

BOARD MEMBERS

John H. Culbreth, Sr., Chairman
Danny England, Vice-Chairman
Al Gilbert
Brian Haren
Arnold L. Martin, III

STAFF

Peter A. Frisina, Director of Community Services
Chanelle N. Blaine, Zoning Administrator
Howard Johnson, Planning & Zoning Coordinator

AGENDA
FAYETTE COUNTY PLANNING COMMISSION MEETING
140 STONEWALL AVENUE WEST
October 3, 2019
7:00 pm

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

1. Consideration of Minutes of the Planning Commission meeting held on September 19, 2019.

NEW BUSINESS

2. Consideration of a Minor Subdivision Plat of the Ovrevik Property. The property will consist of six (6) lots zoned A-R, is located in Land Lot(s) 105 and 106 of the 4th District and fronts on Grant Road.

PUBLIC HEARING

3. Consideration of Petition No. 1288-19, Rebecca A. Handley and Nancy McCord, Handley Family Trust Co-Trustees, and Rodwright Corp, Agent, request to rezone from A-R to R-55 for the purpose of developing a Residential Subdivision with four (4) lots. This property is located in Land Lot 31 of the 5th District and fronts Redwine Road.
4. Consideration of Petition No. RP-073-19, Bogdan C. and Pamela M. Wolfe, owners, and Randy Boyd, agent, request to revise the Final Plat for Bogdan C. Wolfe & Pamela M. Wolfe. This property is located in Land Lot 252 of the 4th District and fronts McBride Road.

To: Fayette County Planning Commission
From: Channele Blaine, Zoning Administrator
Date: September 27, 2019
Subject: Minor Subdivision Plat to be considered on October 3, 2019

MINOR SUBDIVISION PLAT

Ovrevik Property

OWNER/APPLICANT

Brent-Fayette, LLC.

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

THIS BLOCK RESERVED FOR THE CLERK
OF THE SUPERIOR COURT.

Approved
Bryan Keller
09/12/2019 4:34:52 PM

MINOR SUBDIVISION PLAT OF THE OVREVIK PROPERTY



LEGEND
RBF=REBAR FOUND
RBS=REBAR SET
CTP=CRIMP TOP PIPE
L.L.=LAND LOT
L.L.L.=LAND LOT LINE
P.L.=PROPERTY LINE
CO=CONSTRUCTION ENTRANCE
EP=EDGE OF PAVEMENT
P.O.B.=POINT OF BEGINNING
B/L=BUILDING SETBACK LINE
D.E.=DRAINAGE EASEMENT
N/F=NOW OR FORMERLY
F.W.P.D.=FIELD WORK
PERFORMED DATE
M.F.F.E.=MINIMUM FINISHED FLOOR ELEVATION
DB=DEED BOOK
PG=PAGE
PB=PLAT BOOK
###=HOUSE NUMBER
U/P=UTILITY POLE
R/W=RIGHT OF WAY
TBM=TEMPORARY BENCHMARK

FINAL PLAT APPROVAL CERTIFICATION

APPROVED BY FAYETTE COUNTY ENVIRONMENTAL HEALTH DEPARTMENT

DATE _____ SIGNED _____
ENVIRONMENTAL HEALTH
SPECIALIST

APPROVED BY FAYETTE COUNTY STORMWATER MANAGEMENT DEPARTMENT

DATE _____ SIGNED _____
ENVIRONMENTAL MANAGEMENT DIRECTOR

APPROVED BY FAYETTE COUNTY ENGINEER

DATE _____ SIGNED _____
COUNTY ENGINEER

APPROVED BY THE 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

OWNER'S CERTIFICATION

I, THE UNDERSIGNED OWNER/REPRESENTATIVE OF THE OVREVIK
PROPERTY SUBDIVISION, HEREBY OFFER TO DEDICATE AND/OR
RESERVE FOR PUBLIC USE THE RIGHTS-OF-WAY, EASEMENTS AND
OTHER GROUND SHOWN ON THIS PLAT.

OWNER _____ DATE _____

SURVEYORS CERTIFICATION

AS REQUIRED BY SUBSECTION (c) OF O.C.G.A. SECTION 15-6-67, THE REGISTERED LAND
SURVEYOR HEREBY CERTIFIES THAT THIS MAP, PLAT, OR PLAN HAS BEEN APPROVED
FOR FILING IN WRITING BY ANY AND ALL APPLICABLE MUNICIPAL, COUNTY, OR
MUNICIPAL-COUNTY PLANNING COMMISSIONS OR MUNICIPAL OR COUNTY GOVERNING
AUTHORITIES OR THAT SUCH GOVERNMENTAL BODIES HAVE AFFIRMED IN WRITING
THAT APPROVAL IS NOT REQUIRED.

