

## BOARD OF COUNTY COMMISSIONERS

Lee Hearn, Chairman  
Edward Gibbons, Vice Chairman  
Eric K. Maxwell  
Charles D. Rousseau  
Charles W. Oddo



## FAYETTE COUNTY, GEORGIA

Steve Rapson, County Administrator  
Dennis A. Davenport, County Attorney  
Tameca P. Smith, County Clerk  
Marlena Edwards, Chief Deputy County Clerk

140 Stonewall Avenue West  
Public Meeting Room  
Fayetteville, GA 30214



## AGENDA

April 22, 2025  
5:00 p.m.

Welcome to the meeting of your Fayette County Board of Commissioners. Your participation in County government is appreciated. All regularly scheduled Board meetings are open to the public and are held on the 2<sup>nd</sup> and 4<sup>th</sup> Thursday of each month at 5:00 p.m.

### **OFFICIAL SESSION:**

Call to Order  
Invocation and Pledge of Allegiance by Commissioner Charles Oddo  
Acceptance of Agenda

### **PROCLAMATION/RECOGNITION:**

### **PUBLIC HEARING:**

1. Consideration of Petition 1361-25, Max Fuller, Applicant and Christine Flanigan, Agent, request to rezone 10.03 acres from A-R (Agricultural-Residential) to R-72 (Single-Family Residential) for the purpose of developing residential lots; property located in Land Lot 10 of the 5th District and fronts on John Street (abandoned) and Inman Road. This item was tabled at the March 27, 2025 Board of Commissioners Meeting. (pages 3-51)
2. Consideration of Petition 1362-25, Cedric Johnson and Sharai Johnson, Owners, request to rezone 16.1 acres from R-70 (Single-Family Residential) to A-R (Agricultural-Residential) for the purpose of developing small farming activities; property located in Land Lot 18 of the 9th District and fronts on Jewel Bluff. (pages 52-84)

### **PUBLIC COMMENT:**

*Speakers will be given a five (5) minute maximum time limit to speak before the Board of Commissioners about various topics, issues, and concerns. Speakers must direct comments to the Board. Responses are reserved at the discretion of the Board.*

### **CONSENT AGENDA:**

3. Approval to award Bid #2546-B: 2017 SPLOST; Stormwater Category II, Tier II; 21SAL North Bend Court Culvert Replacement to the lowest responsive, responsible bidder, Crawford Grading & Pipeline, Inc., in the amount of \$230,435.02 and to transfer \$94,557.00 from 17SAS Stormwater Improvement Plans CAT IV. (pages 85-94)
4. Approval of an agreement with Fayetteville Main Street, a domestic nonprofit corporation of the City of Fayetteville, for lighting of trees on the Old Courthouse Square, located at 200 Courthouse Square, Fayetteville, Georgia. (pages 95-100)

5. Approval of April 10, 2025, Board of Commissioners Meeting Minutes. (pages 101-105)

**OLD BUSINESS**

**NEW BUSINESS:**

6. Request to approve Contract 2506-P, MEJA Construction, Inc.; Fayette County Multi-Use Recreation Building; Change Order #1, to add the construction price of \$19,592,802.00 to the initial contract amount of \$1,047,500.00 for a total Guaranteed Maximum Price of \$20,640,302.00. (pages 106-110)

**ADMINISTRATOR'S REPORTS:**

**ATTORNEY'S REPORTS:**

**COMMISSIONERS' REPORTS:**

**EXECUTIVE SESSION:**

**ADJOURNMENT:**



# COUNTY AGENDA REQUEST

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Department:

Presenter(s):

Meeting Date:

Type of Request:

## Wording for the Agenda:

Consideration of Petition 1361-25, Max Fuller, Applicant and Christine Flanigan, Agent, request to rezone 10.03 acres from A-R (Agricultural-Residential) to R-72 (Single-Family Residential) for the purpose of developing residential lots; property located in Land Lot 10 of the 5th District and fronts on John Street (abandoned) and Inman Road. Tabled at the March 27, 2025 Board Meeting.

## Background/History/Details:

Applicant proposes to rezone 10.03 acres from A-R (Agricultural-Residential) to R-72 (Single-Family Residential) for the purposes of developing as single-family residential lots. As defined in the Fayette County Comprehensive Plan's Future Land Use Plan, this area is designated as Rural Residential-2, so the request for R-72 zoning, which requires 2-acre lots, is appropriate.

Staff recommends CONDITIONAL APPROVAL subject to the following: 1. The owner/developer shall dedicate land to Fayette County as needed to provide a minimum 50-ft of right of way as measured from the existing centerline of Inman Road for the full width of the parcel. Submittal of all warranty deed(s) and legal descriptions for said right-of-way dedication(s) shall be provided to the County within 90 days of the approval of the rezoning request, or prior to the final plat approval, whichever comes first.

On March 6, 2025, the Planning Commission voted 5-0 to recommend CONDITIONAL APPROVAL.

On March 27, 2025, the petitioner was granted a deferral until April 22, 2025 due to a lack of a full board.

## What action are you seeking from the Board of Commissioners?

Staff recommends CONDITIONAL APPROVAL of Petition 1361-25, Max Fuller, Applicant and Christine Flanigan, Agent, request to rezone 10.03 acres from A-R (Agricultural-Residential) to R-72 (Single-Family Residential) for the purpose of developing residential lots; property located in Land Lot 10 of the 5th District and fronts on John Street (abandoned) and Inman Road with one (1) condition.

## If this item requires funding, please describe:

Not applicable.

Has this request been considered within the past two years?

If so, when?

Is Audio-Visual Equipment Required for this Request?\*

Backup Provided with Request?

**\* 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

Administrator's Approval

## Staff Notes:

**PETITION No. 1361-25**

**REQUESTED ACTION:** Rezone 10.03 acres from A-R to R-72

**PARCEL NUMBER:** 0505 047

**EXISTING ZONING:** A-R

**PROPOSED ZONING:** R-72

**EXISTING USE:** Agricultural-Residential

**PROPOSED USE:** Single-Family Residential

**LOCATION:** Inman Road at John Street (abandoned)

**LOT SIZE:** 10.03 Acres

**DISTRICT/LAND LOT(S):** 5<sup>th</sup> District, Land Lots 88, 73

**OWNER(S):** After Hours Property Management, LLC

**APPLICANT(S):** Max Fuller

**AGENT(S):** Christine Flanigan

**PLANNING COMMISSION PUBLIC HEARING:** March 6, 2025, at 7:00 PM

**BOARD OF COMMISSIONERS PUBLIC HEARING:** April 22, 2025, at 5:00 PM

*This request was tabled at the March 27, 2025, meeting due to a lack of a full board.*

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**REQUEST**

The applicant is requesting to rezone the property from A-R to R-72.

**PLANNING COMMISSION RECOMMENDATION**

On March 6, 2025, the Planning Commission voted 5-0 to recommend **CONDITIONAL APPROVAL** of the petition to rezone from A-R to R-72, subject to staff's recommended conditions.

**STAFF ASSESSMENT & RECOMMENDATION**

The lot is a legal lot of record and meets or exceeds all the requirements of the A-R zoning district.

The Future Land Use Map designates this area as Rural Residential-2, which has a 2-acre minimum parcel size. Therefore, the request to rezone to the R-72 zoning district is appropriate and is consistent with the Future Land Use Map and the Comprehensive Plan. Staff recommends **CONDITIONAL APPROVAL** of the request to rezone to R-72, subject to the following:

1. The owner/developer shall dedicate land to Fayette County as needed to provide a minimum 50-ft of right of way as measured from the existing centerline of Inman Road for the full width of the parcel. Submittal of all warranty deed(s) and legal descriptions for said right-of-way dedication(s) shall be provided to the County within 90 days of the approval of the rezoning request, or prior to the final plat approval, whichever comes first.

Staff has discussed these conditions with the applicant, and they accept these conditions.

## **INVESTIGATION**

### **A. GENERAL PROPERTY INFORMATION**

The subject property is currently zoned A-R. It has not been rezoned. The property is currently undeveloped and is open pasture. There are no environmental issues that impact the property.

### **B. ADJACENT ZONING AND FUTURE LAND USE**

The parcels surrounding the subject property are zoned A-R. The Future Land Use Map for this property and all the surrounding properties is Rural Residential-2, 1 Unit/2 Acres. See the attached Zoning Map and Future Land Use Map.

<b>Direction</b>	<b>Acreage</b>	<b>Zoning</b>	<b>Use</b>	<b>Future Land Use Plan</b>
North	36.28	A-R	Agricultural	Rural Residential-2 (1 unit /2 acres)
East	Same parcel as north	A-R	Single Family Residential & Agricultural	Rural Residential-2 (1 unit /2 acres)
South	7.52	A-R	Single Family Residential & Agricultural	Rural Residential-2 (1 unit /2 acres)
West	28.11	A-R	School	Rural Residential-2 (1 unit /2 acres)

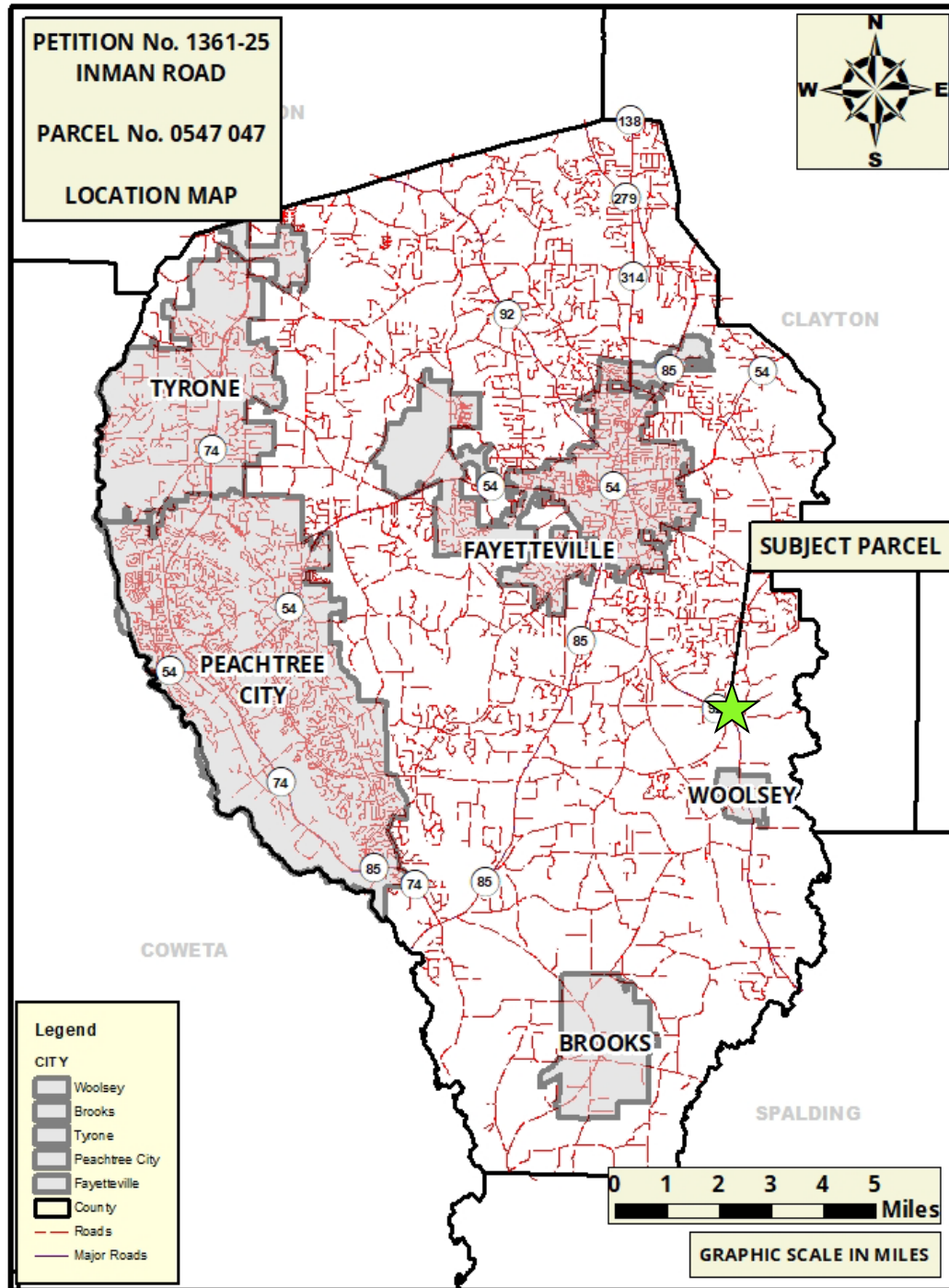
### **C. DEPARTMENTAL COMMENTS**

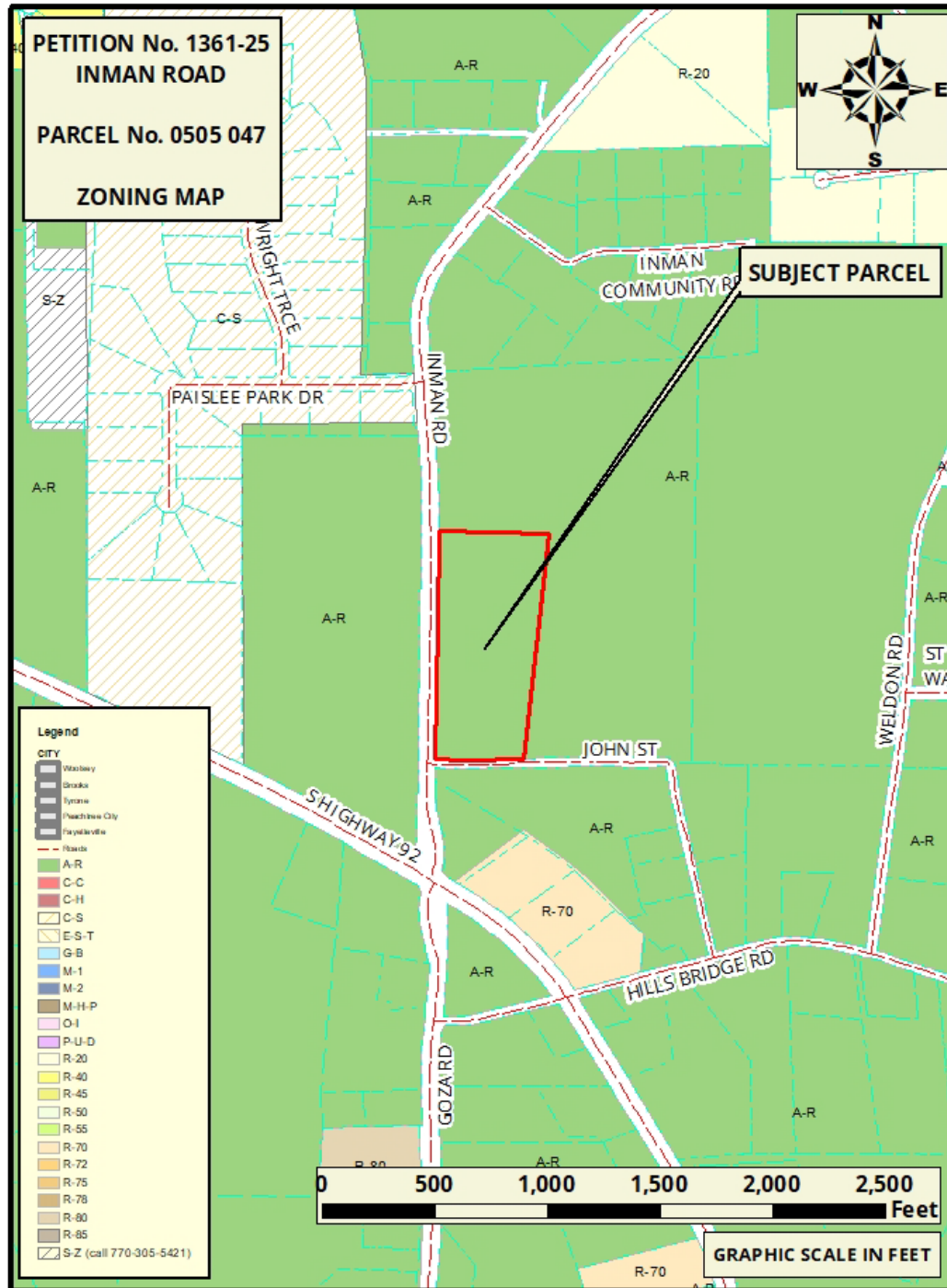
- ☐ **Water System** – No objections.
- ☐ **Public Works/Environmental Management** – No objections. There are no environmental factors that impact the site. All driveways require a permit from Fayette County.
- ☐ **Fire** – No comments.
- ☐ **Environmental Health** - This office has no objection to the proposed rezoning.
- ☐ **GDOT** – Not applicable, not on State Route.

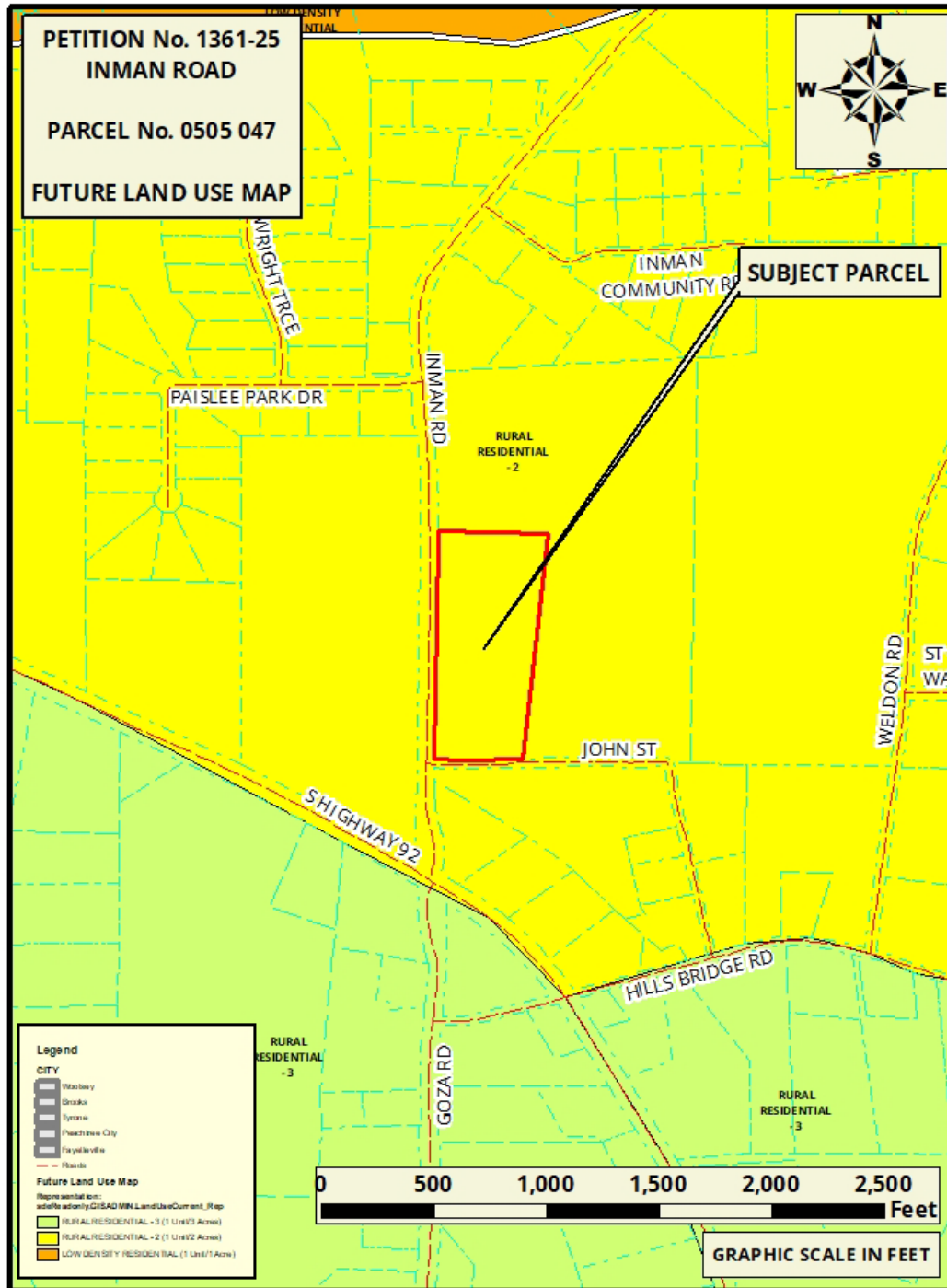
## **ZONING DISTRICT STANDARDS**

### **Sec. 110-132. R-72, Single-Family Residential District.**

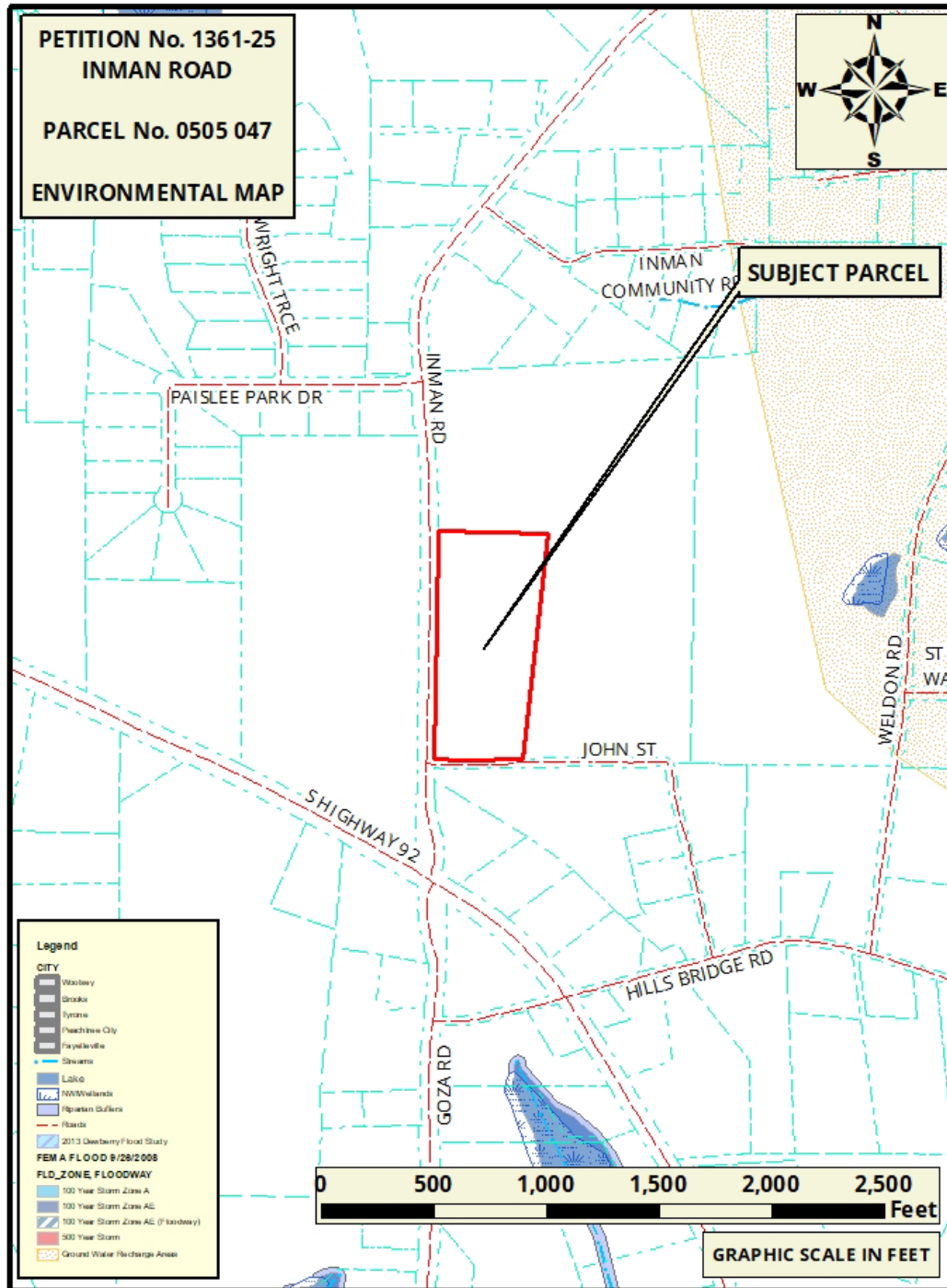
- (a) *Description of district.* This district is composed of certain lands and structures having a low density single-family residential character and designed to protect against the depreciating effects of small lot development and those uses incompatible with such a residential environment.
  - (b) *Permitted uses.* The following permitted uses shall be allowed in the R-72 zoning district:
    - (1) Single-family dwelling;
    - (2) Residential accessory structures and uses (see article III of this chapter); and
    - (3) Growing crops, gardens.
  - (c) *Conditional uses.* The following conditional uses shall be allowed in the R-72 zoning district provided that all conditions specified in article V of this chapter are met:
    - (1) Church and/or other place of worship;
    - (2) Developed residential recreational/amenity areas;
    - (3) Home occupation;
    - (4) Horse quarters; and
    - (5) Private school, including, but not limited to: classrooms, administration, playground, housing, athletic fields, gymnasium, and stadium.
  - (d) *Dimensional requirements.* The minimum dimensional requirements in the R-72 zoning district shall be as follows:
    - (1) Lot area per dwelling unit: 87,120 square feet (two acres).
    - (2) Lot width:
      - a. Major thoroughfare:
        - 1. Arterial: 175 feet.
        - 2. Collector: 175 feet.
      - b. Minor thoroughfare: 150 feet.
    - (3) Floor area: 2,100 square feet.
    - (4) Front yard setback:
      - a. Major thoroughfare:
        - 1. Arterial: 75 feet.
        - 2. Collector: 75 feet.
      - b. Minor thoroughfare: 50 feet.
    - (5) Rear yard setback: 50 feet.
    - (6) Side yard setback: 25 feet.
    - (7) Height limit: 35 feet.
- (Code 1992, § 20-6-8; Ord. No. 2012-09, § 4, 5-24-2012; Ord. No. 2018-03, § 13, 9-22-2018)





