BOARD MEMBERS

Brian Haren, Chairman
John H. Culbreth, Sr., Vice-Chairman
Danny England
Al Gilbert
Jim Graw

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

OWNER/APPLICANT

Final Plat of Ebenezer Estates Phase 2

Oscar C. Cavender, Owner

Recommend APPROVAL for the Final Plat.

EBENEZER ESTATES

FOR CLERK OF SUPERIOR COURT

GENERAL NOTES

- GENERAL NOTES

 1. EXCEPT AS SPECIFICALLY SHOWN OR STATED ON THIS PLAT, THIS SURVEY DOES NOT PURPORT TO REFLECT ANY OF THE FOLLONING WHICH MAY BE APPLICABLE TO THE SUBJECT REAL ESTATE, EASP-BINTS (OTHER THAN POSSIBLE EASP-BINTS THAT WERE VISIBLE AT THE TIME OF MAKING THIS THAT WERE VISIBLE AT THE TIME OF MAKING THIS THEY CAN BE ESTABLISHED FROM A COMPLETE AND ACCURATE LEGAL DESCRIPTION, BUILDING SETBACKS, RESTRICTIVE COVENANTS, ZONING CONDITIONS OR OTHER LAND USE REGULATIONS.

 2. SURVEY IS VALID ONLY IF PRINT HAS ORIGINAL SIGNATURE OF SURVEYOR.

 3. ALL CORNER MONIMENTS SET ARE 1/2" REBAR OR AS OTHERWISE FOUND.

 4. THIS SURVEY IS SUBJECT TO ALL EASE-BENTS AND RESTRICTIONS OF RECORD BOTH WRITTEN AND INVRITTEN USED, MEAN SEA LEVEL.

 5. BLEVATION DATUM USED, MEAN SEA LEVEL.

 6. NO VIABLE USES MONIMENTS WERE LOCATED WITHIN 500' OF THIS SITE.

 8. BEARINGS SHOWN ON THIS SURVEY ARE FROM GRID NORTH, (SA NAD BE WEST ZONE)

 8. ANY INDERGROUND UTILITIES SHOWN HAVE BEEN LOCATED FROM ABOVE GROUND FIELD SURVEYOR MAKES NO GUARANTEES THAT THE UNDERGROUND UTILITIES SHOWN COMPRISES ALL SUCH UTILITIES IN THE AREA, EITHER IN-SERVICE OR ABANDONED. THIS SURVEYOR HAS NOT PHYSICALLY OBSERVEYED OR LOCATED HAS NOT PHYSICALLY OBSERVEYED OR LOCATED HAS NOT PHYSICALLY OBSERVEYED OR LOCATED HAS NOT PHYSICALLY OBSERVED.

 9. CURRENT ZONING OF BENEZER RD. (EX. 100') MIDE SECTION) ESTABLISHED AS PERRIRGHT-OF-WAY.
- 4. CURREENT ZONING OF BEINEZER RD. (EX. 100' WIDE SECTION) ESTABLISHED AS PER RIGHT-OF-WAY DEED IN DB. 523 PG. 264 OF FAYETTE COUNTY SUPERIOR COURT CLERK'S RECORDS, ANY ADDITIONAL RIM CLAIMED SHOULD BE EXCLUDED TO THE STATE OF THE STATE OF
- SUPERIOR COURT CLERK'S RECORDS, ANY
 ADDITIONAL RAW CLAIMED SHOULD BE EXCLUDED
 FROM THIS SURVEY.

 II. RICHT-OF-MAY OF THE REMAINDER OF EBENEZER RD.
 ESTABLISHED AT 50' FROM CENTERLINE OF EXISTING
 ROAD AS PER QUITCLAIM DEED IN DB. PG.
 AND AS ACCORDING TO FAYETTE CO. ORDINANCES.

