

BOARD MEMBERS

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

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
May 17, 2018
7:00 pm

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

1. Consideration of the Minutes of the meeting held on May 3, 2018.

NEW BUSINESS

2. Consideration of a Minor Subdivision Plat of Popatiya's Palazzo. The property will consist of three residential lots zoned R-70, is located in Land Lot(s) 54 & 75 of the 7th District and front(s) on Adams Road and Sun Road.

PUBLIC HEARING

3. Consideration of Petition No. 1273-18, Travis & Sabrina Williamson, Owner, request to amend a condition of rezoning to reduce a 75 foot front yard setback from Eastin Road to 60 feet for Lot 21 of Mackenzie Walk Subdivision. This property is located in land lot 21 of the 7th District.

To: Fayette County Planning Commission
From: Chanelle Blaine, Zoning Administrator
Date: May 10, 2018
Subject: Minor Subdivision Plat to be considered on May 17, 2018

MINOR SUBDIVISION PLAT

Minor Subdivision Plat of Popatiya's Palazzo

OWNER/APPLICANT

Rafiq D. Farishta

Recommend **APPROVAL** for the Minor Subdivision Plat.

MINOR SUBDIVISION PLAT OF:

POPATIYA'S PALAZZO

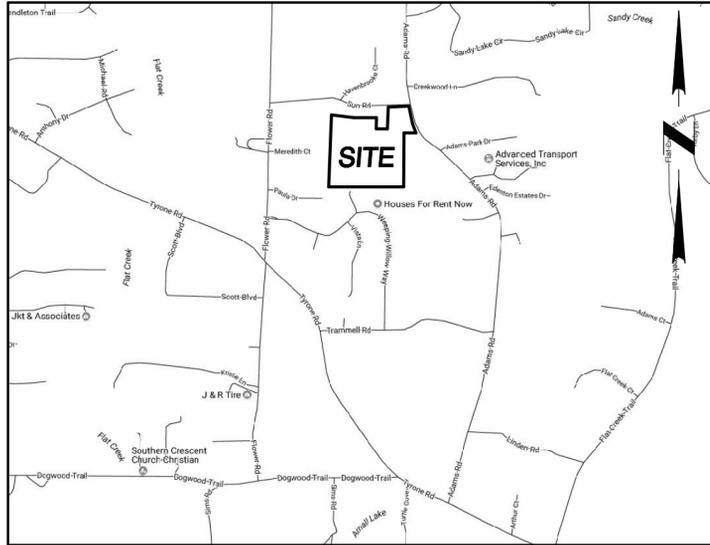
LOCATED IN LAND LOTS 54 & 75 OF 7th DISTRICT
FAYETTE COUNTY, GA.

SHEET INDEX

SHEET 1 COVER, NOTES
SHEET 2 LOT LAYOUT

GENERAL NOTES

- EXCEPT AS SPECIFICALLY SHOWN OR STATED ON THIS PLAT, THIS SURVEY DOES NOT PURPORT TO REFLECT ANY OF THE FOLLOWING WHICH MAY BE APPLICABLE TO THE SUBJECT REAL ESTATE: EASEMENTS (OTHER THAN POSSIBLE EASEMENTS THAT WERE VISIBLE AT THE TIME OF MAKING THIS SURVEY OR EASEMENTS THAT CAN BE ESTABLISHED FROM A COMPLETE AND ACCURATE LEGAL DESCRIPTION); BUILDING SETBACKS; RESTRICTIVE COVENANTS; ZONING CONDITIONS OR OTHER LAND USE REGULATIONS.
- SURVEY IS VALID ONLY IF PRINT HAS ORIGINAL SIGNATURE OF SURVEYOR.
- ALL CORNER MONUMENTS SET ARE 1/2" REBAR OR AS OTHERWISE FOUND.
- THIS SURVEY IS SUBJECT TO ALL EASEMENTS AND RESTRICTIONS OF RECORD BOTH WRITTEN AND UNWRITTEN.
- ELEVATION DATUM USED: N/A
- NO VIABLE USGS MONUMENTS WERE LOCATED WITHIN 500' OF THIS SITE.
- BEARINGS SHOWN ON THIS SURVEY ARE FROM GRID NORTH, (GA. NAD 83 WEST ZONE)
- ANY UNDERGROUND UTILITIES SHOWN HAVE BEEN LOCATED FROM ABOVE GROUND FIELD SURVEY INFORMATION, UTILITY LOCATE SERVICE MARKINGS, AND AVAILABLE AS-BUILT DATA. THIS SURVEYOR MAKES NO GUARANTEES THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN-SERVICE OR ABANDONED. THIS SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED. THIS SURVEYOR HAS NOT PHYSICALLY OBSERVED OR LOCATED THE UNDERGROUND UTILITIES.
- CURRENT ZONING OF PROPERTY: R-10.
- RIGHT-OF-WAY ADAMS ROAD ESTABLISHED AT 40' FROM MEAN CENTERLINE OF EXISTING ROADWAY FOR PURPOSES OF THIS SUBDIVISION AND DEEDED TO FAYETTE CO. ANY ADDITIONAL R.O.W. CLAIMED SHOULD BE EXCLUDED FROM THIS SURVEY.
- RIGHT-OF-WAY OF SUN ROAD ESTABLISHED AT 40' FROM MEAN CENTERLINE OF EXISTING ROADWAY (80' ROW) AS PER DB. PG. _____ IN FAYETTE CO. RECORDS. ANY ADDITIONAL R.O.W. CLAIMED SHOULD BE EXCLUDED FROM THIS SURVEY.
- EXCEPT AS MAY BE EXPRESSLY INDICATED ON THIS PLAT, LOCATIONS OF ENVIRONMENTAL, GEOLOGIC, AND UNDERGROUND FEATURES AND CONDITIONS, NATURAL AND OTHERWISE, AS THEY MAY RELATE TO BUFFERS AND SETBACKS IS BEYOND THE SCOPE OF THIS SURVEY.
- NO JURISDICTIONAL WETLANDS SHOWN ARE ON THIS PROPERTY AS PER JURISDICTIONAL WATERS REPORT BY DANNY R. ROYAL, GA. REG. FORESTER, DATED JANUARY 12, 2018. ANY JURISDICTIONAL WETLANDS SHOWN OR NOT SHOWN AND ARE UNDER THE JURISDICTION OF THE U.S. ARMY CORPS OF ENGINEERS. PROPERTY OWNERS MAY BE SUBJECT TO PENALTY BY LAW FOR DISTURBANCE TO WETLANDS WITHOUT PROPER AUTHORIZATION.
- FAYETTE COUNTY DOES NOT ACCEPT THE OWNERSHIP MAINTENANCE OR RESPONSIBILITY FOR ANY DRAINAGE EASEMENT OR OVERALL DRAINAGE PLAN, OR THE LACK OF ONE, INDICATED BY THIS PLAT.
- SOILS INFORMATION AS PER LEVEL 3 SOIL MAP PREPARED BY ERIC HAMILTON, APPLIED ENVIRONMENTAL SCIENCES, DATED: _____
- THIS SITE IS LOCATED IN A GROUNDWATER RECHARGE AREA OF FAYETTE CO.
- ALL EXISTING STRUCTURES LOCATED ON LOT 3 WILL BE REMOVED PRIOR TO ISSUANCE OF A BUILDING PERMITS.
- THERE ARE STATE JURISDICTIONAL WATERS LOCATED ON THIS PROPERTY AS PER JURISDICTIONAL WATERS REPORT BY DANNY R. ROYAL, GA. REG. FORESTER, DATED JANUARY 12, 2018 AND SHOWN HEREON.