FINAL SURVEYOR'S CERTIFICATE

IT IS HEREBY CERTIFIED THAT THIS PLAT IS TRUE AND CORRECT AND WAS PREPARED
FROM AN ACTUAL SURVEY OF THE PROPERTY MADE BY ME OR UNDER MY
SUPERVISION; THAT ALL MONUMENTS SHOWN HEREON ACTUALLY EXIST OR ARE
MARKED AS "FUTURE" AND THEIR LOCATION, SIZE, TYPE, AND MATERIAL ARE
CORRECTLY SHOWN. THIS PLAT CONFORMS TO ALL REQUIREMENTS OF THE GEORGIA
PLAT ACT (O.C.G.A. SECTION 15-6-67).

BY: SWINSON A. GASKINS, Sr. GEORGIA REGISTERED LAND SURVEYOR NO.1620

DATE _____

SOILS CLASSIFICATION DELINEATION

I, ERIC HAMILTON DO HEREBY CERTIFY THAT THE LEVEL III SOIL
SURVEY INFORMATION PROVIDED ON THIS PLAT WAS PERFORMED BY
APPLIED ENVIRONMENTAL SCIENCES, INC. 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 DATE _____
ERIC HAMILTON
REGISTRATION NO. 224
APPLIED ENVIRONMENTAL SCIENCES, INC.
90F GLENDA TRACE SUITE 327
NEWNAN, GA 30265 (678)-262-4020

WETLANDS DELINEATION

I, BRANNON MILES, DO HEREBY CERTIFY THAT I HAVE FIELD
INSPECTED THE PROPERTY KNOWN AS THE OVREVIK PROPERTY ON
JUNE 17, 2019 AND DETERMINED THAT THE PROPERTY CONTAINS
JURISDICTIONAL WETLANDS AS DEFINED BY THE U.S. ARMY CORPS
OF ENGINEERS.

SIGNATURE OF WETLAND DELINEATOR DATE _____
REGISTRATION NO. 150
APPLIED ENVIRONMENTAL SCIENCES, INC.
90F GLENDA TRACE SUITE 327
NEWNAN, GA 30265 (678)-262-4020

GENERAL NOTES

1. OWNER:
BRENT-FAYETTE, LLC.
CONTACT: RICHARD FERRY
270 NORTH JEFF DAVIS DRIVE
FAYETTEVILLE, GA 30214
770-461-0478

2. SURVEYOR:
S. A. GASKINS & ASSOCIATES, LLC.
P.O. BOX 321
BROOKS, GA 30205
678-571-3054
rdgaskins79@gmail.com

3. TOTAL ACREAGE: 98.30 ACRES
(DB 4885 PG 723-728)

6 LOTS- ZONED A-R

MINIMUM DIMENSIONAL REQUIREMENTS FOR A-R ZONING DISTRICT

LOT AREA: 5 ACRES
LOT WIDTH: 250 FT
FLOOR AREA: 1,200 SQ FT
FRONT YARD SETBACK:
MAJOR THOROUGHFARE
ARTERIAL: 100 FEET
COLLECTOR: 100 FEET
MINOR THOROUGHFARE: 75 FEET
REAR YARD SETBACK: 75 FT
SIDE YARD SETBACK: 50 FT

4. SEWER TO BE PROVIDED BY AN ON-SITE SEWAGE DISPOSAL SYSTEM.

5. WATER TO BE PROVIDED BY INDIVIDUAL WELLS.

6. FAYETTE COUNTY DOES NOT ACCEPT THE OWNERSHIP, MAINTENANCE, OR
RESPONSIBILITY FOR ANY DRAINAGE EASEMENT OR OVERALL DRAINAGE PLAN
OR THE LACK OF ONE INDICATED ON THIS PLAT.

7. THIS SURVEY IS SUBJECT TO ALL EASEMENTS, RIGHTS-OF-WAY AND
RESTRICTIONS SHOWN OR NOT SHOWN, RECORDED OR NOT RECORDED.

8. THERE IS A RECORDED EASEMENT FOUND ASSOCIATED WITH THIS
PROPERTY.(DB 33 PG 225-226)

9. THERE IS NO GROUNDWATER RECHARGE AREA ON THIS PROPERTY.

10. 1/2" REINFORCING RODS SET AT ALL LOT CORNERS UNLESS NOTED
OTHERWISE.

11. ACCORDING TO FEMA FLOOD INSURANCE RATE MAP NUMBER 13113C0170E,
DATED SEPTEMBER 26, 2008, A PORTION OF THIS PROPERTY DOES LIE WITHIN A
SPECIAL FLOOD HAZARD AREA.(ZONE A)

12. LOT NO. 1, 5 & 6 EITHER CONTAIN OR ARE ADJACENT TO A SPECIAL FLOOD
HAZARD AREA IDENTIFIED IN THE FAYETTE COUNTY 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 A BASEMENT BY THIS STUDY.

13. EACH RESIDENTIAL LOT HAS A CONTIGUOUS AREA OF MORE THAN TWO
ACRES THAT IS FREE AND CLEAR OF ZONING BUFFERS AND SETBACKS,
WATERSHED PROTECTION BUFFERS AND SETBACKS, JURISDICTIONAL
WETLANDS, AND EASEMENTS OF ANY KIND.

