

BOARD MEMBERS

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STAFF

Peter A. Frisina, Director of Community Services
Chanelle Blaine, Zoning Administrator
Chakevia Jones, Planning & Zoning Coordinator

AGENDA
FAYETTE COUNTY PLANNING COMMISSION MEETING
140 STONEWALL AVENUE WEST
August 3, 2017
7:00 pm

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

1. Swearing in of Danny England.
2. Election of the Planning Commission Secretary.
3. Consideration of the Minutes of the meeting held on July 20, 2017.

NEW BUSINESS

4. Consideration of a Final Plat of Ebenezer Estates Phase 2. The property will consist of nine residential lots zoned R-70, is located in Land Lots 59 of the 7th District and fronts on Seay Road.

PUBLIC HEARING

5. Consideration of Petition No. 1268-17, Elizabeth R. Arnold, Owner, and Broderick Arnold, Agent, request to rezone 1.00 acre from A-R to R-40. This property is located in Land Lot 70 of the 5th District and fronts on Price Road.
6. Consideration of Petition No. T-020-17, Verizon Wireless, Owner, and Jenna E. Lee, Agent, request a reduction of the requirements of Sec. 110-150. Standards for Telecommunications Antennas and Towers to develop a 190 foot Monopole Telecommunication Tower. The request is to reduce the tower separation requirement of one (1) statute mile to .7 miles. This property is located in Land Lot 129 of the 4th District and fronts on SR 85 and 85 Hwy Connector. **(This item cannot be heard due to issues with the required Balloon Test.)**

To: Fayette County Planning Commission
From: Chanelle Blaine, Zoning Administrator
Date: July 28, 2017
Subject: Final Plat to be considered on August 3, 2017

MINOR SUBDIVISION PLAT

Final Plat of Ebenezer Estates Phase 2

OWNER/APPLICANT

Oscar C. Cavender, Owner

Recommend **APPROVAL** for the Final Plat.

LINE	BEARING	DISTANCE
L1	N73°01'07"E	40.00'
L2	N05°23'25"W	49.77'
L3	S78°56'04"W	50.65'

FLOOD NOTE
 BASED ON MAPS PREPARED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) AND BY GRAPHIC DEPICTION ONLY, THIS PROPERTY IS NOT LOCATED IN A SPECIAL FLOOD HAZARD AREA (ZONE A) AS PER INSURANCE RATE MAP NUMBER 13113C0001E WITH A REVISED DATE OF SEPT. 26, 2008. NO FIELD VERIFICATION WAS PERFORMED TO DETERMINE THIS.

LINE	ARC	CHORD BEARING	RADIUS	CHORD	TANGENT
C1	304.98'	N19°10'17"W	7960.00'	304.96'	152.51'
C2	94.57'	N17°31'34"W	4960.00'	94.57'	47.29'
L1	49.77'	N05°23'25"W			
L2	8.44'	N16°58'53"W			
C3	442.05'	N04°36'22"E	586.62'	431.66'	232.11'
C4	131.17'	N20°43'16"E	686.62'	130.97'	65.78'

LEGEND

IPS	IRON PIN (1/2" DIA) SET FUTURE CORNER MARKER FOUND
SB	RIGHT-OF-WAY LINE
EX	EXIST. CONTOURS
EX	EXIST. INDEX CONTOURS
CON	CONCRETE SIDEWALK
EX	EXIST. PAVEMENT
EX	OVERHEAD UTILITIES
EX	EXISTING FENCE
EX	EXISTING WATER LINE
EX	EXISTING GAS LINE
EX	EXISTING SANITARY SEWER LINE
EX	CURB
EX	CURB & GUTTER
EX	STORM DRAIN PIPE
EX	DATE VALVE
EX	FIRE HYDRANT
EX	DOUBLE-PING CATCH BASIN
EX	SINGLE-PING CATCH BASIN
EX	WATER METER
EX	CURB INLET

SOIL MAP LEGEND

CECIL	SOIL TYPE
SB	SOIL BOUNDARY
SB	SOIL BORING

The field data upon which this survey is based has been computed for closure by latitudes and departures and has a closure precision of one foot in 48,050+ ft. and an angular error of 3" per angle point, and the NO ADJUSTMENT was used for adjustment. A TOPCON GTS603 was used to obtain linear measurements and a TOPCON GTS603 was used to obtain angular measurements. It is my opinion, that this plat is a true and correct representation of the land plotted, has been prepared to meet minimum standards and requirements of law, and has been computed for closure and has been found to be accurate within one foot in 100,000+ ft.

