of the trees from that property it created a stream that ran through her property and landed in her next door neighbor's yard and she will bring pictures to the Board of Commissioners meeting and clearing these lots will create a bigger problem with runoff.

Jeremy Payne said he is adjacent to the proposed subdivision and his concern is he has so much privacy and he would not like to have to look at three (3) other houses next to his back yard. He added that if you take out all of this we lose all of our protection from the road.

Chairman Gilbert asked if there was anyone else who wished to speak in opposition of this petition. Seeing none he brought it back to the board.

Chairman Gilbert said the petitioner could present his rebuttal.

Steve Moore said some of these issues were brought up in the staff report as concerns by Engineering/Public Works and one of their observations was making sure each driveway did have adequate site distance and we ran some analysis taking the existing profile of South Jeff Davis Drive and using the County's requirements for sight distance did, based on the information we have, confirm that each of the lots can have a driveway that meets the adequate sight distances that are required so he feels that is an issue that can be resolved and there could be two (2) lots that may require a shared driveway cut and as we move to the next steps we would do more detailed analysis to make sure they truly do meet the requirements and if they don't we would look at the shared driveway cut suggested by the Engineering Department He said regarding runoff Environmental Management had a similar comment regarding protection of the adjacent properties from drainage from this property and we understand that concern and we would handle this through a requirement or some direction to the builders to that drainage associated with each house needs to be conveyed to the ditch along South Jeff Davis Drive to avoid the properties to the south. He said we are aware of these issues and as far as clear cutting the lots, we are not aware of any plans by anybody to clear cut the lots and as far as the residents in Jeff Davis Plantation don't want to see these guys, he is sure these guys don't want to see houses in Jeff Davis Plantation and the lots are very deep and he can't imagine there are plans to clear any more than the building pads, an adequate yard and a driveway and no one has communicated to them an intent to clear cut the lots and he can't imagine that that would make a marketable lot as a house sells better with trees. He added that in terms of the minimum house size they have received no communication as to what size the end user intends to build there and he could check with the builder and bring that information to the BOC meeting.

Bob Simmons said in his experience there has been a lot of talk about things that will happen, can happen, may happen, or could happen but what kind of guarantees can you give theses residents that the things you say will take will actually take place, because I have heard developers before say we are not going to clear cut and the next thing you know the property is clear cut.

Steve Moore said he would be happy to propose some type of clearing restrictions or a buffer along that rear property line adjacent to Jeff Davis Plantation and the Woodlands subdivisions and with the shape of this properties it is his feeling that the builder will build toward the front of the lot at the front building line because they don't want to build any longer driveway than they have to.

Jim Graw said to Bob Simmons that if a motion is made you could suggest some of these things as conditions to the motion.

Jim Graw said he has a question for staff and in the report it was also mentioned by the petitioner about potential sight distance problems for lots 6 and 7 and the sharing of driveways and is that allowed under our ordinance.

Pete Frisina said the sharing of driveways is allowed and Phil Mallon who is the County Engineer has addressed these issues, the petitioner responded to Phil's comments and Phil responded to their response and he is basically saying that he has been given some preliminary information that sight distance can be met but he will make the final determination about driveway placement at the Final Plat stage.

Jim Graw said his concern is who is responsible for the maintenance of the shared driveway.

Pete Frisina said if you look at Phil Mallon's comments he mentions shared easements for access and it could be made as part of the easement as to who is responsible for maintenance of the shared driveway.

Jim Graw asked if that could be made part of the deed.

Pete Frisina said the easement could be made part of the deed. He added that Phil Mallon will make the determination about driveway placement at the time of the Final Plat and the driveway could be split by a property line or could be offset from the property line.

Jim Graw said when he hears the term shared driveway he thinks of a driveway going back into the property a great distance.

Pete Frisina said he thinks what Phil Mallon is addressing is shared driveway cuts or curb cuts and not a shared driveway that goes deep into the lot.

Steve Moore said they would also address storm water runoff concerns at the Final Plat stage as well on how the drainage will be conveyed.

Jim Graw said he drove by the property and the site is heavily wooded and he asks how deep are the proposed lots are.

Steve Moore said he thinks the site is pretty heavily wooded.

Jim Graw asked Steve Moore that what he had said was only the pad for the house and the driveway would be cleared.

Steve Moore said he thinks the builder would only clear the house pad, adequate front and back yards and driveway and also an area for a septic system but he couldn't say exactly how much would be cleared.

Bob Simmons said he had a question for the resident from Jeff Davis Plantation and that question is other than no development at all what would make you happy in terms of this development from a tree removal standpoint.

Frank Love said he would like to discuss the shared driveways.

Chairman Gilbert said the floor is closed to these questions as the board has discussed this issue and moved on to other topics.

Doug Powell asked if Mr. Love was aware that the Planning Commission is a recommending body and this petition will go before the BOC for a final decision on July 24th.

Brian Haren said he has some concerns with the traffic issues and there has been some passing mention of a deceleration lane and is that at all required anywhere.

Pete Frisina said not on individual driveways but on entrance roads for a subdivision for example.

Brian Haren said his feeling is without a deceleration lane someone is going to get hit and he thinks a deceleration lane along the entire frontage of the property should be considered as a safety issue. He added that he is also concerned with the storm water runoff.

Chairman Gilbert asked the petitioner if he had considered a higher zoning classification for the property and he would explain why, because he knows people get concerned with smaller homes devaluing their property and he didn't think that would be the case but he feels like it is taking advantage of the bigger higher priced homes and he didn't think that was fair to the people in the area and he is not sure that R-45 is the appropriate zoning for the area. He added that years ago R-40 and R-45 were about the only one (1) acre zoning categories there were and that is his concern that R-45 does not have the appropriate size house for that area.

Steve Moore said he did not know what size house the client has in mind for the subdivision and he understands consistency with the adjoining properties and he will talk to his client.

Doug Powell said we are dealing with R-45 which requires a 1,800 square foot house. The Woodlands is R-45 and they chose to build larger homes. Jeff Davis Plantation is R-40 with 1,500 square foot homes. He has never heard us argue about building a larger square foot home than what the petitioner is requesting. He added that R-55 requires a 2,500 square foot home. He doesn't remember the Planning Commission ever making a suggestion of that nature before.

Jim Graw said he understands Doug's concern and with all the years he has been on the Planning Commission more times than not the developer tells us what size home they plan to build and the problem here is this gentleman can't tell us the size of the homes. He said if the petitioner could give some indication of the size house that would make him feel better.

Steve Moore said he has not had this discussion with his client.

Doug Powell said we are discussing a rezoning and per the ordinance, R-45 has certain requirements. At the time of the Final Plat as he understands it, if there needs to be a detention pond on one of those lots that may take one of the lots out of the subdivision. The engineers will make those determinations at that stage. The same goes for the driveways. He agrees with Brian Haren: the purpose of a deceleration lane is to improve safety. So what's the difference between a deceleration lane going into a subdivision street and one going into a private driveway, particularly when two (2) of those driveways are on a hill. He would love to see a deceleration lanes there. He added that every time he drives that road at the speed limit someone is on his bumper.

Jim Graw asked what the house sizes are for R-55 and R-50.

Doug Powell said R-55 is 2,500 square feet andR-50 is 2,100 square feet. He said on page five of the staff report the Engineer said we do not want to create, via rezoning, a lot with safety issues to future homeowners or traveling public.

Jim Graw asked what would be an appropriate buffer.

Doug Powell said we do not require a buffer for any residential development and the first level of zoning where we require a buffer is O-I and that buffer is 30 feet and that is the smallest buffer we require.

Jim Graw said if we want a buffer we need to make it a condition of zoning since it isn't required for residential zoning.

Bob Simmons made a motion that we not approve the petition until there are some assurances in writing about the runoff, the fact that they would not clear cut the lots and a 25 foot buffer is put in place.