VICINITY MAP
(NTS)

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 AS PER INSURANCE RATE MAP NUMBER 13113C0001E WITH A REVISED DATE OF SEPT. 26, 2008. NO FIELD VERIFICATION WAS PERFORMED TO DETERMINE THIS.

LOT #3 EITHER CONTAINS OR IS ADJACENT TO A SPECIAL FLOOD HAZARD AREA IDENTIFIED IN THE FAYETTE CO. 2013 LIMITED DETAIL FLOOD STUDY. AS REQUIRED BY ART. IV OF THE DEVELOPMENT REGULATIONS A MINIMUM FINISHED FLOOR ELEVATION IS ESTABLISHED FOR THE LOWEST FLOOR ELEVATION INCLUDING BASEMENT.

APPROVALS

APPROVED BY FAYETTE COUNTY ENVIRONMENTAL HEALTH DEPARTMENT
(LEVEL III SOIL SURVEY REQUIRED PRIOR TO OBTAINING SEPTIC SYSTEM PERMIT)
DATE: _____ SIGNED: _____ ENVIRONMENTAL HEALTH SPECIALIST

APPROVED BY FAYETTE COUNTY ENVIRONMENTAL MANAGEMENT DEPARTMENT
DATE: _____ SIGNED: _____ ENVIRONMENTAL MANAGEMENT DEPT.

APPROVED BY FAYETTE COUNTY ENGINEERING DEPARTMENT
DATE: _____ SIGNED: _____ COUNTY ENGINEER

APPROVED BY FAYETTE COUNTY PLANNING COMMISSION
DATE: _____ SIGNED: _____ SECRETARY

APPROVED BY FAYETTE COUNTY ZONING ADMINISTRATOR
DATE: _____ SIGNED: _____ ZONING ADMINISTRATOR

APPROVED BY FAYETTE COUNTY FIRE MARSHAL
DATE: _____ SIGNED: _____ FIRE MARSHAL

LEVEL III SOIL SURVEY

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

Signature of Soil Classifier Professional _____ Georgia DHR Soil Classifier, Professional Geologist, or Professional Engineer Registration No. _____ License Numbers _____
Company Address & Telephone _____

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 MONUMENTS AND INFRASTRUCTURE SHOWN HEREON ACTUALLY EXIST OR ARE MARKED AS "FUTURE"; AND THEIR LOCATION, SIZE, TYPE AND MATERIAL ARE CORRECTLY SHOWN.

By: Steve J. Reeves, GA. RLS No. 2765 DATE: 03/30/2018

As required by subsection (d) of O.C.G.A. Section 15-6-67, this plat 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 complies 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.

By: Steve J. Reeves, GA. RLS No. 2765 DATE: 03/30/2018

OWNER'S CERTIFICATE

WE, THE UNDERSIGNED OWNERS OF THE PLATTED PROPERTY, HEREBY DEDICATE THE RIGHTS-OF-WAY FOR PUBLIC USE, AND/OR RESERVE FOR PUBLIC USE THE EASEMENTS AND OTHER GROUND SHOWN ON THIS PLAT. WE THE UNDERSIGNED OWNERS UNDERSTAND THIS MINOR SUBDIVISION PLAT AND ANY MAINTENANCE BOND AND/OR IRREVOCABLE LETTER-OF-CREDIT SHALL EXPIRE AND THIS BECOME VOID IF THE MINOR SUBDIVISION PLAT IS NOT RECORDED INTO THE FAYETTE COUNTY CLERK OF SUPERIOR COURT RECORDS WITHIN 90 CALENDAR DAYS OF THE DATE OF APPROVAL BY THE FAYETTE COUNTY PLANNING COMMISSION.

By: _____ OWNER DATE _____

By: _____ OWNER DATE _____

SHEET 1 OF 2

MINOR SUBDIVISION PLAT OF:

POPATIYA'S PALAZZO

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 68,000+ ft. and an angular error of 0.8" 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 platted, 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.

PER THE STATE BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS RULE 108-6-.09, THE TERM CERTIFICATION AS USED IN BOARD RULE 108-6-.09(2) AND (3) AND RELATING TO PROFESSIONAL ENGINEERING OR LAND SURVEYING SERVICES SHALL MEAN A SIGNED STATEMENT BASED UPON FACTS AND KNOWLEDGE KNOWN TO THE REGISTRANT AND IS NOT A GUARANTEE OR WARRANTY, EITHER EXPRESS OR IMPLIED.

SITE DATA & ZONING REQUIREMENTS

TOTAL TRACT AREA - 42.33 ACRES
TOTAL NUMBER OF LOTS - 3
SITE ZONING: R-10
MIN. LOT AREA - 2.00 ACRES
MIN. LOT WIDTH - 175 Feet
MIN. STREET FRONTAGE - 100 Feet

FRONT YARD SETBACK: (UNLESS NOTED OTHERWISE)
COLLECTOR - 75 Feet
LOCAL - 50 Feet
REAR YARD SETBACK - 50 Feet
SIDE YARD SETBACK - 25 Feet
HEIGHT LIMIT - 35 Feet
MIN. FLOOR AREA - 1,500 Sq.Ft.

WATER PROVIDED BY ON SITE INDIVIDUAL WELLS
SANITARY SEWER SERVICE PROVIDED BY INDIVIDUAL ON SITE SEWERAGE MANAGEMENT SYSTEM

THIS PROPERTY IS LOCATED IN A GROUNDWATER RECHARGE AREA.

THERE ARE EXISTING STRUCTURES OR IMPROVEMENTS LOCATED ON THIS PROPERTY AT TIME OF SURVEY (TO BE REMOVED).

LOT AREA CHART

LOT #	TOTAL AREA	CONTIGUOUS AREA*
LOT 1	15.14 Ac.	2.3± Ac. & 4.4± Ac.
LOT 2	11.34 Ac.	2.8± Ac.
LOT 3	15.93 Ac.	5.1± Ac. & 5.5± Ac.
DEDICATED R/W	0.41 Ac.	
TOTAL AREA	42.88 Ac. (TO CL. OF ADAMS RD.)	

*Each residential building lot has a minimum contiguous area (0.9 Ac.) that is free and clear of zoning setbacks, watershed protection buffers and setbacks, jurisdictional wetlands, and easements of any kind.

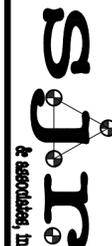
ALL THAT PROPERTY CONTAINED WITHIN THE REQUIRED RIGHT-OF-WAY OF ADAMS RD. HAVING A MINIMUM REQUIRED 80 FOOT RIGHT-OF-WAY, 40 FEET SHALL BE DEDICATED TO CREATE A MINIMUM 40 FOOT RIGHT-OF-WAY AS MEASURED FROM THE CENTERLINE. SAID RIGHT-OF-WAY SHALL BE INDICATED HEREON AND ARE HEREBY DEEDED TO FAYETTE COUNTY, A POLITICAL SUBDIVISION OF THE STATE OF GEORGIA, AT NO COSTS TO FAYETTE COUNTY, UPON RECORDATION OF SAID MINOR SUBDIVISION PLAT INTO THE FAYETTE COUNTY CLERK OF SUPERIOR COURT RECORDS.