14. THERE ARE NO VISIBLE CEMETERIES OR BURIAL GROUNDS ON THIS
PROPERTY.

15. THERE ARE STATE WATERS ON THIS PROPERTY.

16. THIS PROPERTY CONTAINS JURISDICTIONAL WETLANDS AS DEFINED BY THE
U.S. ARMY CORPS OF ENGINEERS AS DELINEATED BY APPLIED ENVIRONMENTAL
SCIENCES, INC. ON JUNE 17, 2019. WETLANDS SHOWN ON THIS PLAT ARE
UNDER THE JURISDICTION OF THE U.S. ARMY CORPS OF ENGINEERS.
PROPERTY OWNERS MAY BE SUBJECT TO PENALTY BY LAW FOR DISTURBANCE
TO THESE WETLAND AREAS WITHOUT PROPER AUTHORIZATION.



Prepared For:

Brent-Fayette, LLC.

Property Location

Land Lots 105 & 106 Of The 4th Land District
Fayette County, Georgia

S.A. GASKINS & ASSOCIATES, LLC

surveyors planners development consultants
P.O. BOX 321 BROOKS, GA 30205
678-571-3054
rdgaskins79@gmail.com

Job No. 19-045

Drawn By: R.D.G. Reviewed By: R.M.B.

Issue Date: 07/08/18

F.W.P.D.: 05/02/19

Revisions _____ Date _____
COUNTY COMMENTS 08/20/19

MINOR SUBDIVISION PLAT OF THE OVREVIK PROPERTY

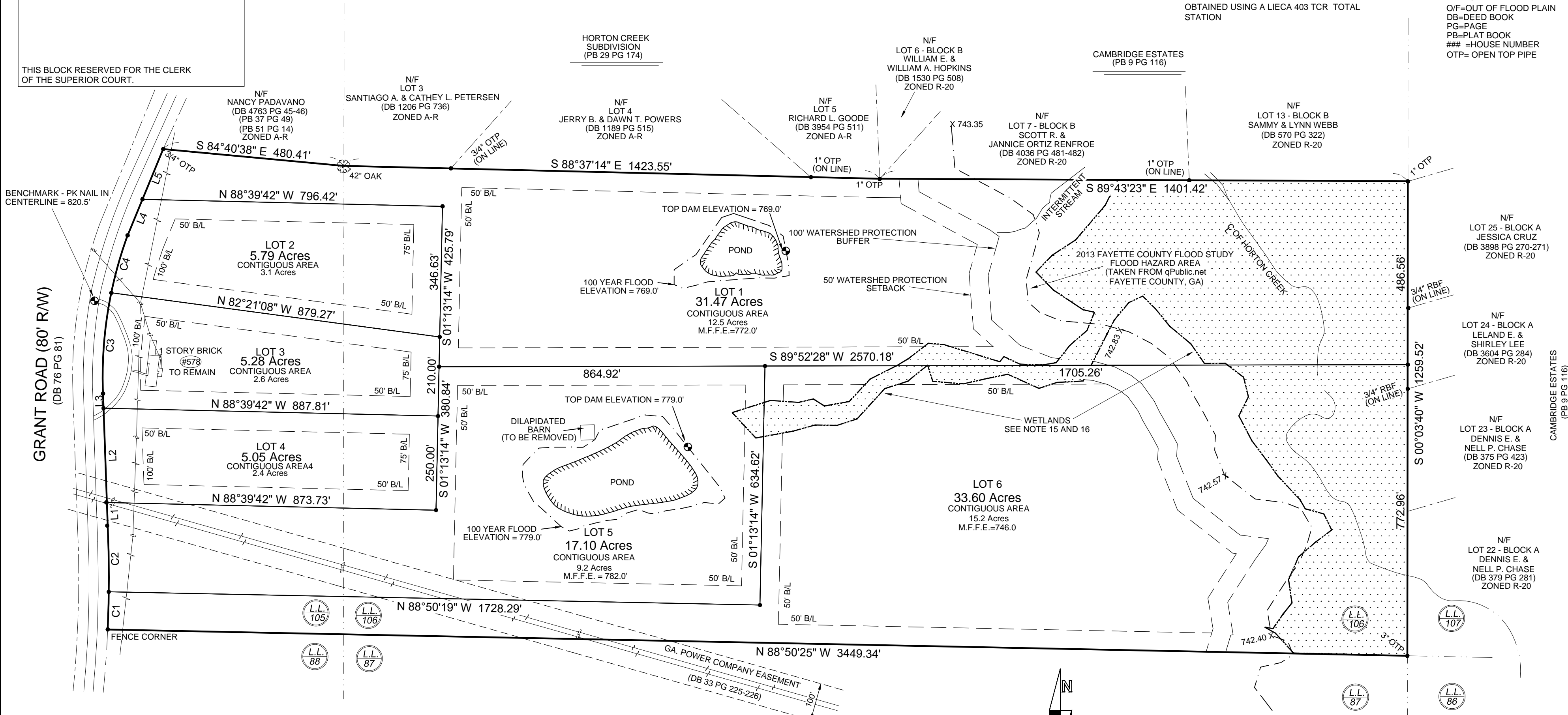
CLOSURE STATEMENT
THE FIELD DATA UPON WHICH THIS PLAT IS
BASED HAS A CLOSURE PRECISION OF ONE
FOOT IN 42,167 FEET AND AN ANGULAR ERROR
OF 00° 00' 02" PER ANGLE POINT AND HAS BEEN
ADJUSTED USING THE COMPASS RULE
METHOD.