Chairman Gilbert said that is not a proper motion. He said you need to make a motion to deny the petition and what you just stated could be your reason to deny the petition.

Bob Simmons made a motion to deny the petition.

Brian Haren seconded the motion.

Chairman Gilbert called the question and the vote was 2-3 so the motion failed.

Jim Graw said the request does meet the Comprehensive Plan but the question is what type of one (1) acre zoning is best. Jim Graw made a motion to approve the petition as R-50 with the following conditions of at least a 10 foot buffer adjacent to any residential lots and a deceleration lane along the entire frontage of the property.

Bob Simmons seconded the motion.

Doug Powell said the recommendation is rezone to R-50 with a ten foot vegetated buffer.

Jim Graw said an undisturbed buffer that is in addition to the setback and then he said no inside the setback.

Pete Frisina said you want the buffer to be along the boundary of the subject property on the west and south.

Jim Graw asked what the setback is on R-50.

Pete Frisina said it is a 30 foot setback in the rear.

Jim said so the undisturbed buffer will be 30 feet which includes the setback.

Doug Powell said I don't think we can do that. If the undisturbed buffer were the same as the rear setback and the home was built on the rear setback line, theoretically the home owner would have trees up to his back door.

Brian Haren asked if the buffer would cause some problem with the drain fields.

Pete Frisina said in his opinion the road is going to have some influence on the placement of the houses and that may move them to the middle of the lot and the properties drain to the rear and a buffer could be good to surround the property. He said a 30 foot is the smallest buffer the County requires and what you want is to preserve the existing trees.

Jim Graw said he is saying a 30 foot buffer that is inclusive of the setback.

Doug Powell said so the motion is to approve the petition as R-50 with a 30 foot undisturbed buffer along the property and the decal lane.

Jim Graw said so I question is the decal lane overkill, so those are the three (3) things I am proposing in my motion.

Chairman Gilbert said we have a motion and second and is there any further discussion. Hearing none he called for the vote. The motion passed 4-1 with Doug Powell voting in opposition.

Pete Frisina said there is also Petition RP-052-14 to revise the Minor Subdivision Plat for Max Fuller to add six (6) lots to the subdivision in conjunction with this rezoning.

Chairman Gilbert asked if there is a motion. Chairman Gilbert said for discussion he will make a motion to approve Petition RP-052-14 to revise the plat.

Jim Graw seconded the motion.

Chairman Gilbert said if there is no discussion he would call the question. The motion passed 4-1 with Bob Simmons voting in opposition.

6. Consideration of Petition No. 1236-14 and Petition No. RP-053-14, Danny Ray Reid, Owner, and Brian McCreary, Agent, request to rezone 2.00 acres from A-R and R-70 to R-40 to add one (1) lot to the Final Plat of Reid Estate. This property is located in Land Lots 72 & 89 of the 7th District and fronts on Dogwood Trail.

Brian McCreary said he is speaking for Danny Ray and the D'Souza's bought two (2) acres some time back and now they want to by another lot so we have been working with the staff to get this request to the point that it may get rezoned and the D'Souza's can buy the lot.

Chairman Gilbert asked if there was anyone who wished to speak in favor of the petition. Seeing none he asked if there was anyone who wished to speak in opposition of the petition. Seeing none he said he would bring it back to the board.

Pete Frisina said the history of the property is there was a previous rezoning in 2000 from A-R to R-70 and a portion of that R-70 is contained within the subject property and in 2001 a Final Plat of Reid Estate Subdivision was approved and the subdivision consists of a 2.05 acre R-70 lot and a 31.35 acre A-R and R-70 lot. He added that the Final Plat was approved with two (2) homes on the large lot and what they are doing tonight will create a separate lot for one of the homes and the houses don't meet the minimum floor area for A-R or R-70.

Jim Graw so this is the correct the problem.

Pete Frisina said it obviously wasn't a problem back then because the Final Plat was signed off and approved by staff and that may have been the policy back then but this will get each of these houses on their own lot. He said what they are trying to do is create an additional for one of the houses and these lots are configured so these houses will meet the setbacks and that is why the

PETITION NO: 1235-14 & RP-052-14

REQUESTED ACTION: A-R to R-45

PROPOSED USE: Single-Family Residential Subdivision

EXISTING USE: Vacant

LOCATION: South Jeff Davis Drive

DISTRICT/LAND LOT(S): 5th District, Land Lot(s) 87

OWNER: Max Fuller

APPLICANT: Moore Bass Consulting, Inc.

PLANNING COMMISSION PUBLIC HEARING: July 2, 2014

BOARD OF COMMISSIONERS PUBLIC HEARING: July 24, 2014

APPLICANT'S INTENT

Applicant proposes to rezone from A-R to R-45 to add six (6) lots to the Minor Subdivision Plat for Max Fuller consisting 10.56 acres.

STAFF RECOMMENDATION

APPROVAL WITH ONE (1) CONDITON

1. **1235-14**

INVESTIGATION

A. PROPERTY SITE

The subject property is a 10.56 acre tract fronting on South Jeff Davis Drive in Land Lot 87 of the 5th District. South Jeff Davis Drive is classified as a Minor Arterial road on the Fayette County Thoroughfare Plan. The subject property is undeveloped and currently zoned A-R.

History: The Minor Subdivision Plat for Max Fuller consisting of two (2) A-R lots was approved by the Planning Commission on 12/19/2014 and recorded on 2/7/2014 in Book 47, page 130.

B. SURROUNDING ZONING AND USES

The general situation is a 10.56 acres tract that is zoned A-R. In the vicinity of the subject property is land which is zoned R-45, R-45, & A-R. 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 East (across South Jeff Davis Road)	36.00	A-R	Vacant	Low Density Residential
	5.00	A-R	Single-Family Residential	Low Density Residential
	3.40	A-R	Single-Family Residential	Low Density Residential
	5.00	A-R	Single-Family Residential	Low Density Residential
South	Nine one acre minimum lots	R-40	Single-Family Residential (Jeff Davis Plantation Subdivision)	Low Density Residential
West	Three one acre minimum lots	R-45	Single-Family Residential (The Woodlands Subdivision)	Low Density Residential

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.

D. ZONING/REGULATORY REVIEW

The applicant proposes to rezone from A-R to R-45 to add six (6) lots to the Minor Subdivision Plat for Max Fuller consisting 10.56 acres.

Revision to a Recorded Plat

Sec. 104-595. Approval of subdivisions. (2), k. of the Subdivision Regulations states:

> ....Proposed revisions to a recorded minor subdivision plat of any existing residential or agricultural-residential subdivisions which add property to, increases the number of platted lots, or changes the principal use on lots will be considered in public hearings before the planning commission and the board of commissioners. The legal notice shall be advertised at least seven calendar days prior to the public hearing before the planning commission, but not more than 45 calendar days, nor less than 15 calendar days prior to the public bearing before the board of commissioners. In the event that the timeframes above cannot be met with one advertisement, the notice shall be published twice.

As stated above, the Minor Subdivision Plat for Max Fuller consisting of two (2) A-R lots was approved by the Planning Commission on 12/19/2014 and recorded on 2/7/2014 in Book 47, page 130 and consists of two (2) lots. This is a request to add six (6) additional lots to the subdivision.

Platting

Should this request be approved, a Revised Minor Subdivision Plat for Max Fuller must be submitted, approved, and recorded prior to the sale of any lot and issuance of any building permits.

Access

The Concept Plan submitted indicates eight (8) possible access points from South Jeff Davis Drive. South Jeff Davis Drive is classified as a Minor Arterial road on the Fayette County Thoroughfare Map. The applicant shall be aware that Public Works/Engineering has concerns with adequate site distance and may require shared driveways (see below).