 12. NO JURISDICTIONAL METLANDS OR STATE WATERS
 LOCATED ON SITE AS PER REPORT BY APPLIED
 EVNIRONMENTAL SCIENCES, INC., ERIC A, HAMILTON,
 CSC. 18224, NO FIELD VERIFICATION BY THIS SURVEYOR.
 ALL METLANDS SHOWN OR NOT SHOWN ON THIS
 PLAT ARE NUDER THE JURISDICTION OF THE US.
 ARMY CORPS OF BIGINERYS, PROPERTY OWNERS
 MAY BE SUBJECT TO PENALTY BY LAW FOR
 DISTURBANCE TO THESE WETLAND AREAS WITHOUT
 PROPER AUTHORIZATION.

 13. FAYETTE COUNTY DOES NOT ACCEPT THE OWNERSHIP
 MAINTENANCE OR RESPONSIBILITY FOR AIMY DRAINAGE
 EAST-METT OR OVERALL DRAINAGE PLAN, OR THE LACK
 OF ONE, INDICATED BY THIS PLAT.

 14. SOILS INFORMATION AS PER "LEVEL 3 SOIL MAP" FOR
 EINFICHMENTAL SCIENCES, INC., ERIC A. HAMILTON,
 DPH CSC, 19224, DATED 5/29/2017 AND PREPARED FOR
 ROD WRIGHT.

R-70

R-10

FRONT YARD SETBACK:
(MLESS NOTED OTHERWISE)

ARTERIAL/
COLLECTOR - T5 Feet
LOCAL - 50 Feet
REAR YARD SETBACK - 50 Feet
SIDE YARD SETBACK - 25 Feet
MIN. LOT WIDTH - IT5 Feet (ARTERIAL)
MIN. SEET FRONTAGE - 100 Feet
MIN. HOUSE SIZE - 1,500 Sq. Feet
WATER PROVIDED BY FAYETTE CO.
WATER SYSTEM
SANITARY SEWER SERVICE PROVIDE

WATER SYSTEM
SANITARY SEIVER SERVICE PROVIDED BY
INDIVIDUAL ON SITE SEMERAGE
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.

LEGEND			
(33.20)	DEED DISTANCE		
-175	IRCH PH (U2" rebar) SET		
o IPT	CORRER HOUN-BUT FOURD		
	PROPERTY LINE		
RAN -	FRONT-OF-HAY LINE		
	EXIST. CONTOURS		
1000	EXIST, THOEX CONTOURS		
	CONCRETE SIDEHALK		
V6-	EDGE PAVENT		
F	OVERHEAD UTILITIES		
X	EXISTING FENCE		
W	EXISTING HATER LINE		
	PXISTING GAS LINE		
—-S-—	EXISTING SA'STARY SISHER LINE		
	CUPD		
	CUPE # SUTTER		
	STORH DRAN PIPE		
Ö	GATE VALVE		
\$7	FIRE HYDRANT		
1	DOUBLE-HING CATCH BASIN		
6	SHOLE-MING CATCH BASIN		

HATER HETER CARD NAME

DISTRIC

COUNTY

FAYETTE

N/A

Ö

06/09/2017

09/24/2015

07/12/2017

JOB NO.

DATE OF PLAT

LANDLO

N/A

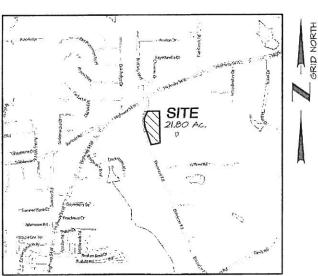
FAYETTE CO. COMMENTS

DATE OF FIFLD WORK

FLOOD NOTE

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

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 engular error of 3° per ongle point, and the NO ADNITMENT 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 plot 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 occurred within one foot in 100,000+ ft.



YICINITY MAP (NTS)

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

DEVELOPER, RODWRIGHTCORP P.O. BOX 629 FAYETTEVILLE, GA. 30214 770-460-5606 the subdivider ogmail.com

Zoning Petition No. 1264-17 approved by B.O.C. on 4/25/2017 w/ One (I) condition.

Condition (I). The owner/developer shall provide, at no cost to Fayette County, a quit-claim deed for 50' of right-of-way as measured from the centerine of Ebenezer Road prior to the approval of the Final Plat and said dedication area shall be shown on Final Plat.