PREPARED BY:

s.j. reeves & associates, inc.
P.O. BOX 653 * 11491 HIGHWAY 19 N * ZEBULON, GA. 30295
770-584-5203 * sjreevesurveying@gmail.com (EMAIL)
LAND SURVEYING, PLANNING & SUBDIVISION DESIGN

OWNER:

RAFIQ D. FARISHTA
24 WILLIAMS CIRCLE
SHARPSBURG, GA. 30277



Rev. 03/30/2018 per Fayette Co. comments

LANDLOT 54,75	DISTRICT 7th
CITY N/A	COUNTY FAYETTE
DATE OF FIELD WORK 12/08/2017	
DATE OF PLAT 02/05/2018	
JOB NO.	SCALE N/A

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

PROPERTY OWNERS: Travis and Sabrina Williamson

MAILING ADDRESS: 105 Mackenzie Lane

PHONE: 770-601-5165 E-MAIL: sabrina@goforthwilliamson.com

AGENT FOR OWNERS: —

MAILING ADDRESS: ~~105 Mackenzie Lane, Fayetteville, GA 30214~~

PHONE: — E-MAIL: —

PROPERTY LOCATION: LAND LOT 21 LAND DISTRICT 7th PARCEL 070702017
LAND LOT _____ LAND DISTRICT _____ PARCEL _____

TOTAL NUMBER OF ACRES REQUESTED TO BE REZONED: 1.721

EXISTING ZONING DISTRICT: R-45 cond. PROPOSED ZONING DISTRICT: R-45 cond.

ZONING OF SURROUNDING PROPERTIES: R-45, R-70

PRESENT USE OF SUBJECT PROPERTY: Residential Home

PROPOSED USE OF SUBJECT PROPERTY: Residential Home

LAND USE PLAN DESIGNATION: Rural Residential - 2 (1 Unit/2 acres)

NAME AND TYPE OF ACCESS ROAD: Eastin Rd + Mackenzie Ln.

LOCATION OF NEAREST WATER LINE: _____

(THIS AREA TO BE COMPLETED BY STAFF): PETITION NUMBER: 1273-18

Application Insufficient due to lack of: _____

by Staff: _____ Date: _____

Application and all required supporting documentation is Sufficient and Complete

by Staff: COB Date: 4/25/2018

DATE OF PLANNING COMMISSION HEARING: May 3, 2018

DATE OF COUNTY COMMISSIONERS HEARING: May 24, 2018

Received from Sabrina Williamson a check in the amount of \$ 290.00 for application filing fee, and 250.00 for deposit on frame for public hearing sign(s). 40.00

Date Paid: 4/25/2018 Receipt Number: _____

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:

Travis and Sabrina Williamson

Please Print Names

Property Tax Identification Number(s) of Subject Property: ~~07007~~ 070702017

(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) 21 of the 7th District, and (if applicable to more than one land district) Land Lot(s) — of the — District, and said property consists of a total of 1.721 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.

Sabrina Williamson
Signature of Property Owner 1

Amalia G Lynch
Signature of Notary Public

105 Mackenzie Lane, Fayetteville, GA 30214
Address

4-25-18
Date



Signature of Property Owner 2

Signature of Notary Public

Address

Date

Signature of Property Owner 3

Signature of Notary Public

Address

Date

Signature of Authorized Agent

Signature of Notary Public

Address

Date

NAME: Travis and Sabrina Williamson PETITION NUMBER: _____

ADDRESS: 105 Mackenzie Lane, Fayetteville, GA 30214

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

Travis and Sabrina Williamson affirms that he is the owner or the specifically authorized agent of the property described below. Said property is located in a(n) 7th 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 _____.

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 3rd day of May, 2018 at 7:00 P.M.

PUBLIC HEARING to be held by the Board of Commissioners of Fayette County on the 24th day of May, 2018 at 7:00 P.M.

SWORN TO AND SUBSCRIBED BEFORE ME THIS _____ DAY OF _____, 20____,

[Signature]
NOTARY PUBLIC

[Signature]
APPLICANT'S SIGNATURE



FILED & RECORDED
FAYETTE COUNTY, GA.

99 AUG 20 AM 9 18

W.A. BALLARD, CLERK

BOOK 1421 PAGE 2

Record and return to:
Glover & Davis, P.A.
200 Westpark Drive, Suite 130
Peachtree City, GA 30269
99P08104, WRH

FAYETTE COUNTY GEORGIA
CLERK OF SUPERIOR COURT
DATE 8-20-99 31.00
W.A. Ballard
CLERK OF SUPERIOR COURT

WARRANTY DEED

STATE OF GEORGIA
COUNTY OF FAYETTE

In consideration of Ten and 00/100 (\$10.00) Dollars and other valuable consideration, the receipt whereof is hereby acknowledged, **Roger L. Gillam**, of Fayette County, Georgia does hereby give, grant, sell, alien and convey unto **Travis C. Williamson and Sabrina L. Williamson**, as Joint Tenants with Right of Survivorship, of Fayette County, Georgia, their heirs and assigns, the following property, to-wit

ALL THAT TRACT or parcel of land lying and being in Land Lot 21 of the 7th District of Fayette County, Georgia being Lot 21 of MacKenzie Walk Subdivision, as shown on that certain plat of said subdivision as recorded in Plat Book 26, Pages 152-154, Fayette County, Georgia Records, reference to which plat is hereby made for a more accurate description of the metes and bounds of said Lot 21.

This conveyance is made subject to any restrictions of record, together with all privileges and appurtenances thereto in anywise belonging in fee simple

And the said vendor(s) will, and his heirs, executors, administrators and assigns shall, the said property to the said vendee(s), their heirs, executors, administrators, and assigns, forever warrant and defend against the lawful demands of all persons whatsoever.

IN WITNESS WHEREOF, The said Roger L. Gillam has hereunto set his hand(s), affixed his seal(s) and delivered these presents this 9th day of August, 1999.

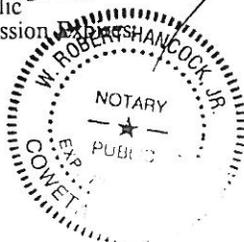
Signed, sealed and delivered
in the presence of:

[Signature]
Witness

[Signature] (SEAL)
Roger L. Gillam

[Signature]
Notary Public
My Commission Expires 8/20/00
(SEAL)

(SEAL)



REQUESTED ACTION: Request from R-45 Cond. To R-45 Cond. to amend rezoning conditions on Lot 21 of Mackenzie Walk Subdivision

PROPOSED USE: Residential

EXISTING USE: Residential

LOCATION: Eastin Road and Mackenzie Lane

DISTRICT/LAND LOT(S): Land Lot 21 of the 7th District

OWNER: Travis and Sabrina Williamson

PLANNING COMMISSION PUBLIC HEARING: May 17, 2018

BOARD OF COMMISSIONERS PUBLIC HEARING: June 14, 2018

APPLICANT'S INTENT

Applicant proposes to amend a condition of rezoning to reduce a 75 foot front yard setback from Eastin Road to 60 feet. This request pertains only to Lot 21 of Mackenzie Walk Subdivision.

STAFF RECOMMENDATION

APPROVAL with CONDITIONS

INVESTIGATION

A. PROPERTY SITE

The subject property is Lot 21 of the Mackenzie Walk Subdivision and is zoned R-45. Lot 21 is 1.721 acres in size per the Final Plat.

History: On May 26, 1994, the Board of Commissioners approved rezoning request (851-94) to rezone 44.24 acres from R-70 to R-45 for a residential subdivision (Mackenzie Walk). The application was approved with four (4) recommended conditions as follows:

1. That all structures be setback at least 80 feet from the right-of-way of Eastin Road, 50 feet of which shall be a natural buffer, undisturbed except for approved access and utility crossings and replantings where sparsely vegetated. Said buffer must be indicated on the Preliminary and Final Plats.
2. That no individual lot shall have direct access to nor be oriented to Eastin Road.
3. That the proposed development tie into County water and provide fire hydrants as per comments submitted by the Fayette County Fire Marshal.
4. That lots adjoining Eastin Road have a lot width of at least 150 feet at the building line.