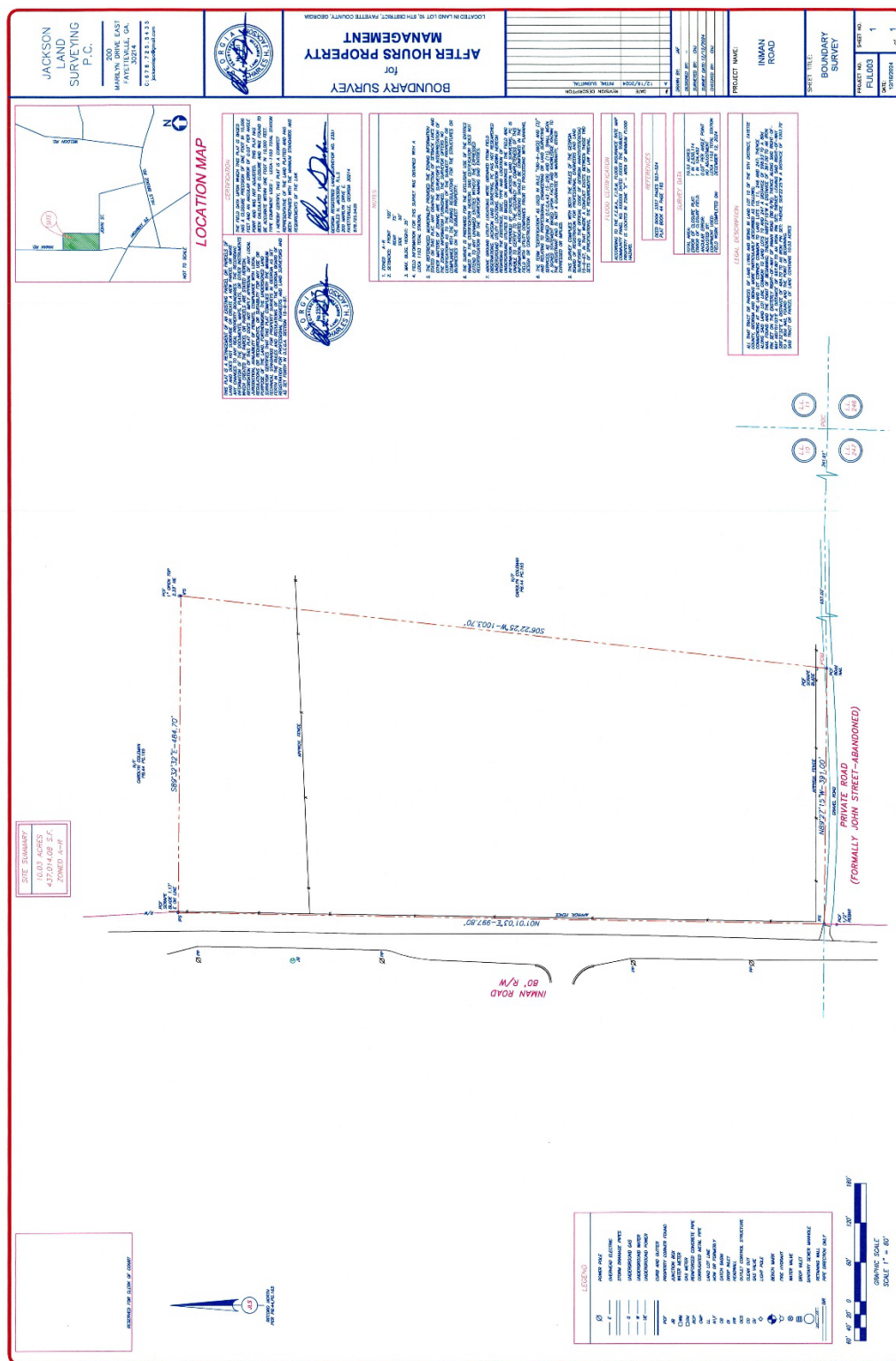




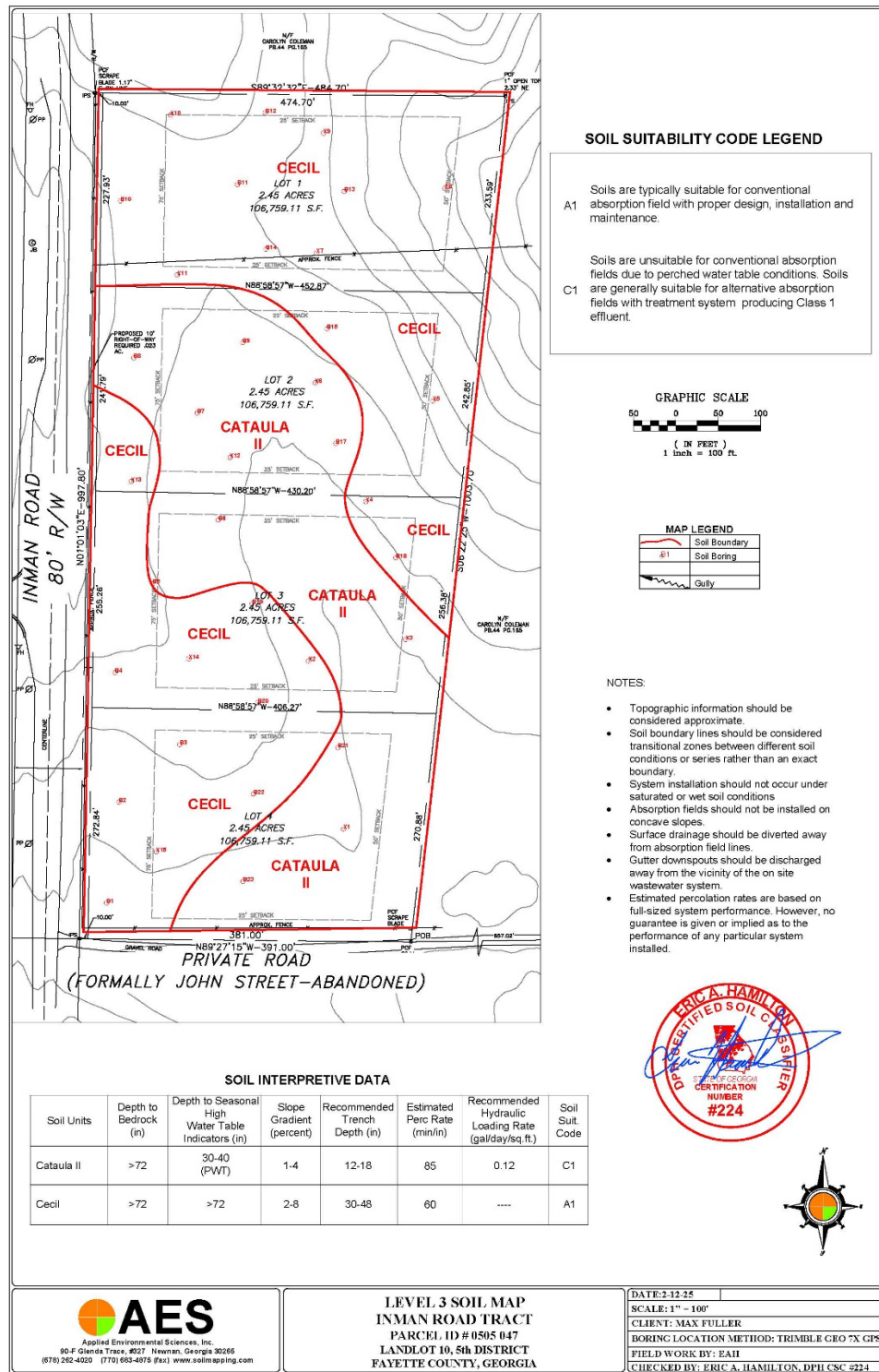








## SURVEY



## CONCEPT PLAN

**BOARD MEMBERS**

John Kruzan, Chairman  
Danny England, Vice-Chairman  
John H. Culbreth, Sr  
Jim Oliver  
Boris Thomas

**STAFF**

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

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**AGENDA OF ACTIONS  
FAYETTE COUNTY PLANNING COMMISSION MEETING  
140 STONEWALL AVENUE WEST  
March 6, 2025  
7:00 pm**

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

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**NEW BUSINESS**

1. Call to Order. *Chairman John Kruzan called the March 6, 2025, meeting to order at 7:05 pm.*
2. Pledge of Allegiance. *Chairman John Kruzan offered the invocation and led the audience in the Pledge of Allegiance.*
3. Approval of Agenda. *John Culbreth, Sr. made a motion to approve the amended agenda. Jim Oliver seconded the motion. The motion carried 5-0.*
4. Consideration of the Minutes of the meeting held on January 16, 2025. *Danny England made a motion to approve the minutes of the meeting held on January 16, 2025. Boris Thomas seconded the motion. The motion carried 5-0.*

**PUBLIC HEARING**

5. Consideration of Petition 1360-24, Applicant proposes to rezone 55.8+/- acres from C-H (Highway Commercial) Conditional to M-1 (Light Industrial) for the purposes of constructing a commerce-industry complex. Property is located in Land Lots 233 of the 5<sup>th</sup> District and fronts on N. Highway 85, Corinth Road, County Lane Road, and Carter Road. *Danny England made the motion to recommend DENIAL of Petition 1360-25. John Culbreth seconded the motion. The motion carried 4-1. Jim Oliver Opposed.*

6. Consideration of Petition 1361-25, Applicant proposes to rezone 10.03 acres from A-R (Agricultural-Residential) to R-72 (Single-Family Residential) for the purposes of developing residential lots. Property is located in Land Lot 10 of the 5<sup>th</sup> District and fronts on Corner John Street and Inman Road. ***John Culbreth Sr. made the motion to recommend APPROVAL of Petition 1361-25. Danny England seconded the motion. The motion carried 5-0.***

*Danny England moved to Adjourned the March 6, 2025, Planning Commission meeting. Jim Oliver seconded. The motion passed 5-0.*

*The meeting adjourned at 8:07 pm.*

# Meeting Minutes 03/06/2025

**THE FAYETTE COUNTY PLANNING COMMISSION** met on March 6<sup>th</sup>, 2025, at 7:00 P.M. in the Fayette County Administrative Complex, 140 Stonewall Avenue West, Fayetteville, Georgia.

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

**STAFF PRESENT:** Debbie Bell, Planning and Zoning Director  
Deborah Sims, Zoning Administrator  
Maria Binns, Zoning Secretary  
E. Allison Ivey Cox, County Attorney

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## **NEW BUSINESS**

1. Call to Order. *Chairman John Kruzan called the March 6, 2025, meeting to order at 7:05 pm.*
2. Pledge of Allegiance. *Chairman John Kruzan led the audience in the Pledge of Allegiance.*
3. Approval of Agenda. *John Kruzan noted that staff requested the agenda be amended to delete Item #5, Plats, since there are no plats for staff to present. John Culbreth, Sr. made a motion to approve the amended agenda. Jim Oliver seconded the motion. The motion carried 5-0.*
4. Consideration of the Minutes of the meeting held on January 16, 2025. *Danny England made a motion to approve the minutes of the meeting held on January 16, 2025. Boris Thomas seconded the motion. The motion carried 5-0.*

## **PUBLIC HEARING**

5. **Consideration of Petition 1360-24**, Applicant proposes to rezone 55.8+/- acres from C-H (Highway Commercial) Conditional to M-1 (Light Industrial) for the purposes of constructing a commerce-industry complex. Property is located in Land Lots 233 of the 5<sup>th</sup> District and fronts on N. Highway 85, Corinth Road, County Lane Road, and Carter Road.

Deborah Bell introduced the petition and noted that the request for M-1 is not consistent with the County's Future Land Use Map and Comprehensive Plan.

Therefore, staff recommends denial of the request to rezone to M-1.

IF the petition is approved, staff recommends the following CONDITIONS:

1. Corinth Road is an Arterial Road on the Fayette County Thoroughfare Plan. The developer shall dedicate land, as needed, to provide 50 feet of right-of-way as measured from the existing centerline of Corinth Road. The right-of-way dedication shall be completed within 180 days of rezoning. 2. Article XII. - Watershed Protection Ordinance shall apply to the tract(s) presented in the rezoning case.

Mr. Kruzan asked if anyone was present to speak in favor of the petition.

Steven Jones, Attorney, with the law firm of Taylor/English/Duma, introduced himself as the applicant's representative. He presented a series of slides to discuss details of the request. The first slide is a current zoning map of the subject property and the surrounding area. He noted that the property was rezoned to C-H in 1987, but it has not been developed. Mr. Jones thinks that this lack of development indicates that the property does not have a viable economic use under a commercial zoning district. Therefore, he is presenting an application for a zoning district which is more consistent with the zoning districts in the Highway 85 corridor, especially in this area.

Mr. Jones noted that the parcel is 55.8 acres in size. They are proposing for this site a single building that is almost 500,000 square feet that would be a manufacturing facility. They have been in talks with industries, the Development Authority and businesses, who indicate that there is no space for this type of business to locate in Fayette County. These businesses would like to locate in Fayette County and do not require direct access to the interstate. Mr. Jones pointed out that the area between Fayetteville and the Clayton County line is where industrial & manufacturing properties are already located. However, there are not many sites for large buildings, which can be occupied by one or multiple manufacturing companies.

He presented a conceptual site plan showing a single large building, with passenger parking on the south side, and truck circulation and parking on the north side; the proposal has a single entrance/exit on State Route 85. He acknowledged that the concept shows the apparent location of the stream but noted that all state and local buffer requirements will be met in the final site plan. He reviewed the basic requirements of the County's State Route Overlay, zoning buffer requirements, and the various residential and nonresidential properties around the property.

Mr. Jones discussed the County's Comprehensive Plan, which acknowledges that the SR 85 corridor is described as a nonresidential corridor. The Comp Plan anticipates a large amount of nonresidential development along this corridor. The subject property is a 55-acre tract that has sat fallow for 37 years since it was rezoned to commercial. He discussed the change to commercial market in the post-COVID era, transitioning to an e-commerce-based market. He contends that the site will not be developed as a commercial property and that the Comp Plan highlights that the 85



corridor anticipates that the corridor will be industrial. Even though the Future Land Use Plan shows this area as commercial, when we dig into the text of the Comp Plan, it highlights that the corridor is a nonresidential corridor.

Mr. Jones reviewed recent development in the area. In mid-2020 there was a parcel that was rezoned to M-1; that application proposed an industrial complex. In the analysis of that application the staff report noted that nonresidential corridor in the Comp Plan and recommended approval of that petition. He then presented a copy of the site plan that accompanied the rezoning. He noted the proximity of his current subject property across the intersection to the M-1 property on the west side of SR 85.

Mr. Jones stated that in June of 2023, the BOC voted unanimously to approve the rezoning to M-1. *[Staff note: the rezoning of Parcel 0646 029 to M-1 was approved by the BOC on June 23, 2022.]* He also pointed out that the parcel on the opposite side of GA 85 was rezoned in 2022 for a truck parking facility, to C-H, which permits parking lots. *[Staff note: the rezoning of Parcel 0552 040 to C-H, with 9 conditions, was approved by the BOC on February 23, 2023.]* He said that even though this was rezoned to C-H, it was an acknowledgement that this is a nonresidential corridor ripe for industrial development. Mr. Jones discussed the site plan for the truck parking and the realignment of Corinth Road.

Mr. Jones then reviewed the various types of zoning and land uses in other arts of the 85 North corridor: Amusement Park; industrially zoned property south of the amusement park; auto repair facilities; self-storage facilities. The Comp Plan's notion that this is a nonresidential corridor with commercial and industrial type uses, as well as the industrial zoning of the Kenwood Industrial Park. In this corrido, the Comp Plan calls out three uses in the corridor: Commercial, Office and Industrial; there are only a few medical offices, a few small commercial developments, but no large-scale commercial development.

He stated that it takes us back to the request to extend the industrial type uses that are consistent with what the Comp Plan calls for in the area, what precedential rezonings have shown in the past 2 years, for uses that permit industry and light manufacturing. He reviewed a partial list of permitted uses in the M-1 zoning district. He states that this is something that, from an economic development standpoint, is needed in the County. He asks that the board fulfil what the Comp Plan calls for, what the precedential zonings calling for, and what we know the market is asking for. He asked to reserve the remainder of his time for any rebuttal and to answer questions.

Mr. Kruzan asked if there was anyone else who would like to speak in support of the petition. No one else had comments in support. Mr. Kruzan then asked if there was anyone to speak in opposition of the petition.

Christopher Dwayne Nash, 330 Country Lane Road, Fayetteville, GA 30214, is not

exactly in disagreement with the project but has some questions. He asked what type of development it would be, because different types of developments cause more or less noise. He has 2 acres in the woods because he wanted privacy. He thinks that, in addition to the vegetated buffer, the developer should build a sound barrier wall. If it is going to be manufacturing with increased occupational noise, he wants increased protection. If it is warehouse, with trucks coming in and out all night, there is not adequate separation between commercial and residential. We have lived here for 51 years and need to be protected.

David Cann, 125 Plantation Road. His property adjoins the subject property. We need some privacy and quiet from 24-hour warehouse. He thinks the 75-foot buffer is not much and would not help screen bright lights. Would like to know what kind of business would go there.

Juliana Terpstra, 110 Pine Tree Drive, Fayetteville. Not super opposed to the request but has the same concerns as her neighbors. Doesn't want the noise pollution. She also discussed the proposed improvements on Corinth Road, and concerns about the traffic flow at the 90° turn in Corinth Road. She thinks no decisions should be made until they see what the traffic flow will be after the complete road project. She is also concerned about a cemetery in the area that might be damaged by the development. The cemetery was a slave cemetery associated with Kenwood Plantation, but she does not know the exact location.

Mr. Nash said he knew where the cemetery was, that it was located on the back of his parcel, and most of it had been on the property behind him *[to the east in Clayton County]* and was destroyed by the development of that subdivision *[Overlook at Camp Creek, Clayton County]*.

Marlin Williams, 9274 Grady Drive – Overlook at Camp Creek. Has some questions that what is shown in the concept plan is not by anybody's residence. But we don't know what kind of development this is going to be. He is concerned if there will be an entrance on Corinth Road because traffic is a mess.

Ivory Jackson, 838 Chapman Street – Overlook at Camp Creek. He backs up to the woods and had his home built there because of the woods and the peace and quiet. When the construction was done to expand SR 54, it increased traffic into their neighborhood. He is concerned that the development will increase pollution into the subdivision pond that the HOA keeps stocked with fish. He is also concerned it will increase crime.

James Brand, 285 Plantation Road. He is concerned about the noise pollution and diesel smell and lighting from a development. He suggested that the truck parking be directed to the south side of the building, so only car parking is on the north side closest to the neighborhood.

Steven Jones came back to address the questions and concerns. He noted that the

applicant is Brent Holdings, a developer that has been in the county for decades, since the 1980s. In terms of the residents concerns, he appreciates that the residents are not opposed and acknowledge that it makes sense. The developer agrees to flip the design, so truck parking is on the south side of the building. The developer also offers to construct a berm to mitigate the sound concerns. He also heard concerns from the Clayton County residents. He noted those properties have an even larger gap, and that the required stream buffers will provide protection to the stream and lake. He noted that the County's ordinance should address concerns about lighting and noise. This is not a distribution warehouse, but a manufacturing facility. Distribution warehouses need close access to the interstate and would not consider this property. It is intended to be a manufacturing facility that does not need that type of access.

Mr. Kruzan brought the case back to the Planning Commission for discussion.

Planning Commissioner Danny England asked about the 2 rezoning cases that Mr. Jones mentioned. The BOC approved both 1319-22 and 1326-22. Mr. England asked what the Planning Commission recommended on both cases. He recalled that the PC voted to approve 1319-22 but voted to deny 1326-22. Mrs. Bell stated that she would look up this info. Mr. England acknowledged that this area of the county is a tricky area. The Kenwood Industrial Park only abuts a handful of homes, while the 55-acre subject parcel is adjacent to many more residential properties, so it has a much greater impact on residents. Also, he noted from the staff report, that the 1987 rezoning limited commercial uses to the first 300' of the development. If you look at the development pattern along 85, the commercial development tends to follow that pattern. The subject parcel extends much farther back than that and is inconsistent with the existing pattern of development. For the existing constituents, he agrees with their concerns. He also understands Mr. Jones explanation that no commercial development has taken place.

Planning Commissioner Boris Thomas noted that 1326-22 was approved with 9 conditions. He would like to know what the conditions were. He understands that county cannot regulate exactly what is developed, but that the conceptual plan shows over 400 to 450 parking spaces. He thinks this just kills the north end of Fayette County, on 314 and 279. He referred to the traffic around the construction of the QTS data center. He is concerned about the traffic impact.

Debbie Bell read the Planning Commission votes that Mr. England requested. For 1319-22, the PC voted 5-0 to recommend approval. For 1326-22, the vote was 3-1-0 to deny the request for rezoning. Mr. Haren was absent from that meeting.

Planning Commissioner John Culbreth noted that it is difficult when you have residential this close to industrial commercial zonings. One thing he believes that every county has a right to economic development initiatives. He asked Mr. Jones if they have had any meetings with any of the residents surrounding the property.

Mr. Jones said they had not, but they have heard their concerns tonight and have offered the changes mentioned in order to address those concerns. He said they would only have an access point on hwy. 85. The property doesn't feel right for any other type of development. Mr. Culbreth asked what type of manufacturing they would have. Mr. Jones acknowledged that they don't know at this stage. Manufacturers look for already-built sites rather than raw land.

***Danny England made the motion to recommend DENIAL of Petition 1360-24. John Culbreth seconded the motion. The motion carried 4-1. Jim Oliver Opposed.***

6. Consideration of Petition 1361-25, Applicant proposes to rezone 10.03 acres from A-R (Agricultural-Residential) to R-72 (Single-Family Residential) for the purposes of developing residential lots. Property is located in Land Lot 10 of the 5<sup>th</sup> District and fronts on Corner John Street and Inman Road.

Debbie Bell introduced the petition and noted that the request for R-72 is consistent with the County's Future Land Use Map and Comprehensive Plan. Therefore, staff recommends CONDITIONAL APPROVAL of the request to rezone to R-72, subject to the following:

1. The owner/developer shall dedicate land to Fayette County as needed to provide a minimum 50-ft of right of way as measured from the existing centerline of Inman Road for the full width of the parcel. Submittal of all warranty deed(s) and legal descriptions for said right-of-way dedication(s) shall be provided to the County within 90 days of the approval of the rezoning request, or prior to the final plat approval, whichever comes first.

Mr. Kruzan asked if the petitioner was here.

Max Fuller said the lots will be about 2.5 acres. They have already submitted the RW dedication documents.

Mr. Kruzan asked if anyone else was present to speak in favor of the petition. There was no one else to speak in favor of the petition. Mr. Kruzan then asked if anyone was present to speak in opposition to the petition. There was no one present to speak in opposition.

Planning Commissioner Jim Oliver asked if Mr. Fuller had any problems with the conditions as recommended by staff. He replied that he did not.

Hearing none, he brought the petition back to the board.

***John Culbreth Sr. made the motion to recommend APPROVAL of Petition 1361-25. Danny England seconded the motion. The motion carried 5-0.***

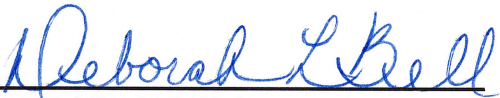
*Danny England moved to adjourn the March 6, 2025, Planning Commission meeting. Jim Oliver seconded. The motion passed 5-0.*

*The meeting adjourned at 8:07 pm.*

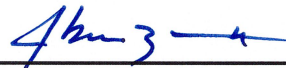
\*\*\*\*\*

**ATTEST:**

**PLANNING COMMISSION  
OF  
FAYETTE COUNTY**



**DEBORAH BELL  
DIRECTOR, PLANNING & ZONING**



**JOHN KRUZAN, CHAIRMAN**

PETITION No (s): 1361-24 25

STAFF USE ONLY

**APPLICANT INFORMATION**

Name Max Fuller  
 Address PO Box 1803  
 City Newnan  
 State GA Zip 30264  
 Email Max@coastalpackaging.com  
 Phone 770-301-4847

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

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

**PROPERTY OWNER INFORMATION**

Name After Hours Property Management, LLC  
 Address PO Box 1803  
 City Newnan  
 State GA Zip 30264  
 Email Jenni@coastalpackaging.com  
 Phone 770-301-4847

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

**(THIS AREA TO BE COMPLETED BY STAFF)**

[ ] Application Insufficient due to lack of:

Staff: \_\_\_\_\_ Date: \_\_\_\_\_

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

Staff: Maria B. Date: 1/8/2025

DATE OF PLANNING COMMISSION HEARING: MARCH 6, 2025

DATE OF COUNTY COMMISSIONERS HEARING: MARCH 27, 2025

Received from MAX FULLER a check in the amount of \$ 350.00 for application filing fee, and \$ 20.00 for deposit on frame for public hearing sign(s).