OWNER'S CERTIFICATE

ME, THE UNDERSIGNED OWNER(S) AND/OR MORTGAGEE(S) OF THE EBENEZER ESTATES SUBJIVISION, HEREBY OFFER TO DEDICATE AND/OR RESERVE FOR PUBLIC USE THE RIGHTS-OF-WAY, EASEMENTS AND OTHER GROUND SHOWN ON THIS PLAT.

Date Mortgagee Date Owner David Cavender 7-28-17

All property contained within the right-of-way of EMENETER RD, said road having at least a minimum of 100 foot right-of-way as holicated hereon, are hereby deceded to Flayette County, a political subdivision of the State of Georgia, at no costs to Fayette County your recordation of said Final Plat with the Fayette County your recordation of said Final Plat with the

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT THIS PLAT IS TRUE AND CORRECT AND WAS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY BY ME OR UNDER MY SUPERVISION; THAT ALL MONIMENTS AND INFRASTRUCTURE SHOWN HEREON ACTUALLY EXIST OR ARE MARKED AS "FUTURE", AND THEIR LOCATION, SIZE, PAPE AND MATERIAL ARE CORRECTLY SHOWN.

BY: DATE

DATE

As required by subsection (d) of O.C.G.A. Section 15-6-67, this plot has been prepared by a land surveyor and approved by all applicable local jurisdictions for recording as evidenced by approval certificates, signatures, stamps, or statements hereon. Such approvals or affirmations should be confirmed with the appropriate governmental bodies by any purchaser or user of this plat as to intended use of any parcel. Furthermore, the undersigned land surveyor certifies that this plat compiles with the minimum technical standards for property surveys in Georgia as set forth in the rules and regulations of the Georgia Board of Registration for Professional Engineers and Land Surveyors and as set forth in O.C.G.A. Section 15-6-67.

DATE: 7-27-2017 SIGNED: VILLEGEN APPROVED BY FAYETTE COUNTY ENGINEER. DATE: 7-27-17 SIGNED: V.

LOT AREA CHART

TOTAL

AREA

2.00 Ac.

2.06 Ac. 2.34 Ac.

2.01 Ac.

2.01 Ac.

2.03 Ac.

3.03 Ac.

2.00 Ac.

0.21 Ac.

21.80 Ac.

*Each buildable lot has a minimum contiguous orea of 0.9 acres that is free and clear of zoning biffers and setbacks, watershed protection buffers and setbacks, jurisdictional wetlands, and easements of any kind.

LEVEL III SOIL SURVEY

I, ERIC HAMILTON

In do hereby certify that the Level III Soil Survey information provided on this plat was performed by THES, TALL, accordance mility the procedures specified in the Georgia Department of human Resources' current Manual for On-Site Serias Management Systems.

Signature of Soil Glassifier Professional Geologist, or Professional Engineer Registration No. License Numbers

Company Address & Telephoney

i, EFIC HAMILTON OF ACS, TNC
do hereby certify that I have field inspected the property
known as EBENEZER ESTATES on 5-23-17 and
determined that the property contains Edoes not contain
jurisdictional wetlands as defined by the U.S. Army Corps
of Engineers

Signature of retical Delineator

PT. (7A 2000

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

Mortgagee

Mortgagee

APPROVALS

DATE: 7/28/17 SIGNED: Palut 7 Why

(678 - 262 - 4020 Telephone

Date

Date

Tic Smell

TOTAL NUMBER OF LOTS - 9

4.11 Ac.

LOT 9

LOT IO LOT II

LOT 12 LOT 13

LOT 14

LOT 15

LOT 16

LOT 17

ADD 10'

TOTAL AREA

LEVEL III SOIL SURVEY

PTC (7A 30269

OWNER'S CERTIFICATE

Ormer

Date

Date

APPROVED BY FAYETTE COUNTY ENVIRONMENTAL HEALTH DEPARTMENT.