On December 9, 1999, the Board of Commissioners approved rezoning request (1034-99) to rezone 1.721 acres from R-45 Conditional to R-45 Conditional to revise a condition of rezoning to reduce an 80 foot setback from Eastin Road to 75 feet. This reduction in the setback was requested as a portion of the residence encroached into the 80 foot setback. The application was approved with four (4) recommended conditions as follows:

1. All structures on Lot 21 shall be set back at least 75 feet from the front property line along the right-of-way of Eastin Road, 50 feet of which shall be a natural buffer, undisturbed except for approved access and utility crossings and replantings where sparsely vegetated.
2. No individual lot shall have direct access to nor be oriented to Eastin Road.
3. The subject property shall be required to connect to the County water main system.
4. Lots adjoining Eastin Road shall have a lot width of at least 150 feet at the building line.

B. ZONING

The subject property is a corner lot with two front yards. The R-45 Zoning District requires a front yard setback of 60 feet from a Major Thoroughfare (Eastin Road) and also a front yard setback of 40 feet from a Minor Thoroughfare (Mackenzie Lane). However, the subject property has a rezoning condition which requires the front setback from Eastin Road to be a minimum of 80 feet. In addition, a 50 foot undisturbed buffer is required along Eastin Road per the existing condition of rezoning.

Subdivisions (Crimson Trace and Yates Crossing) to the east have similar 80 foot setbacks and 50 foot natural buffers along Eastin Road per conditions of rezoning. These subdivisions are also zoned R-45. In review of the final plats, no lot appears to be as affected by these conditions as is the subject property (Lot 21) due to its narrow configuration (see attached Final Plats). Conditions of rezoning which increased front yard setbacks were prevalent from the middle 80's to the mid 90's. It has not been the practice of staff to recommend these type of rezoning conditions since this time.

The petitioner is also pursuing variances to allow for the construction of a pool in a front yard which will meet the 60 foot R-45 setback, and for an existing accessory structure to remain in the front yard with a variance to reduce the 60 foot R-45 setback to 55 feet. Any approvals by the Zoning Board of Appeals will be conditional on the approval of this petition by the Board of Commissioners.

STAFF ANALYSIS

This request is based on the petitioner's intent to rezone said property from R-45 Cond. to R-45 Cond. 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 Rural Residential – 2 (1 Unit/2 Acres). This zoning district does not conform to the Fayette County Comprehensive Plan per se. However, the purpose of this rezoning request is amend the rezoning conditions on an existing subdivision lot.
2. The proposed rezoning will not adversely affect the existing use or usability of adjacent or nearby property.
3. The proposed rezoning will not result in a burdensome use of roads, utilities, or schools.
4. Existing conditions and the area's continuing development as a single-family residential district support this petition.

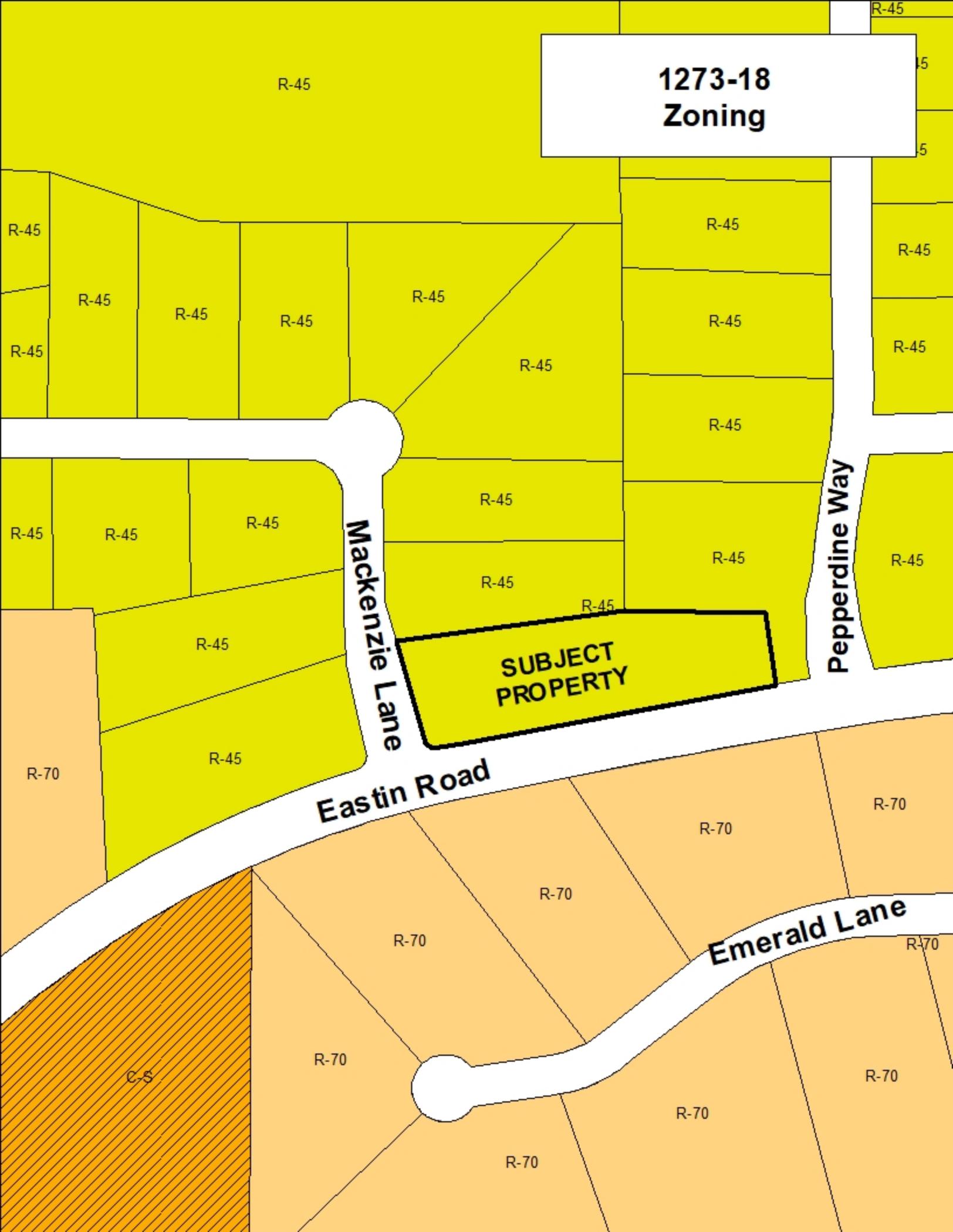
Based on the foregoing Investigation and Staff Analysis, Staff recommends **APPROVAL with CONDITIONS.**

RECOMMENDED CONDITIONS

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

1. A 50 foot natural buffer shall be maintained along Eastin Road on Lot 21. Said natural buffer shall be undisturbed except for approved access and utility crossings and replantings where sparsely vegetated.
2. Lot 21 shall not have direct access to nor be oriented to Eastin Road.
3. Lot 21 shall be connected to the County water system.
4. Lot 21 shall have a lot width of at least 150 feet at the building line.