Date Paid: 1/8/2025 Receipt Number: \_\_\_\_\_

PETITION No.: 1361-24 Fees Due: \_\_\_\_\_ Sign Deposit Due: \_\_\_\_\_

STAFF USE ONLY

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

*parcel)* Parcel # (Tax ID): 0505047 Acreage: 10 Acres

Land District(s): 5th Land Lot(s): 10

Road Name/Frontage L.F. Inman Rd/997.80 Road Classification: County

Existing Use: Agriculture Proposed Use: R72

Structure(s): 4 Type: Residential Homes Size in SF: Min 2100 Sq Ft

Existing Zoning: Agriculture Proposed Zoning: R72

Existing Land Agriculture Proposed Land Use: R72

Use: Water Yes Distance to Water Line: 50 ft Distance to Hydrant: 50 ft

Availability: \_\_\_\_\_

PETITION No.: \_\_\_\_\_ Fees Due: \_\_\_\_\_ Sign Deposit Due: \_\_\_\_\_

STAFF USE ONLY

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

Parcel # (Tax ID): \_\_\_\_\_ Acreage: \_\_\_\_\_

Land District(s): \_\_\_\_\_ Land Lot(s): \_\_\_\_\_

Road Name/Frontage L.F.: \_\_\_\_\_ Road Classification: \_\_\_\_\_

Existing Use: \_\_\_\_\_ Proposed Use: \_\_\_\_\_

Structure(s): \_\_\_\_\_ Type: \_\_\_\_\_ Size in SF: \_\_\_\_\_

Existing Zoning: \_\_\_\_\_ Proposed Zoning: \_\_\_\_\_

Existing Land Use: \_\_\_\_\_ Proposed Land Use: \_\_\_\_\_

Water Availability: \_\_\_\_\_ Distance to Water Line: \_\_\_\_\_ Distance to Hydrant: \_\_\_\_\_

PETITION No.: \_\_\_\_\_ Fees Due: \_\_\_\_\_ Sign Deposit Due: \_\_\_\_\_

STAFF USE ONLY

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

Parcel # (Tax ID): \_\_\_\_\_ Acreage: \_\_\_\_\_

Land District(s): \_\_\_\_\_ Land Lot(s): \_\_\_\_\_

Road Name/Frontage L.F.: \_\_\_\_\_ Road Classification: \_\_\_\_\_

Existing Use: \_\_\_\_\_ Proposed Use: \_\_\_\_\_

Structure(s): \_\_\_\_\_ Type: \_\_\_\_\_ Size in SF: \_\_\_\_\_

Existing Zoning: \_\_\_\_\_ Proposed Zoning: \_\_\_\_\_

Existing Land Use: \_\_\_\_\_ Proposed Land Use: \_\_\_\_\_

Water Availability: \_\_\_\_\_ Distance to Water Line: \_\_\_\_\_ Distance to Hydrant: \_\_\_\_\_



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

Name(s) of All Property Owners of Record found on the latest recorded deed for the subject property:  
After Hours Property Management, LLC

(Please Print)

**Property Tax Identification Number(s) of Subject Property:** Parcel # 0505047

(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) 10 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 10 acres (legal description corresponding to most recent recorded plat for the subject property is attached herewith).

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

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

(II) \_\_\_\_\_

Signature of Property Owner 1

[Signature]

Address

PO Box 1803 Newnan, GA 30264

Signature of Property Owner 2

[Signature]

Address

PO Box 1803 Newnan, GA 30264

Signature of Property Owner 3

[Signature]

Address

PO Box 1803 Newnan, GA 30264

Signature of Authorized Agent

\_\_\_\_\_

Address

Signature of Notary Public

[Signature]

Date

01/08/2025

Signature of Notary Public

[Signature]

Date

01/08/2025

Signature of Notary Public

[Signature]

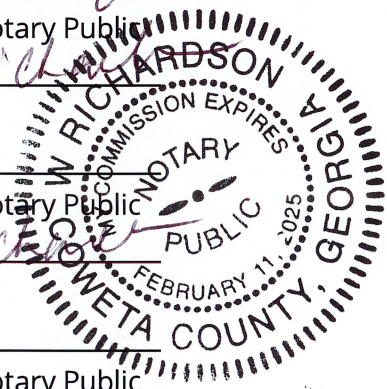
Date

01/08/2025

Signature of Notary Public

\_\_\_\_\_

Date





PETITION No.: \_\_\_\_\_

**OWNER'S AFFIDAVIT***(Please complete an affidavit for each parcel being rezoned)*NAME: After Hours Property Management, LLCADDRESS: PO Box 1803 Newnan, GA 30264

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) \_\_\_\_\_ Zoning District. He/She respectfully petitions the County to rezone the property from its present classification and tenders herewith the sum of \$ \_\_\_\_\_ to cover all expenses of public hearing. He/She petitions the above named to change its classification to R2.

This property includes: (check one of the following)

☒ [X] 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 6th day of March, 20 2025 at 7:00 P.M.

PUBLIC HEARING to be held by the Board of Commissioners of Fayette County on the 27th day of March, 20 2025 at 7:00 P.M.

SWORN TO AND SUBSCRIBED BEFORE ME THIS 8th DAY OF January, 20 25

Max Fuller

SIGNATURE OF PROPERTY OWNER

Trae Brown

SIGNATURE OF PROPERTY OWNER

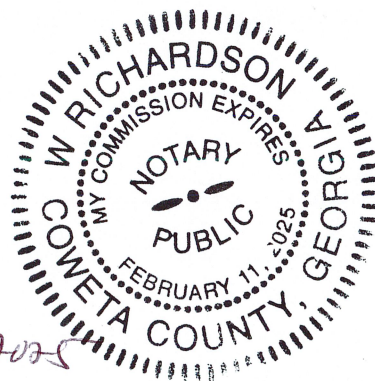
Julie Hobson

SIGNATURE OF PROPERTY OWNER

William Richardson

NOTARY PUBLIC

Exp. Feb. 11th, 2025



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

I/We, After Hours Property Management, LLC, said property owner(s) of subject property requested to be rezoned, hereby agree to dedicate, at no cost to Fayette County, feet of right-of-way along Inman Road 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 8th day of January, 2025.

[Signature]

SIGNATURE OF PROPERTY OWNER

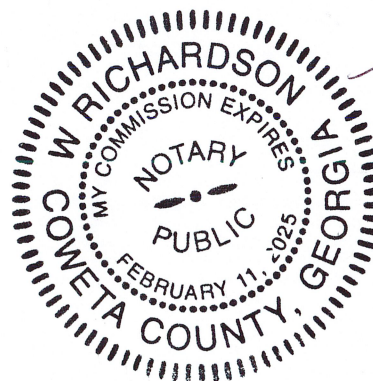
[Signature]

SIGNATURE OF PROPERTY OWNER

[Signature]

SIGNATURE OF PROPERTY OWNER

NOTARY PUBLIC



Whitney Richardson  
Exp. Feb. 11th 2025

## DEVELOPMENTS OF REGIONAL IMPACT (DRI)

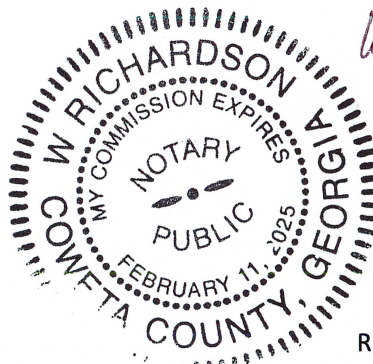
### Rezoning Applicant:

- A. Please review the attached "Developments of Regional Impact Tiers and Development Thresholds" established by the Georgia Department of Community Affairs (DCA) to determine if the proposed project meets or exceeds these thresholds. If the proposed project does not meet the established thresholds (is less than those listed) then skip to section C. below and complete.
- B. If the project does meet or exceed the established thresholds for the type of development proposed, the Georgia Department of Community Affairs (DCA) "Developments of Regional Impact: Request for Review Form" is available online at the following website address:  
[www.dca.state.ga.us/DRI/](http://www.dca.state.ga.us/DRI/).
- C. I have reviewed and understand the attached "Thresholds: Developments of Regional Impact".
- [ ] The proposed project related to this rezoning request DOES NOT meet or exceed the established DRI thresholds.
- [ X] The proposed project related to this rezoning request DOES meet or exceed the established DRI thresholds and documentation regarding the required DRI Request for Review Form is attached.

Signed this 8<sup>th</sup> day of January, 2025.

Max H. H. H. Tracy H. H. H. John H. H. H.

APPLICANT'S SIGNATURE



W. Richardson  
 Exp. Feb. 11th 2025



### Developments of Regional Impact - Tiers and Development Thresholds

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

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**DISCLOSURE STATEMENT****(Please check one)****Campaign contributions:**       X   No                             Yes (see attached disclosure report)

TITLE 36. LOCAL GOVERNMENT

PROVISIONS APPLICABLE TO COUNTIES AND MUNICIPAL CORPORATIONS

CHAPTER 67A. CONFLICT OF INTEREST IN ZONING ACTIONS

O.C.G.A. § 36-67A-3 (2011)

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

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

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

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

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

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

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

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

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

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

## CHECKLIST OF ITEMS REQUIRED FOR REZONING REQUEST

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

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

**IMPORTANT INFORMATION FOR AGENT***Agent's Duties*

When you accept the authority granted under this power of attorney, a special legal relationship is created between you and the principal. This relationship imposes upon you legal duties that continue until you resign or the power of attorney is terminated or revoked. You must:

1. Do what you know the principal reasonably expects you to do with the principal's property or, if you do not know the principal's expectations, act in the principal's best interest;
2. Act in good faith;
3. Do nothing beyond the authority granted in this power of attorney; and
4. Disclose your identity as an Agent whenever you act for the principal by writing or printing the name of the principal and signing your own name as "Agent" in the following manner:  
(Principal's name) by (Your signature) as Agent.

Unless the Special Instructions in this power of attorney state otherwise, you must also:

1. Act loyally for the principal's benefit;
2. Avoid conflicts that would impair your ability to act in the principal's best interest;
3. Act with care, competence, and diligence;
4. Keep a record of all receipts, disbursements, and transactions made on behalf of the principal;
5. Cooperate with any person that has authority to make health care decisions for the principal to do what you know the principal reasonably expects or, if you do not know the principal's expectations, to act in the principal's best interest; and
6. Attempt to preserve the principal's estate plan if you know the plan and preserving the plan is consistent with the principal's best interest.

*Termination of Agent's Authority*

You must stop acting on behalf of the principal if you learn of any event that terminates this power of attorney or your authority under this power of attorney. Events that terminate a power of attorney or your authority to act under a power of attorney include:

1. Death of the principal;





*Power of Attorney*Page 11 of 11

2. The principal's revocation of your authority or the power of attorney;
3. The occurrence of a termination event stated in the power of attorney;
4. The purpose of the power of attorney is fully accomplished; or
5. If you are married to the principal, a legal action is filed with a court to end your marriage, or for your legal separation, unless the Special Instructions in this power of attorney state that such an action will not terminate your authority.

*Liability of Agent*

The meaning of the authority granted to you is defined in O.C.G.A. Chapter 6B of Title 10. If you violate O.C.G.A. Chapter 6B of Title 10 or act outside the authority granted, you may be liable for any damages caused by your violation.

*If there is anything about this document or your duties that you do not understand, you should seek legal advice.*





**BK 5795 PG 242 - 255**

Return to:

**Edge & Kimbell Law, LLC**

John A. Kimbell  
503 Commerce Drive  
Peachtree City, GA 30269

File No.: PTC-24-3814

Parcel ID: 0505047

## **LIMITED WARRANTY DEED**

STATE OF GEORGIA, COUNTY OF FAYETTE

**THIS INDENTURE**, Made the 6th day of January, 2025 between

**Carolyn Harp Coleman a/k/a Carolyn H Coleman,**

of the State of Georgia, as party of the first part, hereinafter called Grantor and

**After Hours Property Management, LLC, a Georgia Limited Liability Company,**

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

**WITNESSETH** that: Grantor, for and in consideration of the sum of **TWO HUNDRED NINETY FIVE THOUSAND FIVE HUNDRED AND 00/100 Dollars (\$295,500.00)** AND OTHER VALUABLE CONSIDERATION, in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, has granted, bargained, sold, aliened, conveyed and confirmed, and by these presents does grant, bargain, sell, alien, convey and confirm unto the said Grantee, all that tract or parcel of land:

See Exhibit "A" Attached Hereto and Made a Part Hereof

commonly known as **John Street and Inman Road, Fayetteville, GA 30215**

SUBJECT to all zoning ordinances, easements, and restrictions of record insofar as the same may lawfully affect the above-described property.

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

**AND THE SAID** Grantor will warrant and forever defend the right and title to the above described property unto the said Grantee against the claims of all persons owning, holding or claiming by, through or under the said Grantor.

Limited Warranty Deed

File No.: PTC-24-3814

Page 1 of 3

**Book: 5795 Page: 242 Seq: 1**

IN WITNESS WHEREOF, the Grantor has signed and sealed this deed, the day and year above written.

Signed, sealed and delivered in the presence of:

[Signature]  
UNOFFICIAL WITNESS

[Signature]  
Notary Public John A. Kimbell  
My Commission  
Expires: February 23, 2025  
SEAL:



Carolyn Harp Coleman a/k/a Carolyn H Coleman (SEAL)  
by Howard Daniel Coleman, her Attorney-In-Fact,  
Pursuant to Power of Attorney attached hereto as Exhibit "B" Far

**EXHIBIT "A"**  
LEGAL DESCRIPTION

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 10 OF THE 5TH LAND DISTRICT OF FAYETTE COUNTY, GEORGIA, AND BEING THOSE LANDS DESCRIBED IN A PLAT OF SURVEY DATED 12/18/74, PREPARED BY LEE ENGINEERING COMPANY FOR DONALD HARP AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

TO ARRIVE AT A POINT OF BEGINNING HEREOF, START AT A POINT LOCATED IN THE CENTER OF THE INTERSECTION OF STATE HIGHWAY 92 AND INMAN ROAD, GO THENCE NORTHERLY ALONG THE CENTER OF INMAN ROAD 513 FEET TO A POINT, GO THENCE EASTERLY 30 FEET TO A POINT LOCATED IN THE CENTER OF A ROAD IN SAID PLAT, WHICH IS THE POINT OF BEGINNING, RUNNING THENCE NORTH 0 DEGREES 28 MINUTES EAST ALONG INMAN ROAD 997.8 FEET TO A POINT, RUNNING THENCE NORTH 89 DEGREES 30 MINUTES EAST 484.7 FEET TO A POINT, RUNNING THENCE SOUTH 5 DEGREES 49 MINUTES WEST 1003.7 FEET TO A POINT LOCATED IN THE CENTER OF SAID ROAD, RUNNING THENCE SOUTH 89 DEGREES 30 MINUTES WEST ALONG THE CENTER OF SAID ROAD 391 FEET TO THE POINT OF BEGINNING, THE SAID TRACT OF LAND CONTAINING 10 ACRES, MORE OR LESS.

PARCEL # 0505047

**STATUTORY FORM POWER OF ATTORNEY****State of Georgia****County of** Gwinnett**IMPORTANT INFORMATION**

This power of attorney authorizes another person (your agent) to make decisions concerning your property for you (the principal). Your agent will be able to make decisions and act with respect to your property (including your money) whether or not you are able to act for yourself. The meaning of authority over subjects listed on this form is explained in O.C.G.A. Chapter 6B of Title 10.

This power of attorney does not authorize the agent to make health care decisions for you.

You should select someone you trust to serve as your agent. Unless you specify otherwise in the Special Instructions, generally the agent's authority will continue until you die or revoke the power of attorney or the agent resigns or is unable to act for you.

Your agent is not entitled to any compensation unless you state otherwise in the Special Instructions. Your agent shall be entitled to reimbursement of reasonable expenses incurred in performing the acts required by you in your power of attorney.

This form provides for designation of one agent. If you wish to name more than one agent, you may name a successor agent or name a coagent in the Special Instructions. Coagents will not be required to act together unless you include that requirement in the Special Instructions.

If your agent is unable or unwilling to act for you, your power of attorney will end unless you have named a successor agent. You may also name a second successor agent.

This power of attorney shall be durable (it will continue to be effective even if you become incapacitated) unless you state otherwise in the Special Instructions.

This power of attorney becomes effective immediately unless you state otherwise in the Special Instructions.

Page 1 of 11



Power of AttorneyPage 2 of 11

*If you have questions about the power of attorney or the authority you are granting to your agent, you should seek legal advice before signing this form.*

### DESIGNATION OF AGENT

I Carolyn H Coleman (the "Principal"), presently of 1691 Bentwood Drive SW, Lilburn, in the State of Georgia, on this 7 day of November, 2024 name the following person as my agent:

Name of agent: Howard Daniel Coleman

Agent's address: 125 John Street, Fayetteville, Georgia

Agent's telephone number: (404) 625-6537

Agent's e-mail address: d.coleman41@gmail.com

### GRANT OF GENERAL AUTHORITY

I grant my agent and any successor agent general authority to act for me with respect to the following subjects as defined in O.C.G.A. Chapter 6B of Title 10:

(INITIAL each subject you want to include in the agent's general authority. If you wish to grant **general authority** over all of the subjects you may initial "**All preceding subjects**" instead of initialing each subject.)

- ☒ Real property
- ☒ Tangible personal property
- ☒ Stocks and bonds
- ☐ Commodities and options
- ☒ Banks and other financial institutions
- ☐ Operation of entity or business
- ☐ Insurance and annuities
- ☐ Estates, trusts, and other beneficial interests
- ☐ Claims and litigation
- ☒ Personal and family maintenance
- ☐ Benefits from governmental programs or civil or military service
- ☐ Retirements plans

*ehc*

Power of AttorneyPage 3 of 11~~(che)~~ TaxesX ☐ All preceding subjects**GRANT OF SPECIFIC AUTHORITY (OPTIONAL)**

My agent **SHALL NOT** do any of the following specific acts for me **UNLESS** I have **INITIALED** the specific authority listed below:

(**CAUTION:** Granting any of the following will give your agent the authority to take actions that could significantly reduce your property or change how your property is distributed at your death. **INITIAL ONLY** the specific authority you **WANT** to give your agent. You should give your agent specific instructions in the Special Instructions when you authorize your agent to make gifts.)

X ☐ Create, fund, amend, revoke, or terminate an inter vivos trustX ☐ Make a gift, subject to the limitations of O.C.G.A. § 10-6B-56 and any Special Instructions in this power of attorney☐ Create or change rights of survivorship☐ Create or change a beneficiary designation☐ Authorize another person to exercise the authority granted under this power of attorney☐ Waive the principal's right to be a beneficiary of a joint and survivor annuity, including a survivor benefit under a retirement plan☐ Exercise authority over the content of electronic communications sent or received by the principal☐ Exercise fiduciary powers that the principal has authority to delegate and that are expressly and clearly identified (including the persons for which the principal acts as a fiduciary) in the Special InstructionsX ☐ Renounce an interest in property, include a power of appointment**LIMITATION ON AGENT'S AUTHORITY**

An agent that is not my ancestor, spouse, or descendant **SHALL NOT** use my property to benefit the agent or a person to whom the agent owes an obligation of support unless I have included that authority in the Special Instructions.

**SPECIAL INSTRUCTIONS (OPTIONAL)**

che



You may give special instructions on the following lines (you may add lines or place your special instructions in a separate document and attach it to the power of attorney):

### Gifts

1. My Agent's authority to make gifts is limited to:
  - a. Gifts to my spouse, children, grandchildren, great grandchildren, and other family members on special occasions, including birthdays and seasonal holidays, including cash gifts, and to such other persons with whom I have an established pattern of giving (or if it is appropriate to make such gifts for estate planning and/or tax purposes), in such amounts as my Agent may decide in his or her absolute discretion, having regard to all of the circumstances, including the gifts I made while I was capable of managing my own estate, the size of my estate and my income requirements; and
  - b. Continue to make gifts to charitable organizations with whom I have an established pattern of giving (or if it is appropriate to make such gifts for estate planning and/or tax purposes), in such amounts as my Agent may decide in his or her absolute discretion, having regard to all of the circumstances, including the gifts I made while I was capable of managing my own estate, the size of my estate and my income requirements.

### Employ Required Professionals

2. I grant my Agent the authority to appoint and employ any agents, servants, companions, or other persons, including nurses and other health care professionals for my care and the care of my spouse and dependent children, and accountants, attorneys, clerks, workers and others for the management, preservation and protection of my property and estate, at such compensation and for such length of time as my Agent considers advisable

### Rental Properties

3. I grant my Agent the authority to manage the property owned by me, or in which I have an interest, located at 125 John Street, Fayetteville, GA 30215, and municipally known as Inman, GA. This power includes, but is not



Power of Attorney

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limited to, the power to receive rents, make repairs, pay expenses including the insuring of the property and generally to deal with my property as effectually as I myself could do; to take all lawful proceedings by way of action or otherwise, for recovery of rent in arrears, or for eviction of tenants; and to commence, carry on and defend all actions, suits and other proceedings touching my property or any part of it.

Specific Financial Accounts

4. I grant my Agent the authority to control my accounts with \_\_\_\_\_ Bank, located at \_\_\_\_\_, Account Number(s) \_\_\_\_\_. This power includes the authority to conduct any business with respect to any of my listed accounts, including, but not limited to, making deposits and withdrawals, negotiating or endorsing any cheques or other instruments with respect to any such accounts, obtaining bank statements, passbooks, drafts, money orders, warrants, and certificates or vouchers payable to me by any person, firm, corporation or political entity, and to perform any act necessary to deposit, negotiate, sell or transfer any note, security or draft.

Previous Power of Attorney

5. **I REVOKE** any previous power of attorney granted by me.

Governing Law

6. This document will be governed by the laws of the State of Georgia. Further, my Agent is directed to act in accordance with the laws of the State of Georgia at any time he or she may be acting on my behalf.

Liability of Agent

7. My Agent will not be liable to me, my estate, my heirs, successors or assigns for any action taken or not taken under this document, except for willful misconduct or gross negligence.



**Effective Date**

8. This Power of Attorney will start immediately and will cease to be in effect upon a finding of my mental incapacity or mental infirmity which may occur after my execution of this Power of Attorney.

**Agent Compensation**

9. My Agent will receive no compensation except for the reimbursement of all out of pocket expenses associated with the carrying out of my wishes.

**Co-owning of Assets and Mixing of Funds**

10. My Agent may not mix any funds owned by him or her in with my funds and all assets should remain separately owned if at all possible.

**Personal Gain from Managing My Affairs**

11. My Agent is not allowed to personally gain from any transaction he or she may complete on my behalf.

**Agent Restrictions**

12. This Power of Attorney is not subject to any conditions or restrictions other than those noted above.

**Notice to Third Parties**

13. Any third party who receives a valid copy of this Power of Attorney can rely on and act under it. A third party who relies on the reasonable representations of my Agent as to a matter relating to a power granted by this Power of Attorney will not incur any liability to the Principal or to the Principal's heirs, assigns, or estate as a result of permitting the Agent to exercise the authority granted by this Power of Attorney up to the point of revocation of this Power of Attorney. Revocation of this Power of Attorney will not be effective as to a third party until the third party receives notice and has actual knowledge of the revocation.



Power of Attorney

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**Severability**

14. If any part of any provision of this document is ruled invalid or unenforceable under applicable law, such part will be ineffective to the extent of such invalidity only, without in any way affecting the remaining parts of such provisions or the remaining provisions of this document.

**EFFECTIVE DATE**

This power of attorney is effective immediately unless I have stated otherwise in the Special Instructions.

**RELIANCE ON THIS POWER OF ATTORNEY**

Any person, including my Agent, may rely upon the validity of this power of attorney or a copy of it unless that person has actual knowledge it has terminated or is invalid.

**SIGNATURE AND ACKNOWLEDGMENT**


Principal's signature

November 7, 2024

Date

Carolyn H Coleman

Principal's name printed

1691 Bentwood Drive SW, Lilburn, the State of Georgia

Principal's address

(770) 972-6036

Principal's telephone number

chc1234@aol.com

Principal's email address

**Witnesses (second witness optional)**

This document was signed or acknowledged in my presence on this 7 day of Nov '2024, by Carolyn H Coleman.