Applicant's Response:

- Lots 1 and 2 have basically unlimited sight distance to the west or left and approximately 525-600 feet of sight distance to the right. I determined this by standing next to the fire hydrant in front of proposed Lot 1, which put my eye level at about 3.5 feet above where a driveway would be, and measuring the distance to the mailbox I could see across the street from Lot 4. I repeated this exercise in front of Lot 2.

- The lots that would be considered along the top of the hill, Lots 3, 4, and 5, have well over a thousand feet of sight distance in both directions.
- Lots 6 and 7 appear to present the biggest sight distance challenge. In my opinion, because the vertical curve in the road is so long and gradual, the required sight distance is achievable from every possible driveway location. However, if these two lots are close enough to cause concern an option could be to have them share driveways with the lots on either side of them. In other words, Lots 5 and 6 could share a driveway along their common boundary line and Lots 7 and 8 could share a driveway along their common boundary line.
- Lot 8 is more than 500 feet from the top of the hill and therefore over 500 feet of sight distance exists to the left. Sight distance to the right is well over a thousand feet.

Public Works/Engineering Response:

- Bottom line seems to be that sight distance has been checked by the applicant and appears adequate for all lots. Plus option for shared driveways on lots 6 and 7, if needed.
- For final plat we'll have to double check these and possible require access easement on the appropriate lots.

Storm Water Runoff

The applicant shall be aware that the Environmental Management Department has concerns with storm water runoff and its effect on downstream properties (see below) and the Environmental Management Department will make a determination at the time of the Minor Subdivision Plat Revision.

E. 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 Revised Minor Subdivision Plat for Max Fuller.

F. DEPARTMENTAL COMMENTS

Water System

1235-14, Water Available.

Public Works/Engineering

1. The proposed rezoning increases number of possible curb cuts onto South Jeff Davis Road from 2 to 8 and adequate sight distance may not be available at all locations. Staff recommends that applicant determine sight distance at each proposed lot on the Revision to the Minor Subdivision Plat. Shared driveways (maximum of two homes per driveway) may be required. We do not want to create, via rezoning, a lot with safety issues to future homeowners or traveling public.

2. The increase in density will allow four times the impervious area without requirement for storm water management since no new road construction. This may impact downstream lots in Jeff Davis Plantation. Environmental Management has more input on this issue.

Environmental Management

Floodplain Per FEMA FIRM panel 13113C0082E and 13113C0084E, the property **DOE 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 There are NO State Waters on subject property. The Fayette County Watershed Protect regulations do not apply to the subject property.

Groundwater 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).

Stormwater: If it is determined, during the Minor Subdivision Plat revision process, that downstream properties could be impacted by the proposed development, downstream stormwater runoff may need to be addressed.

Environmental Health Department

Our department has no objections to proposed rezoning.

Fire

Both rezoning plans are ok with the Fire Marshal Office.

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 Subdivision. Per Section 11-11 of the Fayette County Zoning Ordinance, Staff makes the following evaluations:

1. The subject property lies within an area designated as 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. The Environmental Management Department has indicated that storm water runoff measures may be required and that determination will be made during the Minor Subdivision Plat revision process.

3. The proposed rezoning will not result in a burdensome use of roads, utilities, or schools. The Public Works/Engineering Department has indicated that driveway site distance may be an issue may and that determination will be made during the Minor Subdivision Plat revision process.