**1273-18
Zoning**



Mackenzie Lane

Pepperdine Way

Eastin Road

Emerald Lane

**SUBJECT
PROPERTY**

R-45

R-70

R-70

R-70

R-70

R-70

R-70

R-70

C-S

R-70

R-70

R-70

**1273-18
Land Use Plan**

RURAL
RESIDENTIAL
-2

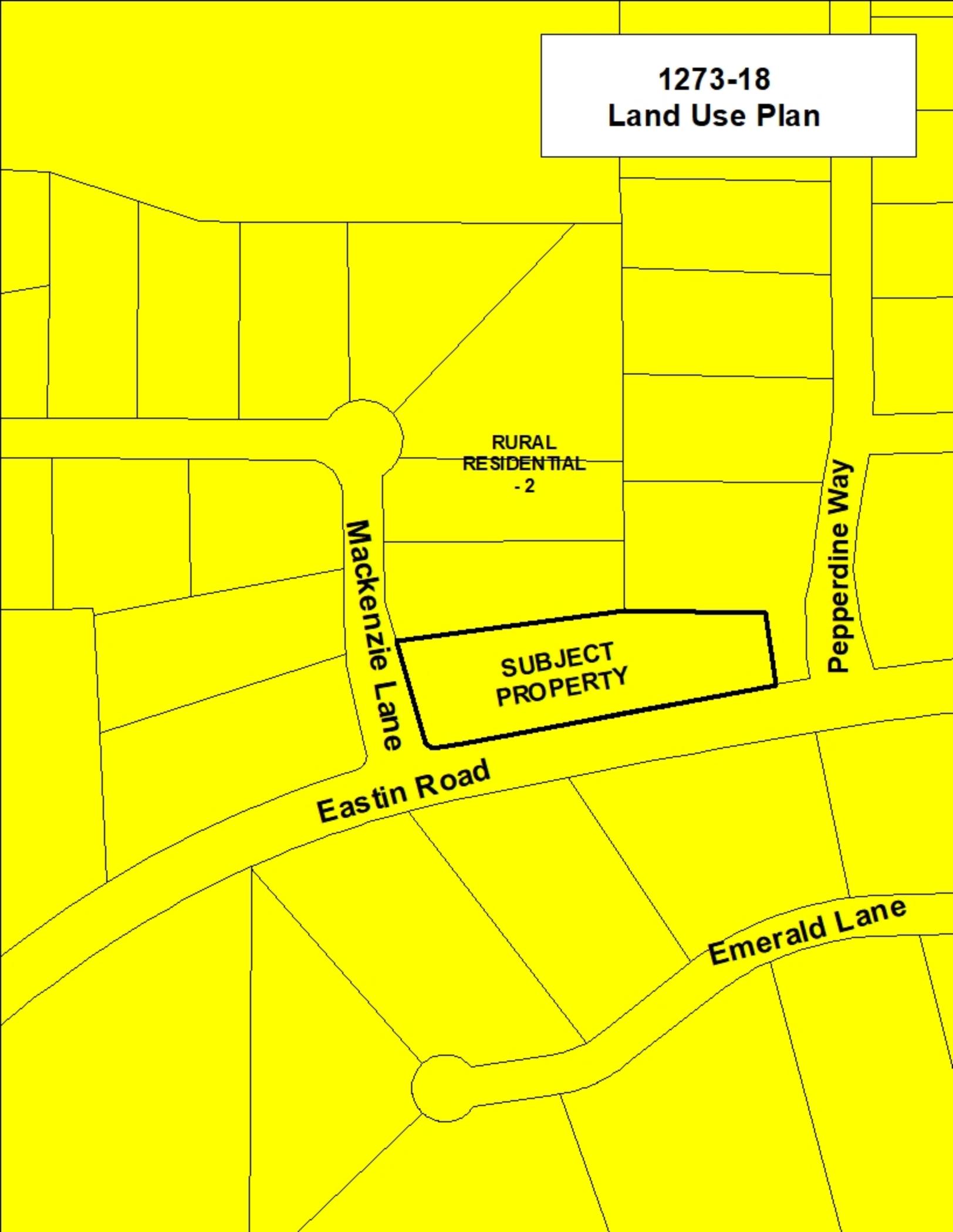
Mackenzie Lane

Pepperdine Way