EXISTING ZONING REQUIREMENTS

R-70
 FRONT YARD SETBACK: (UNLESS NOTED OTHERWISE)
 ARTERIAL/ COLLECTOR - 75 Feet
 LOCAL - 50 Feet
 REAR YARD SETBACK - 50 Feet
 SIDE YARD SETBACK - 25 Feet
 MIN. LOT AREA - 2.00 ACRES
 MIN. LOT WIDTH - 175 Feet (ARTERIAL)
 MIN. STREET FRONTAGE - 100 Feet
 MIN. HOUSE SIZE - 1,500 Sq. Feet
 WATER PROVIDED BY FAYETTE CO. WATER SYSTEM
 SANITARY SEWER SERVICE PROVIDED BY INDIVIDUAL ON SITE SEWERAGE MANAGEMENT SYSTEM
 THERE ARE EXISTING STRUCTURES OR IMPROVEMENTS LOCATED ON THIS PROPERTY AT TIME OF SURVEY.
 THERE ARE NO GROUNDWATER RECHARGE AREAS ON THIS SITE.
 NO EASEMENTS OF RECORD LOCATED ON THIS SITE.

OWNER:

TRADEMARK QUALITY HOMES, INC.
 P.O. BOX 926
 GREENVILLE, GA. 30222
 (706) 672-4932

DEVELOPER:

RODRIGHTCORP
 P.O. BOX 629
 FAYETTEVILLE, GA. 30214
 770-460-5606
 thesubdivider@gmail.com

ROW TRACT - Legal Description.

Commencing at a point at the centerline of Ebenezer Rd., said point being at or near station 11+81.0155 along said centerline as shown in Right-of-Way Plans for Georgia DOT Project No. F-164-1(13), P.I. No. 321245, Ebenezer Rd. re-location section of said project and being the Point of Beginning; thence North 73°01'07" East, a distance of 40.00 feet; thence North 05°23'25" West, a distance of 49.77 feet; thence South 16°58'53" East, a distance of 50.65 feet to the beginning of a curve tangent to said line; thence southerly a distance of 44.38 feet along the curve concave to the east, having a radius of 4950.00 feet and a central angle of 1°05'33"; thence South 18°04'25" East tangent to said curve, a distance of 182.98 feet to the beginning of a curve tangent to said line; thence southerly a distance of 308.22 feet along the curve concave to the east, having a radius of 7450.00 feet and a central angle of 2°12'25" to a point of cusp; thence South 78°56'04" West, a distance of 50.65 feet to the beginning of a curve concave to the east having a radius of 8000.00 feet and a central angle of 2°08'56" and being subtended by a chord which bears North 19°08'53" West 300.02 feet; thence northerly along said curve, a distance of 300.03 feet; thence North 18°04'25" West tangent to said curve, a distance of 182.98 feet to the beginning of a curve tangent to said line; thence northerly a distance of 45.33 feet along the curve concave to the east, having a radius of 5000.00 feet and a central angle of 1°05'33"; thence North 16°58'53" West tangent to said curve, a distance of 330.77 feet to the Point of Beginning. Containing 1.05 ACRES, more or less.

R.O.W. TRACT

SEE R.O.W. DEED IN DB. PG. 321245 TO FAYETTE COUNTY (50' FROM C/L RD.) (1.05 Acres)

GA. STATE HIGHWAY 54

NF DR. E.M. RICHARDSON (ZONED O-1)

NF J.A. HUTTO T.E. TRAMMELL DB. 650 PG. 382 (ZONED A-R)

NF R. MEHTA M. PATEL DB. 3228 PG. 638 (ZONED A-R)

NF R.C. BRYAN K.R. BRYAN (ZONED A-R)

NF ALL SAINTS ANGLICAN CHURCH, INC. (ZONED A-R)

NF LOT 8 EBENEZER ESTATES (ZONED R-70)

NF LOT 7 EBENEZER ESTATES (ZONED R-70)

NF LOT 6 EBENEZER ESTATES (ZONED R-70)

NF HEATHER N. HULSE DB. 4050 PG. 71 (ZONED R-70)

RECORD

NF JOE B. THOMAS LIVING TRUST DB. 3626 PG. 176 (ZONED A-R)

Rev. 06/09/2017 FAYETTE CO. COMMENTS

LANDLOT 59	DISTRICT 7th
CITY N/A	COUNTY FAYETTE
DATE OF FIELD WORK 02/17/2017	
DATE OF PLAT 07/12/2017	
JOB NO.	SCALE
	1"=100'



S.J. REEVES & ASSOCIATES, INC.

PREPARED BY:

s.j. reeves & associates, inc.