This document was signed or acknowledged in my presence on this 7 day of November, 2024, by Carolyn H Coleman.



Power of Attorney

Page 8 of 11

James N. Nelly

Witness's signature

James N. Nelly

Witness's name printed

1227 Rockbridge Rd Stone Mountain Ga 30087

Witness's address

770-921-7537

Witness's telephone number

stone6094@theupstate.com

Witness's e-mail address

Wesley L. Steel

Witness's signature

MOHAMMAD SHOEIB

Witness's name printed

1227 Rockbridge Rd Stone Mtn GA 30087

Witness's address

770-921-7537

Witness's telephone number

stone6094@theupstate.com

Witness's e-mail address

che

Power of AttorneyPage 9 of 11**NOTARY ACKNOWLEDGMENT**

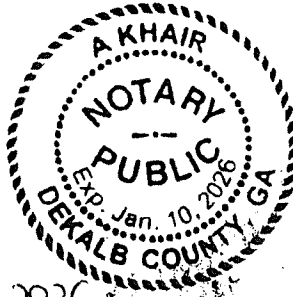
STATE OF GEORGIA

COUNTY OF Gwinnett

I, Abu Khair, a Notary Public, do hereby certify that Carolyn H Coleman personally appeared before me this 7 day of November, 2024 and acknowledged the due execution of the foregoing Power of Attorney.



Notary Public  
State of Georgia



My commission expires: 01/10/2026



**IMPORTANT INFORMATION FOR AGENT***Agent's Duties*

When you accept the authority granted under this power of attorney, a special legal relationship is created between you and the principal. This relationship imposes upon you legal duties that continue until you resign or the power of attorney is terminated or revoked. You must:

1. Do what you know the principal reasonably expects you to do with the principal's property or, if you do not know the principal's expectations, act in the principal's best interest;
2. Act in good faith;
3. Do nothing beyond the authority granted in this power of attorney; and
4. Disclose your identity as an Agent whenever you act for the principal by writing or printing the name of the principal and signing your own name as "Agent" in the following manner:  
(Principal's name) by (Your signature) as Agent.

Unless the Special Instructions in this power of attorney state otherwise, you must also:

1. Act loyally for the principal's benefit;
2. Avoid conflicts that would impair your ability to act in the principal's best interest;
3. Act with care, competence, and diligence;
4. Keep a record of all receipts, disbursements, and transactions made on behalf of the principal;
5. Cooperate with any person that has authority to make health care decisions for the principal to do what you know the principal reasonably expects or, if you do not know the principal's expectations, to act in the principal's best interest; and
6. Attempt to preserve the principal's estate plan if you know the plan and preserving the plan is consistent with the principal's best interest.

*Termination of Agent's Authority*

You must stop acting on behalf of the principal if you learn of any event that terminates this power of attorney or your authority under this power of attorney. Events that terminate a power of attorney or your authority to act under a power of attorney include:

1. Death of the principal;



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2. The principal's revocation of your authority or the power of attorney;
3. The occurrence of a termination event stated in the power of attorney;
4. The purpose of the power of attorney is fully accomplished; or
5. If you are married to the principal, a legal action is filed with a court to end your marriage, or for your legal separation, unless the Special Instructions in this power of attorney state that such an action will not terminate your authority.

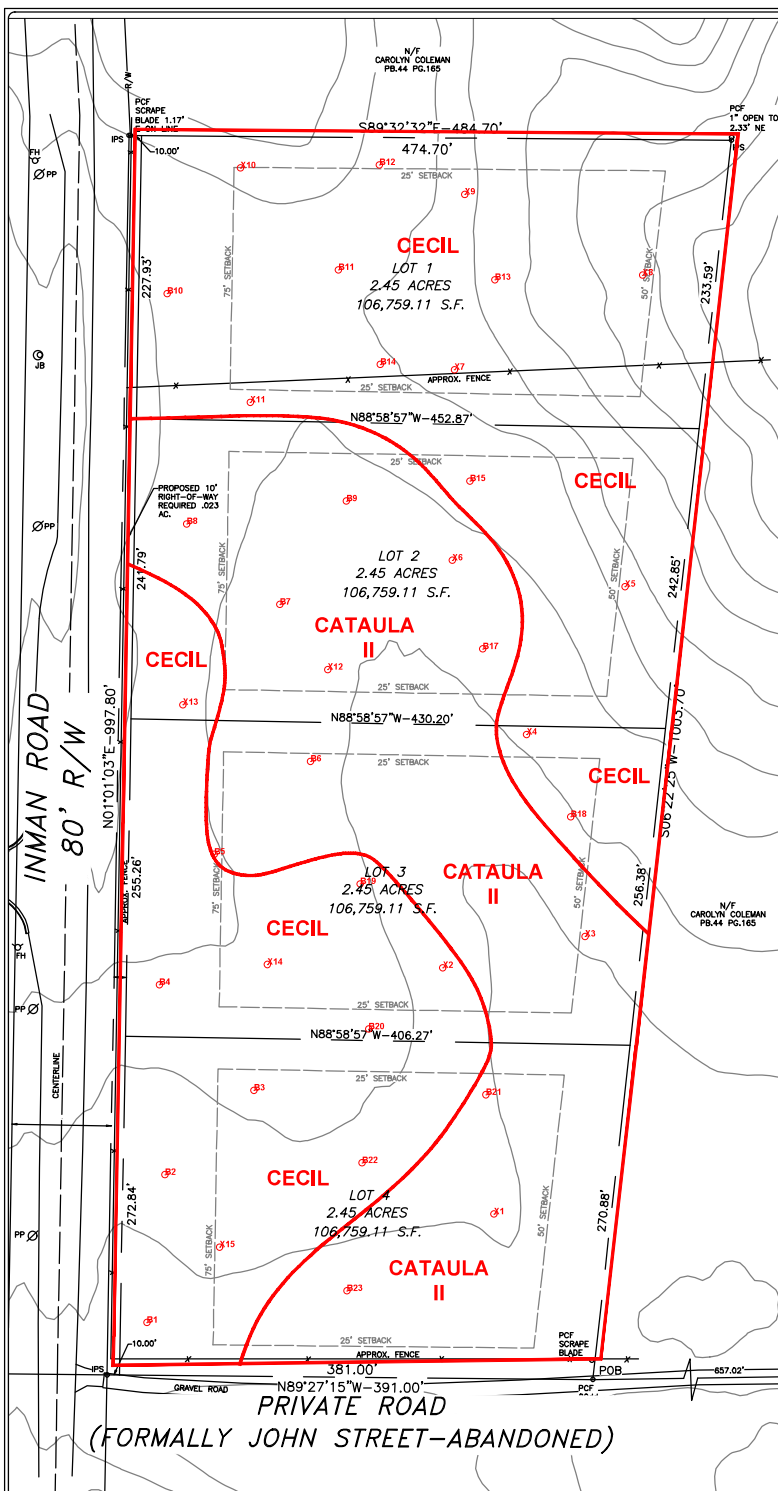
*Liability of Agent*

The meaning of the authority granted to you is defined in O.C.G.A. Chapter 6B of Title 10. If you violate O.C.G.A. Chapter 6B of Title 10 or act outside the authority granted, you may be liable for any damages caused by your violation.

*If there is anything about this document or your duties that you do not understand, you should seek legal advice.*







## SOIL INTERPRETIVE DATA

Soil Units	Depth to Bedrock (in)	Depth to Seasonal High Water Table Indicators (in)	Slope Gradient (percent)	Recommended Trench Depth (in)	Estimated Perc Rate (min/in)	Recommended Hydraulic Loading Rate (gal/day/sq.ft.)	Soil Suit. Code
Cataula II	>72	30-40 (PWT)	1-4	12-18	85	0.12	C1
Cecil	>72	>72	2-8	30-48	60	---	A1



Applied Environmental Sciences, Inc.  
90-F Glenda Trace, #327 Newnan, Georgia 30265  
(678) 262-4020 (770) 883-4875 (fax) www.soilmapping.com

**LEVEL 3 SOIL MAP**  
**INMAN ROAD TRACT**  
PARCEL ID # 0505 047  
LANDLOT 10, 5th DISTRICT  
FAYETTE COUNTY, GEORGIA

DATE: 2-12-25  
SCALE: 1" = 100'  
CLIENT: MAX FULLER  
BORING LOCATION METHOD: TRIMBLE GEO 7X GPS  
FIELD WORK BY: EAH  
CHECKED BY: ERIC A. HAMILTON, DPH CSC #224

Wednesday, February 12, 2025

Continued from page B4

Fayette County News **B5**

PETITION FOR REZONING  
CERTAIN PROPERTIES IN  
UNINCORPORATED AREAS OF  
FAYETTE COUNTY, GEORGIA  
PUBLIC HEARING to be held be-  
fore the Fayette County Planning  
Commission on Thursday, March  
6, 2025, at 7:00 P.M. and before  
the Fayette County Board of Com-  
missioners on Thursday, March 27,  
2025, at 5:00 P.M. in the Fayette  
County Administrative Complex,  
140 Stonewall Avenue West, Public  
Meeting Room, First Floor, Fay-  
etteville, Georgia.

Petition No.: 1361-25

Parcel No.: 0505 047

Owner: After Hours Property Man-  
agement, LLC

Applicant: Max Fuller

Zoning District: A-R

Area of Property: 10.03 acres

Land Lot(s)/District: Land Lot 10  
of the 5th District

Fronts on: Corner John Street and  
Inman Road

Proposed: Applicant proposes to  
rezone 10.03 acres from A-R (Ag-  
ricultural-Residential) to R-72  
(Single-Family Residential) for the  
purposes of developing residential  
lots.

A copy of the above is available  
in the office of the Fayette County  
Planning and Zoning Department,  
140 Stonewall Avenue West, Suite  
202, Fayetteville, Georgia.

Legal Description  
EXHIBIT "A"

ALL THAT TRACT OR PARCEL  
OF LAND LYING AND BEING IN  
LAND LOT 10 OF THE 5TH LAND  
DISTRICT OF FAYETTE COUNTY,  
GEORGIA, AND BEING THOSE  
LANDS DESCRIBED IN A PLAT  
OF SURVEY DATED 12/18/74,  
PREPARED BY LEE ENGINEER-  
ING COMPANY FOR DONALD  
HARP AND BEING MORE PAR-  
TICULARLY DESCRIBED AS  
FOLLOWS:

TO ARRIVE AT A POINT OF BE-  
GINNING HEREOF, START AT A  
POINT LOCATED IN THE CEN-  
TER OF THE INTERSECTION  
OF STATE HIGHWAY 92 AND  
INMAN ROAD, GO THENCE  
NORTHERLY ALONG THE CEN-  
TER OF INMAN ROAD 513 FEET  
TO A POINT, GO THENCE EAST-  
ERLY 30 FEET TO A POINT LO-  
CATED IN THE CENTER OF A  
ROAD IN SAID PLAT, WHICH  
IS THE POINT OF BEGINNING,  
RUNNING THENCE NORTH 0  
DEGREES 28 MINUTES EAST  
ALONG INMAN ROAD 997.8  
FEET TO A POINT, RUNNING  
THENCE NORTH 89 DEGREES  
30 MINUTES EAST 484.7 FEET  
TO A POINT, RUNNING THENCE  
SOUTH 5 DEGREES 49 MINUTES  
WEST 1003.7 FEET TO A POINT  
LOCATED IN THE CENTER OF  
SAID ROAD, RUNNING THENCE  
SOUTH 89 DEGREES 30 MIN-  
UTES WEST ALONG THE CEN-  
TER OF SAID ROAD 391 FEET  
TO THE POINT OF BEGINNING,  
THE SAID TRACT OF LAND CON-  
TAINING 10 ACRES, MORE OR  
LESS.

PARCEL# 0505047

02/12

# COUNTY AGENDA REQUEST

Page 52 of 110

Department:

Presenter(s):

Meeting Date:

Request:

## Wording for the Agenda:

Consideration of Petition 1362-25, Cedric Johnson and Sharai Johnson, Owners, request to rezone 16.1 acres from R-70 (Single-Family Residential) to A-R (Agricultural-Residential) for the purpose of developing small farming activities; property located in Land Lot 18 of the 9th District and fronts on Jewel Bluff.

## Background/History/Details:

The lot is a legal lot of record and meets or exceeds all requirements of the A-R zoning district. The Future Land Use Map designates this area as Rural Residential-2, which has a 2-acre minimum parcel size. Since A-R is a less intense/lower density zoning, the request to rezone to the A-R zoning district is appropriate and is consistent with the Future Land Use Map and the Comprehensive Plan. Staff recommends CONDITIONAL APPROVAL of the request to rezone to A-R, subject to the following:

1. The owner/developer shall dedicate land to Fayette County as needed to provide a minimum 30-ft right-of-way as measured from existing centerline of Jewel Bluff for the full width of the parcel. Submittal of all warranty deed(s) and legal descriptions for said right-of-way dedication(s) shall be provided to the County within 90 days of the approval of the rezoning request, or prior to the final plat approval, whichever comes first.
2. The Watershed Protection Ordinance shall apply to this property upon rezoning.

On April 3, 2025, the Planning Commission voted 5-0 to recommend CONDITIONAL APPROVAL, subject to conditions as read by staff.

## What action are you seeking from the Board of Commissioners?

Staff recommends CONDITIONAL APPROVAL of Petition 1362-25, Cedric Johnson and Sharai Johnson, Owners, request to rezone 16.1 acres from R-70 (Single-Family Residential) to A-R (Agricultural-Residential) for the purpose of developing small farming activities; property located in Land Lot 18 of the 9th District and fronts on Jewel Bluff with two (2) conditions.

## If this item requires funding, please describe:

Not applicable.

Has this request been considered within the past two years?

If so, when?

Is Audio-Visual Equipment Required for this Request?\*

Backup Provided with Request?

**\* 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

Administrator's Approval

## Staff Notes:



**PETITION No. 1362-25**

**REQUESTED ACTION:** Rezone 16.1 acres from R-70 to A-R

**PARCEL NUMBER:** 0901 087

**EXISTING ZONING:** R-70

**PROPOSED ZONING:** A-R

**EXISTING USE:** Undeveloped

**PROPOSED USE:** Agriculture- Residential

**LOCATION:** Jewel Bluff

**LOT SIZE:** 16.1 Acres

**DISTRICT/LAND LOT(S):** 9<sup>th</sup> District, Land Lot(s) 18

**OWNER(S):** Cedric Johnson and Sharai Johnson

**APPLICANT(S):** Cedric Johnson and Sharai Johnson

**AGENT(S):** N/A

**PLANNING COMMISSION PUBLIC HEARING:** April 3, 2025, at 7:00 PM

**BOARD OF COMMISSIONERS PUBLIC HEARING:** April 22, 2025, at 5:00 PM

---

**REQUEST**

The applicant is requesting to rezone the property from R-70 to A-R.

**PLANNING COMMISSION RECOMMENDATION:** On April 3, 2025, the Planning Commission voted 5-0 to recommend CONDITIONAL APPROVAL, with conditions as recommended by staff.

**STAFF ASSESSMENT & RECOMMENDATION**

The lot is a legal lot of record and meets or exceeds all the requirements of the A-R zoning district. The Future Land Use Map designates this area as Rural Residential-2, which has a 2-acre minimum parcel size. Since A-R is a less intense/lower density zoning, the request to rezone to the A-R zoning

district is appropriate and is consistent with the Future Land Use Map and the Comprehensive Plan. Staff recommends **CONDITIONAL APPROVAL** of the request to rezone to A-R, subject to the following:

1. The owner/developer shall dedicate land to Fayette County as needed to provide a minimum 30-ft of right of way as measured from the existing centerline of Jewel Bluff for the full width of the parcel. Submittal of all warranty deed(s) and legal descriptions for said right-of-way dedication(s) shall be provided to the County within 90 days of the approval of the rezoning request, or prior to the final plat approval, whichever comes first.
2. The Watershed Protection Ordinance shall apply to this property upon rezoning.

## **INVESTIGATION**

### **A. GENERAL PROPERTY INFORMATION**

The subject property is currently zoned R-70. It was rezoned from A-R to R-70 as part of a blanket rezoning initiated by the County in 1973. The property is currently undeveloped and is mostly wooded.

### **B. ADJACENT ZONING AND FUTURE LAND USE**

The parcels surrounding the subject property are zoned R-70, having been part of the aforementioned blanket rezoning in 1973. The Future Land Use Map for this property and all the surrounding properties is Rural Residential-2, 1 Unit/2 Acres. See the attached Zoning Map and Future Land Use Map.

<b>Direction</b>	<b>Acreage</b>	<b>Zoning</b>	<b>Use</b>	<b>Future Land Use Plan</b>
North	25	R-70	Single Family Residential	Rural Residential-2 (1 unit /2 acres)
East (across Jewel Bluff)	18	R-70	Single Family Residential	Rural Residential-2 (1 unit /2 acres)
South	17	R-70	Single Family Residential	Rural Residential-2 (1 unit /2 acres)
West	12	R-70	Single Family Residential	Rural Residential-2 (1 unit /2 acres)

### **C. DEPARTMENTAL COMMENTS**

- ☐ **Water System** – No objections.
- ☐ **Public Works/Environmental Management**
  - Road Frontage Right of Way Dedication - Jewel Bluff is a County Local Road which requires a 60-foot right-of-way, 30 foot along existing frontage of this tract if rezoned.
  - Traffic Data - Jewel Bluff is a Fayette County maintained gravel road that connects SR 92 and Rivers Road. The road is 0.90 miles long and the county does not have any traffic data.
  - Sight Distance and access - Minimum sight distances will have to be satisfied for the proposed new driveway.
  - Floodplain Management - The property DOES NOT contain floodplain per FEMA FIRM panel 13113C0019E dated September 26, 2008. The property DOES NOT contain additional floodplain delineated in the FC 2013 Future Conditions Flood Study.

- Wetlands - The property DOES NOT contain wetlands per the U.S. Department of the Interior, Fish and Wildlife Service 1994 National Wetland Inventory Map.
- Watershed Protection - There ARE POSSIBLE state waters located on the subject property, and it WILL BE subject to the Fayette County Watershed Protection Ordinance.
- Groundwater - The property IS NOT within a groundwater recharge area.
- Post Construction Stormwater Management - Any development of the commercial aspect of Fayette County's Agriculture zoning WILL BE subject to the Post-Development Stormwater Management Ordinance if re-zoned and developed with more than 5,000 square feet of impervious surfaces.
- Landscaping and Tree Protection
- This development WILL NOT BE subject to the Landscaping and Tree Protection ordinances if re-zoned and developed.
- **Fire** – No comments.
- **Environmental Health** - This office has no objection to the proposed rezoning.
- **GDOT** – Not applicable, not on State Route.

## **ZONING DISTRICT STANDARDS**

### **Sec. 110-125. A-R, Agricultural-Residential District.**

(a) *Description of district.* This district is composed of certain lands and structures having a very low density single-family residential and agricultural character and designed to protect against the depreciating effects of small lot, residential development and those uses which are incompatible with such a residential and agricultural environment.

(b) *Permitted uses.* The following permitted uses shall be allowed in the A-R zoning district:

- (1) Single-family dwelling;
- (2) Residential accessory structures and uses (see article III of this chapter);
- (3) Growing of crops and the on-premises sale of produce and agricultural products, provided 50 percent of the produce/products sold shall be grown on-premises;
- (4) Plant nurseries and greenhouses (no sales of related garden supplies);
- (5) Raising of livestock; aquaculture, including pay fishing; apiary (all beehives shall comply with the required setbacks); and the sale thereof; and
- (6) One semi-trailer/box truck utilized as a farm outbuilding, provided the property is a minimum of five acres and the semi-trailer/box truck is only used to store agricultural items.

(c) *Conditional uses.* The following conditional uses shall be allowed in the A-R zoning district provided that all conditions specified in article VII of this chapter. Conditional uses, nonconformances, transportation corridor overlay zone, and commercial development standards are met:

- (1) Aircraft landing area;
- (2) Animal hospital, kennel or veterinary clinic;
- (3) A-R bed and breakfast inn;
- (4) A-R wedding/event facility;
- (5) Cemetery;
- (6) Church and/or other place of worship;
- (7) Colleges and university, including, but not limited to: classrooms, administration, housing, athletic fields, gymnasium, and/or stadium;
- (8) Commercial driving range and related accessories;
- (9) Child care facility;
- (10) Deer processing facility.
- (11) Developed residential recreational/amenity areas;

- (12) Farm outbuildings, including horse stables, auxiliary structures, and greenhouses (permanent or temporary);
- (13) Golf course (minimum 18-hole regulation) and related accessories;
- (14) Home occupation;
- (15) Horse show, rodeo, carnival, and/or community fair;
- (16) Hospital;
- (17) Kennel (see animal hospital, kennel, and/or veterinary clinic);
- (18) Private school, including, but not limited to: classrooms, administration, playground, housing, athletic fields, gymnasium, and stadium;
- (19) Processing, packaging, or handling of perishable agricultural products (i.e. fruits and vegetables) which are grown on premises;
- (20) Recreation centers and similar institutions owned by nonprofit organizations as so registered with the state secretary of state office;
- (21) Religious tent meeting; and
- (22) Shooting range, outdoor.

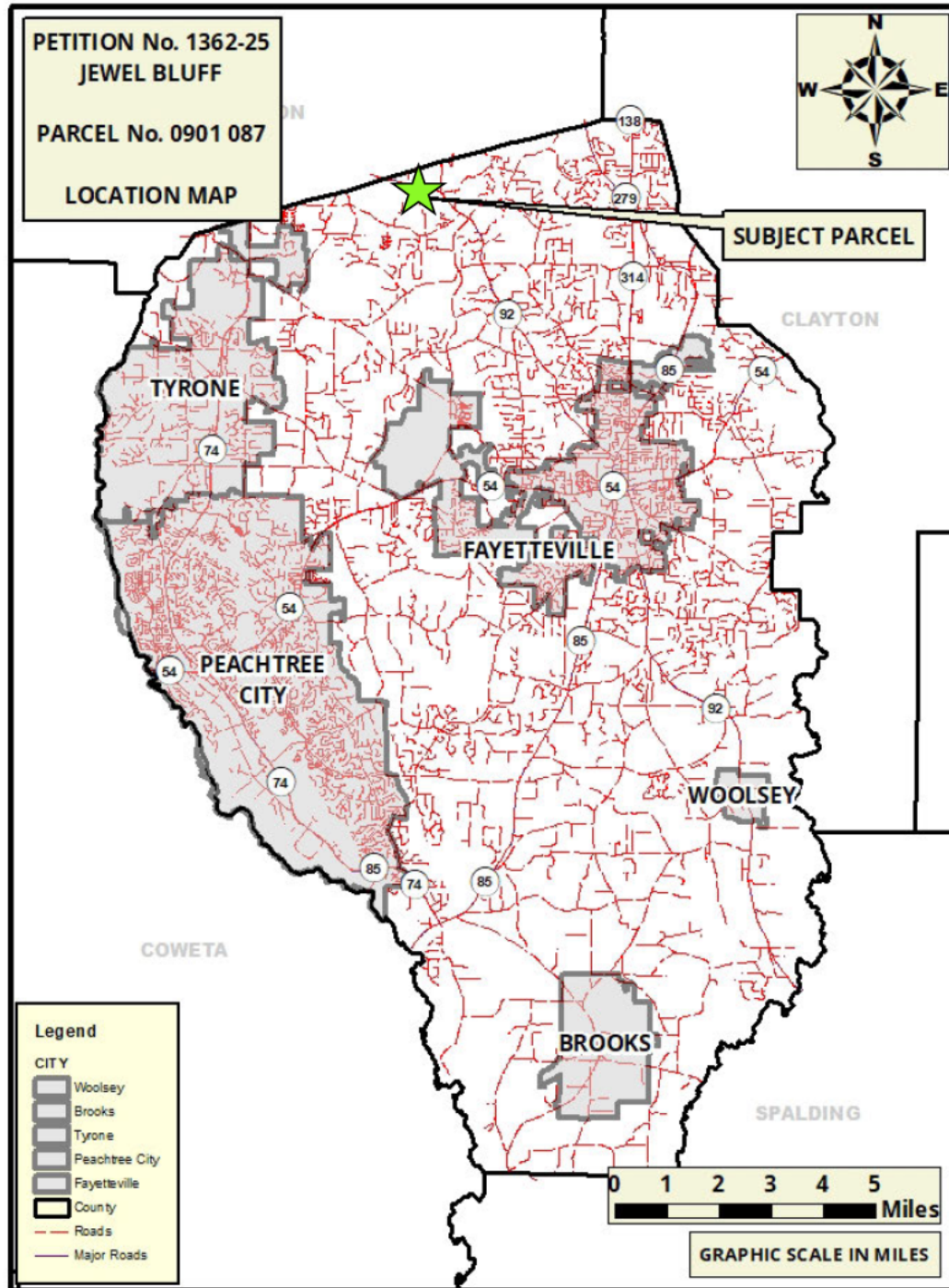
(d) *Dimensional requirements.* The minimum dimensional requirements in the A-R zoning district shall be as follows:

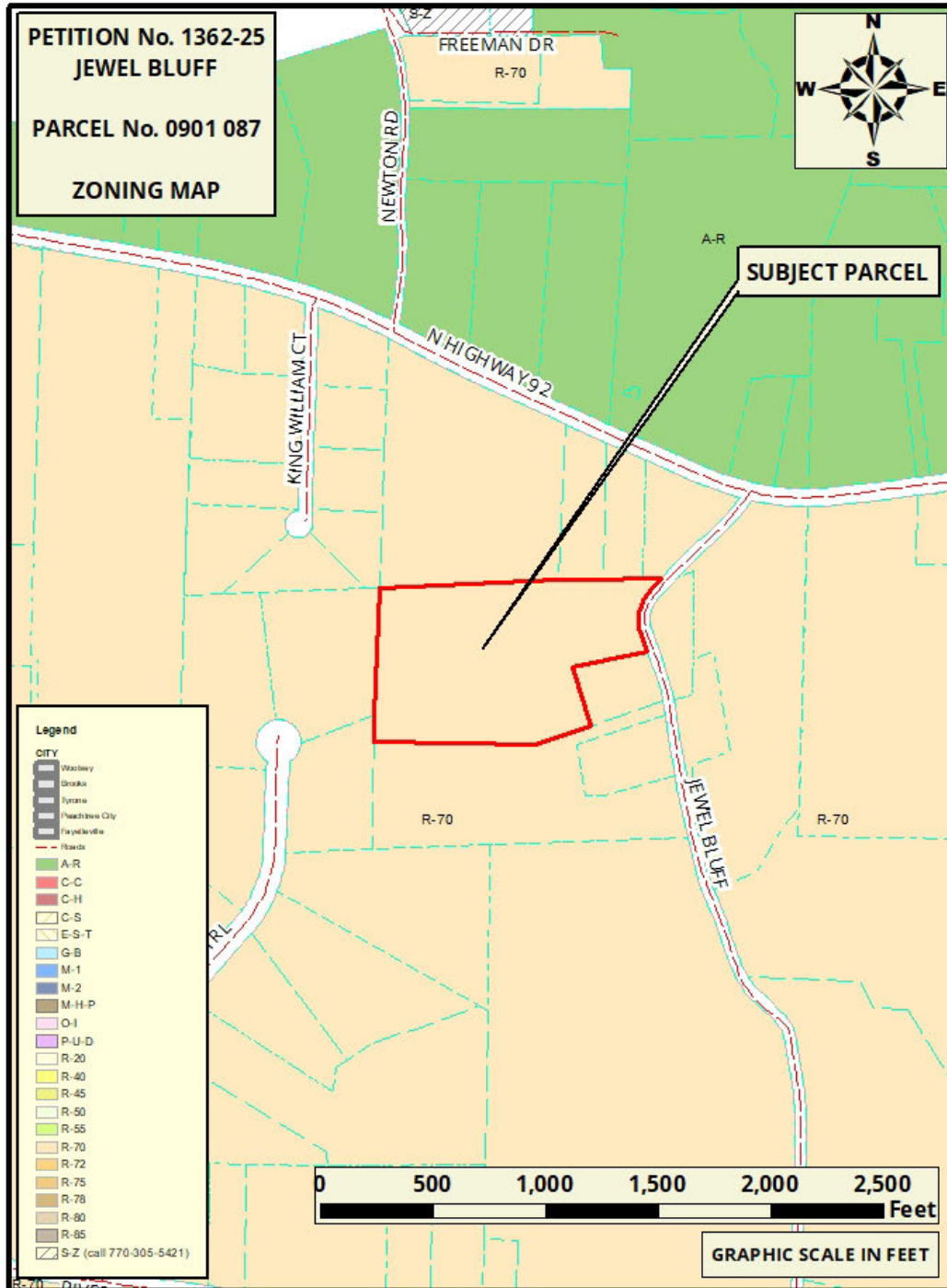
- (1) Lot area: 217,800 square feet (five acres).
- (2) Lot width: 250 feet.
- (3) Floor area: 1,200 square feet.
- (4) Front yard setback:
  - a. Major thoroughfare:
    - 1. Arterial: 100 feet.
    - 2. Collector: 100 feet.
  - b. Minor thoroughfare: 75 feet.
- (5) Rear yard setback: 75 feet.
- (6) Side yard setback: 50 feet.
- (7) Building height.
  - a. 35 feet as defined in article III of this chapter.
  - b. The limitation on height shall not apply to agricultural structures such as storage barns, silos, or other types of structure not normally designed for human occupation except that when an agricultural structure exceeds the maximum building height the minimum distance from property lines to any building shall be increased one foot for every two feet or part thereof of building height over 35 feet.

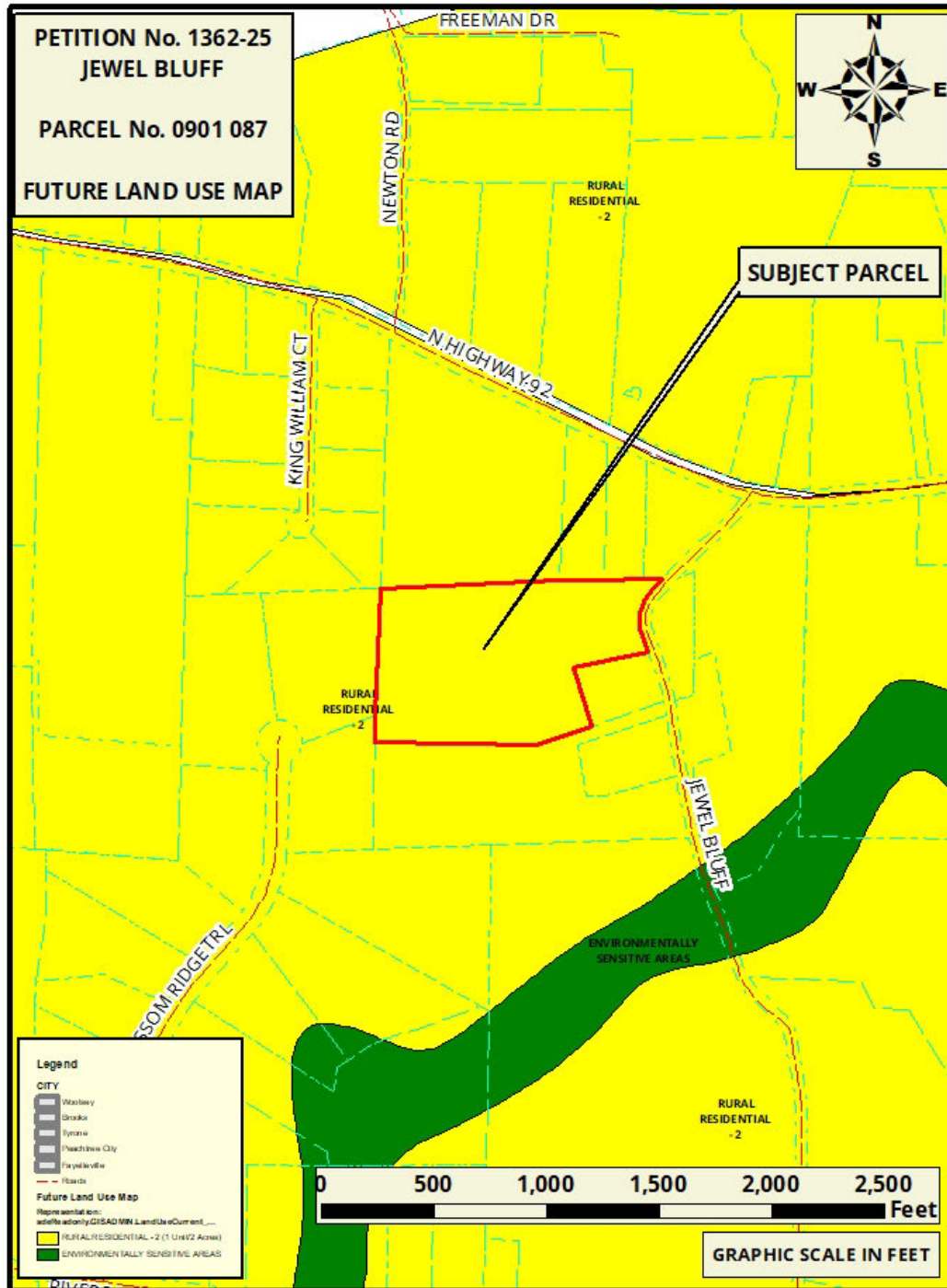


(e) *Special regulations.* Prior to the issuance of development and/or building permits, a site plan, as applicable, shall be submitted to the zoning administrator and approved by the appropriate county officials. This requirement shall apply to all permitted uses and conditional uses allowed in the AR zoning district except single-family dwellings; residential accessory structures; growing crops and the on-premises sale of produce at agricultural stands of 100 square feet or less of floor area; growing and seasonal sale of Christmas trees; plant nursery, landscape tree farm, or greenhouse operations existing prior to the effective date of June 26, 2003; and the raising and/or selling of livestock.

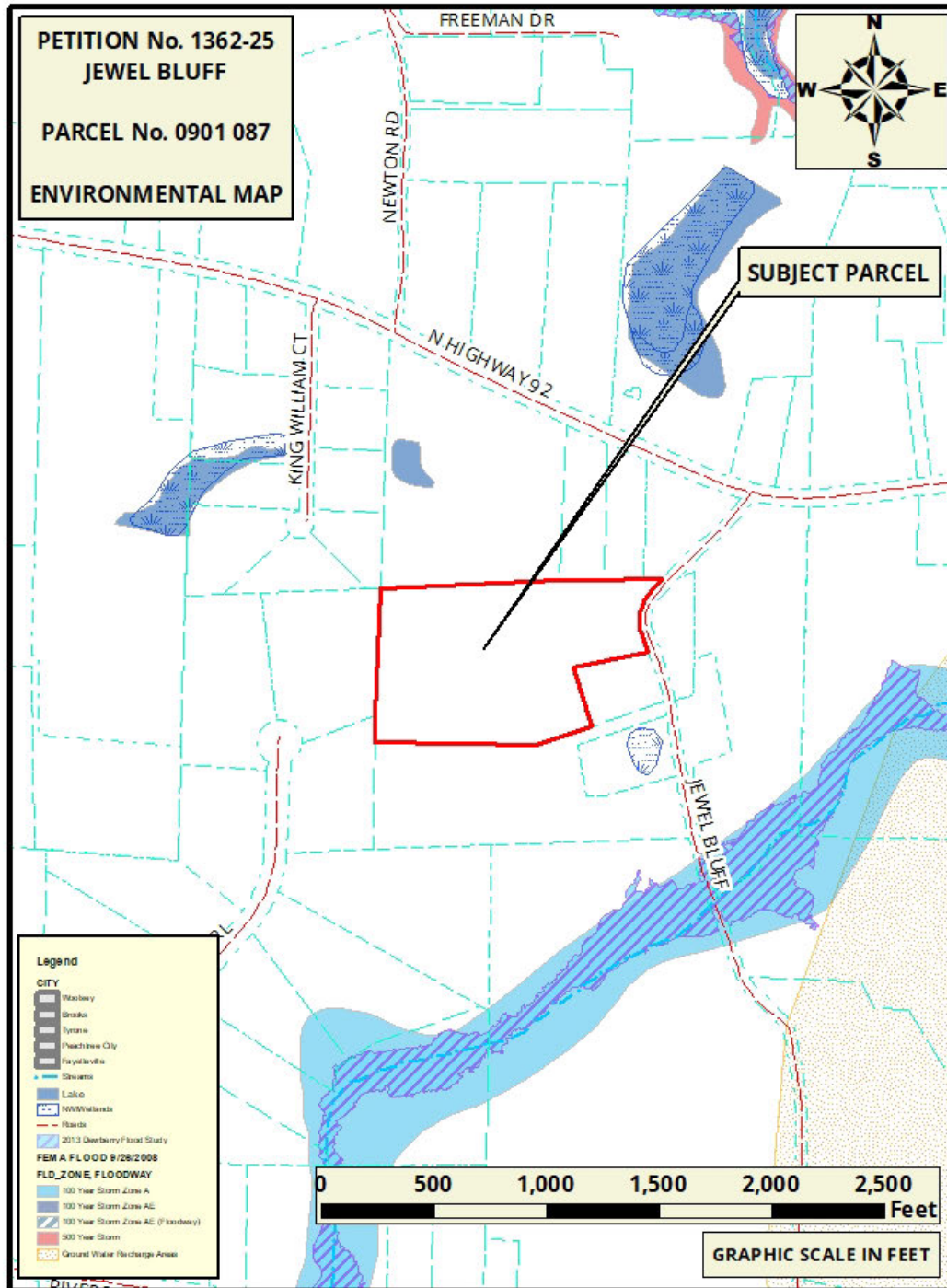
(Code 1992, § 20-6-1; Ord. of 7-28-2011; Ord. No. 2012-09, § 4, 5-24-2012; Ord. No. 2012-13, § 4, 12-13-2012; Ord. No. 2012-14, § 3, 12-13-2012; Ord. No. 2014-19, § 6,7, 12-11-2014; Ord. No. 2015-05, § 2, 3-26-2015; Ord. No. 2016-12, § 3, 7-28-2016; Ord. No. 2017-04, § 2, 3-23-2017; Ord. No. 2018-03, §§ 11, 12, 9-22-2018)

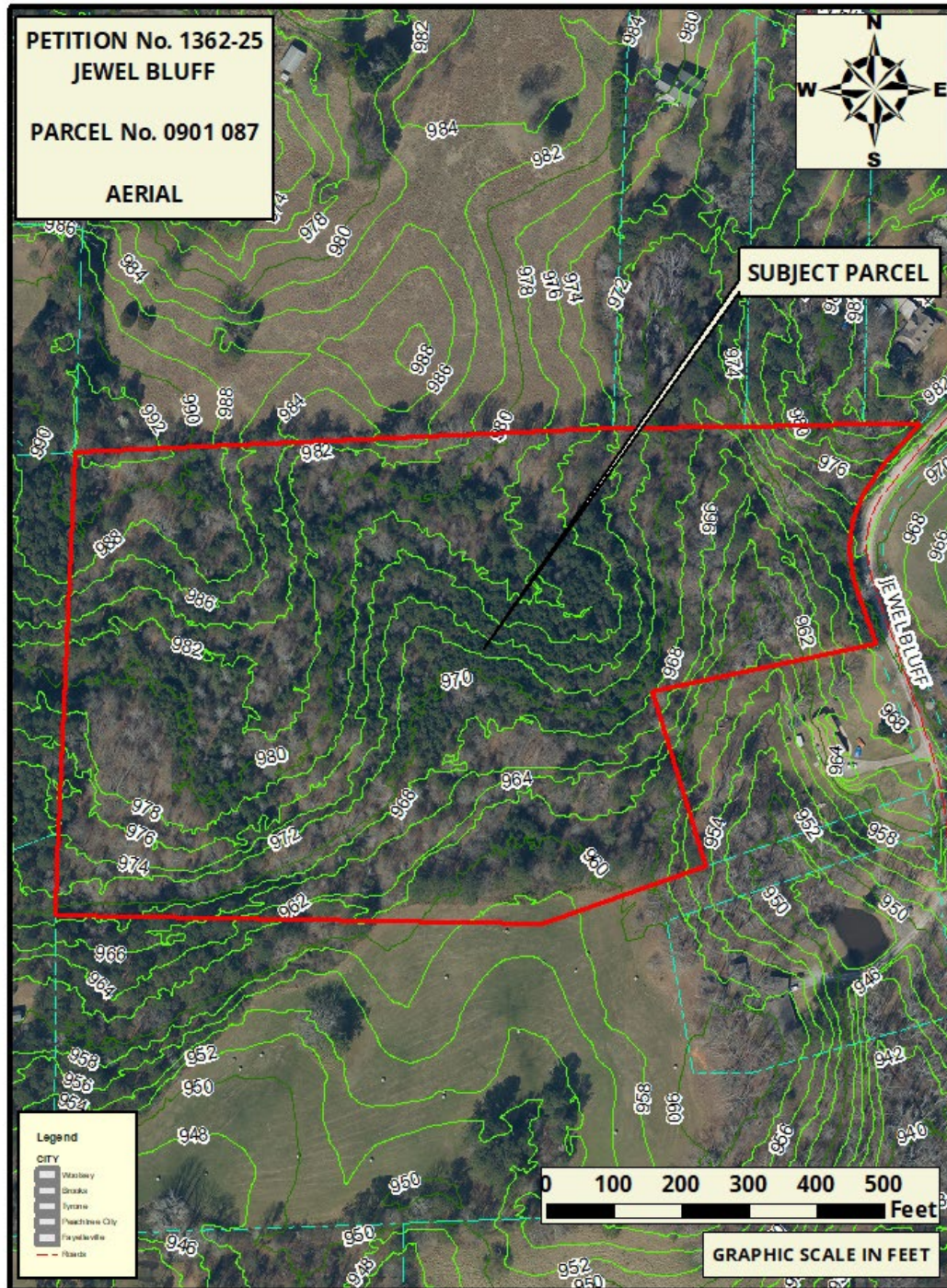














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**BOARD MEMBERS**

John Kruzan, Chairman  
Danny England, Vice-Chairman  
John H. Culbreth, Sr  
Jim Oliver  
Boris Thomas

**STAFF**

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

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**AGENDA OF ACTIONS  
FAYETTE COUNTY PLANNING COMMISSION MEETING  
140 STONEWALL AVENUE WEST  
April 3, 2025  
7:00 pm**

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

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**NEW BUSINESS**

1. Call to Order. *Chairman John Kruzan called the April 3, 2025, meeting to order at 7:00 pm.*
2. Pledge of Allegiance. *Chairman John Kruzan offered the invocation and led the audience in the Pledge of Allegiance*
3. Approval of Agenda. *Danny England made a motion to approve the agenda. John Culbreth, Sr., seconded the motion. The motion carried 5-0.*
4. Consideration of the Minutes of the meeting held on March 6, 2025. *Danny England made a motion to approve the minutes of the meeting held on March 6, 2025. John Culbreth, Sr., seconded the motion. The motion carried 5-0.*
5. Plats
  - a. Preliminary Plat for Eva Gardens (fronts on Old Senoia Road). *Danny England made a motion to approve the Preliminary Plat for Eva Gardens. John Culbreth, Sr., seconded the motion. The motion passed 5-0.*
  - b. Preliminary Plat for Grandover (fronts on Antioch Road). *Danny England made a motion to approve the Preliminary Plat Grandover. John Culbreth Sr. seconded the motion. The motion passed 5-0.*

## **PUBLIC HEARING**

6. Consideration of Petition 1362-25, Applicant proposes to rezone 16.1 acres from R-70 (Single-Family Residential) to A-R (Agricultural-Residential) for the purposes of developing small farming activities. Property is located in Land Lots 18 of the 9<sup>th</sup> District and fronts Jewel Bluff Road. ***Danny England made the motion to recommend CONDITIONAL APPROVAL of Petition 1362-25. John Culbreth Sr. seconded the motion. The motion carried 5-0.***

### **CONDITIONS:**

1. ***The owner/developer shall dedicate land to Fayette County as needed to provide a minimum 30-ft of right of way as measured from the existing centerline of Jewel Bluff for the full width of the parcel. Submittal of all warranty deed(s) and legal descriptions for said right-of-way dedication(s) shall be provided to the County within 90 days of the approval of the rezoning request, or prior to the final plat approval, whichever comes first.***
2. ***The Watershed Protection Ordinance shall apply to this property upon rezoning.***

*Danny England moved to adjourn the April 3, 2025, Planning Commission meeting. Jim Oliver seconded. The motion passed 5-0.*

*The meeting adjourned at 7:12 pm.*

# Meeting Minutes 04/03/2025

**THE FAYETTE COUNTY PLANNING COMMISSION** met on April 3<sup>rd</sup>, 2025, at 7:00 P.M. in the Fayette County Administrative Complex, 140 Stonewall Avenue West, Fayetteville, Georgia.

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

**STAFF PRESENT:** Debbie Bell, Planning and Zoning Director  
 Deborah Sims, Zoning Administrator  
 Maria Binns, Zoning Secretary  
 E. Allison Ivey Cox, County Attorney

## **NEW BUSINESS**

1. Call to Order. *Chairman John Kruzan called the April 3, 2025, meeting to order at 7:00 pm.*
2. Pledge of Allegiance. *Chairman John Kruzan offered the invocation and led the audience in the Pledge of Allegiance.*
3. Approval of Agenda. *Danny England made a motion to approve the agenda. John Culbreth, Sr., seconded the motion. The motion carried 5-0.*
4. Consideration of the Minutes of the meeting held on March 6, 2025. *Danny England made a motion to approve the minutes of the meeting held on March 6, 2025. John Culbreth, Sr., seconded the motion. The motion carried 5-0.*
5. Plats

**a. Preliminary Plat for Eva Gardens (fronts on Old Senoia Road).**

Ms. Debbie Bell presented the revised preliminary plat for Eva Gardens, which includes two lots added after acquiring additional property and rezoning. The plat has been reviewed and approved by staff, meeting all standards.

Chairman John Kruzan asked if anyone had any questions, hearing none; he asked for a motion.

*Danny England made a motion to approve the Preliminary Plat for Eva Gardens. John Culbreth, Sr., seconded the motion. The motion passed 5-0.*

**b. Preliminary Plat for Grandover (fronts on Antioch Road).**

Ms. Bell confirmed that the preliminary plat for Grandover, a property on Antioch Road below McBride Road, has been reviewed and approved by staff to comply with regulations, as previously shown on maps.

Chairman John Kruzan asked if anyone had any questions, hearing none; he asked for a motion.

***Danny England made a motion to approve the Preliminary Plat Grandover. John Culbreth Sr. seconded the motion. The motion passed 5-0.***

**PUBLIC HEARING**

6. **Consideration of Petition 1362-25**, Applicant proposes to rezone 16.1 acres from R-70 (Single-Family Residential) to A-R (Agricultural-Residential) for the purposes of developing small farming activities. Property is located in Land Lots 18 of the 9<sup>th</sup> District and fronts Jewel Bluff Road.

Ms. Bell explained that the lot is a legal lot of record that meets or exceeds the A-R zoning district requirements. The Future Land Use Map designates it as Rural Residential-2, with a 2-acre minimum parcel size. The request to rezone to the A-R zoning district is appropriate and consistent with the Future Land Use Map and Comprehensive Plan. Staff recommends conditional approval. They had spoken to the applicant earlier stating they would be present, but they were not, but they were not staff objections to the rezoning either.

Chairman John Kruzan asked for clarification for the petition and agenda number to be 1362-24 or 25?

Ms. Bell responded is 1362-25.

Chairman John Kruzan asked if the applicant wasn't present, asked if anyone in the audience would like to speak in favor or opposition of the petition.? Hearing none, he brought the item back to the board for questions. Hearing none, he asked for a motion.

***Danny England made the motion to recommend CONDITIONAL APPROVAL of Petition 1362-25. John Culbreth Sr. seconded the motion. The motion carried 5-0.***

**CONDITIONS:**

1. *The owner/developer shall dedicate land to Fayette County as needed to provide a minimum 30-ft of right of way as measured from the existing centerline of Jewel Bluff for the full width of the parcel. Submittal of all warranty deed(s) and legal descriptions for said right-of-way dedication(s) shall be provided to the County within 90 days of the approval of the rezoning request or prior to the final plat approval, whichever comes first.*
2. *The Watershed Protection Ordinance shall apply to this property upon rezoning.*

*Danny England moved to adjourn the April 3, 2025, Planning Commission meeting. Jim Oliver seconded. The motion passed 5-0.*

*The meeting adjourned at 7:12 pm.*

\*\*\*\*\*

ATTEST:

PLANNING COMMISSION  
OF  
FAYETTE COUNTY

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JOHN KRUZAN, CHAIRMAN

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DEBORAH BELL  
DIRECTOR, PLANNING & ZONING



**PETITION No (s):** 1362-25  
**STAFF USE ONLY**

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

**APPLICANT INFORMATION**

Name Sharai Johnson  
 Address 7903 Bluefin Tr  
 City Union City  
 State GA Zip 30291  
 Email [REDACTED]  
 Phone [REDACTED]

**PROPERTY OWNER INFORMATION**

Name Sharai Johnson / Cedric Johnson  
 Address 7903 Bluefin Tr  
 City Union City  
 State GA Zip 30291  
 Email [REDACTED]  
 Phone [REDACTED]

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

Name N/A  
 Address \_\_\_\_\_  
 City \_\_\_\_\_  
 State \_\_\_\_\_ Zip \_\_\_\_\_  
 Email \_\_\_\_\_  
 Phone \_\_\_\_\_

Name Cedric Johnson  
 Address 7903 Bluefin Tr  
 City Union City  
 State GA Zip 30291  
 Email [REDACTED] can  
 Phone [REDACTED]

**(THIS AREA TO BE COMPLETED BY STAFF)**

☐ Application Insufficient due to lack of:

Staff: \_\_\_\_\_ Date: \_\_\_\_\_

☒ Application and all required supporting documentation is Sufficient and Complete

Staff: \_\_\_\_\_ Date: \_\_\_\_\_

DATE OF PLANNING COMMISSION HEARING: April 3, 2025

DATE OF COUNTY COMMISSIONERS HEARING: April 22, 2025

Received from Sharai Johnson a check in the amount of \$ 350.00 for application filing fee, and \$ 20.00 for deposit on frame for public hearing sign(s).