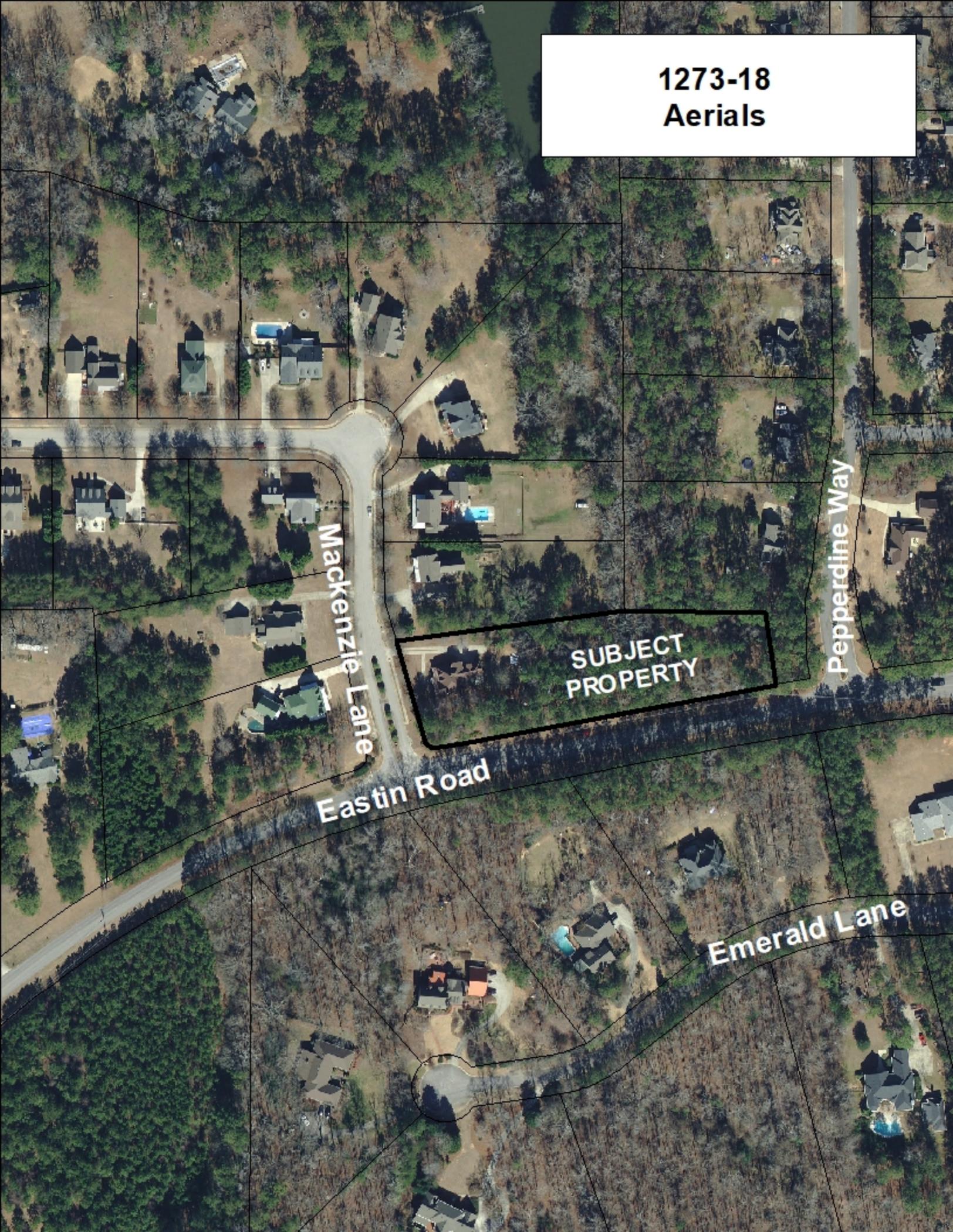
SUBJECT
PROPERTY

Eastin Road

Emerald Lane



**1273-18
Aerials**



Mackenzie Lane

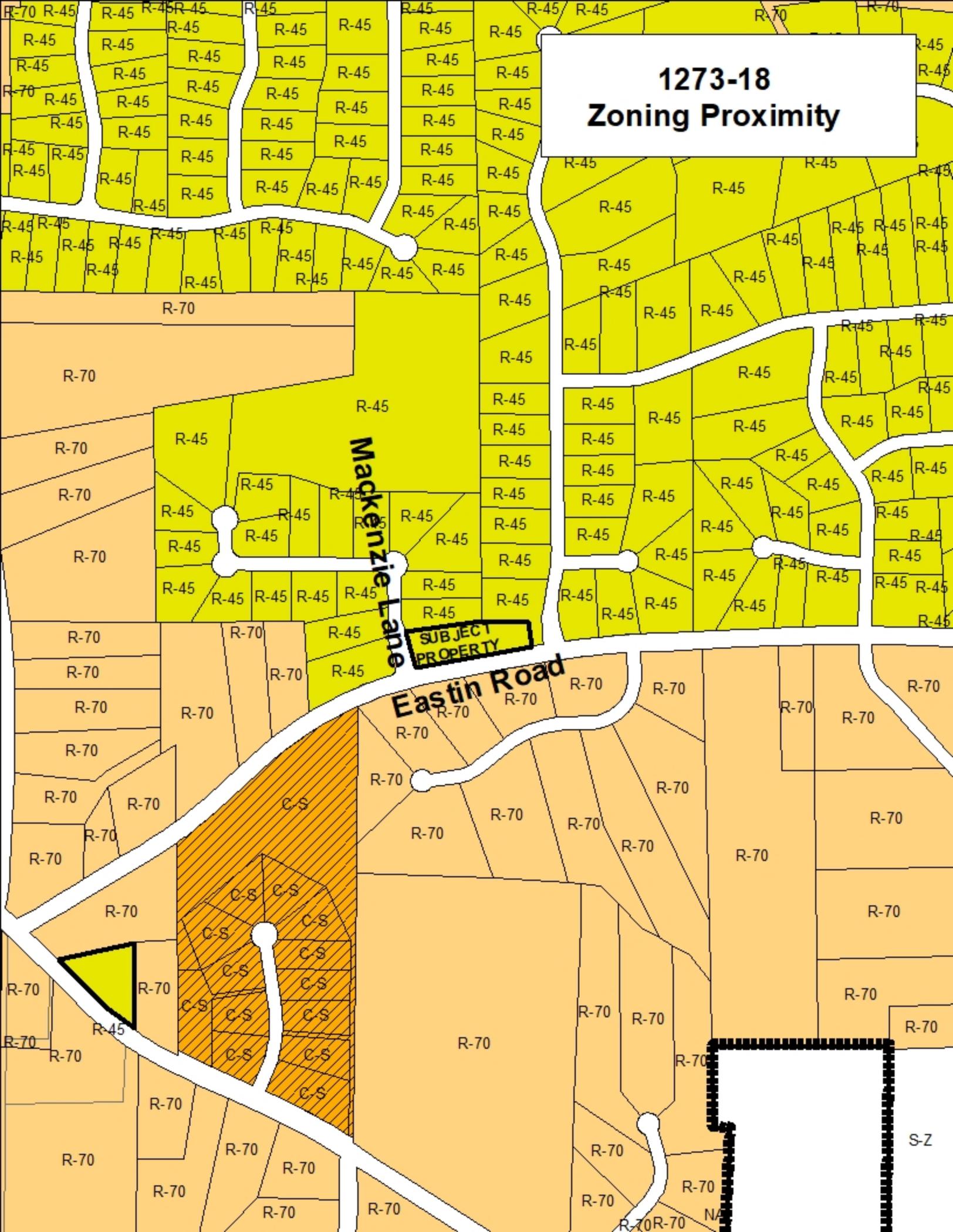
Eastin Road

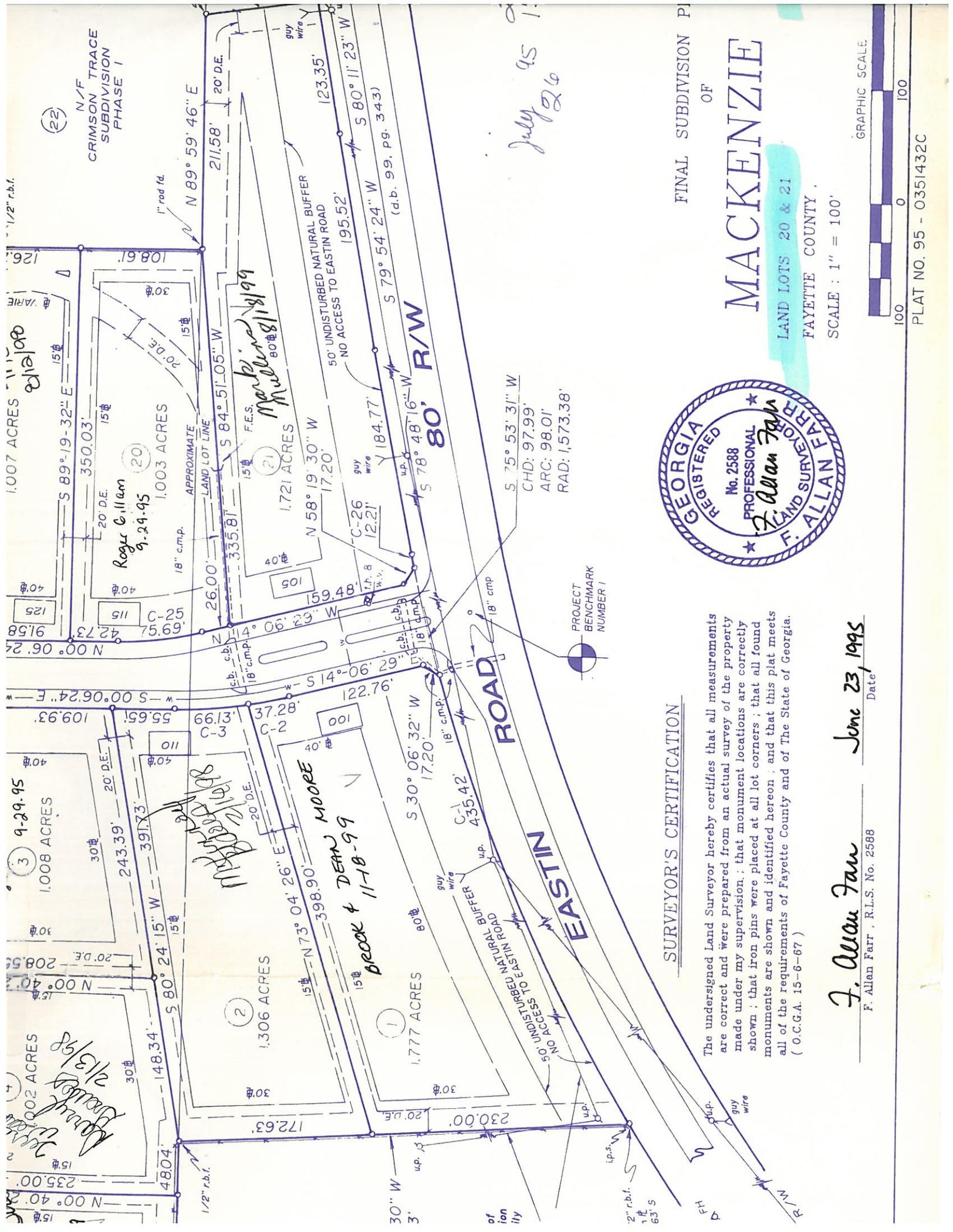
Emerald Lane

Pepperdine Way

SUBJECT
PROPERTY

1273-18 Zoning Proximity





(22)

