COUNTY AGENDA REQUEST

Department:	Planning and Zoning	Presenter(s):	Pete Frisina
Meeting Date:	Thursday, April 23, 2015	Type of Request:	Public Hearing

Wording for the Agenda:

Public Hearing of Petition No. 1243-15, Fland Land, LLC, Owner, Donna Black, Agent, request to rezone 132.14 acres from R-70 to C-S to develop a Single-Family Residential Conservation Subdivision, with said property being located in Land Lots 49, 79 & 80 of the 7th District, and fronting on Lees Lake Road and Coastline Road, with one (1) recommended condition.

Background/History/Details:

Applicant proposes to develop a Single-Family Residential Conservation Subdivision on 132.14 acres.

Staff recommends approval of rezoning Petition 1243-15 with one (1) Condition.
The Planning Commission recommends approval of rezoning Petition 1243-15 with one (1) Condition.

The owner/developer shall provide, at no cost to Fayette County, a quit-claim deed for 40 feet of right-of-way as measured from the centerline of Coastline Road prior to the approval of the Final Plat and said dedication area shall be shown on the Final Plat.

Al Gilbert made a motion to recommend approval of Petition 1243-15 with one (1) condition. Bob Simmons seconded the motion. The motion passed 4-0.

This recommendation was reaffirmed on April 16, 2015 as the petition was sent back to the Planning Commission for reconsideration due to a material error with the Yield Plan resulting in the number of lots being reduced from 46 to 43. Al Gilbert made a motion to reaffirm the recommendation to approve the petition with one (1) condition. Bob Simmons seconded the motion. The motion passed 5-0.

What action are you seeking from the Board of Commissioners?

Approval of Petition No. 1243-15, Fland Land, LLC, Owner, Donna Black, Agent, request to rezone 132.14 acres from R-70 to C-S to develop a Single-Family Residential Conservation Subdivision, with said property being located in Land Lots 49, 79 & 80 of the 7th District, and fronting on Lees Lake Road and Coastline Road, with one (1) recommended 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?*	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		Reviewed by Legal	
Approved by Purchasing		County Clerk's Approval	Yes
Administrator's Approval			

Staff Notes:

One Recommended Condition

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

1. The owner / developer shall provide, at no cost to Fayette County, a quit-claim deed for 40 feet of right of way as measured from the centerline of Coastline Road prior to the approval of the Final Plat and said dedication area shall be shown on the Final Plat. *(This condition is to ensure the provision of adequate right-of-way for future road improvements.)*

To: Fayette County Board of Commissioners

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

Date: March11, 2015

Subject: Board of Commissioners Public Hearing, March 26, 2015

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 March 26, 2015.

PETITION NUMBER	LOCATION/ REQUEST	STAFF RECOMMENDATION	PLANNING COMMISSION RECOMMENDATION
1243-14	**Lees Lake Road & Coastline Road/ R-70 to C-S**	**APPROVE C-S WITH ONE (1) RECOMMENDED CONDITION**	**APPROVE C-S WITH ONE (1) RECOMMENDED CONDITION**

PLANNING COMMISSION RECOMMENDATION

DATE: April 16, 2015

TO: Fayette County Commissioners

The Fayette County Planning Commission recommends that Petition No. 1243-15, the application of Fland Land, LLC to rezone 132.14 acres from R-70 to C-S, be:

5-Ø

__X__ Approved _____ Withdrawn _____ Disapproved

_____Tabled until _____

This is forwarded to you for final action.

JIM GRAW, CHAIRMAN

BRIAN HAREN, VICE-CHAIRMAN

AL GILBERT

ARNOLD L. MARTIN

BOB SIMMONS

Remarks:

As reaffirmed on this date.

VOTED 5-0 TO REAFFIRM

STATE OF GEORGIA
COUNTY OF FAYETTE

RESOLUTION

NO. 1243-15

WHEREAS, Fland Land, LLC, Owner, and Donna Black, Agent, having come before the Fayette County Planning Commission on April 16, 2015, requesting an amendment to the Fayette County Zoning Map pursuant to "The Zoning Ordinance of Fayette County, Georgia, 2010"; and

WHEREAS, said request being as follows: Request to rezone 132.14 from R-70 to C-S, in the area of Lees Lake Road & Coastline Road, Land Lot 49, 79 & 80 of the 7th District, for the purpose of developing a Single-Family Residential Conservation Subdivision; and

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 WITH ONE (1) CONDITION** as reaffirmed on this date.

This decision is based on the following reasons:

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

PLANNING COMMISSION
OF
FAYETTE COUNTY

ATTEST:

JIM GRAW, CHAIRMAN

PC SECRETARY

PLANNING COMMISSION RECOMMENDATION

DATE: March 5, 2015

TO: Fayette County Commissioners

The Fayette County Planning Commission recommends that Petition No. 1243-15, the application of Fland Land, LLC to rezone 132.14 acres from R-70 to C-S, be:

4-0

_X_ Approved _____ Withdrawn _____ Disapproved

_____Tabled until _____

This is forwarded to you for final action.

JIM GRAW, CHAIRMAN

BRIAN HAREN, VICE-CHAIRMAN

AL GILBERT

BOB SIMMONS

Remarks:

STATE OF GEORGIA
COUNTY OF FAYETTE

RESOLUTION

NO. 1243-15

WHEREAS, Fland Land, LLC, Owner, and Donna Black, Agent, having come before the Fayette County Planning Commission on March 5, 2015, requesting an amendment to the Fayette County Zoning Map pursuant to "The Zoning Ordinance of Fayette County, Georgia, 2010"; and

WHEREAS, said request being as follows: Request to rezone 132.14 from R-70 to C-S, in the area of Lees Lake Road & Coastline Road, Land Lot 49, 79 & 80 of the 7th District, for the purpose of developing a Single-Family Residential Conservation Subdivision; and

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 WITH ONE (1) CONDITION**.