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.**

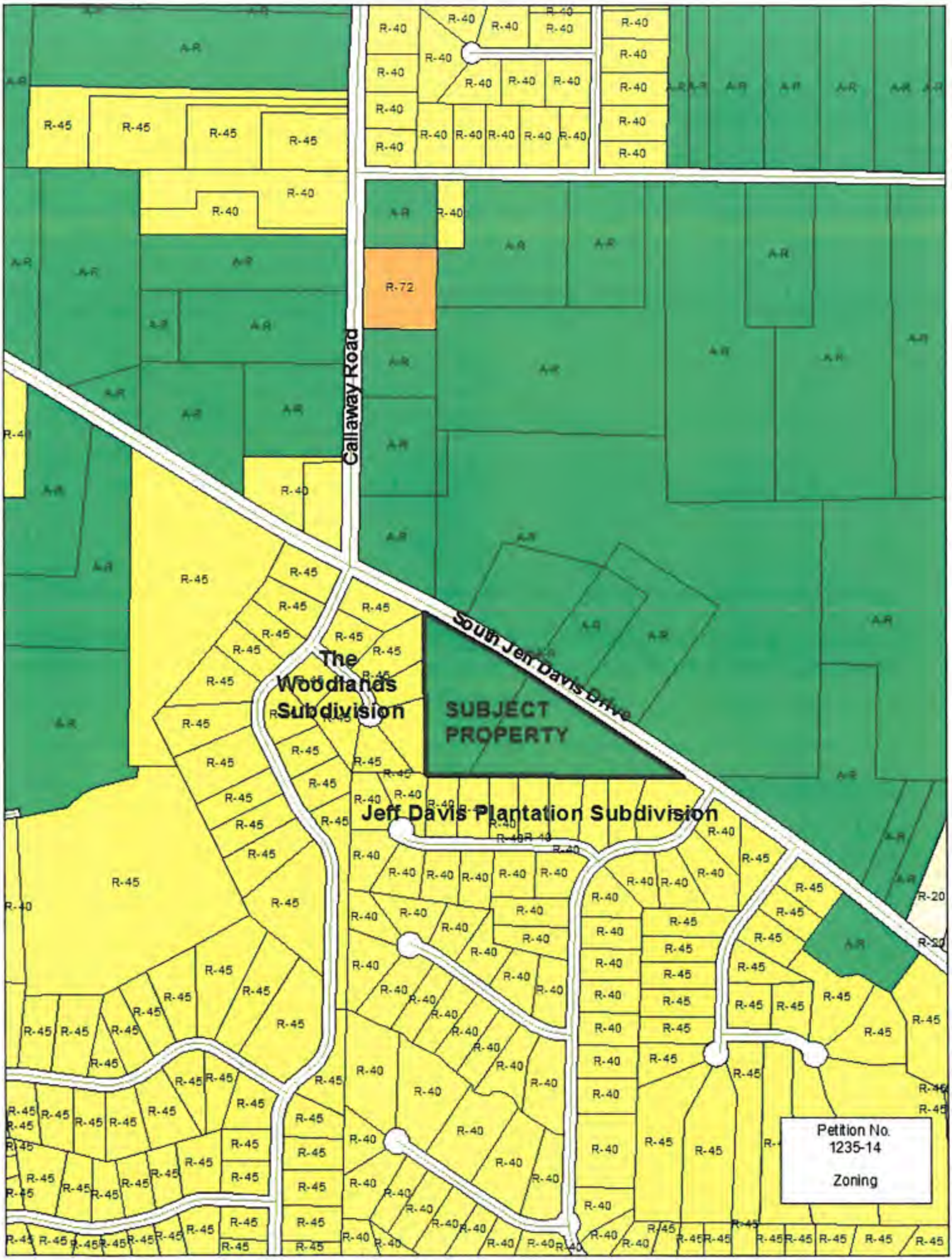
RECOMMENDED CONDITIONS

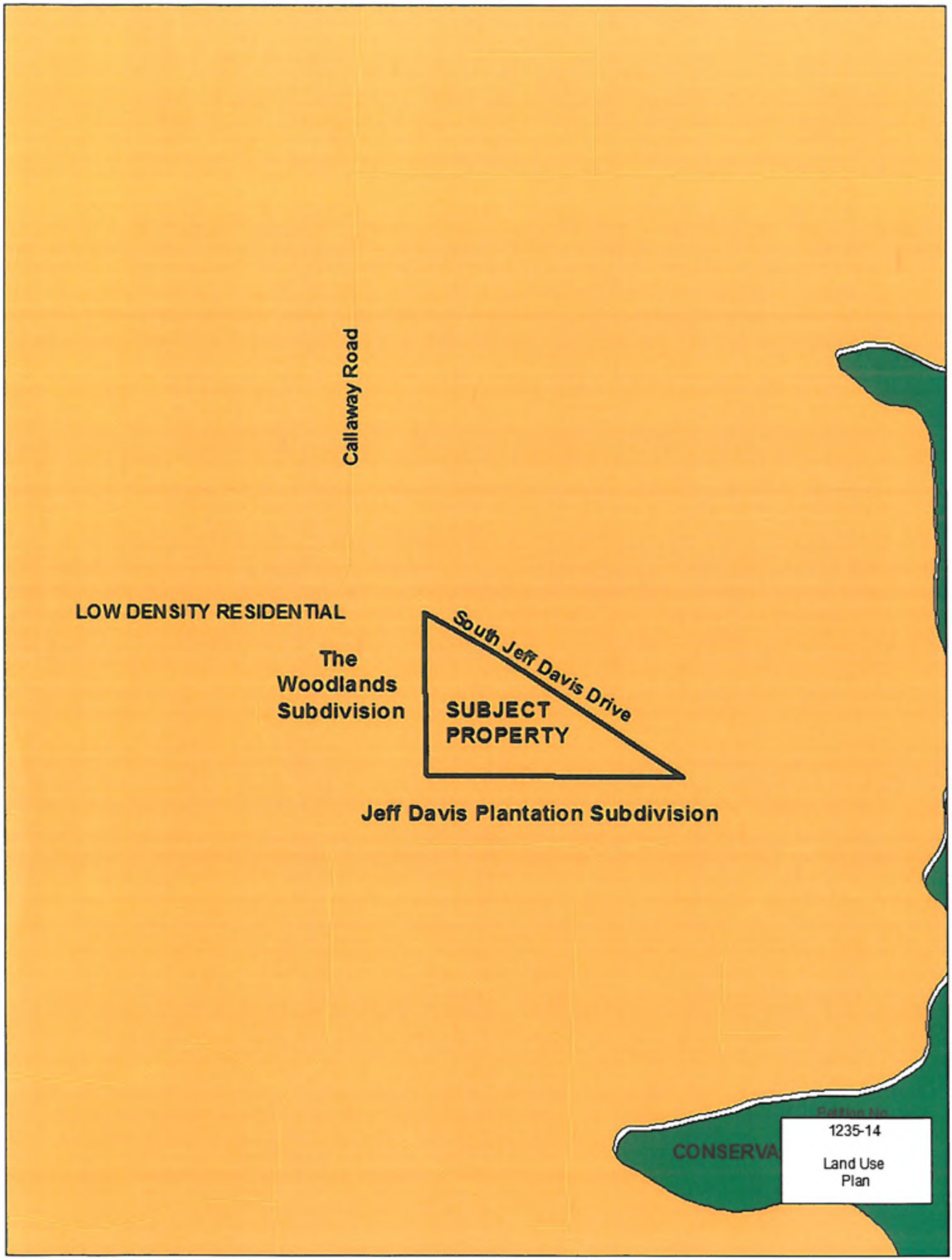
If this petition is approved by the Board of Commissioners, it should be approved R-45 **CONDITIONAL** subject to the following enumerated conditions. Where these conditions conflict with the provisions of the Zoning Ordinance, these conditions shall supersede unless otherwise specifically stipulated by the Board of Commissioners.

1. That a 30 foot undisturbed buffer, inclusive of the setback, is required along the western and southern boundary of the subject property. Said buffer shall be shown on the Final Plat and each property deed for the proposed lots shall also state the buffer requirements.

Petition No.
1235-14

Aerials


Callaway Road
South Jeff Davis Drive
The Woodlands Subdivision
SUBJECT PROPERTY
Jeff Davis Plantation Subdivision
A-R
R-40
R-45
R-72
R-20
Petition No. 1235-14
Zoning


Callaway Road
LOW DENSITY RESIDENTIAL
The
Woodlands
Subdivision
South Jeff Davis Drive
SUBJECT
PROPERTY
Jeff Davis Plantation Subdivision
CONSERVA
1235-14
Land Use
Plan

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

PROPERTY OWNERS: Max Fuller

MAILING ADDRESS: 335 Goza Road, Fayetteville, GA 30215

PHONE: (770) 301-4882 **FAX:** N/A

AGENT FOR OWNERS: Moore Bass Consulting, Inc.

MAILING ADDRESS: 324 Industrial Blvd., McDonough, GA 30253

PHONE: (770) 914-9394 **FAX:** (770) 914-9596

E-MAIL [redacted]

PROPERTY LOCATION: **LAND LOT** 87 **LAND DISTRICT** 5th **PARCEL** 0519 085
LAND LOT _____ **LAND DISTRICT** _____ **PARCEL** _____

TOTAL NUMBER OF ACRES REQUESTED TO BE REZONED: 10.56

EXISTING ZONING DISTRICT: A-R **PROPOSED ZONING DISTRICT:** R-45

ZONING OF SURROUNDING PROPERTIES: R-45 (West), R-40 (South), A-R (North/East)

PRESENT USE OF SUBJECT PROPERTY: Vacant

PROPOSED USE OF SUBJECT PROPERTY: Single-Family Residential

LAND USE PLAN DESIGNATION: Low Density Residential (I Unit/ 1-2 Acres)

NAME AND TYPE OF ACCESS ROAD: Jeff Davis Drive - Collector Street (Major Thoroughfare)

LOCATION OF NEAREST WATER LINE: Jeff Davis Drive R/W

(THIS AREA TO BE COMPLETED BY STAFF): **PETITION NUMBER:** ZA-1235-14

[ ] Application Insufficient due to lack of: _____

by Staff: _____ **Date:** _____

[✓] Application and all required supporting documentation is Sufficient and Complete

by Staff: [signature] **Date:** 5/29/2014

DATE OF PLANNING COMMISSION HEARING: July 2, 2014

DATE OF COUNTY COMMISSIONERS HEARING: July 24, 2014

Received from Brent Holdings, LLC **a check in the amount of $** 350.00 Hrg 20.00 Sign **for application filing fee, and $** 370.00 **for deposit on frame for public hearing sign(s).**

Date Paid: 5/29/2014 **Receipt Number:** _____

NAME: Max Fuller PETITION NUMBER: _____

ADDRESS: 355 Goza Rd, Fayetteville, GA 30215

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

Max Fuller **affirms that he is the owner or the specifically authorized agent of the property described below. Said property is located in a(n)** A-R **Zoning District. He/She respectfully petitions the County to rezone the property from its present classification and tenders herewith the sum of $**350 **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 2 **day of** July**, 20**14 **at 7:00 P.M.**

PUBLIC HEARING to be held by the Board of Commissioners of Fayette County on the 24 **day of** July**, 20**14 **at 7:00 P.M.**

SWORN TO AND SUBSCRIBED BEFORE ME THIS 20th **DAY OF** May**, 20**14**.**

Donna H Black

NOTARY PUBLIC 5-1-17

DONNA H. BLACK NOTARY PUBLIC FAYETTE COUNTY, GEORGIA MY COMMISSION EXPIRES MAY 1, 2017

Max Fuller

APPLICANT'S SIGNATURE

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:

Max Fuller

Please Print Names

Property Tax Identification Number(s) of Subject Property: 0519 085

(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) 87 **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 Steve Moore, Moore Bass Consulting, Inc. **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.