THIS PLAT HAS BEEN CALCULATED FOR
CLOSURE AND IS FOUND TO BE ACCURATE
WITHIN ONE FOOT IN 100,000+ FEET.

ANGULAR & LINEAR MEASUREMENTS WERE
OBTAINED USING A LIECA 403 TCR TOTAL
STATION

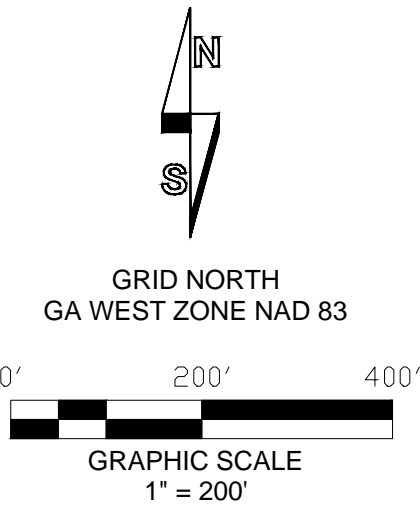
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THIS BLOCK RESERVED FOR THE CLERK
OF THE SUPERIOR COURT.



CURVE	ARC LENGTH	RADIUS	CHORD LENGTH	CHORD BEARING
C1	100.01'	3121.86'	100.00'	N 01°34'39" E
C2	175.53'	3121.86'	175.51'	N 00°57'04" W
C3	269.01'	1099.30'	268.34'	N 04°41'33" E
C4	158.80'	1099.30'	158.66'	N 15°50'29" E

LINE	BEARING	DISTANCE
L1	N 02°00'12" W	61.76'
L2	N 02°00'12" W	250.43'
L3	N 02°00'12" W	38.81'
L4	N 22°22'27" E	103.28'
L5	N 22°22'27" E	144.36'



Prepared For:

Brent-Fayette, LLC.

Property Location

Land Lots 105 & 106 Of The 4th Land District
Fayette County, Georgia

S.A. GASKINS & ASSOCIATES, LLC

surveyors planners development consultants
P.O. BOX 321 BROOKS, GA 30205
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Issue Date: 07/08/18

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Revisions Date
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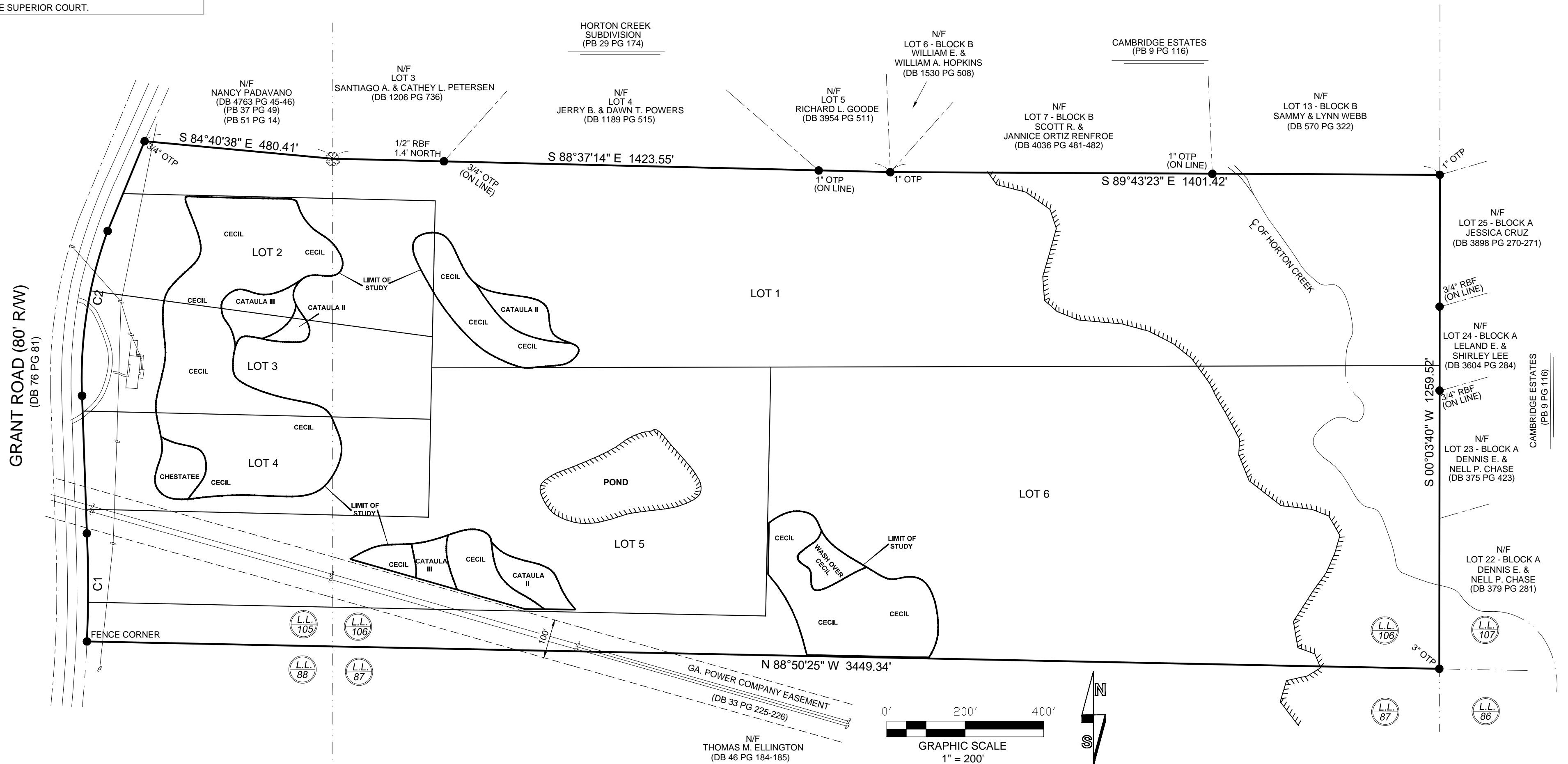
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OF THE SUPERIOR COURT.