This decision is based on the following reasons:

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

PLANNING COMMISSION
OF
FAYETTE COUNTY

ATTEST:

JIM GRAW, CHAIRMAN

PC SECRETARY

4. **Consideration of a Final Plat of the Earl Johnson Estate for Mr. Earl Johnson. The property will consist of two residential lots zoned R-70 and is located in Land Lot 254 of the 5th District and fronts on South Kite Lake Road.** ***(Note: due to a malfunction no audio of the meeting was recorded.)***

Donna Black said that due to a misunderstanding in calculating contiguous areas on the Yield Plan, the Board of Commissioners sent the petition back through the Planning Commission with the revisions made to the Yield and Development Plan. She went on the say the Yield Plan was corrected and did meet the required 0.90 acre contiguous area. She continued that the overall subdivision requires a minimum of 40% in open space (undeveloped) and 60% for the residential development. She stated that approximately 50% would be in open space and conservation. She finished by stating she would save her remaining time for rebuttal or questions.

Chairman Graw asked if there was anyone who wanted to speak in favor of the petition.

Cathy Climo stated she was not there to speak in favor or opposition to the rezoning and that what she wanted is an understanding of the one acre lots in this area, the size of the homes and the possible prices of the homes. She said she resides in the area and was concerned about the property values.

Donna Black explained that a Conservation Subdivision allowed two acre lot subdivisions to be developed in one acre lots, but keeping the density, and that in this development this density is actually one (1) housing unit per three (3) acres, which in line with the land use plan. She stated that as far as the prices of the homes, she is never sure with a changing market, but the estimate would be $250.000 per house.

Jim Graw then asked that Donna Black about the comment from the previous hearing about the claims of material and chemicals buried on the property.

Donna Black stated that they had met with Mr. Torbush on site to determine the locations of buried materials. She stated that their team has an environmental specialist ready for analysis and possible removal of any items according to the required environmental regulations. She stated that the Scarborough Group has dealt with this many times including gas tank removal.

Chairman Graw asked if there was anyone else who wanted to speak in favor or opposition to the petition. Hearing none he brought it back to the board and stated the following:

On March 5, 2015 the Planning Commission recommended approval of petition # 1243-15 with one condition to the Board of Commissioners. The same petition is back before the Planning Commission due to a change in the number of lots (46 to 43).

The Planning Commission has two options:

1. Put forth a motion reaffirming the March 5, 2015 motion, with a second, recommending approval of the CS zoning category with one condition; or

2. Put forth a motion to rescind the March 5, 2015 recommendation and make a new recommendation with a second.

Al Gilbert made a motion to reaffirm the recommendation to approve the petition with one (1) condition. Bob Simmons seconded the motion. The motion passed 5-0.

THE FAYETTE COUNTY PLANNING COMMISSION met on March 5, 2015 at 7:00 P.M. in the Fayette County Administrative Complex, 140 Stonewall Avenue West, Fayetteville, Georgia.

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

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

Welcome and Call to Order:

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

* * * * * * * * * *

1. **Consideration of the Minutes of the Meeting held on February 5, 2015.**

Al Gilbert made a motion to approve the minutes. Bob Simmons seconded the motion. The motion passed 4-0.

Chairman Graw said the next four (4) items are public hearings and since we do not have a full board the petitioners have the option to request to table until the next public hearing meeting in hopes there will be a full board present at that time so when the petitioners come forward please let us know if you want to proceed or table.

2. **Consideration of Petition No. 1243-15, Fland Land, LLC, Owner, and Donna Black, Agent, request to rezone 132.14 acres from R-70 to C-S to develop a Single-Family Residential Conservation Subdivision. This property is located in Land Lots 49, 79 & 80 of the 7th District and fronts on Lees Lake Road and Coastline Road.**

Chairman Graw asked Pete Frisina to explain conservation subdivisions.

Pete Frisina said the density of this conservation subdivision is based on a yield plan designed under the R-70 zoning district that requires a minimum lot size of two (2) acres. He said the yield plan is reviewed by staff for compliance and the plan yielded 46 lots on 132 acres. He added the C-S zoning allows the lots to be a minimum of one (1) acre and 60 percent of the property can be developed and 40 percent is put into open space under a conservation easement. He said in this case the conservation area is 50 percent of the property which exceeds the requirements of the C-S zoning district.

Donna Black said they would proceed with the public hearing. She said the property is currently zoned R-70 and they were applying for C-S zoning. She added that the proposal does not increase the number of lots on the property but it allows smaller lots and less street length. She said the gross density is about 2.9 acres per lot and 50 percent of the property will be in conservation area.

Chairman Graw asked if the existing structures on the property will be removed.

Donna Black said they would be removed with the development of the subdivision.

Chairman Graw asked if there was anyone who wanted to speak in favor of the petition. Hearing none he asked if there was anybody who wanted to speak in opposition to the petition.

Robert Torbush of 422 Lees Lake Road said a number of years ago he worked for Mr. Flanders repairing heavy equipment of the property and there were a number of big tanks and 55 gallon barrels behind the shop building and he wasn't aware of what was in them but some of them were underground type tanks and there could be some hazardous chemicals back there and it should be checked out before they start grading back there. He said the area was 100 or 200 yards down below the shop and he could show somebody where that is on the property.

Chairman Graw asked if there was anybody else that wanted to speak in opposition. Hearing none he brought it back to the board and asked if Donna Black could address the issues mentioned by Mr. Torbush.

Donna Black said she just asked Mr. Torbush to call her so he could show them where this area is on the property and their environmental consultants could look the area for cleanup. She said they have had projects in the past where tanks had to be removed and they are familiar with the State process to remove tanks and clean up the area and once they know where the tanks and barrels are located they would evaluate and proceed with the State.

Al Gilbert made a motion to recommend approval of Petition 1243-15 with one (1) condition. Al Gilbert said the condition reads as follows:

> The owner/developer shall provide, at no cost to Fayette County, a quit-claim deed for 40 feet of right-of-way as measured from the centerline of Coastline Road prior to the approval of the Final Plat and said dedication area shall be shown on the Final Plat. (This condition is to ensure the provision of adequate right-of-way for future road improvements.)

Chairman Graw asked if the petitioner accepted the condition.