N/F
CRIMSON TRACE
SUBDIVISION
PHASE 1

1.007 ACRES
125
115
150

Roger William
9-24-95
(20)
1.003 ACRES

Mackenzie
11-18-99
(21)
1.721 ACRES

(3)
9-24-95
1.008 ACRES

Mackenzie
11-18-99
(2)
1.306 ACRES

BROOK & DEAN
MOORE
11-18-99
(1)
1.777 ACRES

July 26
95

FINAL SUBDIVISION P

OF

MACKENZIE

LAND LOTS 20 & 21

FAYETTE COUNTY

SCALE: 1" = 100'

GRAPHIC SCALE



PLAT NO. 95 - 0351432C



SURVEYOR'S CERTIFICATION

The undersigned Land Surveyor hereby certifies that all measurements are correct and were prepared from an actual survey of the property made under my supervision; that monument locations are correctly shown; that iron pins were placed at all lot corners; that all found monuments are shown and identified hereon; and that this plat meets all of the requirements of Fayette County and of The State of Georgia. (O.C.G.A. 15-6-67)

F. Allan Farr

F. Allan Farr, R.L.S. No. 2588

June 23, 1995

Date

PROJECT
BENCHMARK
NUMBER 1



of ion fly

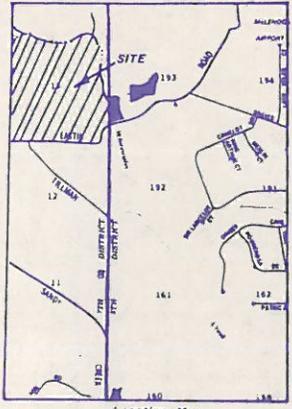
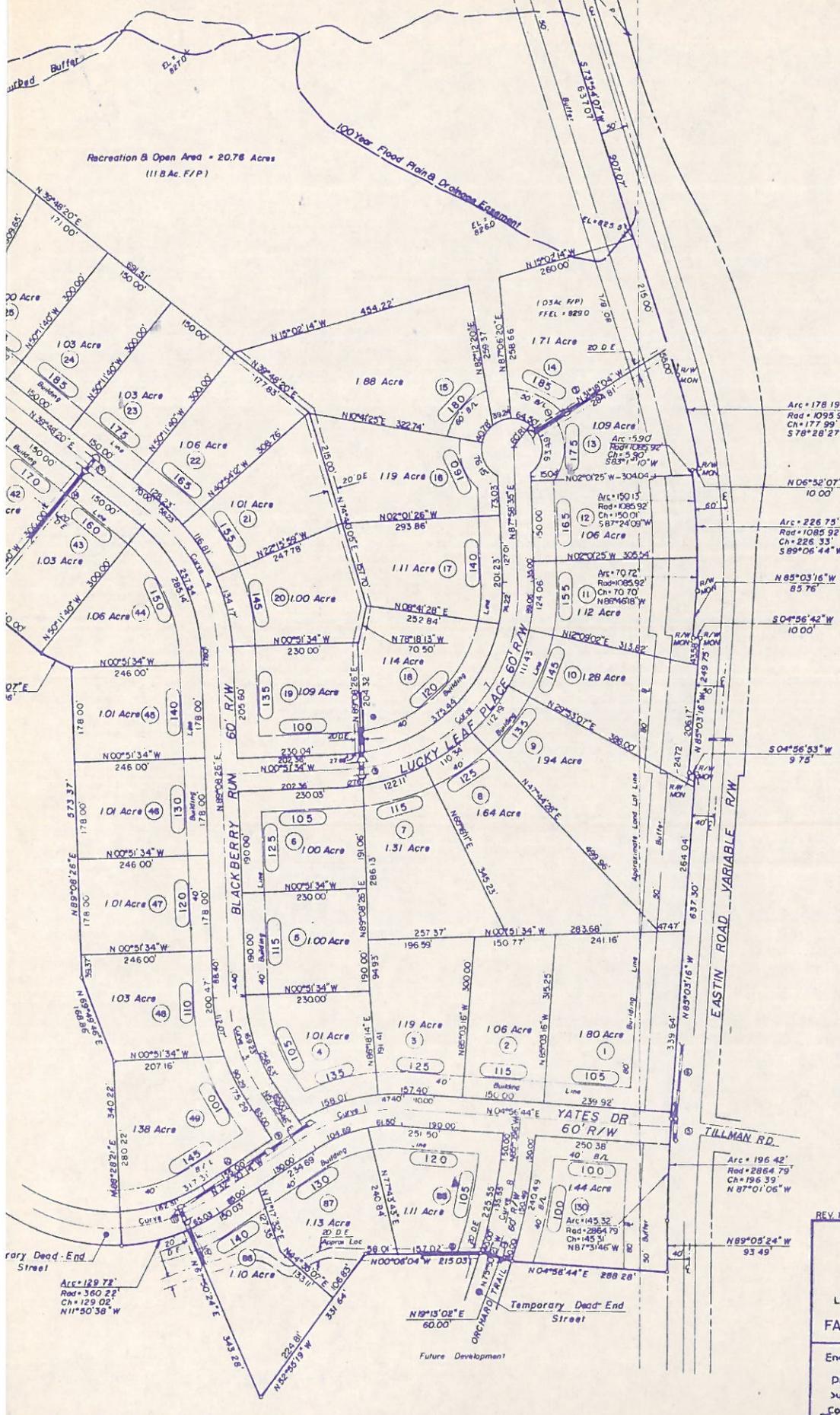
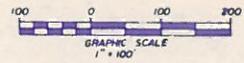
2" r.b.f.
1 ft
63' S

18" c.m.p.

guy wire

up.

Not in a 16" Popular Truss
Elev. = 821.80



PRINTED
OCT 18 1990

BENCHMARK ENGINEERING
CORP.

OWNER'S ACKNOWLEDGMENT

WE, THE UNDERSIGNED OWNERS OF THE PROPERTY SHOWN ON THIS PLAT HEREBY OFFER TO DEDICATE AND/OR RESERVE FOR PUBLIC USE THE RIGHT-OF-WAY, EASEMENTS, AND OTHER GROUND SO SHOWN.

OWNER *James S. Seabolt* DATE *1-27-89*
OWNER LOT BY *Walter* DATE *10-1-90*
FINAL PLAT APPROVED BY COUNTY ENGINEER OF FAYETTE COUNTY, ALL AS-BUILT PLANS HAVE BEEN APPROVED.

DATE *2-15-89* 1989 SIGNED *James S. Seabolt*
REVISION NO. 1 DATE *10/15/90* SIGNED *Richard B. John*
APPROVED BY FAYETTEVILLE - FAYETTE COUNTY PLANNING COMMISSION

DATE *2-13-89* 1989 SIGNED *Robert S. Moore*
REVISION NO. 1 DATE *10/16/90* SIGNED *Robert S. Moore*
APPROVED BY DEPARTMENT OF PUBLIC HEALTH, FAYETTE COUNTY, GA.