SOIL INTERPRETIVE DATA

Soil Units	Depth to Bedrock (in)	Depth to Seasonal High Water Table (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	24-30 (PWT)	2-10	12	----	0.10	C1
Cataula III	>72	24-42* (PWT)	2-10	54-60	60	----	O1
Cecil	>72	>72	2-10	36-48	60	----	A1
Chestatee	54-66	>72	3-8	24-36	60	----	K1
Wash Over Cecil	>72	>72	2-10	40-48	60	----	A2

SOIL SUITABILITY LEGEND

- A1 Soils are typically suitable for conventional absorption field with proper design, installation and maintenance.
- A2 Soils consist of local alluvium or wash over natural soils. Residual soil is suitable for conventional absorption field installation at recommended trench depth. Storm water runoff must be diverted from this area if it is used for absorption field.
- C1 Soils are unsuitable for conventional absorption fields due to perched water table conditions. Soils are generally suitable for alternative absorption fields with treatment system producing Class 1 effluent.
- K1 Soils are typically suitable for conventional absorption field with proper design, installation and maintenance. Inclusions of boulders, stones and partially weathered parent material may be encountered but should not affect installation or performance of the absorption field. Further investigation utilizing backhoe test pits may allow for recommendation of deeper trench depths.
- O1 Soils show evidence of a somewhat restrictive layer in the upper part of the profile. Brief perching of water may cause problems for absorption fields installed in the upper part of the soil profile. Soil below somewhat restrictive layer appear to be well drained with texture and structure that should provide a suitable percolation rate. Conventional absorption field installed below restrictive layer should function effectively. Environmental Health Department may require futher inspection utilizing backhoe test pits prior to permitting.



MINOR SUBDIVISION PLAT OF THE OVREVIK PROPERTY

Prepared For:

Brent-Fayette, LLC.

Property Location

Land Lots 105 & 106 Of The 4th Land District
Fayette County, Georgia

S.A. GASKINS & ASSOCIATES, LLC

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PAGE 3 OF 3



REQUESTED ACTION: A-R to R-55

PROPOSED USE: Residential Subdivision

EXISTING USE: Residential

LOCATION: Redwine Road

DISTRICT/LAND LOT(S): 5th District, Land Lot(s) 31

OWNER: Rebecca A. Handley and Nancy McCord, Handley Family Trust Co-Trustees

AGENT: Rodwrightcorp

PLANNING COMMISSION PUBLIC HEARING: October 3, 2019

BOARD OF COMMISSIONERS PUBLIC HEARING: October 24, 2019

APPLICANT'S INTENT

Applicant proposes to develop a Residential Subdivision consisting of 4 lots on 5.85 acres.

STAFF RECOMMENDATION

APPROVAL with TWO (2) CONDITIONS

INVESTIGATION

A. PROPERTY SITE

The subject property is a 5.85 acre tract fronting on Redwine Road in Land Lot 31 of the 5th District. Redwine Road is classified as a Minor Arterial road on the Fayette County Thoroughfare Plan. The subject property contains a single-family residence.