Donna Black said they accept the condition.

Bob Simmons seconded the motion.

Brian Haren asked if the County is aware of any environmental issues on the property.

Pete Frisina said he was not aware on any environmental issued on the property but he could not speak for the whole County.

Chairman Graw asked if the County Environmental Department would be concerned with this.

Pete Frisina said yes someone with County will be concerned with this.

Brain Haren asked should we table this until there is an all clear from the Environmental Department.

Pete Frisina said there is not a specific environmental department that this would solely fall under but this would have to be addressed regardless so that really doesn't have a bearing on the rezoning.

Chairman Graw said that will come up during the platting process.

Chairman Graw called for the vote and the motion passed 4-0.

3. Consideration of Petition No. RP-055-15, Carter Rocky Fork, LLC, Owner, and Donna Black, Agent request to change Lot 15 from a building lot to common area for a centralized mail kiosk and open space. This property is located in Land Lot 140 & 149 of the 5th District and fronts on Rocky Fork Blvd.

Donna Black said they will proceed with the petition and the Rocky Fork subdivision was platted but not built in prior to the requirement of centralized mailbox units now required by the Postal Service. She said lot 15 is not buildable due to soils and would provide an area that could be owned by the Home Owner's Association as open space and the centralized mailbox units could be placed there.

Chairman Graw asked if there was anyone who wanted to speak in favor of the petition. Hearing none he asked if there was anybody who wanted to speak in opposition to the petition. Hearing none he brought it back to the board.

Al Gilbert asked if the County has any regulations regarding these centralized mailbox units.

Pete Frisina said the County does not have any regulations regarding these centralized mailbox units at this time but the developer has agreed to keep them out of the right-of-way. He added that included in the information is a site plan showing a circular driveway and staff has reviewed it and has no problems with this design.

Al Gilbert asked if the post office has requirements.

Pete Frisina said their requirements are more structural and they don't really have regulations on the location as long as they can get to the boxes. He added there is a letter from the post office in the information for this petition and they have approved the proposal.

Chairman Graw said he drove into the subdivision and there is a large tree that has fallen on this lot and asks what is going to be done with the lot.

Hovey & Associates, Inc.

130 Howard Lane; Suite B
Fayetteville, Georgia 30214
Ph. # (770) 460-2200
Fax # (same as above)

March 31, 2015

To: Mr. Pete Frisina,
Fayette County Planning & Zoning Dept.

Re: Elysian Fields - Yeild Plan
Lees Lake Road, Fayette County, Georgia

Dear Mr. Frisina,

This letter is to Certify that the Minimum contiguous area of 0.90 Acres per lot has been provided for on all lots shown on the Elysian Fields Yield Plan as submitted on March 27, 2015. The 0.90 contiguous acres on each lot is that area inside all building setbacks exclusive of any watershed buffers or easements as stated in the zoning ordinances of Fayette County, Georgia.

If you have any questions please feel free to call me.

Sincerely,

David G. Hovey

David G. Hovey, P.E.

PETITION NO: 1243-15

REQUESTED ACTION: R-70 to C-S

PROPOSED USE: Single-Family Residential Conservation Subdivision

EXISTING USE: Single-Family Residential

LOCATION: Lees Lake Road & Coastline Road

DISTRICT/LAND LOT(S): 7th District, Land Lot(s) 49, 79 & 80

OWNER: Fland Land, LLC

AGENT: Donna Black

PLANNING COMMISSION PUBLIC HEARING: April 16, 2015

BOARD OF COMMISSIONERS PUBLIC HEARING: April 23, 2015

APPLICANT'S INTENT

Applicant proposes to develop a Single-Family Residential Conservation Subdivision consisting of 43 lots on 132.14.

STAFF RECOMMENDATION

APPROVAL WITH ONE (1) CONDITION

1. **1243-15**

INVESTIGATION

A. PROPERTY SITE

The subject property is a 132.14 acre tract fronting on Lees Lake Road & Coastline Road in Land Lot(s) 49, 79 & 80 of the 7th District. Both Lees Lake Road & Coastline Road are classified as Collector roads on the Fayette County Thoroughfare Plan. The Development Plans indicates no access to Coastline Road. The subject property is currently zoned R-70 and it is noted on the Development Plan that all existing structures are to be removed.

B. SURROUNDING ZONING AND USES

The general situation is a 132.14 acre tract that is zoned R-70. In the vicinity of the subject property is land which is zoned 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 (across Coastline Road)	5.00	R-70	Single-Family Residential	Rural Residential (1 unit/2 to 3 acres)
	7.33	R-70	Single-Family Residential	Rural Residential (1 unit/2 to 3 acres)
	1.20	R-70	Single-Family Residential	Rural Residential (1 unit/2 to 3 acres)
	2.00	R-70	Single-Family Residential	Rural Residential (1 unit/2 to 3 acres)
	6.17	R-70	Single-Family Residential	Rural Residential (1 unit/2 to 3 acres)
	5.66	R-70	Single-Family Residential	Rural Residential (1 unit/2 to 3 acres)
	6.14	R-70	Undeveloped	Rural Residential (1 unit/2 to 3 acres)
	5.00	R-70	Single-Family Residential	Rural Residential (1 unit/2 to 3 acres)
South	124.5	R-70	Single-Family Residential	Rural Residential (1 unit/2 to 3 acres)
	83.00	R-70	Undeveloped	Rural Residential (1 unit/2 to 3 acres)
East (across Lees Lake Road)	2.00	R-70	Single-Family Residential	Rural-Residential (1 unit/2 to 3 acres)
East	3.10	R-70	Single-Family Residential	Rural-Residential(1 unit/2 to 3 acres)
	2.90	R-70	Single-Family Residential	Rural-Residential(1 unit/2 to 3 acres)
	7.80	R-70	Single-Family Residential	Rural-Residential(1 unit/2 to 3 acres)
	2.10	R-70	Single-Family Residential	Rural-Residential(1 unit/2 to 3 acres)
	2.00	R-70	Undeveloped	Rural-Residential(1 unit/2 to 3 acres)
	5.30	R-70	Single-Family Residential	Rural-Residential(1 unit/2 to 3 acres)
West	0.00	R-70	Coastline Railroad	Rural-Residential(1 unit/2 to 3 acres)

C. COMPREHENSIVE PLAN

The subject property lies within an area designated for Rural Residential (1 unit/2 to 3 acres). This request conforms to the proposed density for this area as indicated in the Fayette County Comprehensive Plan.