MY COMMISSION EXPIRES 06-28-2014

AMANDA G. CROKER NOTARY PUBLIC MERIWETHER COUNTY, GEORGIA

Signature of Property Owner 1	Signature of Notary Public
335 Goza Road Fayetteville, Ga 30215 Address	9.19.2014 Date
Signature of Property Owner 2	Signature of Notary Public
Address	Date
Signature of Property Owner 3	Signature of Notary Public
Address	Date
Signature of Authorized Agent	Signature of Notary Public
Address	Date

AGREEMENT TO DEDICATE PROPERTY FOR FUTURE RIGHT-OF-WAY

I/We, Max Fuller **, said property owner(s) of subject property requested to be rezoned, hereby agree to dedicate, at no cost to Fayette County,** 10 **feet of right-of-way along** Jeff Davis Drive **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 20th **day of** May **, 20** 14 **.**

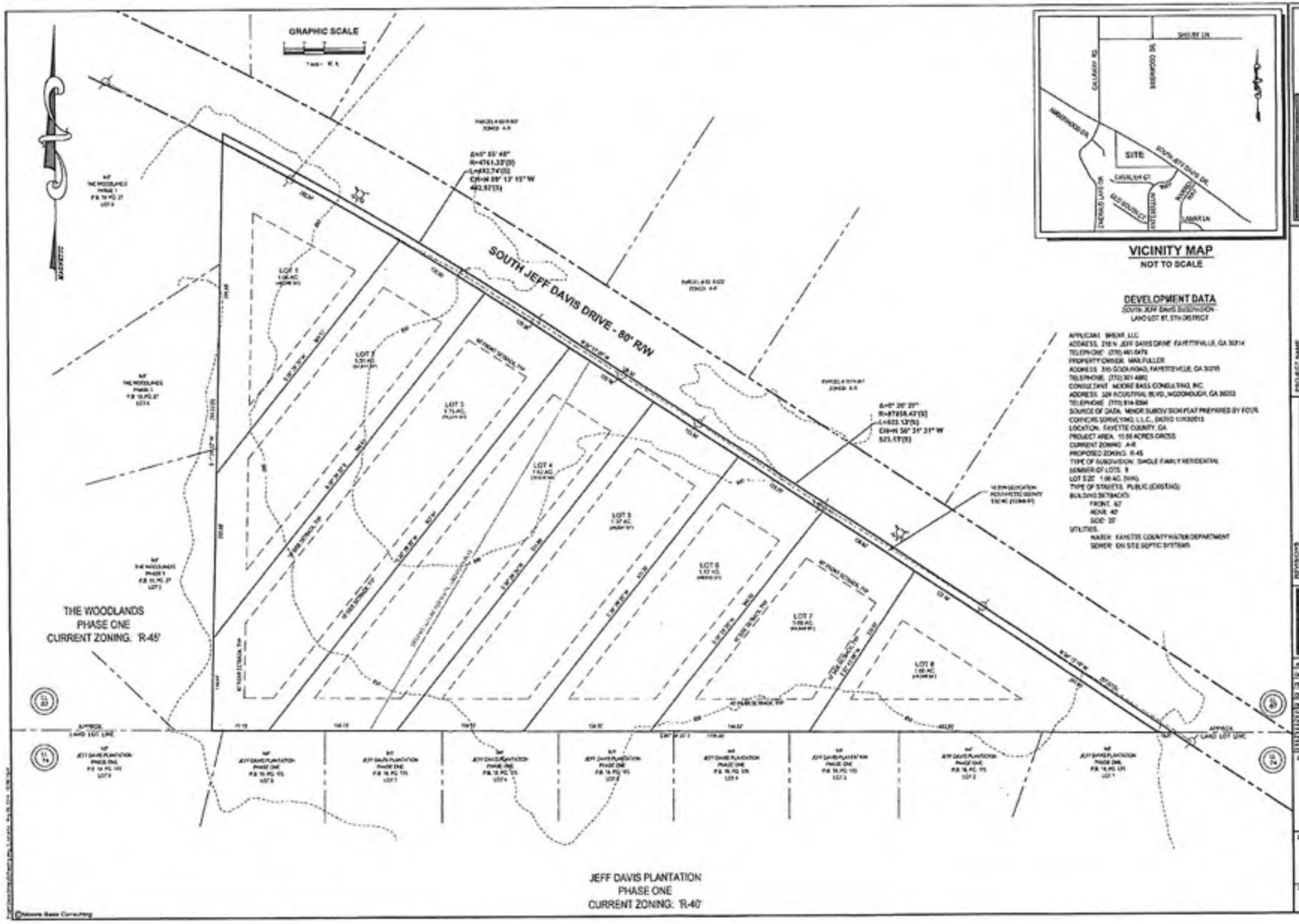
SIGNATURE OF PROPERTY OWNER

SIGNATURE OF PROPERTY OWNER

Donna H Black

NOTARY PUBLIC 5.1.17

DONNA H. BLACK
MY COMMISSION EXPIRES
NOTARY PUBLIC
FAYETTE COUNTY, GEORGIA


GRAPHIC SCALE
SOUTH JEFF DAVIS DRIVE - 80' R/W
THE WOODLANDS
PHASE ONE
CURRENT ZONING: 'R-45'
JEFF DAVIS PLANTATION
PHASE ONE
CURRENT ZONING: 'R-40'
LOT 1
LOT 2
LOT 3
LOT 4
LOT 5
LOT 6
LOT 7
LOT 8
VICINITY MAP
NOT TO SCALE
SITE
DEVELOPMENT DATA
SOUTH JEFF DAVIS SUBDIVISION
LAND LOT 87, 5TH DISTRICT
APPLICANT: BREWT, LLC
ADDRESS: 210 N. JEFF DAVIS DRIVE FAYETTEVILLE, GA 30214
TELEPHONE: (770) 461-0476
PROPERTY OWNER: MAX FULLER
ADDRESS: 335 GOSDI ROAD, FAYETTEVILLE, GA 30215
TELEPHONE: (770) 301-4882
CONSULTANT: MOORE BASS CONSULTING, INC.
ADDRESS: 328 INDUSTRIAL BLVD., MCDONOUGH, GA 30253
TELEPHONE: (770) 914-9294
SOURCE OF DATA: MINOR SUBDIVISION PLAT PREPARED BY FOUR CORNERS SURVEYING, L.L.C., DATED 11/30/2013
LOCATION: FAYETTE COUNTY, GA
PROJECT AREA: 10.56 ACRES GROSS
CURRENT ZONING: A-R
PROPOSED ZONING: R-45
TYPE OF SUBDIVISION: SINGLE FAMILY RESIDENTIAL
NUMBER OF LOTS: 8
LOT SIZE: 1.00 AC. (MIN.)
TYPE OF STREETS: PUBLIC (EXISTING)
BUILDING SETBACKS:
FRONT: 50'
REAR: 40'
SIDE: 20'
UTILITIES:
WATER: FAYETTE COUNTY WATER DEPARTMENT
SEWER: ON SITE SEPTIC SYSTEMS
Moore Bass
CONSULTING
PROJECT NAME
SOUTH JEFF DAVIS DRIVE SUBDIVISION
CLIENT NAME
BREWT, LLC
210 N. JEFF DAVIS DRIVE
FAYETTEVILLE, GA 30214
REVISIONS
MB
SEAL
SHEET TITLE
CONCEPTUAL PLAN
SHEET
1.0

MINOR SUBDIVION PLAT FOR
MAX FULLER
SOUTH JEFF DAVIS DRIVE
LAND LOT 87 OF THE 5th DISTRICT
FAYETTE COUNTY, GEORGIA
NOVEMBER 12, 2013

Doc ID: 008002740001 Type: PLAT
Recorded: 02/07/2014 at 01:19:00 PM
Fee Amt: $5.00 Page 1 of 1
Fayette, Ga. Clerk Superior Court
Sheila Studard Clerk of Court
BK 47 PG 130

COPY

LOCATION MAP
(NOT TO SCALE)

GENERAL NOTES:

1. OWNER/DEVELOPER:
   Max Fuller
   335 Goza Road
   Fayetteville, GA 30215
   Contact : Max Fuller
   (770)381-4882 cell
2. SURVEYOR:
   Four Corners Surveying, L.L.C.
   P. O. Box 15
   Tyrone, GA 30290
   770-560-3910
   770-823-9377
   four_corners@bellsouth.net
3. CLOSURE DATA:
   Field Closure=1'IN 10,000+
   Angle Point Error=< 20"
   Equipment Used=Topcon 2001W,
   Sokkia SX, & Topcon Hyper GA GPS System
   Adjustment Method=Compass Rule
   Plat Closure=1' IN 100,000+
4. SITE DEVELOPMENT DATA:
   Location: Land Lot 87 of the 5th District, Fayette County, Georgia
   Site Data = 2 Lots
   Total area of project = 10.556 Acres 459,811 Sq. Ft.
5. Tax Parcel ID: 0519 085
6. MINIMUM DIMENSIONAL ZONING REQUIREMENTS:
   For A-R Zoning District
   Minimum lot width at front setback line = 250'
   Minimum floor area of house = 1,200 SF
   Minimum lot size = 5.0 ACRES
   Front yard = 100'
   Side yard = 50'
   Rear yard = 75'
   Maximum height of structure = 35'
7. Fayette county does not accept the ownership, maintenance or responsibility for any drainage easement or overall drainage plan or the lack of one indicated by this plat.
8. Capped ½" re-bar to be set at all lot corners unless otherwise noted.
9. This property does not lie within a special flood hazard area according to FEMA Flood Insurance Rate Map #13113C0116D dated September 26, 2008.
10. There are no state waters on this property
11. There are no wetlands on this property as per national wetlands inventory.
12. There are no groundwater recharge areas on the property.
13. This survey is subject to all easements right-of-way and restrictions shown or not shown, recorded or not recorded.
14. This survey was performed without the benefit of a current and accurate title search. Therefore any covenants, easements, and restrictions of record are to be incorporated with this plat.
15. Sewer service provided by individual septic systems on each lot.
16. Lots water service to be provided by Fayette county water department.
17. All distances shown are horizontal ground distance. no conversion factor used.
18. Plat is oriented to state plane north.
19. There are no existing structures, buildings, or improvements on the property.
20. Each residential building lot has a minimum contiguous area that is free and clear of zoning setbacks, watershed protection buffers and setbacks, jurisdictional wetlands, and easements of any kind.
21. All that property contained within the required right-of-way of South Jeff Davis having a minimum required 100 feet right-of-way. 10 feet shall be dedicated to create a minimum 100 foot right-of-way as measured from the centerline. Said right-of-way shall be indicated hereon and 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 into the Fayette County Clerk of Superior Court records.

Curve Table				
Curve	Length	Radius	Chord	Chord Bearing
C1	492.74'	4761.32'	492.52'	N59°13'15"W
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Line Table		
Line	Length	Bearing
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L2	11.17	N01°24'52"E

APPROVED BY FAYETTE COUNTY ENVIRONMENTAL HEALTH DEPARTMENT
12/3/13 — approved for plat recorded purposes only — JC
DATE — ENVIRONMENTAL HEALTH SPECIALIST

APPROVED BY FAYETTE COUNTY STORMWATER MANAGEMENT DEPARTMENT
12/4/2013 — Vanessa Birnell
DATE — STORMWATER MANAGEMENT DIRECTOR

APPROVED BY FAYETTE COUNTY ENGINEER
11/25/13 — P Mallon
DATE — COUNTY ENGINEER

APPROVED BY FAYETTE COUNTY PLANNING COMMISSION
2/7/2014
DATE — SECRETARY

APPROVED BY FAYETTE COUNTY ZONING ADMINISTRATOR
11/26/2013
DATE — ZONING ADMINISTRATOR

LEVEL III SOIL SURVEY

I, Eric Hamilton do hereby certify that the Level III Soil Survey information provided on this plat was performed by AES, Inc. in accordance with the procedures specified in the Georgia Department of Human Resources' current Manual for On-Site Sewage Management Systems.

Soil Classifier Professional

224
Georgia DHR Soil Classifier, Professional Engineer Registration No. Registration Number/License Numbers

90-F Glenda Trace #327
Newnan, GA 30265
Company Address & Telephone

Eric A. Hamilton — Registered Soil Classifier — State of Georgia Certification Number #224

OWNER'S CERTIFICATE

We, the undersigned owner(s) of the Max Fuller Subdivision, hereby dedicate the rights-of-way for public use, and/or reserve for public use the easements and other ground shown on this plat.

We the undersigned owner(s) understand this Minor Subdivision Plat and any Maintenance Bond and/or Irrevocable Letter-of-Credit shall expire and thus become void if the Minor Subdivision Plat is not recorded into the Fayette County Clerk of Superior Court records within 90 calendar days (__/__/____) of the date of approval by the Planning Commission.

Owner — Date 12-19-13
Owner — Date

SURVEYOR'S CERTIFICATE:

I HEREBY CERTIFY THAT THIS PLAT IS A TRUE REPRESENTATION OF THE RESULTS OF AN ACTUAL SURVEY BY ME OR UNDER MY SUPERVISION, CONFORMING TO THE NORMAL STANDARDS OF CARE OF PROFESSIONAL SURVEYORS PRACTICING IN THE STATE OF GEORGIA AND THAT ALL MONUMENTS SHOWN HEREON ACTUALLY EXIST OR ARE MARKED "FUTURE" AND THEIR LOCATION, SIZE, TYPE, AND MATERIAL ARE CORRECTLY SHOWN.

BY: GA RLS RONALD E. GODWIN — 2696 REGISTERED LAND SURVEYOR NO. — 11/13/13 DATE

GRAPHIC SCALE
0 100 200 400

LEGEND:

OTP=OPEN TOP PIPE
RBF=REBAR FOUND
RBS=REBAR SET
R/W=RIGHT OF WAY
L.L.=LAND LOT
MFE=MINIMUM FINISHED FLOOR ELEVATION
A.E.=ACCESS EASEMENT
D.E.=DRAINAGE EASEMENT
S/W=SIDEWALK
U.E.=UTILITY EASEMENT
P.O.B.=POINT OF BEGINNING
B/L=BUILDING LINE
D.E.=DRAINAGE EASEMENT
N/F=NOW OR FORMERLY
F.W.P.D.=FIELD WORK PERFORMED DATE
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=UTILITY POLE
=DROP INLET
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FOUR CORNERS SURVEYING
P.O. BOX 15 Tyrone, GA 30290 770-560-3910 & 770-823-9377
FOUR_CORNERS@BELLSOUTH.NET

REVISION	DATE:	DESCRIPTION:

Max Fuller
SOUTH JEFF DAVIS DRIVE
Land Lot 87 of the 5th District Fayette County, Georgia

JOB NUMBER: 13-053FP | DRAWN BY: XCB | SCALE: 1" = 200'
DATE: 11/12/13

SHEET 1 OF ONE

STATE OF GEORGIA
COUNTY OF FAYETTE

RESOLUTION

NO. RP-052-14

WHEREAS, Max Fuller, Owner, and Shane Shanks, Agent, having come before the Fayette County Planning Commission on July 2, 2014 requesting a revision to a recorded plat as per Section 104-595, (2),K. of the Fayette County Subdivision Regulations; and

WHEREAS, said request being as follows: Request approval to revise the Minor Subdivision Plat for Max Fuller to add six lots.

WHEREAS, the Fayette County Planning Commission having duly convened, and considered said request;

BE IT RESOLVED that the decision of the Fayette County Planning Commission, that said request be **APPROVED**.

This decision is based on the following reasons:

Compatible with the surrounding area.