B. SURROUNDING ZONING AND USES

The general situation is a 5.85 acre tract that is zoned A-R. In the vicinity of the subject property is land which is zoned A-R, PUD 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, West & South	33.98 (remainder of parent tract)	A-R	Undeveloped	Low-Density Residential (1 Unit/1 Acre)
East (across Redwine Road)	33.38	A-R	Undeveloped	Low-Density Residential (1 Unit/1 Acre)

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 from A-R to R-55 for the purpose of developing a Residential Subdivision with four (4) lots. Per the concept plan, the applicant is requesting to rezone a 5.85 acre portion of a 40 acre parcel with the remainder of the property being subdivided into two A-R lots (16.9 acres and 17.08 acres).

The subject property contains an existing single-family residence. The R-55 zoning district requires a minimum heated square footage of 2,500 square feet for a single-family residence. Tax Assessor records indicate that the existing single-family residence is 2,046 square feet. Staff will recommend a condition that the Final Plat for the subject property will not be approved until the existing single-family residence is brought into compliance with the R-55 zoning district which can be achieved either by adding additional heated finished floor area to the existing single-family residence to meet the minimum required floor area or through a variance, approved by the Zoning Board of Appeals, to reduce the minimum floor area requirement, or as a third option, removing the existing single-family residence from the subject property.

Platting

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

Access

The Concept Plan submitted indicates six (6) potential lots fronting and directly accessing Redwine Road, four (4) curb cuts within the 5.85 acres being rezoned and two (2) curb cuts on the proposed A-R lots outside of the area being rezoned. To reduce traffic impact on Redwine Road, Staff is recommending a condition that the four lots within the area being rezoned be limited to two (2) driveway curb cuts and each driveway curb cut shall service no more than two (2) lots (see Public Works/Engineering comments below).

E. REVIEW OF CONCEPT PLAN

The applicant is advised that the Concept Plan is for illustration purposes only. Any deficiencies must be addressed at the time of submittal of the Preliminary Plat, Final Plat, and/or Site Plan, as applicable.

F. DEPARTMENTAL COMMENTS

Water System

Water Available

Public Works/Engineering

1. New Trips & Distribution – The additional lots and curb cuts will increase the number of trips to and from the parcels a nominal amount compared to the number of lots available with A-R, but significantly less than the amount of trips to be generated if the entire parcel were re-zoned and subdivided. The number of lots, as proposed, should not have a measurable impact on traffic operations at the nearest intersection on Redwine Road.
2. Redwine Road is an Arterial. A right-of-way dedication shall be made, as needed, to provide 50-ft of R/W as measured from centerline of existing road.
3. The existing, or any new driveways, shall meet all County standards for driveways prior to Final Plat approval.
4. Sight Distance – Because of a vertical curve near the northern side of the property, one or more lots may not have enough sight distance to meet the 500 ft required for a 45-mph speed limit. The owner/developer shall be responsible for having an RLS or PE determine available sight distance and identify suitable driveway locations.
5. In addition to sight distance requirements, Engineering has concerns about the potential number and proximity of new driveway cuts if the property is developed as shown in the concept. To help alleviate, Engineering recommends, as a condition of zoning, the use of at least two shared driveways. The driveways shall be in areas that meet or exceed minimum sight distance requirements (which may dictate which lots have to share driveways).

Environmental Management

Floodplain The property **DOES** contain floodplain per FEMA FIRM panel 13113C0113E and 13113C0094E dated Sept 26, 2008. The property **DOES** contain additional floodplain delineated in the FC 2013 Future Conditions Flood Study. Per Fayette County Floodplain Management Ordinance the elevation of the lowest floor, including basement and building access of any development shall be at least 3 feet above the base flood elevation or one foot above the future-conditions flood elevation, whichever is higher. A Floodplain Management Plan is required if any development activities are totally or partially within an Area of Special Flood Hazard as defined by the Floodplain Management Ordinance.

- Wetlands** The property **DOES** contain wetlands per the U.S. Department of the Interior, Fish and Wildlife Service 1994 National Wetland Inventory Map. Per Section 8-4 of Fayette County Development Regulations, the applicant must obtain all required permits from the U.S. Army Corps of Engineers prior to issuance of any permits from Fayette County for any phase of development affecting wetlands.
- Watershed** Whitewater Creek **IS** subject to a Watershed Protection buffer of 100 feet off the FEMA floodplain or 400 feet from rested vegetation (whichever is greater) and a 50 ft. setback from the measured buffer. Any other state waters identified on site are subject to a 50 ft. watershed buffer measured from wrested vegetation and a 25 ft. setback as measured from the buffer.
- Groundwater** The property **IS NOT** within a groundwater recharge area.
- Stormwater** This development **IS NOT** subject to the Post-Development Stormwater Management Ordinance.