D. ZONING/REGULATORY REVIEW

The applicant seeks to rezone R-70 from to C-S for the purpose of developing Single-Family Residential Conservation Subdivision.

Setbacks and Buffers

Zoning District	Zoning Setbacks	Minimum Lot Size	Minimum House Size	Lot Width at Building Line	Buffer
C-S (proposed zoning district)	F - 100' Arterial F - 75' Collector F - 50' Minor S - 20' R - 30'	1 Acre* 1.5 Acre**	2,100 sq ft	150' Arterial 150' Collector 125' Minor	N/A
R-70 (existing zoning district)	F - 75' Arterial F - 75' Collector F - 50' Local S - 25' R - 50'	2 Acres	1,500 sq ft	175' Arterial 175' Collector 150' Minor	N/A

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

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

Yield Plan

Staff reviewed the yield plan which shows 43 lots on 132.14 acres and found it to comply with the requirements of the R-70 zoning district.

Development Plan

A Development Plan shall be required for the rezoning petition. The Development Plan, as approved, shall establish the layout and uses planned for the development. The Development Plan indicates 43 total lots. The residential area is approximately 66 acres (50 percent) and the conservation area is approximately 66 acres (50 percent) which meets the requirements of the Conservation Subdivision (C-S) zoning district. It is noted on the Development Plan that all existing structures are to be removed.

Platting

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

Right-of-Way Requirements

Per Section 104.52 of the Fayette County Development Regulations, should a proposed development adjoin an existing street, the developer shall dedicate additional right-of-way to meet one-half the minimum right-of-way requirement for the applicable functional classification as indicated on the Fayette County Thoroughfare Plan of the adjoining street. Lees Lake Road and Coastline Road are classified as Collector roads on the Fayette County Thoroughfare Plan. Public Works/Engineering indicates additional right-of-way for Coastline Road is required. Public Works/Engineering does not indicate any additional right-of-way for Lees Lake Road at this time.

Access

The Concept Plan submitted indicates one (1) access from Lees Lake Road

E. DEPARTMENTAL COMMENTS

Water System

Water main would require an extension. Closest tie in at Anderson Road on Lees Lake Road.

Public Works/Engineering

ROW dedication along Coastline is needed, 40 feet from centerline of road. The existing Coastline Road bridge is in poor condition. It is posted with weight restrictions and has been temporarily closed at times in the recent past. The bridge is owned by the railroad and improvements to the bridge are dependent upon the railroad's efforts. This road may be closed to thru traffic in the future.

Environmental Management

Floodplain: The property **DOES** contain floodplain per FEMA FIRM panel 13113C0036E dated Sept 26, 2008. Per Fayette County Floodplain Management Ordinance Sec. 104-86 any stream with a drainage area less than 100 acres, the area of special flood hazard shall be determined. The area of special flood hazard areas shall be determined for all manmade hazards. The elevation of the lowest floor, including basement and building access of any development shall be a least 3 feet above the base flood elevation for any lots that contain or are adjacent to a special flood hazard area.

Wetlands: The property **DOES** contain wetlands per the U.S. Department of the Interior, Fish and Wildlife Service 1994 National Wetland Inventory Map. Per Section 8-4 of Fayette County Development Regulations, the applicant must obtain all required permits from the U.S. Army Corps of Engineers prior to issuance of any permits from Fayette County for any phase of development affecting wetlands.

Watershed: If replatted, Watershed **DOES** apply. Whitewater Creek and associated tributaries 1000 ft. upstream of their confluence with Whitewater Creek **IS** subject to a Watershed Protection buffer of 100 feet off the FEMA floodplain or 400 ft. from wrested vegetation, whichever is greater, and a 50 ft. setback from the measured buffer. Any other state waters identified on site are subject to a 50 ft. watershed buffer measured from wrested vegetation and a 25 ft. setback as measured from the buffer.

Groundwater: The property **IS NOT** within a groundwater recharge area.

Stormwater: This development is subject to the Post-Development Stormwater Management Ordinance.

Environmental Health Department

No objection to proposed rezoning.

Fire

Water line extension required to Fayette County Water Department. Add fire hydrants.

STAFF ANALYSIS

This request is based on the petitioner's intent to rezone said property from R-70 to C-S for the purpose of developing Single-Family Residential Conservation Subdivision. Per Section 11-11 of the Fayette County Zoning Ordinance, Staff makes the following evaluations:

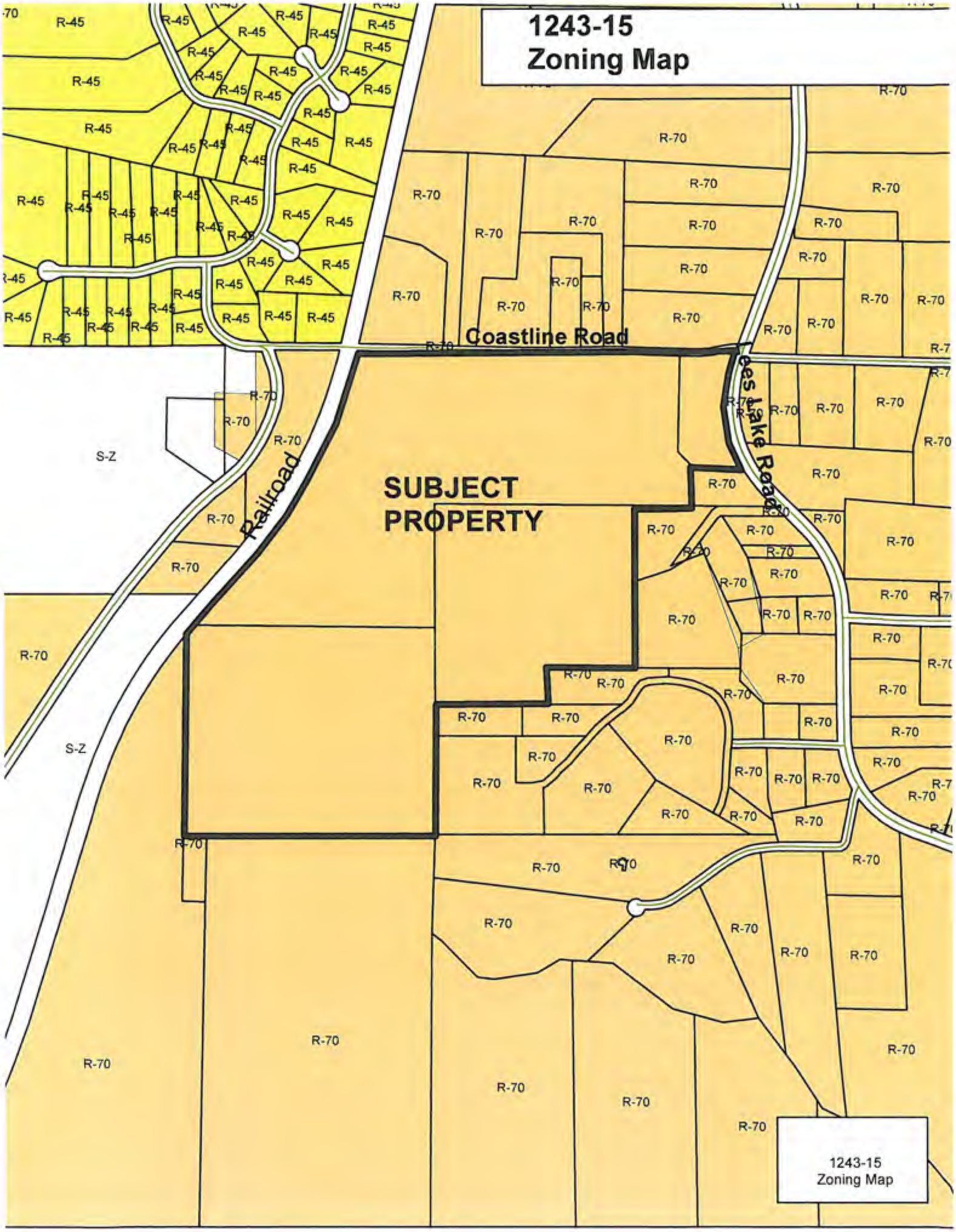
1. The subject property lies within an area designated for Rural Residential (1 unit/2 to 3 acres). This request conforms to the proposed density for this area as indicated in the Fayette County Comprehensive Plan.

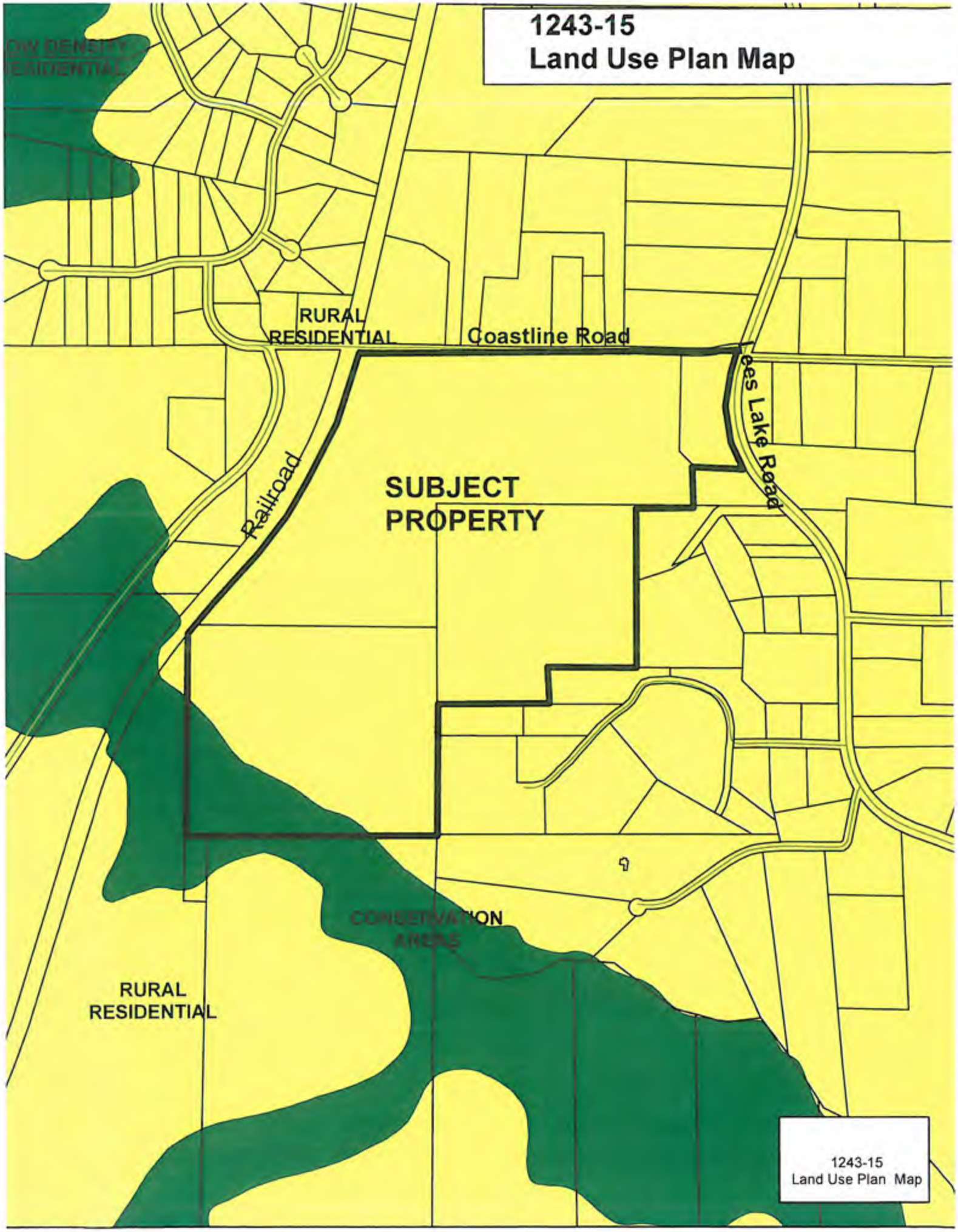
2. The proposed rezoning will not adversely affect the existing use or usability of adjacent or nearby property.