PLANNING COMMISSION
OF
FAYETTE COUNTY

AL GILBERT
CHAIRMAN

ATTEST:

PLANNING COMMISSION RECOMMENDATION

DATE: RP-052-14

TO: Fayette County Commissioners

The Fayette County Planning Commission recommends that Petition No. RP-052-14 to revise the Minor Subdivision Plat for Max Fuller to add six lots be:

✓ 4-1 Approved _____ Withdrawn _____ Disapproved

_____ Tabled until _____

AL GILBERT, CHAIRMAN

JIM GRAW, VICE-CHAIRMAN

BRIAN HAREN

DOUGLAS POWELL

BOB SIMMONS

Remarks:

_____

_____

_____

Fayette County

"Where Quality is a Lifestyle"

Planning and Zoning
140 Stonewall Avenue West
Fayetteville, Georgia 30214
Phone: 770-305-5421
www.fayettecountyga.gov

June 27, 2014

Pete Frisina
Fayette County Community Services/Planning & Zoning
140 Stonewall Avenue West, Suite 202
Fayetteville, GA 30214

Dear Pete,

We are requesting modification to the Minor Subdivision Plat of Max Fuller subdivision to allow the existing subdivision of two and to add six more lots, which will consist of eight residential lots along South Jeff Davis Road (see Concept Plan attached as Exhibit "A"). This property is zoned A-R and is requesting to rezone to R-40 Single Family Residential.

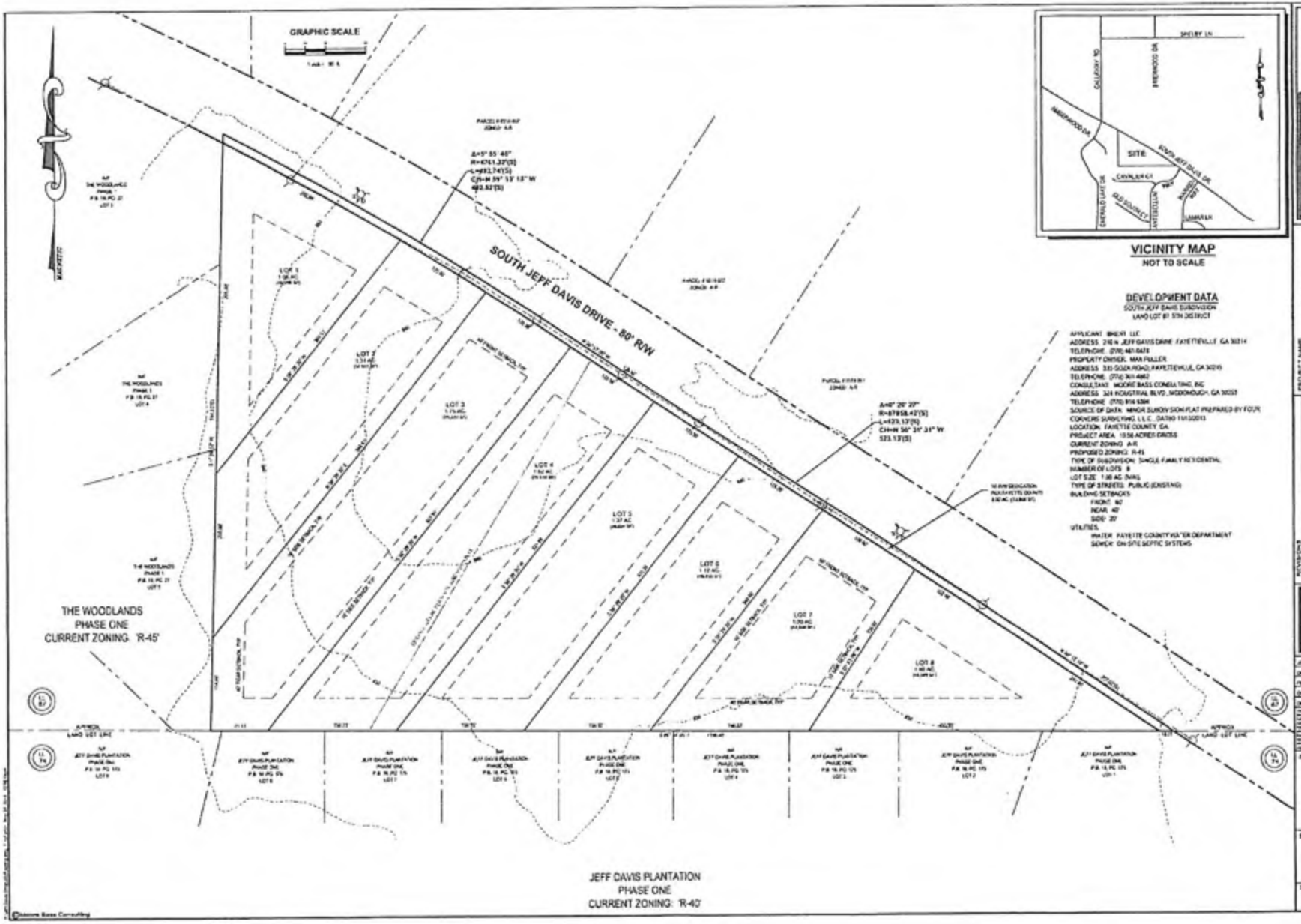
The Minor Subdivision Plat of Max Fuller consisting of two lots was approved by the Planning Commission on February 7, 2014.

The proposed lots will be directly on South Jeff Davis Road. (see attached Exhibit "B"). We have granted all right-of-way so that the revised plat will not require additional property for right-of-way.

Thank you for your assistance.

Sincerely,

Max Fuller


GRAPHIC SCALE
SOUTH JEFF DAVIS DRIVE - 80' R/W
THE WOODLANDS
PHASE ONE
CURRENT ZONING: 'R-45'
JEFF DAVIS PLANTATION
PHASE ONE
CURRENT ZONING: 'R-40'
LOT 1
LOT 2
LOT 3
LOT 4
LOT 5
LOT 6
LOT 7
LOT 8
VICINITY MAP
NOT TO SCALE
SITE
SHELBY LN
BREWOOD DR
SOUTH JEFF DAVIS DR
DEVELOPMENT DATA
SOUTH JEFF DAVIS SUBDIVISION
APPLICANT: BNEXT, LLC
ADDRESS: 216 N. JEFF DAVIS DRIVE, FAYETTEVILLE, GA 30214
PROPERTY OWNER: MAX FULLER
CONSULTANT: MOORE BASS CONSULTING, INC
SOURCE OF DATA: MINOR SUBDIVISION PLAT PREPARED BY FOUR CORNERS SURVEYING, L.L.C., DATED 11/12/2013
LOCATION: FAYETTE COUNTY, GA
PROJECT AREA: 10.58 ACRES GROSS
CURRENT ZONING: A-R
PROPOSED ZONING: R-45
TYPE OF SUBDIVISION: SINGLE FAMILY RESIDENTIAL
NUMBER OF LOTS: 8
LOT SIZE: 1.00 AC. (MIN.)
TYPE OF STREETS: PUBLIC (EXISTING)
BUILDING SETBACKS
FRONT: 60'
REAR: 40'
SIDE: 20'
UTILITIES
WATER: FAYETTE COUNTY WATER DEPARTMENT
SEWER: ON-SITE SEPTIC SYSTEMS
Moore Bass
CONSULTING
PROJECT NAME
SOUTH JEFF DAVIS DRIVE SUBDIVISION
CLIENT NAME
BNEXT, LLC
216 N. JEFF DAVIS DRIVE
FAYETTEVILLE, GA 30214
REVISIONS
MB
SHEET TITLE
CONCEPTUAL PLAN
SHEET
1.0

MINOR SUBDIVION PLAT FOR
MAX FULLER
SOUTH JEFF DAVIS DRIVE
LAND LOT 87 OF THE 5th DISTRICT
FAYETTE COUNTY, GEORGIA
NOVEMBER 12, 2013

LOCATION MAP
(NOT TO SCALE)