CONTIGUOUS

1.1 Ac.

1.1 Ac. 1.3 Ac.

1.0 Ac.

1.0 Ac.

1.0 Ac. 1.1 Ac.

0.9 Ac.

1.0 Ac.

AREA

APPROVED BY FAYETTE COUNTY PLANNING COMMISSION ON:

APPROVED BY FAYETTE COUNTY STORMWATER MANAGEMENT.

SIGNED:_____ DATE: ___

APPROVED BY FAYETTE COUNTY ZONING ADMINISTRATOR.

DATE: 7/27/2017 SIGNED:

APPROVED BY FAYETTE COUNTY FIRE MARSHAL, ALL FIRE HYDRANTS DATE: 7/28/17 SIGNED: SIGNED

SHEET 1 OF 2

E ON

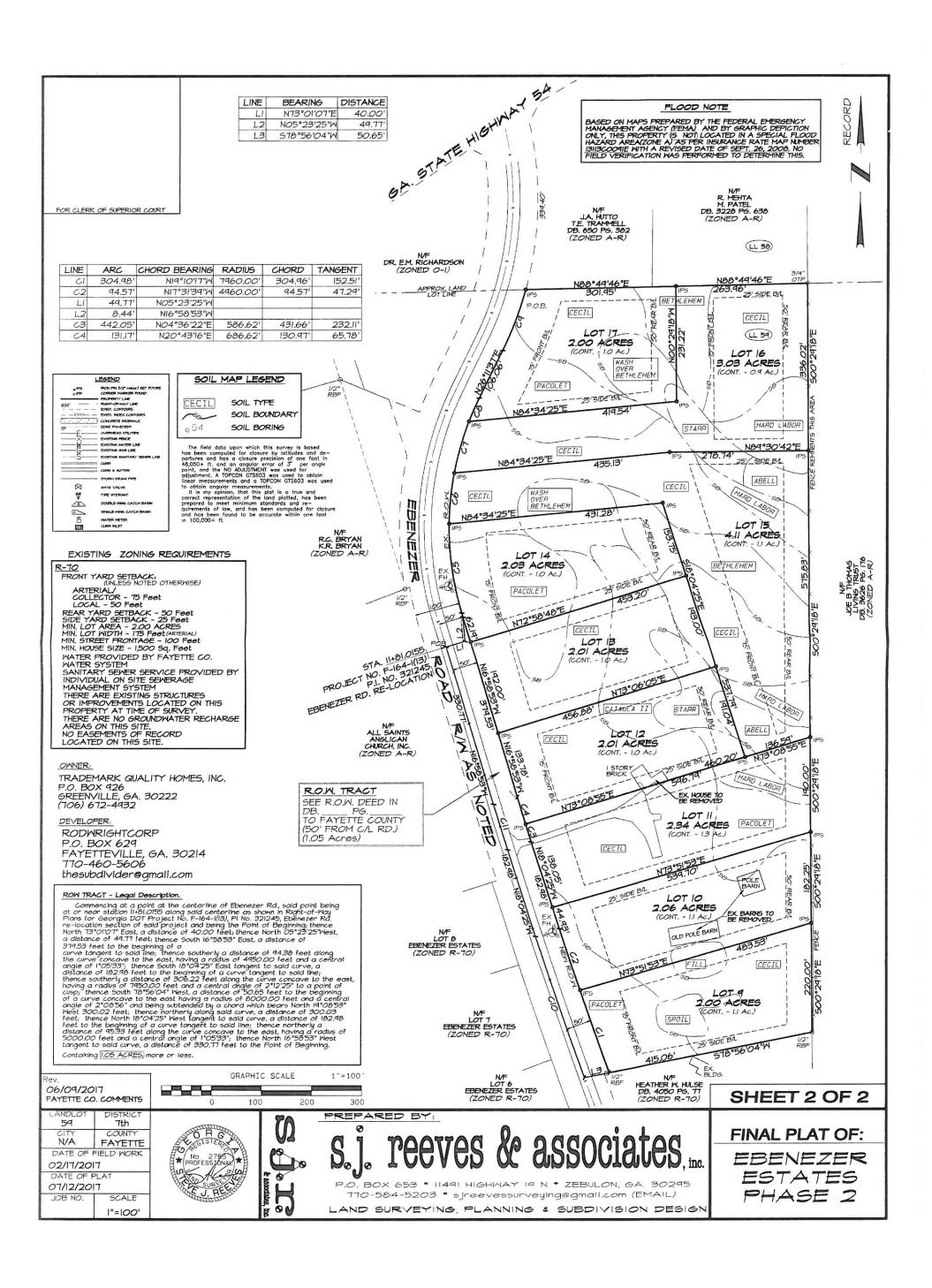
PREPARED BY: 0

P.O. BOX 653 * 11491 HIGHWAY 19 N * ZEBULON, GA. 30295 770-584-5203 * sjreevessurveying@gmail.com (EMAIL)