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.**


1243-15
Zoning Map
Coastline Road
Railroad
SUBJECT
PROPERTY
R-45
R-70
S-Z
1243-15
Zoning Map


1243-15
Land Use Plan Map
RURAL
RESIDENTIAL
Coastline Road
ees Lake Road
Railroad
SUBJECT
PROPERTY
CONSERVATION
AREAS
RURAL
RESIDENTIAL
1243-15
Land Use Plan Map

1243-15
Aerials

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

PROPERTY OWNERS: FLAND LAND, LLC

MAILING ADDRESS: 270 North Jeff Davis Dr., Fayetteville, GA 30214

PHONE: [redacted] **FAX:** 770-461-3491

AGENT FOR OWNERS:

MAILING ADDRESS:

PHONE: **FAX:**

E-MAIL: [redacted]

PROPERTY LOCATION: **LAND LOT** 49, 79, 80 **LAND DISTRICT** 7th **PARCEL** 0724 004, 0709 082, 0709 049, 0709 101
LAND LOT **LAND DISTRICT** **PARCEL** + 1 more - $81

TOTAL NUMBER OF ACRES REQUESTED TO BE REZONED: 132.14 ac

EXISTING ZONING DISTRICT: R-70 **PROPOSED ZONING DISTRICT:** CS

ZONING OF SURROUNDING PROPERTIES: R-70

PRESENT USE OF SUBJECT PROPERTY: Residential

PROPOSED USE OF SUBJECT PROPERTY: Residential Subdivision

LAND USE PLAN DESIGNATION: Rural Residential (1 unit/2 to 3 acres)

NAME AND TYPE OF ACCESS ROAD: Lees Lake Rd,

LOCATION OF NEAREST WATER LINE: Lee's Lake Rd.

(THIS AREA TO BE COMPLETED BY STAFF): **PETITION NUMBER:** ZA-1243-15

[ ] **Application Insufficient due to lack of:**

by Staff: **Date:**

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

by Staff: **Date:** 1/16/15

DATE OF PLANNING COMMISSION HEARING: March 5, 2015

DATE OF COUNTY COMMISSIONERS HEARING: March 26, 2015

Received from Brent Holdings, LLC **a check in the amount of $** 590.00 ($550.00) **for application filing fee, and $** 40.00 **for deposit on frame for public hearing sign(s).**

Date Paid: 1/16/15 **Receipt Number:**

NAME: Elysian Farms PETITION NUMBER: ZA - 1243-15

ADDRESS: _____

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

Fland Land, LLC affirms that he is the owner or the specifically authorized agent of the property described below. Said property is located in a(n) R-70 Zoning District. He/She respectfully petitions the County to rezone the property from its present classification and tenders herewith the sum of $ 570.00 to cover all expenses of public hearing. He/She petitions the above named to change its classification to C-S.

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 5th day of March, 20 15 at 7:00 P.M.

PUBLIC HEARING to be held by the Board of Commissioners of Fayette County on the 26th day of March, 20 15 at 7:00 P.M.

SWORN TO AND SUBSCRIBED BEFORE ME THIS 16th DAY OF January, 20 15.

Donna H. Black

NOTARY PUBLIC 5·1·17

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

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:

Fland Land, LLC

Please Print Names

Property Tax Identification Number(s) of Subject Property: 0724 004, 0709 087, 0709 049, 0709 010

(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) 49, 79, 80 **of the** 7th **District, and (if applicable to more than one land district) Land Lot(s) _____ of the _____ District, and said property consists of a total of acres (legal description corresponding to most recent recorded plat for the subject property is attached herewith).**