Date Paid: 02/04/2025 Receipt Number: 023067

**PETITION No.:** \_\_\_\_\_ **Fees Due:** \_\_\_\_\_ **Sign Deposit Due:** \_\_\_\_\_

STAFF USE ONLY

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

Parcel # (Tax ID): 0901087 Acreage: 16.1  
 Land District(s): 9th Land Lot(s): 18  
 Road Name/Frontage L.F.: Jewel Bluff Road Classification: \_\_\_\_\_  
 Existing Use: \_\_\_\_\_ Proposed Use: \_\_\_\_\_  
 Structure(s): \_\_\_\_\_ Type: \_\_\_\_\_ Size in SF: \_\_\_\_\_  
 Existing Zoning: R-70 Proposed Zoning: AR  
 Existing Land Use: none Proposed Land Use: small farming activities  
 Water Availability: \_\_\_\_\_ Distance to Water Line: \_\_\_\_\_ Distance to Hydrant: \_\_\_\_\_

**PETITION No.:** \_\_\_\_\_ **Fees Due:** \_\_\_\_\_ **Sign Deposit Due:** \_\_\_\_\_

STAFF USE ONLY

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

Parcel # (Tax ID): \_\_\_\_\_ Acreage: \_\_\_\_\_  
 Land District(s): \_\_\_\_\_ Land Lot(s): \_\_\_\_\_  
 Road Name/Frontage L.F.: \_\_\_\_\_ Road Classification: \_\_\_\_\_  
 Existing Use: \_\_\_\_\_ Proposed Use: \_\_\_\_\_  
 Structure(s): \_\_\_\_\_ Type: \_\_\_\_\_ Size in SF: \_\_\_\_\_  
 Existing Zoning: \_\_\_\_\_ Proposed Zoning: \_\_\_\_\_  
 Existing Land Use: \_\_\_\_\_ Proposed Land Use: \_\_\_\_\_  
 Water Availability: \_\_\_\_\_ Distance to Water Line: \_\_\_\_\_ Distance to Hydrant: \_\_\_\_\_

**PETITION No.:** \_\_\_\_\_ **Fees Due:** \_\_\_\_\_ **Sign Deposit Due:** \_\_\_\_\_

STAFF USE ONLY

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

Parcel # (Tax ID): \_\_\_\_\_ Acreage: \_\_\_\_\_  
 Land District(s): \_\_\_\_\_ Land Lot(s): \_\_\_\_\_  
 Road Name/Frontage L.F.: \_\_\_\_\_ Road Classification: \_\_\_\_\_  
 Existing Use: \_\_\_\_\_ Proposed Use: \_\_\_\_\_  
 Structure(s): \_\_\_\_\_ Type: \_\_\_\_\_ Size in SF: \_\_\_\_\_  
 Existing Zoning: \_\_\_\_\_ Proposed Zoning: \_\_\_\_\_  
 Existing Land Use: \_\_\_\_\_ Proposed Land Use: \_\_\_\_\_  
 Water Availability: \_\_\_\_\_ Distance to Water Line: \_\_\_\_\_ Distance to Hydrant: \_\_\_\_\_

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

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

Sharon Johnson, Cedric Johnson

(Please Print)

**Property Tax Identification Number(s) of Subject Property:** \_\_\_\_\_

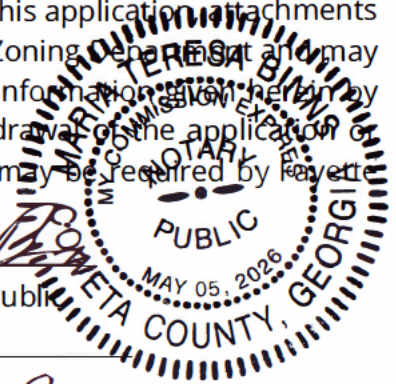
(I am) (we are) the sole owner(s) of the above-referenced property requested to be rezoned. Subject property is located in Land Lot(s) 18 of the B9 District, and (if applicable to more than one land district) Land Lot(s) \_\_\_\_\_ of the \_\_\_\_\_ District, and said property consists of a total of 16.1 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 submitted herein by me/us will result in the denial, revocation or administrative withdrawal of the application or permit. (I) (We) further acknowledge that additional information may be required by Fayette County in order to process this application.

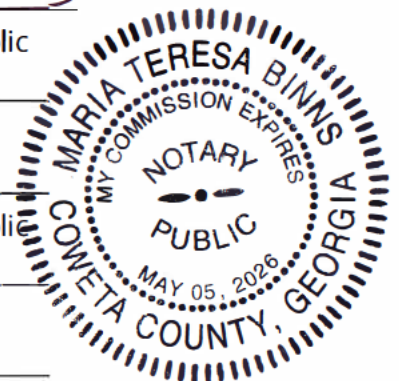
(II) [Signature]  
 Signature of Property Owner 1  
7903 Bluefin TR  
 Address Union City, GA 30291

[Signature]  
 Signature of Notary Public  
02/04/2025  
 Date



[Signature]  
 Signature of Property Owner 2  
7903 Bluefin TR  
 Address Union City, GA 30291

[Signature]  
 Signature of Notary Public  
02/04/2025  
 Date



\_\_\_\_\_  
 Signature of Property Owner 3  
 \_\_\_\_\_  
 Address

\_\_\_\_\_  
 Signature of Notary Public  
 \_\_\_\_\_  
 Date

\_\_\_\_\_  
 Signature of Authorized Agent  
 \_\_\_\_\_  
 Address

\_\_\_\_\_  
 Signature of Notary Public  
 \_\_\_\_\_  
 Date

PETITION No.: \_\_\_\_\_

**OWNER'S AFFIDAVIT***(Please complete an affidavit for each parcel being rezoned; ALL property owners must sign.)*NAME: Sharai Johnson, Cedric JohnsonADDRESS: 7903 Bluefin TR Union City, GA 30291

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

Sharai & Cedric Johnson affirms that he is the owner or the specifically authorized agent of the property described below. Said property is located in a(n) \_\_\_\_\_ Zoning District. He/She respectfully petitions the County to rezone the property from its present classification and tenders herewith the sum of \$ 370 to cover all expenses of public hearing. He/She petitions the above named to change its classification to AR.

This property includes: (check one of the following)

☒ See attached legal description on recorded deed for subject property or☐ Legal description for subject property is as follows:PUBLIC HEARING to be held by the Planning Commission of Fayette County on the day of April 3rd, 2025 at 7:00 P.M.PUBLIC HEARING to be held by the Board of Commissioners of Fayette County on the day of April 22nd, 2025 at 7:00 P.M.SWORN TO AND SUBSCRIBED BEFORE ME THIS 04 DAY OF February, 2025[Signature]

SIGNATURE OF PROPERTY OWNER

[Signature]

SIGNATURE OF PROPERTY OWNER

[Signature]

NOTARY PUBLIC

May 05, 2026



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


I/We, Sharon & Cedric Johnson said property owner(s) of subject property requested to be rezoned, hereby agree to dedicate, at no cost to Fayette County, feet of right-of-way along \_\_\_\_\_ as measured from the centerline of the road.

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

- Local Street (Minor Thoroughfare) 60-foot right-of-way (30' measured from each side of road centerline)
- Collector Street (Major Thoroughfare) 80-foot right-of-way (40' measured from each side of road centerline)
- Arterial Street (Major Thoroughfare) 100-foot right-of-way (50' measured from each side of road centerline)

Sworn to and subscribed before me this 04 day of February, 2025.

  
SIGNATURE OF PROPERTY OWNER

  
SIGNATURE OF PROPERTY OWNER

  
NOTARY PUBLIC

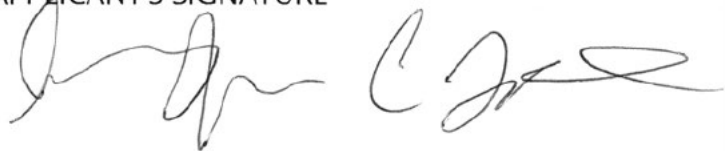


**DEVELOPMENTS OF REGIONAL IMPACT (DRI)****Rezoning Applicant:**

- A. Please review the attached "Developments of Regional Impact Tiers and Development Thresholds" established by the Georgia Department of Community Affairs (DCA) to determine if the proposed project meets or exceeds these thresholds. If the proposed project does not meet the established thresholds (is less than those listed) then skip to section C. below and complete.
- B. If the project does meet or exceed the established thresholds for the type of development proposed, the Georgia Department of Community Affairs (DCA) "Developments of Regional Impact: Request for Review Form" is available online at the following website address: [www.dca.state.ga.us/DRI/](http://www.dca.state.ga.us/DRI/).
- C. I have reviewed and understand the attached "Thresholds: Developments of Regional Impact".
- ☐ The proposed project related to this rezoning request DOES NOT meet or exceed the established DRI thresholds.
- ☐ The proposed project related to this rezoning request DOES meet or exceed the established DRI thresholds and documentation regarding the required DRI Request for Review Form is attached.

Signed this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

APPLICANT'S SIGNATURE



### Developments of Regional Impact - Tiers and Development Thresholds

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

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**DISCLOSURE STATEMENT****(Please check one)****Campaign contributions:**☒ **No**☐ **Yes (see attached disclosure report)****TITLE 36. LOCAL GOVERNMENT****PROVISIONS APPLICABLE TO COUNTIES AND MUNICIPAL CORPORATIONS****CHAPTER 67A. CONFLICT OF INTEREST IN ZONING ACTIONS****O.C.G.A. § 36-67A-3 (2011)****§ 36-67A-3. Disclosure of campaign contributions**

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

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

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

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

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

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

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

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

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

## CHECKLIST OF ITEMS REQUIRED FOR REZONING REQUEST

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

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

Sharai & Cedric Johnson  
7903 Bluefin Tr  
Union City, GA 30291

Planning and Zoning Department  
Fayette County, GA

**Letter of Intent for Rezoning Request from Residential to Residential Agriculture**

Dear Fayette County Planning & Zoning,

We are writing to formally submit my request for the rezoning of my property located (Parcel ID: 0901 087 - Jewel Bluff) from Residential (R4) to Agriculture Residential (AR). The purpose of this rezoning request is to allow for small-scale, community-based farming activities that will benefit both our household and the surrounding community.

Our intent is to responsibly utilize my land for agricultural purposes, including the raising of poultry for eggs and meat. This initiative is not intended to be a commercial enterprise but rather a means to provide fresh, locally sourced food for my family and neighbors. The farming activities will be conducted in an environmentally sustainable manner, ensuring minimal impact on surrounding properties while fostering a sense of community and self-sufficiency.

We understand the importance of maintaining the integrity of the neighborhood and will comply with all local regulations regarding land use, animal welfare, and environmental considerations. Additionally, We are willing to work with local authorities to address any concerns that may arise regarding my rezoning request.

We appreciate your time and consideration of our application.

A handwritten signature in black ink, appearing to be 'Sharai & Cedric Johnson', written in a cursive, flowing style.

Sharai & Cedric Johnson

22-0329

Doc ID: 011544080002 Type: WD  
 Recorded: 05/18/2022 at 09:25:00 AM  
 Fee Amt: \$235.00 Page 1 of 2  
 Transfer Tax: \$210.00  
 Fayette, Ga. Clerk Superior Court  
 Sheila Studdard Clerk of Court  
 BK 5497 PG 33-34

Return Recorded Document to:  
 The Hawes Law Firm, LLC  
 425 Buford Highway  
 Suite 202  
 Suwanee, GA 30024

**LIMITED WARRANTY DEED**  
 (as Joint Tenants with Right of Survivorship)

**STATE OF GEORGIA,**

**COUNTY OF Gwinnett**  
**PARCEL ID# 0901 087**

File #: 22-0329

This Indenture made this 4 day of April 2022 between Shamekia Wade, of the County of Fayette, State of Georgia, as party or parties of the first part, hereinafter called Grantor, and Cedric Johnson and Sharai Johnson, as joint tenants with survivorship and not as tenants in common as parties of the second part, hereinafter called Grantees (the words "Grantor" and "Grantees" to include their respective heirs, successors and assigns where the context requires or permits).

**W I T N E S S E T H** that: Grantor, for and in consideration of the sum of **TEN AND 00/100'S (\$10.00) Dollars** and other good and valuable considerations in hand paid at and before the sealing and delivery of these presents, the receipts whereof is hereby acknowledged, has granted, bargained, sold, aliened, conveyed and confirmed, and by these presents does grant, bargain, sell, alien, convey and confirm unto the said Grantees, as joint tenants and not as tenants in common, for and during their joint lives, and upon the death of either of them, then to the survivor of them, in fee simple, together with every contingent remainder and right of reversion, and to the heirs and assigns of said survivor, the following described property:

All that tract or parcel of land lying and being in Land Lot 18 of the 9th District of Fayette County, Georgia and being more particularly described as follows: Beginning at a point on the center line of Lee's Lake Road 631.19 feet northwesterly, as measured along the center line of said road, following the curvature thereof, from the intersection formed by the center line of said road with the south line of Land Lot 18; running thence south 70 degrees 20 minutes west 579.9 feet to a fence post; running thence south 86 degrees 0 minutes 40 seconds west 748.2 feet to an iron pin; running thence north 0 degrees 54 minutes 30 seconds east 713.54 feet to an iron pin; running thence north 87 degrees 31 minutes east 1,256.72 feet to the center line of Lee's Lake Road; running thence a southwesterly, southerly and southeasterly direction, along the center line of Lee's Lake Road and following the curvature therefore, 572.66 feet to the point of beginning, Less and Except title to the within described property which lies within the right-of-way or bounds of Lee's Lake Road. All the within described property is more particularly shown on plat of survey dated March 20, 1971, prepared by M.E. Hyde & Associates, Registered Land Surveyors, as recorded in Plat Book 6, page 82 of Fayette County Records. Less and Except: All that tract or parcel of land lying and being in Land Lot 18 of the 9th District of Fayette County, Georgia, containing 2.00 acres and being more particularly described as follows: Beginning at a point on the center line of Cedar Trail (12' gravel) a distance of 629.76 feet Northwesterly from the point formed by the center of line Cedar Trail with the South line of Land Lot 18; running thence south 69 degrees 58' 30" West a distance of 12.78 feet to a point; running thence South 69 degrees 58' 30" West a distance of 359.34 feet to a point; running thence North 17 degrees 12' 24" West a distance of 271.58 feet to a point; running thence North 77 degrees 49' 50" East a distance of 346.04 feet to a point; running thence North 77 degrees 49' 50" East a distance of 15.00 feet to a point on the center line of Cedar Trail; running thence South 20 degrees 50' 29" East along the center line of Cedar Trail a distance of 223.98 feet to the point on beginning. Less and except here from is that proportion of property lying with the right of way of Cedar Trail.

22-0329

Also Known By Street and Number: **0 Jewel Bluff, Fayetteville, GA 30214**

**THIS CONVEYANCE is made subject to all zoning ordinances, easements and restrictions of record affecting said bargained premises.**

**TO HAVE AND TO HOLD** the said tract or parcel of land, with all and singular the rights, members and appurtenances thereof, to the same being, belonging, or in anywise appertaining, to the only proper use, benefit and behoove of the said Grantees, as joint tenants and not as tenants in common, for and during their joint lives, and upon the death of either of them, then to the survivor of them in **FEE SIMPLE**, together with every contingent remainder and right of reversion, and to the heirs and assigns of said survivor.

THIS CONVEYANCE is made pursuant to Official Code of Georgia Section 44-6-190, and it is the intention of the parties hereto to hereby create in Grantees a joint tenancy estate with right of survivorship and not as tenants in common.

AND THE SAID Grantor will warrant and forever defend the right and title to the above described property unto the said Grantee against the claims of all persons whomsoever.

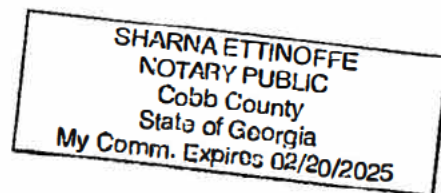
**IN WITNESS WHEREOF**, the Grantor has hereunto set grantor's hand and seal this day and year first above written.

Signed, sealed and delivered in the presence of:

Witness

Shameka Wade

Notary Public  
My commission expires:







Wednesday, March 12, 2025

Continued from page B4

Fayette County News B5

**PETITION FOR REZONING  
CERTAIN PROPERTIES  
IN UNINCORPORATED AREAS  
OF FAYETTE COUNTY,  
GEORGIA**

**PUBLIC HEARING** to be held before the Fayette County Planning Commission on Thursday, April 3, 2025, at 7:00 P.M. and before the Fayette County Board of Commissioners on Tuesday, April 22, 2025, at 5:00 P.M. in the Fayette County Administrative Complex, 140 Stonewall Avenue West, Public Meeting Room, First Floor, Fayetteville, Georgia.  
Petition No.: 1352-25  
Parcel No: 0901087

Owner: Sharai and Cedric Johnson  
Zoning District: R-70

Area of Property: 16.80 acres  
Land Lot(s)/District: Land Lot 18 of the 9th District

Fronts on: Jewel Bluff

Proposed: Applicant proposes to rezone 16.80 acres from R-70 (Single-Family Residential) to A-R (Agricultural-Residential) for the purposes of developing small farming activities.

A copy of the above is available in the office of the Fayette County Planning and Zoning Department, 140 Stonewall Avenue West, Suite 202, Fayetteville, Georgia.

**Legal Description**

All that tract or parcel of land lying and being in Land Lot 18 of the 9th District of Fayette County, Georgia and being more particularly described as follows: Beginning at a point on the center line of Lee's Lake Road 631.19 feet northwesterly, as measured along the center line of said road, following the curvature thereof, from the intersection formed by the center line of said road with the south line of Land Lot 18; running thence south 70 degrees 20 minutes west 579.9 feet to a fence post; running thence south 86 degrees 0 minutes 40 seconds west 748.2 feet to an iron pin; running thence north 0 degrees 54 minutes 30 seconds east 713.54 feet to an iron pin; running thence north 87 degrees 31 minutes east 1,256.72 feet to the center line of Lee's Lake Road; running thence a southeasterly, southerly and southeasterly direction, along the center line of Lee's Lake Road and following the curvature thereof, 572.66 feet to the point of beginning, Less and Except title to the within described property which lies within the right-of-way or bounds of Lee's Lake Road. All the within described property is more particularly shown on plat of survey dated March 20, 1971, prepared by M. E. Hyde & Associates, Registered Land Surveyors, as recorded in Plat Book 6, page 82 of Fayette County Records. Less and Except: All that tract or parcel of land lying and being in Land Lot 18 of the 9th District of Fayette

County, Georgia, containing 2.00 acres and being more particularly described as follows: Beginning at a point on the center line of Cedar Trail (12' gravel) a distance of 629.75 feet Northwesterly from the point formed by the center of the Cedar Trail with the South line of Land Lot 18; running thence South 69 degrees 58' 30" West a distance of 12.78 feet to a point; running thence South 69 degrees 55' 30" West a distance of 380.34 feet to a point; running thence North 17 degrees 12' 24" West a distance of 271.58 feet to a point; running thence North 77 degrees 49' 55" East a distance of 340.64 feet to a point; running thence North 77 degrees 49' 50" East a distance of 15.00 feet to a point on the center line of Cedar Trail; running thence South 20 degrees 50' 49" East along the center line of Cedar Trail a distance of 223.58 feet to the point or beginning, Less and except here from is that proportion of property lying with the right of way of Cedar Trail.

Also Known By Street and Number: 0 Jewel Bluff, Fayetteville, GA 30214  
03/12



# COUNTY AGENDA REQUEST

Page 85 of 110

Department:

Presenter(s):

Meeting Date:

Type of Request:

## Wording for the Agenda:

Approval to award Bid #2546-B: 2017 SPLOST; Stormwater Category II, Tier II; 21SAL North Bend Court Culvert Replacement to the lowest responsive, responsible bidder, Crawford Grading & Pipeline, Inc., in the amount of \$230,435.02. Request approval to transfer \$94,557.00 from 17SAS Stormwater Improvement Plans CAT IV to 221SAL to fully fund the project.

## Background/History/Details:

On March 21, 2017, the citizens of Fayette County voted to enact a Special Purpose Local Option Sales Tax (SPLOST) to replace failing infrastructure throughout the unincorporated area of Fayette County. North Bend Court is listed as a 2017 Stormwater SPLOST Category II, Tier II project.

This project consists of removing approximately 144-LF of existing deteriorated single 42-inch Corrugated Metal Pipe (CMP) and replacing with 44-LF of single 54-inch Reinforced Concrete Pipe (RCP). This project also consists of, but is not limited to, catch basin construction, waterline relocation, grading, curb and gutter replacement, and asphalt paving.

## What action are you seeking from the Board of Commissioners?

Approval to award Bid #2546-B: 2017 SPLOST; Stormwater Category II, Tier II; 21SAL North Bend Court Culvert Replacement to the lowest responsive, responsible bidder, Crawford Grading & Pipeline, Inc., in the amount of \$230,435.02. Request approval to transfer \$94,557.00 from 17SAS Stormwater Improvement Plans CAT IV to 221SAL to fully fund the project.

## If this item requires funding, please describe:

Available in 2017 SPLOST; Stormwater Category II, Tier II; 21SAL North Bend Court is \$135,878.16. The additional funding of \$94,557.00 is available in 17SAS Stormwater Improvements CAT IV to transfer to project 21SAL.

Has this request been considered within the past two years?

If so, when?

Is Audio-Visual Equipment Required for this Request?\*

Backup Provided with Request?

**\* 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

Administrator's Approval

## Staff Notes:



**Purchasing Department**  
 140 Stonewall Avenue West, Ste 204  
 Fayetteville, GA 30214  
 Phone: 770-305-5420  
[www.fayettecountyga.gov](http://www.fayettecountyga.gov)

To: Steve Rapson

Through: Ted L. Burgess 

From: Sherry White 

Date: April 22, 2025

**Subject: Contract #2546-B North Bend Court Culvert Replacement**

The Purchasing Department issued an Invitation to Bid 2546-B to secure a contractor to remove the existing deteriorated 42-inch Corrugated Metal Pipe (CMP) and replace with a single 54-inch Reinforced Concrete Pipe and headwalls. The notice of the opportunity was emailed to 101 companies. Another 301 were contacted through the web-based Georgia Procurement Registry, who had registered under commodity code #91339 (Construction, Pipe Culvert). The offer was also advertised through Georgia Local Government Access Marketplace and the County website.

Ten companies submitted bids (Attachment 1).

The Environmental Management Department (EMD) recommends awarding Crawford Grading and Paving Inc. A Contractor Performance Evaluation is available (Attachment 2). The available fund in project 21SAL is \$135,878.16. EMD suggest moving \$94,557.00 from project 17SAS Stormwater Improvement Plan CAT IV for the shortfall.

Specifics of the proposed contract are as follows:

<b>Contract Name</b>	2546-B North Bend Court Culvert Replacement	
<b>Contractor</b>	Crawford Grading and Paving Inc.	
<b>Contract Amount</b>	\$230,435.02	
<b>Budget:</b>		
Fund	322	2017 SPLOST
Org Code	32240320	Stormwater
Object	541210	Other Improvements
Project	21SAL	165 NORTH BEND CT
Available	\$230,435.16	After transfer from 17SAS

**INVITATION TO BID**  
**#2546-B North Bend Court Culvert Replacement**  
**Friday, April 4, 2025**

<b>COMPANY'S NAME</b>	<b>BID BASE TOTAL</b>
Site Engineering, Inc.	\$391,565.25
Sh Creel Contracting, LLC	\$332,866.73
Blount Construction Company Inc	\$325,038.47
Helix Grading & Utility, LLC	\$314,746.11
McLeroy	\$305,977.49
Piedmont Paving	\$277,890.76
Hughes Site Works	\$247,578.30
R&B Developer Inc.	\$246,795.54
MTG Inc.	\$232,805.11
Crawford Grading and Paving, Inc.	\$230,435.02



# FAYETTE COUNTY, GEORGIA CONTRACTOR PERFORMANCE EVALUATION

Page 1

1. Use this form to record contractor performance for any contract of \$50,000 or above.
2. The person who serves as project manager or account manager is the designated party to complete the evaluation.
3. This form is to be completed and forwarded to the Purchasing Department not later than 30 days after completion or expiration of a contract. Past performance is considered on future contracts.

VENDOR INFORMATION	COMPLETE ALL APPLICABLE INFORMATION
Company Name: Crawford Grading & Pipeline, Inc.	Contract Number: #1947-B
Mailing Address:	Contract Description or Title: 17SAA – Graves Road Culvert Replacement
City, St, Zip Code:	Contract Term (Dates) From:
Phone Number:	Task Order Number:
Cell Number: N/A	Other Reference:
E-Mail Address:	

## DEFINITIONS

**OUTSTANDING** – Vendor considerably exceeded minimum contractual requirements or performance expectations of the products/services; The vendor demonstrated the highest level of quality workmanship/professionalism in execution of contract.