THIS PLAT HAS BEEN REVIEWED BY A REPRESENTATIVE OF THE FAYETTE COUNTY HEALTH DEPARTMENT AND BASED ON PERCOLATION TEST RESULTS, LAY OF THE LAND, SOIL INFORMATION, ETC., THIS LAND APPEARS TO BE SUITABLE FOR THE INSTALLATION OF SEPTIC TANKS AND DRAIN FIELDS; HOWEVER, EACH LOT WILL HAVE TO BE INSPECTED TO DETERMINE LOCATION OF HOUSE, STYLE OF HOUSE, ETC. BEFORE FINAL APPROVAL CAN BE ISSUED.

DATE *1-27-89* 1989 SIGNED *Richard B. John*
Environmental Health
Specialist JJC

SURVEYOR'S ACKNOWLEDGMENT

I CERTIFY THAT ALL MEASUREMENTS ARE CORRECT AND WERE PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE UNDER MY SUPERVISION; THAT MONUMENT LOCATIONS ARE CORRECTLY SHOWN; AND, THAT THE PROPERTY WILL DRAIN AS SHOWN. MONUMENTS ARE SHOWN BY IRON PINS.

Larry J. Seabolt
Larry J. Seabolt, G.S. P.L.S. # 2135
REVISION NO. 1 DATE *10/15/90* SIGNED *Richard B. John*
FAYETTE COUNTY DOES NOT ACCEPT THE OWNERSHIP, MAINTENANCE, OR RESPONSIBILITY FOR ANY DRAINAGE EASEMENT OR OVERALL DRAINAGE PLAN, OR THE LACK OF ONE, INDICATED BY THIS PLAT.

REVISED FINAL PLAT
REV. NO. 1 REVISED LOTS 86 & 87 & RELOCATED '20' DRAINAGE EASEMENT 10/15/90

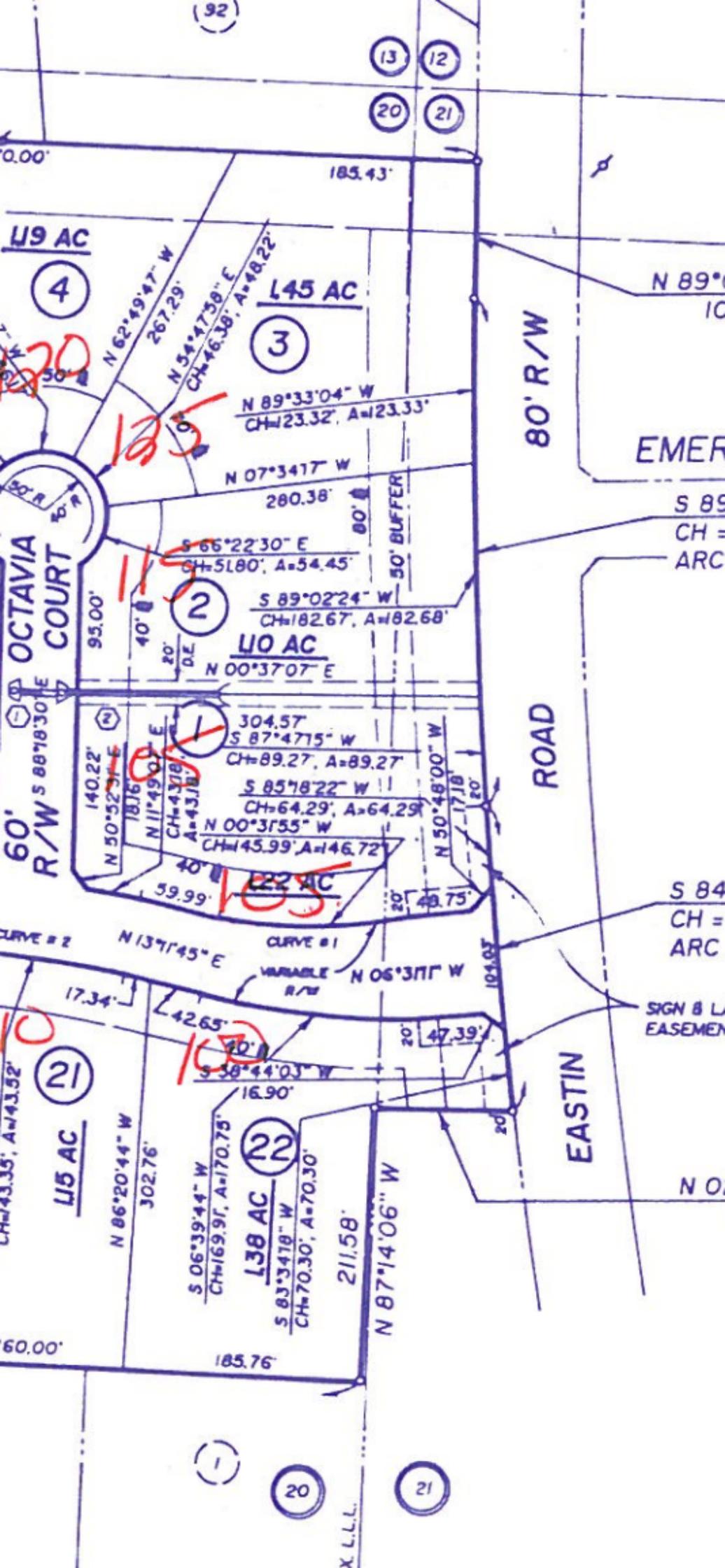
REVISED FINAL PLAT
OF
YATES CROSSING
PHASE ONE

LAND LOT 12, 13 7th DISTRICT
FAYETTE COUNTY GEORGIA

Copyright 1988 Benchmark Engineering Corporation

Civil Engineering	Date 1/18/89
Master Planning	Scale 1"=100'
Surveying	Job No 00345
Construction Management	File No 14-31

118 Conroy Pl. Suite 202
Fayetteville, GA 30215
Phone 435-6653



(32)

(13) (12)
(20) (21)

0.00'

185.43'

119 AC

(4)

145 AC

(3)

N 89° 10'

120
30' R

N 62°49'47" W
267.29'

N 54°47'58" E
CH=46.38', A=48.22'

N 89°33'04" W
CH=23.32', A=23.33'

80' R/W

EMER

30' R

N 07°34'17" W
280.38'

S 89°
CH =
ARC

OCTAVIA COURT
60' R/W S 88°18'30" E

(2)

S 66°22'30" E
CH=51.80', A=54.45'

S 89°02'24" W
CH=182.67', A=182.68'

110 AC

N 00°37'07" E

140.22'
N 50°52'31" E

181.6'
N 11°49'07" E
CH=43.18',
A=43.18'

(1)

304.57'
S 87°47'15" W
CH=89.27', A=89.27'

S 85°18'22" W
CH=64.29', A=64.29'

N 00°31'55" W
CH=45.99', A=46.72'

ROAD

S 84°
CH =
ARC

CURVE # 2

N 137°45" E

CURVE # 1

VARIABLE R/W

N 06°31'17" W

17.34'

42.65'

S 58°44'03" W

16.90'

47.39'

SIGN & L
EASEMEN

10
(21)

115 AC

N 86°20'44" W

302.76'

S 06°39'44" W

CH=169.91', A=170.75'

(22)

S 83°34'18" W

CH=70.30', A=70.30'

211.58'

N 87°14'06" W

EASTIN

N O

60.00'

185.76'

(1)

(20)

(21)

X.L.L.L.