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

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

Signature of Property Owner 1

Signature of Notary Public 5·1·17

270 North Jeff Davis Dr.
Address Fayetteville, 30214

1·16·~~14~~15
Date

Signature of Property Owner 2

Signature of Notary Public

Address

Date

Signature of Property Owner 3

Signature of Notary Public

Address

Date

Donna H Black
Signature of Authorized Agent

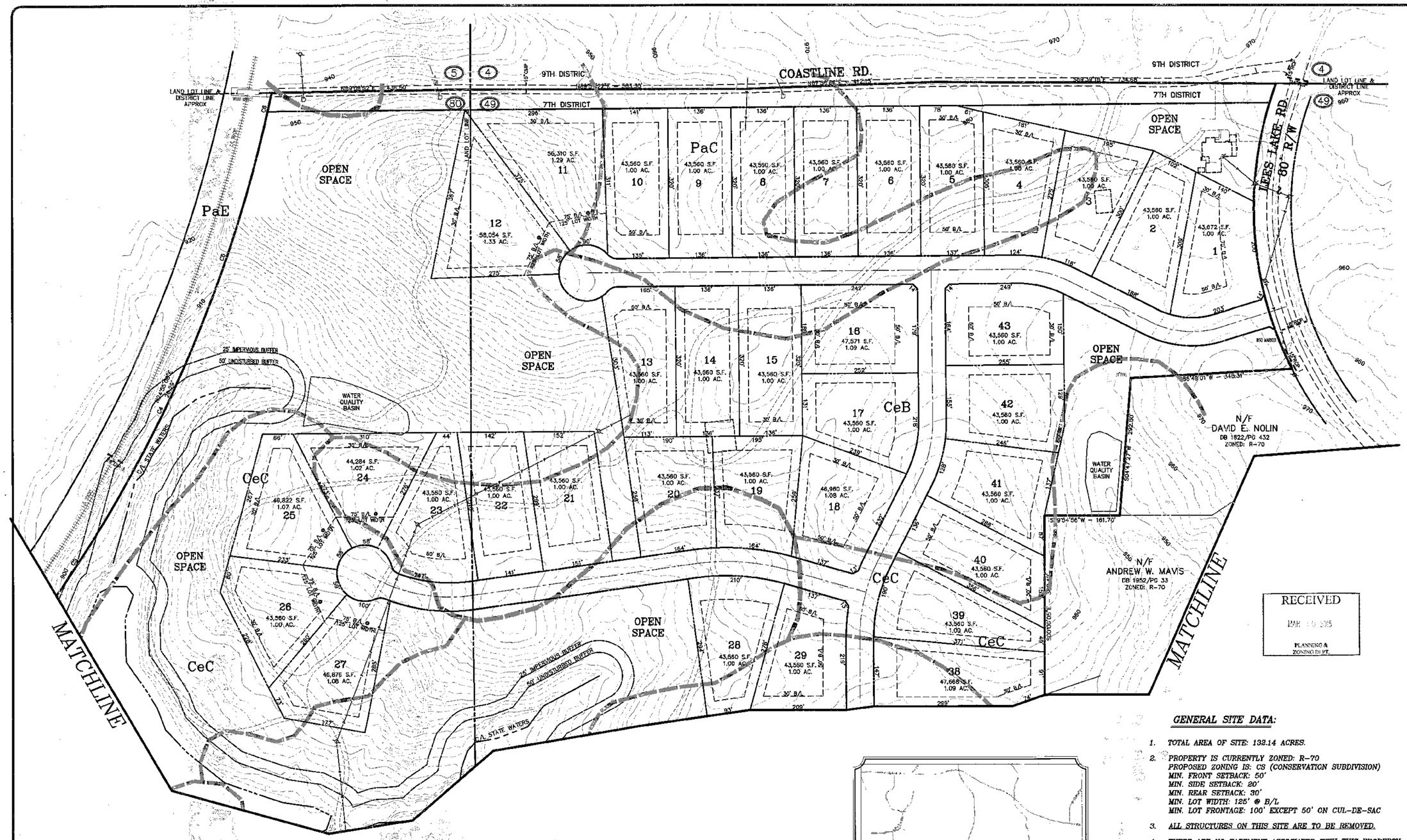
Deborah M Sims
Signature of Notary Public

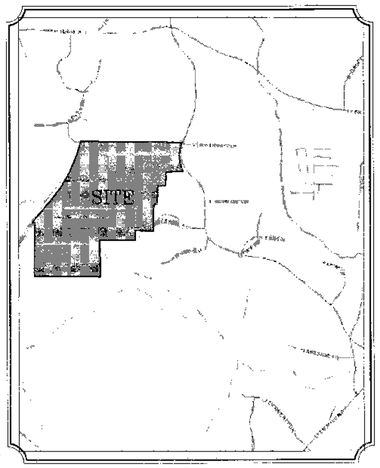
270 North Jeff Davis Dr.
Address Fayetteville, Ga 30214

1/26/2015
Date

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

Deborah M. Sims
My Commission Expires
Notary Public
January 5, 2019
Coweta County, Georgia





VICINITY MAP
(n.t.s.)

SOILS LEGEND

PaE, PaC – PACOLET

CeC, CeB, CfC2 – CECIL

DENSITY TABULATIONS		
RIGHT OF WAY AREA	354,803 S.F.	8.15 AC.
LOT AREA	1,991,151 S.F.	45.71 AC.
DETENTION/WATER QUALITY	392,000 S.F.	±9.00 AC.
OPEN SPACE PROVIDED	3,017,980 S.F.	69.28 AC.
OPEN SPACE REQUIRED	2,302,582 S.F.	52.86 AC.
TOTAL BOUNDARY AREA	5,755,934 S.F.	132.14 AC.

NET UNITS PER ACRE = 0.940

GROSS UNITS PER ACRE = 0.325

NET = LOT AREA, GROSS = TOTAL AREA

CURVE TABLE					
CURVE NO.	DELTA	RADIUS	LENGTH	CHORD DIST.	BEARING
C1	47°04'33"	762.24'	626.28'	608.81	S03°08'15"E
C2	2°58'03"	3216.26'	166.57'	166.56	S38°42'09"W
C3	12°55'18"	2993.59'	675.14'	673.71	N33°43'31"E
C4	2°20'43"	1708.01'	69.92'	69.91	N26°05'30"E
C5	11°30'33"	2914.33'	585.41'	584.42	N19°09'52"E
C6	1°04'06"	3947.74'	73.61'	73.60	N12°52'33"E

GENERAL SITE DATA:

1. TOTAL AREA OF SITE: 132.14 ACRES.
2. PROPERTY IS CURRENTLY ZONED: R-70
   PROPOSED ZONING IS: CS (CONSERVATION SUBDIVISION)
   MIN. FRONT SETBACK: 50'
   MIN. SIDE SETBACK: 20'
   MIN. REAR SETBACK: 30'
   MIN. LOT WIDTH: 125' @ B/L
   MIN. LOT FRONTAGE: 100' EXCEPT 50' ON CUL-DE-SAC
3. ALL STRUCTURES ON THIS SITE ARE TO BE REMOVED.
4. THERE ARE NO EASEMENT ASSOCIATED WITH THIS PROPERTY.
5. THIS PROJECT IS TO BE SERVED BY FAYETTE COUNTY WATER DEPARTMENT.
6. ACCORDING TO FEMA FLOOD INSURANCE RATE MAP COMMUNITY PANEL NO. 13113C0016E, THIS PROPERTY DOES NE WITHIN A 100 YR. FLOOD ZONE.
7. BOUNDARY INFORMATION WAS TAKEN FROM PLAT PREPARED BY WATTS AND BROWNING ENGINEERS INC.. DATE NOVEMBER 27, 2013.
8. TOPOGRAPHIC INFORMATION WAS PROVIDED BY FAYETTE COUNTY G.I.S. DEPARTMENT.
9. STATE WATERS ARE FIELD LOCATED BY APPLIED ENVIRONMENTAL SCIENCES.
10. THE MAJORITY OF THIS SITE WILL BE DETAINED FOR IN THE EXISTING POND LOCATED ON SITE. WATER QUALITY WILL BE AODRESSED IN SEPARATE BASINS. MICRO-POOL TYPE BASINS WILL BE USED. CHANNEL PROTECTION STORAGE VOLUME WILL ALSO BE PROVIDED FOR IN THE EXISTING ONSITE POND.
11. THE OVERALL PRE-DEVELOPED Cn FOR THIS SITE IS 57.
12. WETLANDS ARE PRESENT ON THIS SITE AND ARE CONTAINED WITHIN THE LIMITS OF THE FLOOD PLAIN.