Doc ID: 00002740001 Type: PLAT
Recorded: 02/07/2014 at 01:58:00 PM
Fee Amt: $8.00 Page 1 of 1
Fayette, Ga. Clerk Superior Court
Sheila Studard Clerk of Court
BK 47 PG 130

COPY

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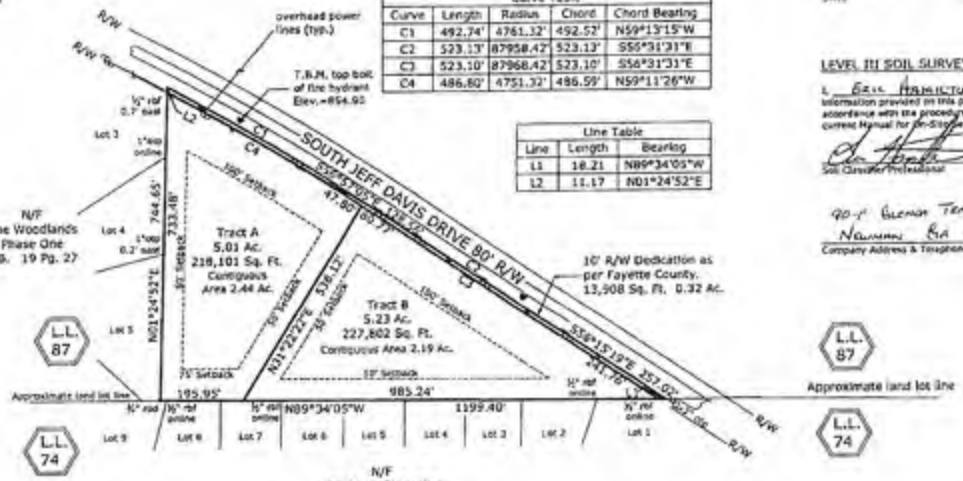

GENERAL NOTES:

1. OWNER/DEVELOPER:
   Max Fuller
   335 Goza Road
   Fayetteville, GA 30215
   Contact : Max Fuller
   (770)301-4882 cell
2. SURVEYOR:
   Four Corners Surveying, L.L.C.
   P. O. Box 15
   Tyrone, GA 30290
   770-560-3910
   770-823-9377
   four_corners@bellsouth.net
3. CLOSURE DATA:
   Field Closure=1'IN 10,000+
   Angle Point Error=+ 20"
   Equipment Used=Topcon 3005W,
   Sokkia SX, & Topcon Hyper GA GPS System
   Adjustment Method=Compass Rule
   Plat Closure=1' IN 100,000+
4. SITE DEVELOPMENT DATA:
   Location: Land Lot 87 of the 5th District, Fayette County, Georgia
   Site Data = 2 Lots
   Total area of project = 10.556 Acres 459,911 Sq. Ft.
5. Tax Parcel ID: 0919 005
6. MINIMUM DIMENSIONAL ZONING REQUIREMENTS:
   For A-R Zoning district
   Minimum lot width at front setback line = 250'
   Minimum floor area of house = 1,200 SF
   Minimum lot size = 5.0 ACRES
   Front yard = 100'
   Side yard = 50'
   Rear yard = 75'
   Maximum height of structure = 35'
7. Fayette county does not accept the ownership, maintenance or responsibility for any drainage easements or overall drainage plan or the lack of one indicated by this plat.
8. Capped ½" re-bar to be set at all lot corners unless otherwise noted.
9. This property does not lie within a special flood hazard area according to FEMA Flood Insurance Rate Map #13113C0116E dated September 26, 2008.
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APPROVED BY FAYETTE COUNTY ENVIRONMENTAL HEALTH DEPARTMENT
12/3/13 — approval for plat recording purposes only
DATE — ENVIRONMENTAL HEALTH SPECIALIST

APPROVED BY FAYETTE COUNTY STORMWATER MANAGEMENT DEPARTMENT
12/4/2013 — Vanessa Birnell
DATE — STORMWATER MANAGEMENT DIRECTOR

APPROVED BY FAYETTE COUNTY ENGINEER
11/25/13 — P Mallon
DATE — COUNTY ENGINEER

APPROVED BY FAYETTE COUNTY PLANNING COMMISSION
2/7/2014
DATE — SECRETARY

APPROVED BY FAYETTE COUNTY ZONING ADMINISTRATOR
11/25/2013
DATE — ZONING ADMINISTRATOR

LEVEL III SOIL SURVEY

I, Eric Hamilton, do hereby certify that the Level III Soil Survey information provided on this plat was performed by HES, Inc. in accordance with the procedures specified in the Georgia Department of Human Resources' current Manual for On-Site Sewage Management Systems.

Soil Classifier Professional

224
Georgia DHR Soil Classifier, Professional Engineer Registration No.
Registration Number/License Numbers

90-F Glenn Tech #327
Newnan GA 30265
Company Address & Telephone

Eric A. Hamilton
CERTIFIED SOIL CLASSIFIER
STATE OF GEORGIA CERTIFICATION NUMBER #224

OWNER'S CERTIFICATE

We, the undersigned owner(s) of the Max Fuller Subdivision, hereby dedicate the rights-of-way for public use, and/or reserve for public use the easements and other ground shown on this plat.

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Owner — 12-14-13 Date

Owner — Date

SURVEYOR'S CERTIFICATE:

I HEREBY CERTIFY THAT THIS PLAT IS A TRUE REPRESENTATION OF THE RESULTS OF AN ACTUAL SURVEY BY ME OR UNDER MY SUPERVISION, CONFORMING TO THE NORMAL STANDARDS OF CARE OF PROFESSIONAL SURVEYORS PRACTICING IN THE STATE OF GEORGIA AND THAT ALL MONUMENTS SHOWN HEREON ACTUALLY EXIST OR ARE MARKED "FUTURE" AND THEIR LOCATION, SIZE, TYPE, AND MATERIAL ARE CORRECTLY SHOWN.

BY: GA PLS RONALD T. ODOWN — 2696 REGISTERED LAND SURVEYOR NO. — 11/13/13 DATE

GRAPHIC SCALE
0 100 200 400

LEGEND:

OTP=OPEN TOP PIPE
REF=REBAR FOUND
RES=REBAR SET
R/W=RIGHT OF WAY
L.L.=LAND LOT
MFFE=MINIMUM FINISHED FLOOR ELEVATION
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FOUR CORNERS SURVEYING
P.O. BOX 15 Tyrone, GA 30290 770-560-3910 & 770-823-9377
FOUR_CORNERS@BELLSOUTH.NET

REVISION	DATE:	DESCRIPTION:

Max Fuller
SOUTH JEFF DAVIS DRIVE
Land Lot 87 of the 5th District Fayette County, Georgia

JOB No/HBKR: 13-053FP — DRAWN BY: JCB — SCALE: 1" = 200'
DATE: 11/12/13

SHEET 1 OF

Moore Bass
CONSULTING

July 10, 2014

Mr. Pete Frisina
Director
Fayette County Planning and Zoning
140 Stonewall Avenue
Fayetteville, Georgia 30214

RE: Rezoning Petition 1235-14 and Revised Plat RP-052-14
South Jeff Davis Road Subdivision
MB Project No.: A41.008

Dear Mr. Frisina:

We respectfully request to table the subject matter before you to allow us time to work with staff to find solutions for issues of concern that were presented to the Planning Commission at its meeting on July 2, 2014. The Planning Commission's recommendation of approval to R-50 Zoning and the conditions placed upon that approval will have an impact on the development of this parcel that has the applicant reconsidering their options. If possible, we would like to table this request until the August 28 Board of Commissioner's Meeting.

Thank you for your help in this matter.

Sincerely,
Moore Bass Consulting, Inc.

Sean D. Shanks, P.E.

324 Industrial Blvd. • McDonough GA 30253 • 770.914.9394 office • 770.914.9596 fax • www.moorebass.com
Atlanta • Panama City • Tallahassee