LAND SURVEYING, PLANNING & SUBDIVISION DESIGN

FINAL PLAT OF:

EBENEZER ESTATES PHASE 2



PETITION NO: 1268-17

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

1. 1268-17

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:

2. 1268-17

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.

3.

1268-17

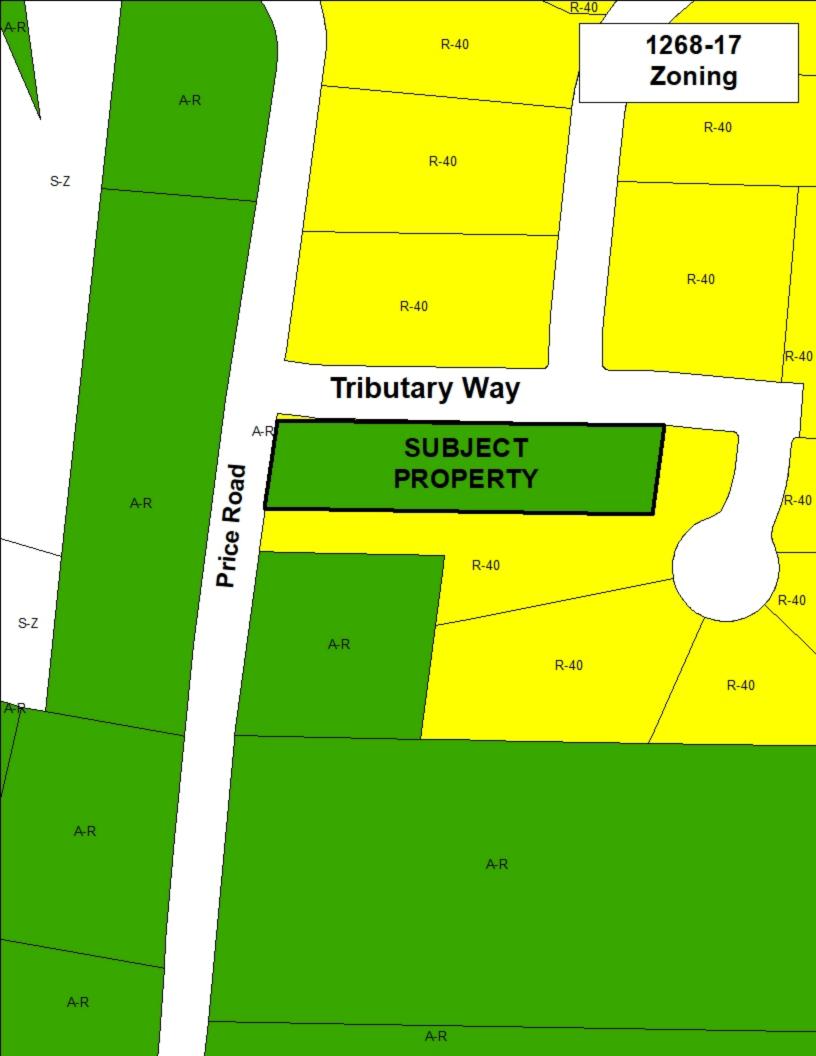
STAFF ANALYSIS

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.**

4. 1268-17



1268-17 Land Use Plan **Tributary Way** SUBJECT **PROPERTY LOW DENSITY RESIDENTIAL**