CIVIL ENGINEERING
LAND PLANNING
HYDROLOGY

PREPARED BY:

HOVEY & ASSOC., INC.
130 HOWARD LANE, SUITE B
FAYETTEVILLE, GEORGIA 30214
PHONE: 770-460-2200

PREPARED FOR:

OWNER/DEVELOPER
& 24 HR. CONTACT

FLAND LAND, LLC
270 NORTH JEFF DAVIS DRIVE
FAYETTEVILLE, GA. 30214
CONTACT: DONNA BLACK
PH. #770-461-0478

DEVELOPMENT PLAN
FOR:

ELYSIAN FIELDS

LOCATED IN: 49, 79 & 80 ~ 7th DISTRICT ~ FAYETTE CO., GEORGIA

GRAPHIC SCALE: 1" = 100'

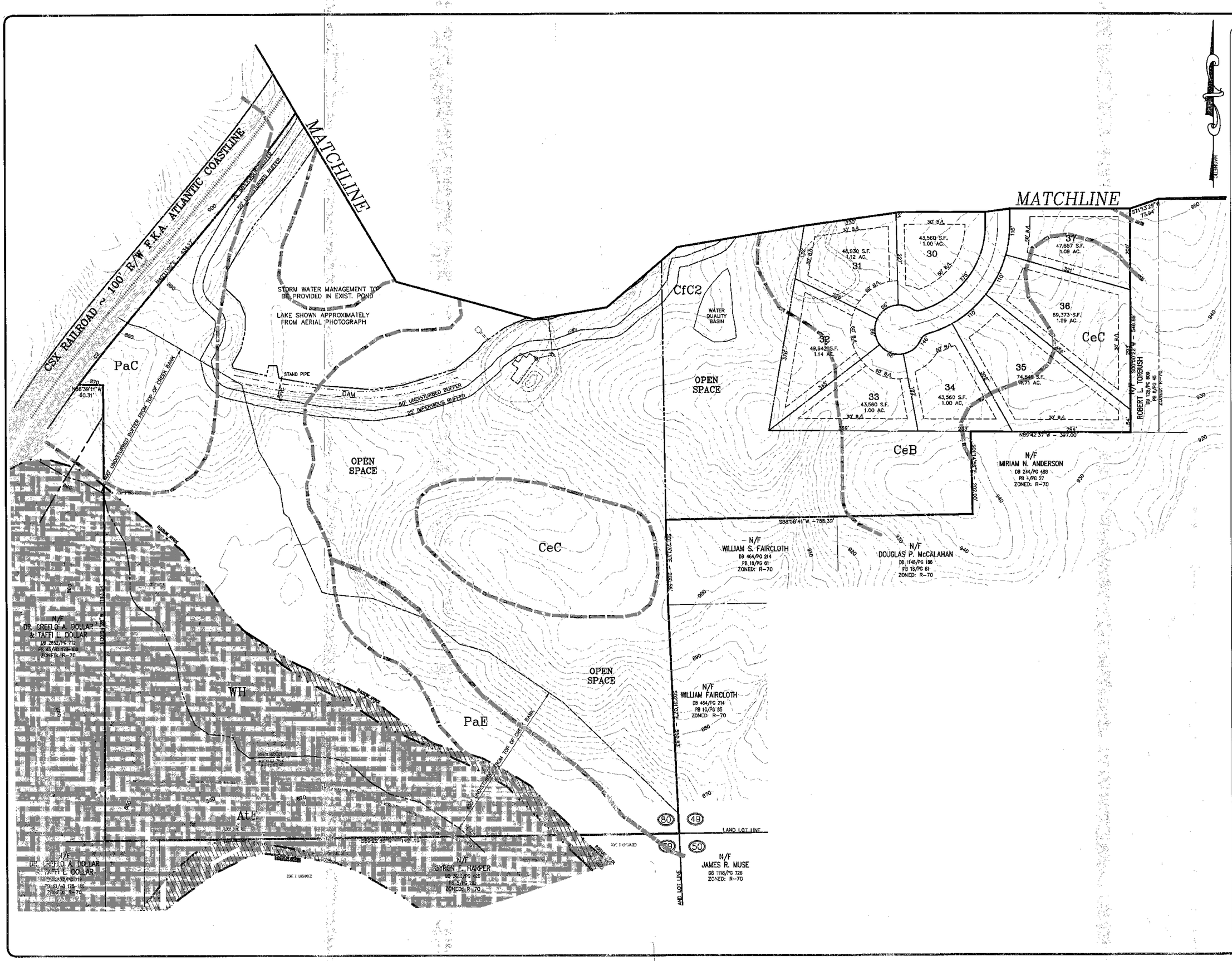
0' 100' 200' 300'

DATE: MARCH 30, 2015

REV.	DATE	DESCRIPTION

GEORGIA REGISTERED PROFESSIONAL ENGINEER No. 18080 DAVID G. HOVEY

SHEET 1 OF 2 SHEETS



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DATE: MARCH 30, 2015

REV.	DATE	DESCRIPTION

GEORGIA REGISTERED No. 18060 PROFESSIONAL ENGINEER DAVID G. HOVEY

SHEET 2 OF 2 SHEETS