**EXCELLENT (Exc)** - Vendor exceeded minimum contractual requirements or performance expectations of the products/services.

**SATISFACTORY (Sat)** - Vendor met minimum contractual requirements or performance expectations of the products/services.

**UNSATISFACTORY (UnSat)** - Vendor did not meet the minimum contractual requirements or performance expectations of the products and/or services; Performed below minimum requirements

## EVALUATIONS (Place "X" in appropriate box for each criterion.)

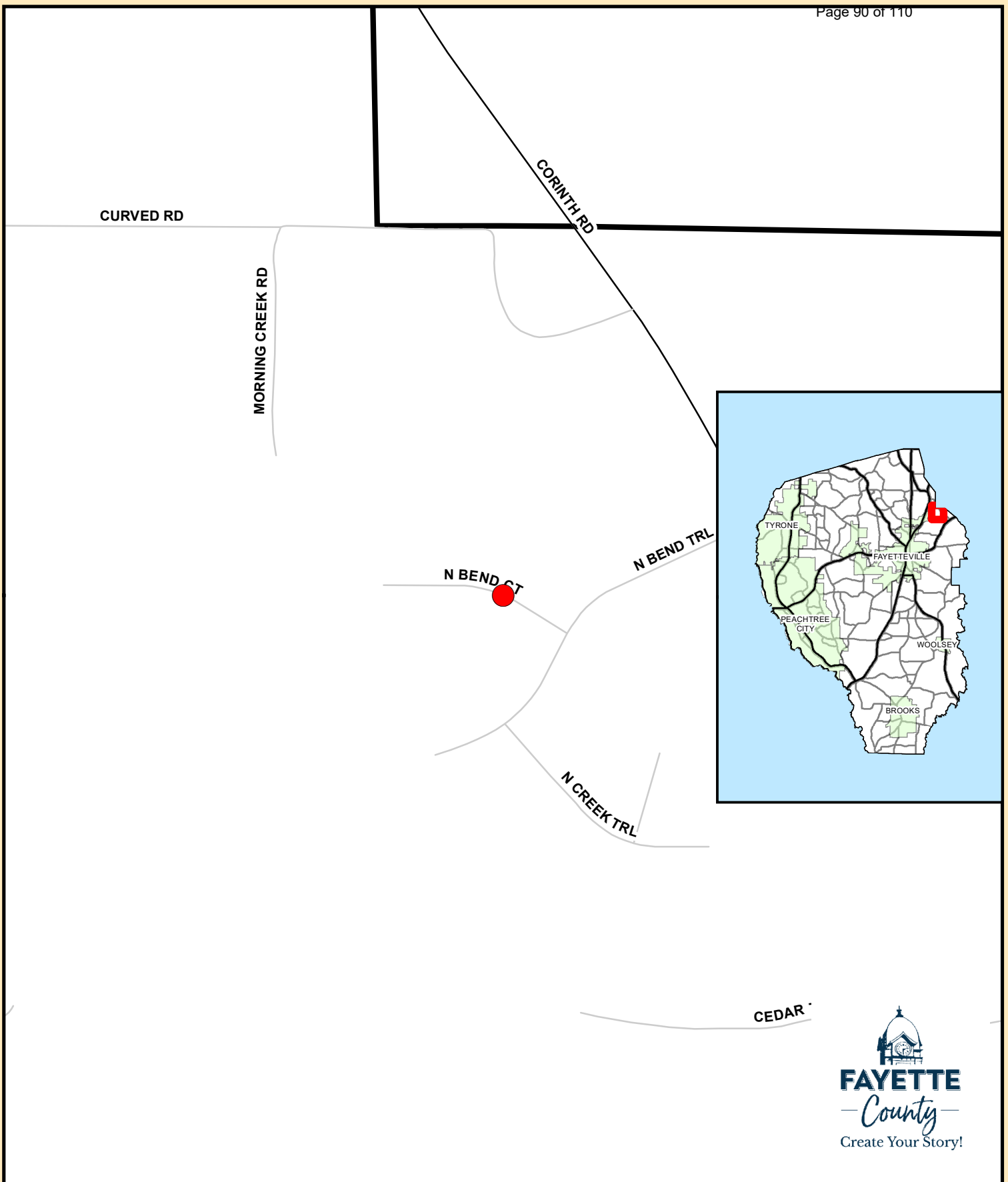
Criteria (includes change orders / amendments)	Out-standing	Exc	Sat	Un-Sat	Not Apply
1. Work or other deliverables performed on schedule	X				
2. Condition of delivered products		X			
3. Quality of work		X			
4. Adherence to specifications or scope of work		X			
5. Timely, appropriate, & satisfactory problem or complaint resolution		X			
6. Timeliness and accuracy of invoicing			X		
7. Working relationship / interfacing with county staff and citizens	X				
8. Service Call (On-Call) response time			X		
9. Adherence to contract budget and schedule			X		
10. Other (specify):					X
11. Overall evaluation of contractor performance					X

## EVALUATED BY

Signature: <i>Courtney Hassenzahl</i>	Date of Evaluation: 5/12/2021
Print Name: Courtney Hassenzahl	Department/Division: Environmental Management
Title: Asst. Director	Telephone No: 770-305-5410

[illegible]

<b>Purchasing Department Comments</b> (e.g. did the vendor honor all offers; submit insurance, bonds & other documents in a timely manner; and provide additional information as requested?):



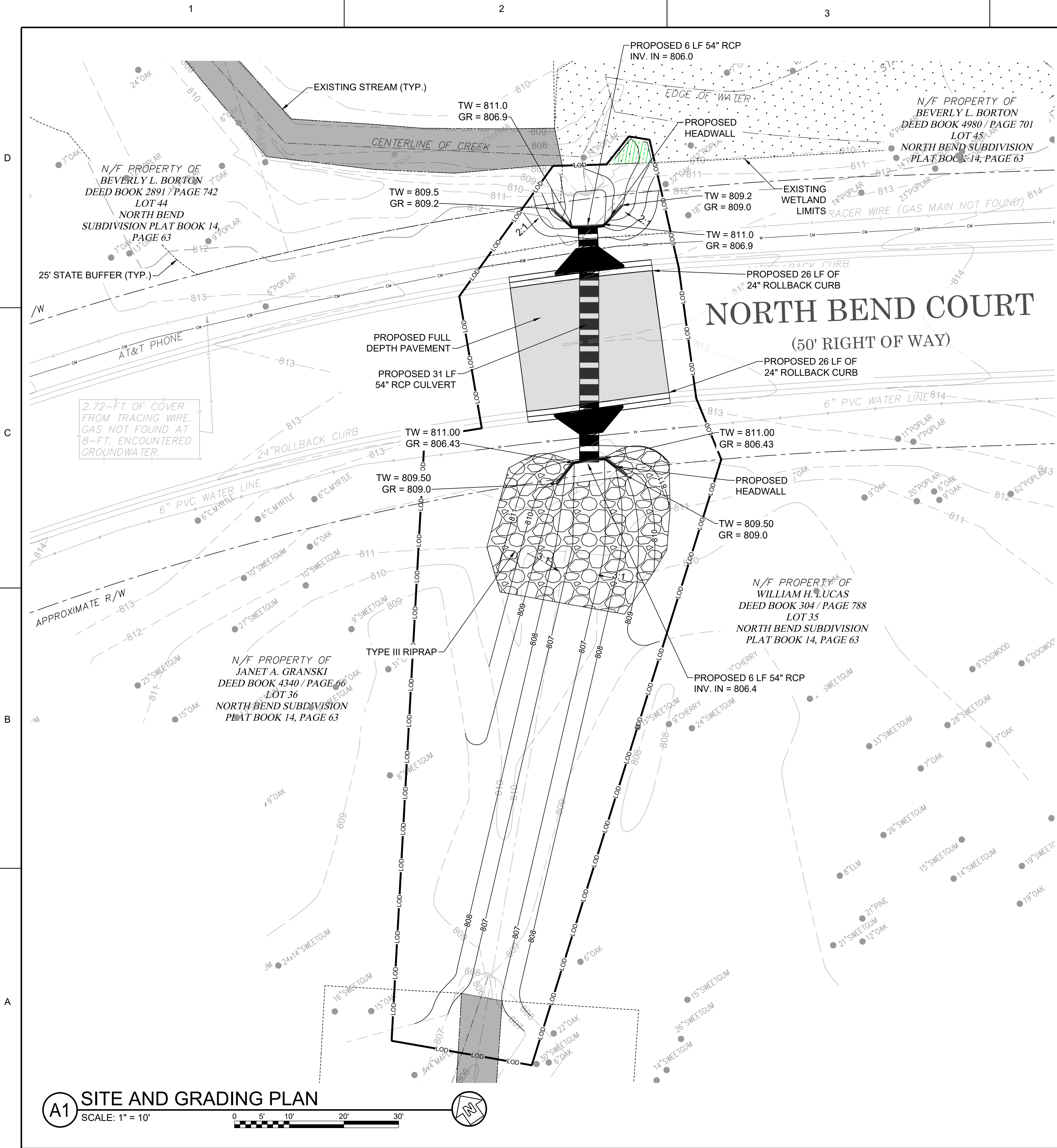
● Project Location

Fayette County 2017 SPLOST  
165 North Bend Court- 21SAL  
Stormwater Culvert Replacement





FILE PATH: X:\FY21\1210492\04 CAD\_BIM\04.02 CAD\CG101 PLOTTED BY: MACHUCA, KELANI DATE: 2/14/24



GENERAL SHEET NOTES

1. REFER TO SHEETS C-001 AND C-002 FOR LEGENDS, ABBREVIATIONS, AND CIVIL NOTES.
2. THIS SHEET IS PART OF A MULTI-SHEET SET OF CONSTRUCTION PLANS AND SHALL BE READ WITH THE FULL SET TO BEST ENSURE PROPER INTERPRETATION.
3. CONTRACTOR TO COORDINATE LANE CLOSURE WITH FAYETTE COUNTY AND ENGINEER. PROVIDE AT LEAST ONE 12 FOOT LANE FOR TRAFFIC AT ALL TIMES. CONFORM TO THE MANUAL ON UNIFORM TRAFFIC CONTROL DEVICE (MUTCD) AND GDOT STANDARDS.
4. ALL CONCRETE FORMWORK AND REINFORCING BARS TO BE INSPECTED BY ENGINEER'S OR OWNER'S FIELD REPRESENTATIVE IN CONJUNCTION WITH THE CONTRACTOR'S REPRESENTATIVE BEFORE CONCRETE IS PLACED.
5. AS-BUILT DRAWINGS SHALL CONTAIN ALL RELEVANT ELEVATIONS AND INVERTS. (ALL AS-BUILT DRAWINGS SHOULD BE CERTIFIED BY A GEORGIA REGISTERED LAND SURVEYOR).
6. CONTRACTOR TO ESTABLISH TEMPORARY SUPPORT FOR EXISTING UTILITIES AND MAINTAIN IT THROUGHOUT CONSTRUCTION.
7. CONTRACTOR TO BE RESPONSIBLE FOR THE REPAIR OF ANY DAMAGED CURB OR DRIVEWAYS DURING CONSTRUCTION.
8. CONTRACTOR TO BE RESPONSIBLE FOR THE REPAIR OF ANY DAMAGED ROADWAY/ASPHALT DURING PROJECT CONSTRUCTION, AS WELL AS REPLACEMENT AND RELOCATION OF MAILBOXES.
9. THE STRUCTURE SHOP DRAWINGS ARE TO BE APPROVED BY ENGINEER FOR OWNER.
10. 22.4 SQ. FT. OF IMPACT TO EXISTING WETLANDS.
11. UTILITIES SHOWN ON PLANS LOCATED IN FIELD BY UNITED CONSULTING, PROJECT NUMBER ARCD5-21-GA-05657-01, DATED SEPTEMBER 7, 2021.

GRADING NOTES:

1. ROAD TO BE GRADED FROM CROWN TO EDGE OF ASPHALT AT 1/4" PER 1'
2. MAXIMUM SLOPES ALLOWED WITHIN FAYETTE COUNTY RIGHT-OF-WAY SHALL BE 2:1. PROVIDE GENTLER SLOPES WHERE POSSIBLE.

NOTE

TEMPORARY AND PERMANENT EASEMENTS ARE SHOWN ON CG301.

SHEET LEGEND

	FULL DEPTH ASPHALT PAVING AND CURB/GUTTER (FOUNDATION TYPE REFER TO FAYETTE COUNTY TYPICAL)
	LIMITS OF DISTURBANCE
	APPROXIMATE RIGHT OF WAY PROPERTY LINE
	25 FOOT STATE BUFFER
	EXISTING WETLAND LIMITS
	EXISTING STREAM LIMITS
	TYPE I RIPRAP
	WATERLINE
	OVERHEAD ELECTRICAL
	COMMUNICATION LINE
	GAS LINE
	DISTURBED WETLANDS. 23 S.F. OF IMPACT TO EXISTING WETLAND



3500 Parkway Lane  
Suite 500  
Peachtree Corners  
Georgia 30092

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EOR/AOR SEAL



CLIENT INFORMATION

FAYETTE COUNTY

140 STONEWALL AVE W, STE 203  
FAYETTEVILLE, GA. 30214

PROJECT NAME

NORTH BEND  
COURT  
CULVERT  
REPLACEMENT

FAYETTE COUNTY, GA

DRAWING ISSUE

DATE

DESCRIPTION

MARK

DESIGNED BY: MDW  
DRAWN BY: MDW  
CHECKED BY: DMM/MDM  
SUBMITTED BY: DMM  
DATE: February 14, 2024  
PROJECT # 1210492

SHEET TITLE

SITE AND  
GRADING PLAN

SHEET NUMBER

CG101

SHEET 6 OF 19

ORIGINAL SHEET SIZE:  
22" X 34"

General Information		Map	
Project ID			
Street Name	165 North Bend Court		
Site Visit Date	2/4/2016		
Road Classification	Minor road		
Project Notes			
Field Notes			
Design (Existing Site Features)			
Existing Road Laneage	2-11.5'		
Existing Shld Width (paved and grass) (feet)	14'		
Existing Side Slopes	3:1		
Existing Guardrail	N/A		
Depth fm Pavement to Top of Culvert (ft):	5'		
Pipe Type and Size	42" CMP		
Pipe Condition (1-5) (1 is new)	3-4		
Considirable rusting.			
Pavement Type/Condition	Asphalt/Good		
Environmental Features		Stage Construction Options	
Wetlands		Close Location to Traffic	
Ditches		Maintain One Lane - No Temp Pavement	X
State Waters		Maintain One Lane - Temp Pavement	
Utilities (Visual Inspection)		Stage Construction Notes:	
Electric	Aerial	Roadsides are heavily brushed, staging area may need to be cleared.	
Cable	Unknown		
Phone	Aerial		
Gas	Unknown		
Water	Unknown		
Sewer	Unknown		
Other	Unknown		
Proposed Design			
Roadway Section	Typical		
Culvert Size & Material	2 x 42" round RCPs with straight headwalls.		
Utility Relocations	Utility pole and hung wires, possible water main		
Guardrail Replacement			
Miscellaneous Features			
Planning Cost Estimate			
Type	Notes	Total	
Design	Includes 10% Construction cost and surveying needs	\$16,011	
Right of Way Cost	Assuming project extends beyond ROW, 1/5 acre	\$34,848	
Utility Relocation Cost	Aerial phone and electric, utility pole, water main	\$16,638	
Construction Cost		\$110,113	
Environmental Permits	Assuming minimal environmental permitting required	\$10,000	
Total Planning Estimate		\$187,610	





**Photo 1:** Upstream end of culvert looking South towards North Bend Court



**Photo 2:** Downstream looking South towards North Bend Court.

## North Bend Court

**Photo Date:**

2/4/2016

**Taken By:**

Christian Helfrich

**Page**

1

## Roadway Construction, Utility Relocation and ROW Quantity Calculations

Roadway Construction	Removal Unit Cost	Installation Unit Cost	Amount	Total Cost
Pavement (SF)	\$ 0.73	\$ 4.87	276.00	\$ 1,547.07
Curb and Gutter (LF)	\$ 28.56	\$ 30.60	40.00	\$ 2,366.40
Drain Inlet (EA)		\$ 3,000.00	2.00	\$ 6,000.00
4" Sidewalk (SY)	\$ 13.56	\$ 36.90	0.00	\$ -
Guardrail (LF)	\$ 4.88	\$ 49.09	0.00	\$ -
End Anchorage (EA)		\$ 1,380.00	0.00	\$ -
Subtotal				\$ 9,913.47

Grading Complete (5% of Rwy Items & Drng Total \$)	\$ 4,296.91
--	-------------

Roadway Total	\$ 14,210.38
---------------	--------------

Drainage	Removal Unit Cost	Installation Unit Cost	Amount	Total Cost
Trench Excavation (CY)		\$ 10.38	472.22	\$ 4,901.67
42" CMP (LF)	\$ 24.60		176.00	\$ 12,988.80
42" RCP (LF)		\$ 142.52	272.00	\$ 38,766.53
Class A Conc (CY)		\$ 892.19	14.66	\$ 13,079.48
Steel (lb)		\$ 1.42	0.00	\$ -
Pipe Bedding (CY)		\$ 48.60	62.96	\$ 3,060.00
Trench Backfill (CY)		\$ 2.99	399.72	\$ 1,194.38
Trench Compaction (CY)		\$ 6.36	319.78	\$ 2,033.80

Drainage Total	\$ 76,024.64
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Signing and Marking	Installation Unit Cost	Amount	Total Cost
Permanent Striping (LF)	\$ 0.71	0.00	\$ -

Signing and Marking Total	\$ -
---------------------------	------

Staging	Installation Unit Cost	Amount	Total Cost
Clearing and Grubbing (Acre)	\$ 10,260.00	0.25	\$ 2,565.00
Temporary Pavement			\$ -
Temporary Drainage (Stream Diversion)	\$ 4,428.00	1.00	\$ 4,428.00

Staging Total	\$ 6,993.00
---------------	-------------

Erosion Control	Installation Unit Cost	Amount	Total Cost
Fine Grading and Seeding (SY)	\$ 4.39	150.67	\$ 661.73
Temporary Grassing (AC)	\$ 855.60	0.00	\$ -
Type C Silt Fence (LF)	\$ 4.24	272.00	\$ 1,152.19
Check Dam Type C Silt Fence (LF)	\$ 6.79	272.00	\$ 1,847.42
Erosion Control Mats (SY)	\$ 1.87	0.00	\$ -
Landscape Mulch (SY)	\$ 3.58	0.00	\$ -
Perm Grassing (AC)	\$ 1,402.20	0.00	\$ -
Rip Rap Type 3 12" (SY)	\$ 60.98	16.00	\$ 975.74
Plastic Filter Fabric (SY)	\$ 5.72	16.00	\$ 91.58
4" Ditch Paving (SY)	\$ 54.65	0.00	\$ -

Erosion Control Total	\$ 4,728.67
-----------------------	-------------

Construction Cost Total	\$ 101,956.69
-------------------------	---------------

Traffic Control (8% of Construction Total \$)	\$ 8,156.54
---	-------------

Construction Cost Grand Total	\$ 110,113.23
-------------------------------	---------------

Utility Relocation	Removal Unit Cost	Installation Unit Cost	Amount	Total Cost
Electric				
Aerial	\$ 11.00	\$ 55.00	100.00	\$ 6,600.00
Buried	\$ 16.50	\$ 82.50	0.00	\$ -
Wooden Pole	\$ 82.50	\$ 605.00	1.00	\$ 687.50
Phone				
Aerial	\$ 11.00	\$ 27.50	100.00	\$ 3,850.00
Buried	\$ 16.50	\$ 55.00	0.00	\$ -
Wooden Pole	\$ 82.50	\$ 605.00	0.00	\$ -
Cable				
Aerial	\$ 11.00	\$ 27.50	0.00	\$ -
Buried	\$ 16.50	\$ 55.00	0.00	\$ -
Wooden Pole	\$ 82.50	\$ 605.00	0.00	\$ -
Gas				
4" main	\$ 16.50	\$ 66.00	0.00	\$ -
Water				
8" main	\$ 16.50	\$ 93.50	50.00	\$ 5,500.00
Relocate Fire Hydrant (EA)		\$ 2,609.22	0.00	\$ -
Sewer				
12" main	\$ 16.50	\$ 82.50	0.00	\$ -
Utility Relocation Total				\$ 16,637.50

Right of Way (Sq Ft)	Cost/ Sq Ft	Sq Ft	Total Cost
Permanent Easement	\$ 4.00	8712.00	\$ 34,848.00
ROW Total			\$ 34,848.00

# COUNTY AGENDA REQUEST

Page 95 of 110

Department: Administration

Presenter(s): Steve Rapson, County Administrator

Meeting Date: Thursday, May 8, 2025

Type of Request: Consent #4

## Wording for the Agenda:

Approval of an agreement with Fayetteville Main Street, a domestic nonprofit corporation of the City of Fayetteville, for lighting of trees on the Old Courthouse Square, located at 200 Courthouse Square, Fayetteville, Georgia.

## Background/History/Details:

Fayetteville Main Street, a domestic nonprofit corporation of the City of Fayetteville, purchased and requested to install lights on the trees at the Old Courthouse Square during Christmas 2024. Since that time, Main Street (the City) has requested to have the lights remain on the trees for the aesthetics of downtown Fayetteville.

This agreement would allow the lights to remain and Main Street (the City) to be responsible for all necessary maintenance of the lights and the County responsible for the maintenance of the trees, and electricity provided for the lights.

The agreement shall remain in effect until either party provides written notice of termination. The agreement shall terminate ninety (90) days after notice of termination from either party.

## What action are you seeking from the Board of Commissioners?

Approval of an agreement with Fayetteville Main Street, a domestic nonprofit corporation of the City of Fayetteville, for lighting of trees on the Old Courthouse Square, located at 200 Courthouse Square, Fayetteville, Georgia.

## If this item requires funding, please describe:

Not applicable.

Has this request been considered within the past two years? No

If so, when?

Is Audio-Visual Equipment Required for this Request?\* No

Backup Provided with Request? Yes

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

Approved by Finance Not Applicable

Reviewed by Legal Yes

Approved by Purchasing Not Applicable

County Clerk's Approval Yes

Administrator's Approval

## Staff Notes:

STATE OF GEORGIA

COUNTY OF FAYETTE

**AGREEMENT FOR LIGHTING OF TREES ON THE  
OLD COURTHOUSE LAWN**

This Agreement entered this \_\_\_\_ day of \_\_\_\_\_, 2025 between the FAYETTEVILLE MAIN STREET TOURISM ASSOCIATION, INC., a domestic nonprofit corporation of the City of Fayetteville, Georgia, hereinafter referred to as "The City" and FAYETTE COUNTY, Georgia, a political subdivision of the State of Georgia, hereinafter referred to as "The County" for the purpose of formalizing the maintenance and equipment exchange for the lighting of trees at the Old Courthouse Square, located at 200 Courthouse Square, Fayetteville, Georgia 30214, and other related services as provided herein.

WITNESSETH:

**WHEREAS**, the City of Fayetteville purchased and installed certain tree lighting on the grounds of the Old Fayette County Courthouse Square for Christmas 2024; and

**WHEREAS**, both the City and the County have enjoyed the addition of the lighting at the Old Courthouse Square and both agree that the ongoing presence of the lighting is a desirable permanent addition to the Old Courthouse Square; and

**WHEREAS**, both the City and the County recognize the importance of maintaining the aesthetics and function of said lighting on a perpetual basis; and

**WHEREAS**, The City desires to provide all necessary maintenance services, including all equipment necessary for such maintenance, needed to ensure the ongoing function, desired aesthetics, and good repair of the lighting of the trees at



the Old Courthouse Square; and

**WHEREAS**, The County desires to bear those costs associated with the provision of electricity to the lights of the trees at the Old Courthouse Square; and

**WHEREAS**, both The City and The County desire to set forth the terms of their respective responsibilities and obligations regarding the lighting and maintenance of the trees at the Old Courthouse Square; and

**NOW THEREFORE**, in consideration of the mutual agreement contained herein, The City and The County agree as follows:

**TERM OF AGREEMENT:**

This Agreement shall become effective immediately following approval by the County Board of Commissioners and the Fayetteville Main Street Tourism Association, Inc., a domestic nonprofit corporation of the City of Fayetteville, Georgia. The agreement shall remain in effect until either party provides written notice of termination. The Agreement shall terminate ninety (90) days after such notice.

**CITY:**

The City shall provide all maintenance services, including all equipment necessary for such maintenance, needed to ensure the ongoing function, desired aesthetics, and good repair of the lighting of the trees at the Old Courthouse Square. The lights shall at all times be kept in good repair. Should the lights fall into disrepair, the County shall retain the right to remove the lighting after providing notice to the City of Fayetteville and allowing the City thirty (30) days to cure the disrepair.

**COUNTY:**

The County shall bear all costs associated with the provision of electricity to the lights installed on the trees at the Old Courthouse Square, including any costs associated with routing the supply of electricity to the of the trees at the Old Courthouse Square. The County shall at all times and is exclusively responsible for maintaining the health and beautification of all physical aspects (apart from the installation of lighting) of the trees at the Old Courthouse Square. The City shall not at any time endeavor to trim, limb, prune or otherwise take any action (apart from installation of lighting) that would alter or impact the health or well-being of the trees at the Old Courthouse Square.