Environmental Health Department

No objections to proposed rezoning. Dept. will need a complete Subdivision Review Application. This will require submission of a to-scale red stamped Level 3 Soils Report with Classifier's Certificate of Insurance.

Fire

Approved

STAFF ANALYSIS

This request is based on the petitioner's intent to rezone said property from A-R to R-55 for the purpose of developing Low-Density Residential. Per Section 110-300 of the Fayette County Zoning Ordinance, Staff makes the following evaluations:

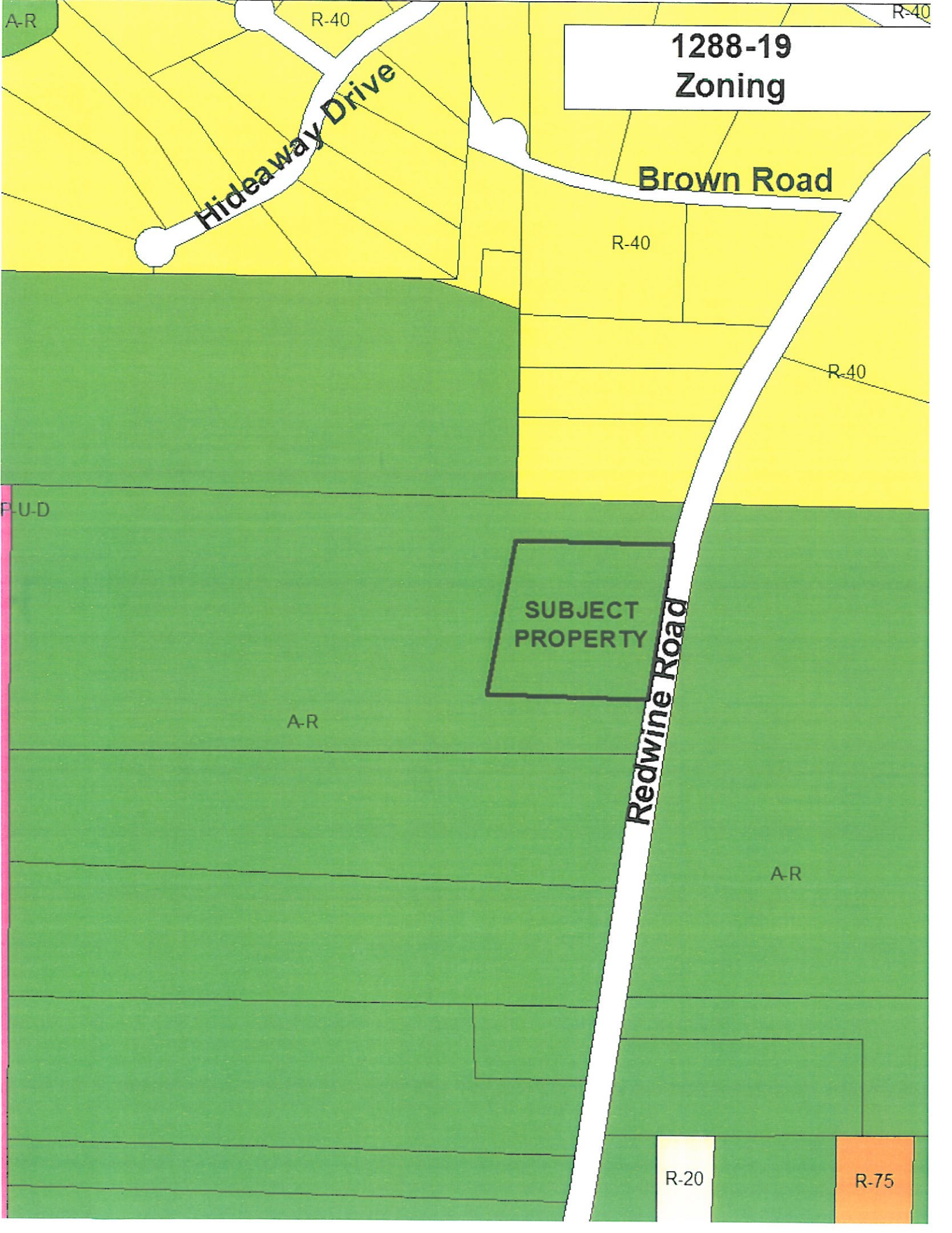
1. The subject property lies within an area designated for Low-Density Residential (1 Unit/1 Acre). This request conforms to the Fayette County Comprehensive Plan.
2. The proposed rezoning will not adversely affect the existing use or usability of adjacent or nearby property.
3. The proposed rezoning will not result in a burdensome use of roads (as conditioned), 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 TWO (2) CONDITIONS.**

RECOMMENDED CONDITIONS

If this petition is approved by the Board of Commissioners, it should be approved **R-55 CONDITIONAL** 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. That the four (4) lots within the area being rezoned, plus the two (2) proposed A-R lots, be limited to no more than four (4) driveway curb cuts and each driveway curb cut shall service no more than two (2) lots. Each driveway shall meet the minimum required sight distance. The locations of the driveway curb cuts shall be approved by the County Engineer.
2. That the Final Plat for the subject property will not be approved until the existing single-family residence is brought into compliance with the R-55 zoning district which can be achieved either by adding additional heated finished floor area to the existing single-family residence to meet the minimum required floor area or through a variance, approved by the Zoning Board of Appeals, to reduce the minimum floor area requirement, or as a third option, removing the existing single-family residence from the subject property prior to Final Plat approval.