P.O. BOX 653 • 11491 HIGHWAY 19 N • ZEBULON, GA. 30295
 770-584-5203 • sjreevessurveying@gmail.com (EMAIL)
 LAND SURVEYING, PLANNING & SUBDIVISION DESIGN

SHEET 2 OF 2

FINAL PLAT OF:
EBENEZER ESTATES
PHASE 2

REQUESTED ACTION: A-R to R-40

PROPOSED USE: Residential

EXISTING USE: Residential

LOCATION: Price Road & Tributary Way

DISTRICT/LAND LOT(S): 5th District, Land Lot(s) 70

OWNER: Elizabeth R. Arnold

AGENT: Broderick Arnold

PLANNING COMMISSION PUBLIC HEARING: August 3, 2017

BOARD OF COMMISSIONERS PUBLIC HEARING: August 24, 2017

APPLICANT'S INTENT

Applicant proposes to rezone an existing nonconforming one (1) acre lot from A-R to R-40.

STAFF RECOMMENDATION

APPROVAL

INVESTIGATION

A. PROPERTY SITE

The subject property is a one (1) acre tract fronting on Price Road in Land Lot(s) 70 of the 5th District. Price Road is classified as a Local road on the Fayette County Thoroughfare Plan. The subject property does not have access to Tributary Way as the Final Plat for Price Road Estates indicates that a portion of lot 18 separates the subject property from the right-of-way of Tributary Way. The subject property is undeveloped and currently zoned A-R.

History: The survey for the lot was recorded on August 22, 1969, Book 5 Page 89.

B. SURROUNDING ZONING AND USES

The general situation is a one (1) acre tract that is zoned A-R. In the vicinity of the subject property is land which is zoned A-R and R-40. See the following table and also the attached Zoning Location Map.

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

Direction	Acreage	Zoning	Use	Comprehensive Plan
North (across Tributary Way)	1.00	R-40	Single-family Residential	Low Density Residential (1 Unit/1 or 2 acres)
South and East	1.05	R-40	Single-family Residential	Low Density Residential (1 Unit/1 or 2 acres)
West (across Price Road)	3.20	A-R	Single-family Residential	Low Density Residential (1 Unit/1 or 2 acres)

C. COMPREHENSIVE PLAN

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

D. ZONING/REGULATORY REVIEW

The applicant seeks to rezone an existing nonconforming one (1) acre lot from A-R to R-40. The subject property will meet the minimum one (1) lot size for the R-40 Zoning District. However, the subject property will not meet the minimum lot width of 125 feet as the lot is 100 feet wide. The rezoning of a legal nonconforming lot is based on the following:

Sec. 7-2. Nonconformances. A. Nonconforming Lots.

Consideration for the Rezoning of Legal Nonconforming Lots. Any legal nonconforming lot may be considered for rezoning to another zoning district where the lot would be made nonconforming by said rezoning. Factors of consideration, in addition to those enumerated in Article XI., would include the following:

1. The degree of increase or reduction of the nonconformity of existing structures located on the subject property; and

(The subject property is vacant and contains no existing structures)

2. The current zoning and land use designations of adjoining lots as indicated on the Land Use Plan.

(The subject property is surrounded on three (3) sides by properties zoned R-40 and the Land Use Plan designation of adjoining lots is Low Density Residential (1 Unit/ 1 or 2 acres)).

E. DEPARTMENTAL COMMENTS

Water System

City of Fayetteville service area.

Public Works/Engineering

Engineering has no comments on this rezoning request (parcel 0517 052).

Environmental Management

EMD has no comments

Environmental Health Department

No objections

Fire

The bureau of fire prevention will neither approve nor deny request that fall outside the scope of fire prevention code requirements.

STAFF ANALYSIS

This request is based on the petitioner's intent to rezone said property from A-R to R-40 for the purpose of developing Residential. Per Section 110-300 of the Fayette County Zoning Ordinance, Staff makes the following evaluations:

1. The subject property lies within an area designated for Low Density Residential (1 Unit/1 acre). This request conforms to the Fayette County Comprehensive Plan.
2. The proposed rezoning will not adversely affect the existing use or usability of adjacent or nearby property.
3. The proposed rezoning will not result in a burdensome use of roads, utilities, or schools.
4. Existing conditions and the area's continuing development as a single-family residential district support this petition.

Based on the foregoing Investigation and Staff Analysis, Staff recommends **APPROVAL.**

**1268-17
Zoning**

R-40

A-R

S-Z

R-40

R-40

R-40

R-40

Tributary Way

**SUBJECT
PROPERTY**

A-R

Price Road

A-R

S-Z

R-40

A-R

R-40

R-40

R-40

A-R

A-R

A-R

A-R

**1268-17
Land Use Plan**

Tributary Way

**SUBJECT
PROPERTY**

**LOW DENSITY
RESIDENTIAL**

Price Road

**1268-17
Aerials**

Tributary Way

**SUBJECT
PROPERTY**

Price Road