**TERMINATION:**

Either party may terminate this Agreement by providing written notice to the other party at least ninety (90) days prior to the date of termination.

**INDEMNIFICATION:**

To the fullest extent permitted by law, the City agrees to and hereby does defend, hold harmless and indemnify the County and its officers, directors, employees, agents and representatives from and against any and all claims, damages, demands, actions, judgments, losses, costs, penalties, liabilities, assessments and expenses, including, but not limited to, attorney's fees that arise out of or are a direct result of the lighting and maintenance work performed under this agreement and which are not incurred or suffered due to the negligence of the County.

To the fullest extent permitted by law, the County agrees to and hereby does defend, hold harmless and indemnify the City and its officers, directors, employees,

agents and representatives from and against any and all claims, damages, demands, actions, judgments, losses, costs, penalties, liabilities, assessments and expenses including, but not limited to, attorney's fees that arise out of, or are a direct result of the lighting and maintenance work performed under this agreement and which are not incurred or suffered due to the negligence of the City.

**COMPLETE AGREEMENT:**

This Agreement is a full and complete statement of the agreement of the parties as to the subject matter hereof and has been authorized by proper action of the respective parties.

**SEVERABILITY:**

Should any provision of this Agreement or application thereof be held invalid or unenforceable, the remainder of this Agreement or the application of such provision, other than those to which it is held invalid or unenforceable, shall not be affected thereby, and each provision of this Agreement shall be valid and enforceable to the full extent permitted by law.

**(SIGNATURES TO FOLLOW ON NEXT PAGE)**

**IN WITNESS WHEREOF**, the parties hereto have set their hands and seals on the date  
first above written.

**FAYETTE COUNTY, GEORGIA**

By: \_\_\_\_\_  
Lee Hearn, Chairman

Attest:

(COUNTY SEAL)

\_\_\_\_\_  
Tameca P. Smith, County Clerk

**FAYETTEVILLE MAIN STREET  
TOURISM ASSOCIATION, INC.**

By: \_\_\_\_\_  
Nancy Musselwhite, Chair

Attest:

(CITY SEAL)

\_\_\_\_\_  
Dan Vano, Secretary

April 16, 2025

**BOARD OF COUNTY COMMISSIONERS**

Lee Hearn, Chairman  
Edward Gibbons, Vice Chairman  
Eric K. Maxwell  
Charles D. Rousseau  
Charles W. Oddo

Consent #5

**FAYETTE COUNTY, GEORGIA**

Steve Rapson, County Administrator  
Dennis A. Davenport, County Attorney  
Tameca P. Smith, County Clerk  
Marlena Edwards, Chief Deputy County Clerk

140 Stonewall Avenue West  
Public Meeting Room  
Fayetteville, GA 30214



**MINUTES**

April 10, 2025  
5:00 p.m.

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Welcome to the meeting of your Fayette County Board of Commissioners. Your participation in County government is appreciated. All regularly scheduled Board meetings are open to the public and are held on the 2<sup>nd</sup> and 4<sup>th</sup> Thursday of each month at 5:00 p.m.

**OFFICIAL SESSION:**

**Call to Order**

Chairman Lee Hearn called the April 10, 2025 Board of Commissioners meeting to order at 5:01 p.m. A quorum of the Board was present.

**Invocation and Pledge of Allegiance by Chairman Lee Hearn**

Chairman Hearn offered the invocation and led the audience in the Pledge of Allegiance.

**Acceptance of Agenda**

Commissioner Charles Oddo moved to accept the agenda as written. Vice Chairman Edward Gibbons seconded. The motion passed 5-0.

**PROCLAMATION/RECOGNITION:**

**1. Proclamation to recognize April as Safe Digging Month in Fayette County.**

Chairman Hearn, on behalf of the Board, presented a Safe Digging Month proclamation, recognizing April as Safe Digging Month in Fayette County encouraging citizens to call 811 before digging.

**PUBLIC HEARING:** None.

**PUBLIC COMMENT:**

**Chealsea Williby of Fayetteville** expressed her concern regarding the rising creek levels and stormwater runoff/drainage in her neighborhood, specifically on her property because she was positioned downstream in the area and was being negatively affected.

**Mark Brelsford of Fayetteville** asked for an update on the soccer facility construction.

Chairman Hearn advised both commenters to reach out the County Administrator, Steve Rapson, for guidance and information regarding their concerns.

### **CONSENT AGENDA:**

Commissioner Oddo moved to approve the Consent Agenda as presented. Commissioner Gibbons seconded. The motion passed 5-0.

- 2 Approval of an Intergovernmental Agreement with the Town of Woolsey allowing for the Fayette County Board of Elections to act as Superintendent of Elections for all elections held in Town of Woolsey in 2025.**
- 3 Approval of March 27, 2025, Board of Commissioners Meeting Minutes.**

### **OLD BUSINESS**

### **NEW BUSINESS:**

- 4 Request to close McCurry Park North on November 8, 2025, from 7:00 a.m. to 12:00 p.m. for the TJ Thomas Jefferson Foundation 5K to raise awareness regarding Prostrate Cancer and raise funds for their foundation to continue servicing the communities of Fayette and Coweta.**

Parks and Recreation Director, Anita Godbee, advised the Board that this request was to close McCurry Park North on November 8, 2025, from 7:00 a.m. to 12:00 p.m. for the TJ Thomas Jefferson Foundation 5K. She noted that this was a repeat event successfully held last year and in memory of one of the founding charter members who unfortunately passed away due to complications of cancer and to raise awareness regarding Prostrate Cancer and prevention. Mrs. Godbee stated that any funds raised during the event would be utilized to offer scholarships to Fayette County High School. Mrs. Godbee outlined details of the event including the 5K course. She noted that the organization was in communication with Georgia Department of Transportation, local law enforcement, and Fire and Emergency Management Services and were aware of all the process, procedures and required fees associated with this event.

Vice Chairman Gibbons moved to approve to close McCurry Park North on November 8, 2025, from 7:00 a.m. to 12:00 p.m. for the TJ Thomas Jefferson Foundation 5K to raise awareness regarding Prostrate Cancer and raise funds for their foundation to continue servicing the communities of Fayette and Coweta. Commissioner Rousseau seconded.

Commissioner Oddo asked how traffic would work during this event, specifically on Highway 54.

Mrs. Godbee stated that there would be a combination of barricades, signage, and law enforcement in place for traffic mitigation. She noted that one lane on Highway 54 would be closed to road traffic.

Vice Chairman Gibbons moved to approve to close McCurry Park North on November 8, 2025, from 7:00 a.m. to 12:00 p.m. for the TJ Thomas Jefferson Foundation 5K to raise awareness regarding Prostrate Cancer and raise funds for their foundation to continue servicing the communities of Fayette and Coweta. Commissioner Rousseau seconded. The motion passed 5-0.

- 5. Request to enter into an intergovernmental agreement with the City of Fayetteville for a permanent easement and connection into City sanitary sewer lines for the Multi-Use Recreation Center project.**

Project Manager, Tim Symonds, stated that this item was seeking approval of an intergovernmental agreement (IGA) with the City of Fayetteville for a permanent easement and connection into City sanitary sewer lines for the Multi-Use Recreation Center project. He stated that the design of the sanitary sewer lines called for a connection into the City of Fayetteville sewer which serves the subdivision behind Patriot Park. Mr. Symonds stated that the IGA had already been reviewed by both agencies' legal and executed by the City of Fayetteville.



Vice Chairman Gibbons moved to approve to enter into an intergovernmental agreement with the City of Fayetteville for a permanent easement and connection into City sanitary sewer lines for the Multi-Use Recreation Center project. Commissioner Oddo seconded.

Commissioner Maxwell stated that from his recollection there was a Parks and Recreation restroom facility on a septic system at this same field. He noted that there had been an issue with that system years ago. He asked if there had been any recent problems with this restroom and if this restroom facility could also be added to this connection request.

Mrs. Godbee stated that fortunately there had not been any recent issues or concerns related to the restroom facilities' septic system. The restroom facility in question was too far away to be added to this connection, there was a closer sewer connection, if needed in the future.

Vice Chairman Gibbons moved to approve to enter into an intergovernmental agreement with the City of Fayetteville for a permanent easement and connection into City sanitary sewer lines for the Multi-Use Recreation Center project. Commissioner Oddo seconded. The motion passed 5-0.

**6. Request to award Contract #2018-P, Task Order #51 to Pond & Company for a Not to Exceed (NTE) amount of \$228,907.00 for full design and engineering of Phase II Building and site plans for the Animal Shelter (R23AF).**

County Administrator Steve Rapson stated that this request was seeking approval to award Contract #2018-P, Task Order #51 to Pond & Company for a Not to Exceed (NTE) amount of \$228,907.00 for full design and engineering of Phase II Building and site plans for the Animal Shelter (R23AF).

Vice Chairman Gibbons moved to award Contract #2018-P, Task Order #51 to Pond & Company for a Not to Exceed (NTE) amount of \$228,907.00 for full design and engineering of Phase II Building and site plans for the Animal Shelter (R23AF). Commissioner Oddo seconded. The motion passed 5-0.

**ADMINISTRATOR'S REPORTS:**

**A: Contract #2468-B: Brooks Baseball Fields #1 and #3 Fencing**

**B: Contract #2491-A: FY25 Roadside Tree Pruning**

**C: Contract #2502-A: FY25 Crack Sealing Project**

**D: Contract #2504-S Starr's Mill School Tunnel CEI Services**

Mr. Rapson advised the Board that they had received notice from the Georgia Emergency Management Homeland Security Agency, stating that Fayette County had received certification for standards outlined in the Georgia Emergency Management Homeland Security federal/local disaster match policy, which qualified the County to receive specific discounts. He also stated that the Fayette County Health Facility held its grand opening/ribbon cutting this afternoon and was a huge success and well attended.

**ATTORNEY'S REPORTS:**

**Notice of Executive Session:** County Attorney Dennis Davenport stated that there were eight items for Executive Session. Seven items involving threatened litigation, and the review of the March 13, 2025 Executive Session Minutes.

**COMMISSIONERS' REPORTS:**

**Commissioner Maxwell** extended his congratulations and kudos for the Fayette County Health Facility ribbon cutting and grand opening. He noted that although he did not vote for or against this project, he was happy to say it was a job well done, a beautiful building and even came in under budget. Commissioner Maxwell also stated that considering the frequency of major weather

events he urged all to take note of proper safety procedures in place to ensure everyone remains safe during an incident. He commended County staff for their efforts and acknowledged the consistency of County sirens advising pending danger. He encouraged community awareness and education so that when things happen citizens know what to do.

**Commissioner Rousseau** echoed Commissioner Maxwell's sentiments, thanking County staff for their efforts in maintaining equipment ensuring that the County sirens were working and ready when needed.

**Commissioner Oddo** noted that there was also an app available for citizens to get updates, alerts, and notices regarding weather events. He also stated that he was excited for the next phase of the Animal Shelter and felt it would be a beautiful facility.

Commissioner Oddo stated that the new Department of Health facility was a beautiful building. He stated that he was absent from the last Board meeting due to feeling ill and in an effort of not spreading germs, he stayed home but remained connected by watching the meeting via livestream.

**Chairman Hearn** stated that he would love to see an education initiative for citizens on how to install the weather alert app onto their phone. He stated that he appreciated the proactiveness of staff in keeping everyone informed about what was happening and where, to help keep us stay safe. He extended a thank you to all involved in these efforts.

Chairman Hearn stated that the Board had been invited to an inaugural regional assembly on June 26<sup>th</sup> at Cobb Galleria. He concluded that he had received an email from Anna Roach, Executive Director of the Atlanta Regional Commission (ARC) notifying the County of federal funding being directed to the County for two projects, one for \$800K for a roundabout/intersection improvement project and the second for over \$3M for a realignment project. He extended a thank you to Public Works Director Phil Mallon and his team and noted this was the reason the County was a part of the ARC; it had a huge impact on the citizens in the community.

#### **EXECUTIVE SESSION:**

**Seven items involving threatened litigation, and the review of the March 13, 2025 Executive Session Minutes.**

Commissioner Rousseau moved to go into Executive Session. Commissioner Oddo seconded. The motion passed 5-0.

The Board recessed into Executive Session at 5:26 p.m. and returned to Official Session at 5:41 p.m.

**Return to Official Session:** Commissioner Rousseau moved to return to Official Session. Commissioner Oddo seconded. The motion passed 5-0.

**Approval to Sign the Executive Session Affidavit:** Commissioner Oddo moved for the Chairman to sign the Executive Session Affidavit. Vice Chairman Gibbons seconded. The motion passed 5-0.

**Approval of the March 13, 2025 Executive Session Minutes:** Commissioner Oddo moved to approve March 13, 2025, Executive Session Minutes. Chairman Hearn seconded the motion. The motion passed 5-0.

#### **ADJOURNMENT:**

Commissioner Oddo moved to adjourn the April 10, 2025 Board of Commissioners meeting. Vice Chairman Gibbons seconded. The motion passed 5-0.

The April 10, 2025 Board of Commissioners meeting adjourned at 5:42 p.m.

The foregoing minutes were duly approved at an official meeting of the Board of Commissioners of Fayette County, Georgia, held on the 22<sup>nd</sup> day of April 2025. Attachments are available on request at the County Clerk's Office.

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Marlena Edwards, Chief Deputy County Clerk

# COUNTY AGENDA REQUEST

Page 106 of 110

Department: Parks & Recreation

Presenter(s): Tim Symonds, Consultant

Meeting Date: Tuesday, April 22, 2025

Type of Request: New Business #6

## Wording for the Agenda:

Request to approve Contract 2506-P, MEJA Construction, Inc.; Fayette County Multi-Use Recreation Building; Change Order #1, to add the construction price of \$19,592,802.00 to the initial contract amount of \$1,047,500.00 for a total Guaranteed Maximum Price of \$20,640,302.00.

## Background/History/Details:

The Fayette County Multi-Use Recreation Center project at Kiwanis Park has completed the design phase of the project and is approaching the construction phase. MEJA was appointed as Construction Manager at Risk (CMAR) at the February 13, 2025, Board of Commissioners meeting.

Since being appointed, MEJA and the Project Team have carried out a constructibility review of the design and have worked on developing the Guaranteed Maximum Price (GMP). MEJA has received pricing from their sub-contractors which has been reviewed by the Project Team and a GMP of \$20,640,302.00 is being offered. This is in line with the budget - see the attached Total Cost Report. An independent Cost Estimate was carried out on the drawings and this came to \$20,629,559 - however, this did not include the demolition of the existing building.

The proposed schedule will start on site in May 2025, with all construction being completed by September 2026.

## What action are you seeking from the Board of Commissioners?

Approval of Contract 2506-P, MEJA Construction, Inc.; Fayette County Multi-Use Recreation Building; Change Order #1, to add the construction price of \$19,592,802.00 to the initial contract amount of \$1,047,500.00 for a total Guaranteed Maximum Price of \$20,640,302.00.

## If this item requires funding, please describe:

Project Funding is available under R23AA in the sum of \$22,740,628.19

Has this request been considered within the past two years? No

If so, when?

Is Audio-Visual Equipment Required for this Request?\* No

Backup Provided with Request? Yes

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

Approved by Finance Yes

Reviewed by Legal

Approved by Purchasing Yes

County Clerk's Approval Yes

Administrator's Approval

## Staff Notes:



**Purchasing Department**  
 140 Stonewall Avenue West, Ste 204  
 Fayetteville, GA 30214  
 Phone: 770-305-5420  
[www.fayettecountyga.gov](http://www.fayettecountyga.gov)

To: Steve Rapson

Through: Ted L. Burgess 

Date: April 22, 2025

**Subject: Contract #2506-P: Fayette County Multi-Use Recreation Building – CMAR  
 Change Order #1: Guaranteed Maximum Price**

On February 13, 2025 the Board of Commissioners awarded construction of the Fayette County Multi-Use Recreation Building to Meja Construction, Inc. This project consists of a 45,645 square foot building with sports courts, a walking /jogging track, a community kitchen, community meeting rooms, multipurpose rooms, offices, changing rooms, and support spaces. It will be located at 980 Redwine Road, Fayetteville, GA and will replace the existing Kiwanis Park facility.

As the Construction Manager at Risk (CMAR), MEJA provided construction advice during the pre-construction and design phase, and developed a Guaranteed Maximum Price (GMP).

The initial contract price of \$1,047,500.00 awarded on 2/13/2025 included MEJA's Construction Management fee, pre-construction fee, and anticipated General Conditions and General Requirements Costs. The \$19,592,802.00 proposed for Change Order #1 will fund construction. This brings the GMP for the contract to \$20,640,302.00.

Specifics of the proposed contract are as follows:

<b>Contract Name</b>	#2506-P: Fayette County Multi-Use Recreation Building – CMAR	
<b>Change Order</b>	#1: Guaranteed Maximum Price	
<b>Contractor</b>	MEJA Construction, Inc.	
<b>Contract Amount:</b>		
Initial Contract	\$1,047,500.00	
Change Order #1	<u>19,592,802.00</u>	
Total Contract	\$20,640,302.00	
<b>Budget:</b>		
Fund	327	2023 SPLOST
Org Code	32760110	Parks & Recreation
Object	541320	Buildings & Structures
Project	R23AA	Recreational Multi-Purpose Bldg.
Available	\$22,740,628.19	As of 4/14/2025

# Fayette County Multi-Use Recreation Project

Apr-25

## Total Cost Report - Executive Summary

<b>Guaranteed Maximum Price</b>	<b>\$20,640,302</b>
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### Schedule dates:

- Start on Site	May 5th 2025
- Completion	September 18th 2026


### Total Invoiced to date:

0% of GMP

### Summary of Cost vs Budget

	Budget	Current Cost
Construction Cost	\$18,032,831	\$19,641,392
GC's / GR's	\$1,803,283	\$525,000
Design / Pre-Con fees	incl.	\$10,000
CM Fee	\$793,445	\$463,910
GMP Total	<b>\$20,629,559</b>	<b>\$20,640,302</b> MEJA GMP
Fayette County Vendors & Costs:		
Security Installation - Cameras	\$250,000	\$250,000
Furniture, Fixtures & Equipment	\$750,000	\$750,000
Audi Visual Allowance	\$200,000	\$200,000
IT equipment & cellular upgrade	\$250,000	\$250,000
Contingency Allowance for unknowns	\$750,000	\$750,000
Sub-Total	<b>\$2,200,000</b>	<b>\$2,200,000</b>
Professional Fees:		
PM fees, Testing, Surveys & Reports	\$563,441	Incl. below
Architecture & Engineering - LOSE	\$660,000	\$660,000
Peer Review - Jefferson Architecture		\$9,850
Project Management - MMC		\$128,250
Asbestos Testing		\$645
	<b>\$1,223,441</b>	<b>\$798,745</b>
<b>GRAND TOTAL</b>	<b>\$24,053,000</b>	<b>\$23,639,047</b>



		
<b>GMP Proposal</b>		
Project Name: Fayette Rec Center		
Owner: Fayette County Board of Commissioners		
Location: 980 Redwine Road, Fayetteville GA 30214		
Date: 4.8.2025		
<b>Work Category</b>	<b>Description</b>	<b>Total</b>
<b>Division 01 General Requirements</b>		<b>\$ 39,969.00</b>
01A	Special Inspections	\$ 39,969.00
<b>Division 02 Existing Conditions</b>		<b>\$ 77,412.00</b>
02A	Demolition	\$ 77,412.00
<b>Division 03 Concrete</b>		<b>\$ 1,000,520.00</b>
03A.1	Building Foundations	\$ 365,000.00
03A.2	SOG & SOD	\$ 438,500.00
03A.3	Site Concrete	\$ 175,420.00
03B	Colored/Polished Concrete	\$ 21,600.00
<b>Division 04 Masonry</b>		<b>\$ 355,150.00</b>
04A	Masonry	\$ 342,500.00
04B	Cast Stone Masonry	\$ 12,650.00
<b>Division 05 Metals</b>		<b>\$ 1,089,650.00</b>
05A	Structural Steel Material	\$ 800,000.00
05B	Structural Steel Erection	\$ 289,650.00
<b>Division 06 Woods &amp; Plastics</b>		<b>\$ 241,330.00</b>
06A	Rough Carpentry/Sheathing	\$ 114,630.00
06B	Interior Architectural Woodwork	\$ 126,700.00
<b>Division 07 Thermal &amp; Moisture Protection</b>		<b>\$ 1,817,121.00</b>
07A	Waterproofing & Fluid Applied Membrane Air Barriers	\$ 194,500.00
07B	Thermal Insulation	\$ 162,387.00
07C	EIFS	\$ 652,284.00
07D	Roofing & Sheet Metal	\$ 753,000.00
07E	Firestopping, Joint Sealants & Expansion Control	\$ 54,950.00
<b>Division 08 Openings</b>		<b>\$ 512,614.00</b>
08A	Doors & Hardware	\$ 339,614.00
08B	Aluminum Storefront & Curtain Wall	\$ 173,000.00
<b>Division 09 Finishes</b>		<b>\$ 1,975,002.00</b>
09A	Metal Framing, Gypsum Board, Acoustical Ceilings & FRP Paneling	\$ 1,092,100.00
09B	Wood Athletic Flooring	\$ 186,885.00
09C	Hard Tile, Resilient Flooring, Rubber Athletic Flooring Base & Accessories	\$ 342,300.00
09D	Concrete Floor Sealer & Epoxy Flooring	\$ 35,317.00
09E	Painting	\$ 318,400.00
<b>Division 10 Specialties</b>		<b>\$ 215,545.00</b>
10A	Signage	\$ 32,400.00
10B	Toilet Compartments, Accessories & Fire Extinguishers	\$ 58,665.00
10C	Operable Partitions	\$ 54,000.00
10D	Lockers	\$ 27,110.00
10E	Aluminum Canopies	\$ 43,370.00
<b>Division 11 Equipment</b>		<b>\$ 180,923.00</b>
11A	Food Service Equipment	\$ 100,000.00
11B	Gymnasium Equipment	\$ 59,263.00
11C	Scoreboards	\$ 21,660.00
<b>Division 13 Special Construction</b>		<b>\$ 1,308,950.00</b>
13A	Metal Building System	\$ 1,095,000.00
13B	Climbing Wall	\$ 110,000.00
13C	Aluminum Bleachers	\$ 103,950.00
<b>Division 14 Conveying Equipment</b>		<b>\$ 115,800.00</b>
14A	Elevator	\$ 115,800.00
<b>Division 21 Fire Suppression</b>		<b>\$ 291,100.00</b>
21A	Fire Suppression	\$ 291,100.00
<b>Division 22 Plumbing</b>		<b>\$ 748,000.00</b>
22A	Plumbing	\$ 748,000.00
<b>Division 23 HVAC</b>		<b>\$ 2,100,000.00</b>
23A	HVAC	\$ 2,100,000.00

Work Category	Description	Total	
<b>Division 26 Electrical</b>			<b>\$ 2,854,444.00</b>
26A.1	Electrical	\$ 2,300,000.00	
26A.2	Structured Cabling	\$ 96,280.00	
26A.3	Access Control	\$ 67,496.00	
26A.4	Video Surveillance	\$ 96,868.00	
26A.5	ERRC	\$ 64,250.00	
26A.6	AOR	\$ 10,935.00	
26A.7	Intrusion Alarm	\$ 50,000.00	
26A.8	Fire Alarm	\$ 168,615.00	
<b>Division 31 Sitework</b>			<b>\$ 2,089,223.00</b>
31A.1	Grading & Erosion Control	\$ 1,403,017.00	
31A.2	Storm Drainage	\$ 295,955.00	
31A.3	Sanitary Sewer	\$ 139,613.00	
31A.4	Site Water	\$ 245,968.00	
31B	Termite Control	\$ 4,670.00	
<b>Division 32 Exterior Improvements</b>			<b>\$ 1,008,639.00</b>
32A	Asphalt Paving & Pavement Markings	\$ 611,769.00	
32B	Fencing	\$ 148,300.00	
32C	Irrigation & Landscaping	\$ 224,739.00	
32D	Segmental Retaining Wall	\$ 23,831.00	
<b>COST OF WORK SUB-TOTAL</b>		<b>\$ 18,021,392.00</b>	<b>\$ 18,021,392.00</b>
	General Conditions	\$ 525,000.00	\$ 525,000.00
	Pre-Construction	\$ 10,000.00	\$ 10,000.00
	CM FEE (2.5%)	\$ 463,910	\$ 463,910
<b>SUB-TOTAL</b>		<b>\$ 19,020,301.80</b>	<b>\$ 19,020,301.80</b>
	Owner Contingency	\$ 1,350,000.00	\$ 1,350,000.00
	Utility Allowance	\$ 250,000.00	\$ 250,000.00
	Groundbreaking & Ribbon Cutting	\$ 20,000.00	\$ 20,000.00
<b>TOTALS</b>		<b>\$ 20,640,302</b>	<b>\$ 20,640,302</b>