**1288-19
Zoning**

Hideaway Drive

Brown Road

R-40

R-40

**SUBJECT
PROPERTY**

Redwine Road

A-R

A-R

R-20

R-75

**1288-19
Land Use Plan**

Hideaway Drive

Brown Road

**LOW DENSITY
RESIDENTIAL**

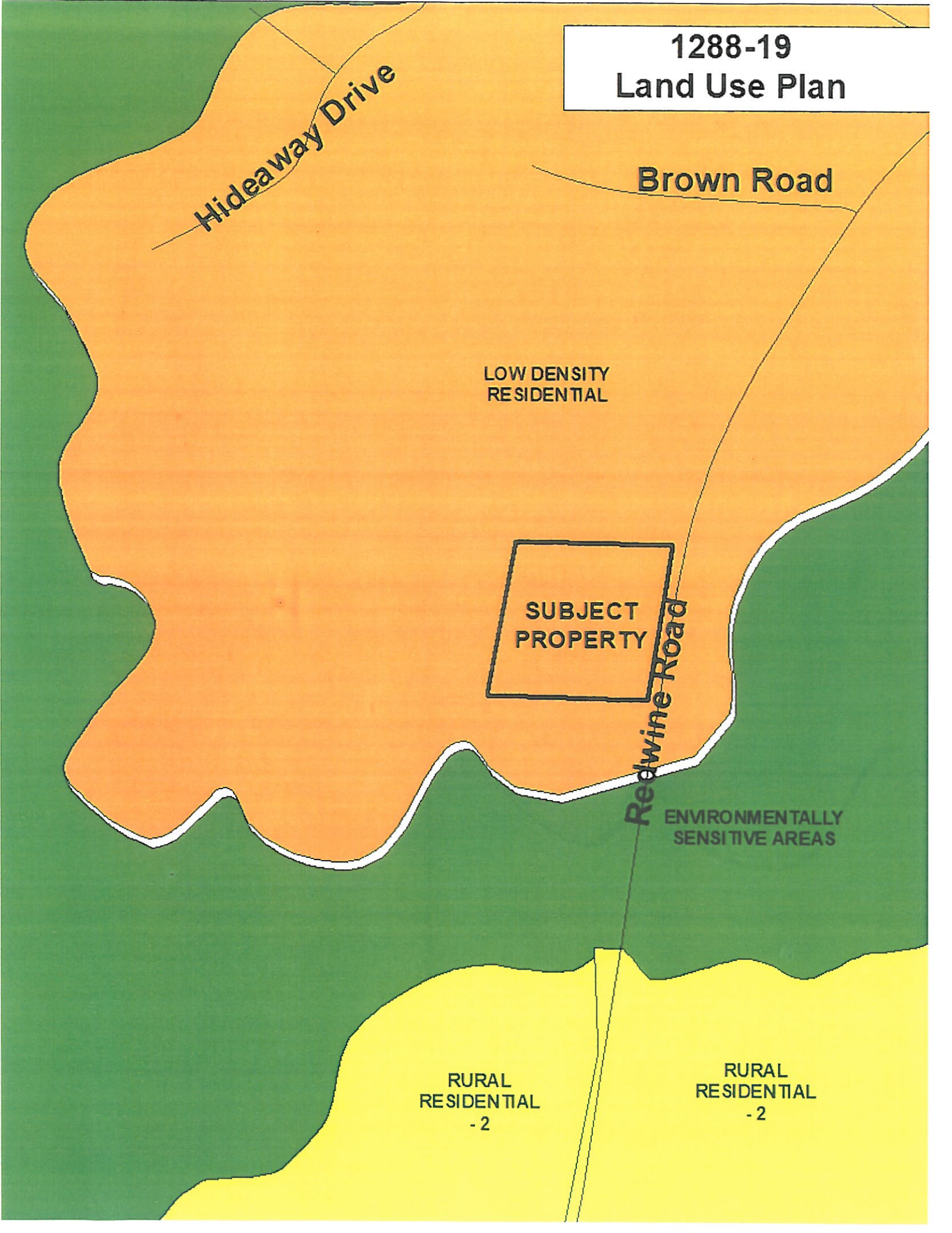
**SUBJECT
PROPERTY**

Redwine Road

**ENVIRONMENTALLY
SENSITIVE AREAS**

**RURAL
RESIDENTIAL
- 2**

**RURAL
RESIDENTIAL
- 2**



**1288-19
Aerials**

Hideaway Drive

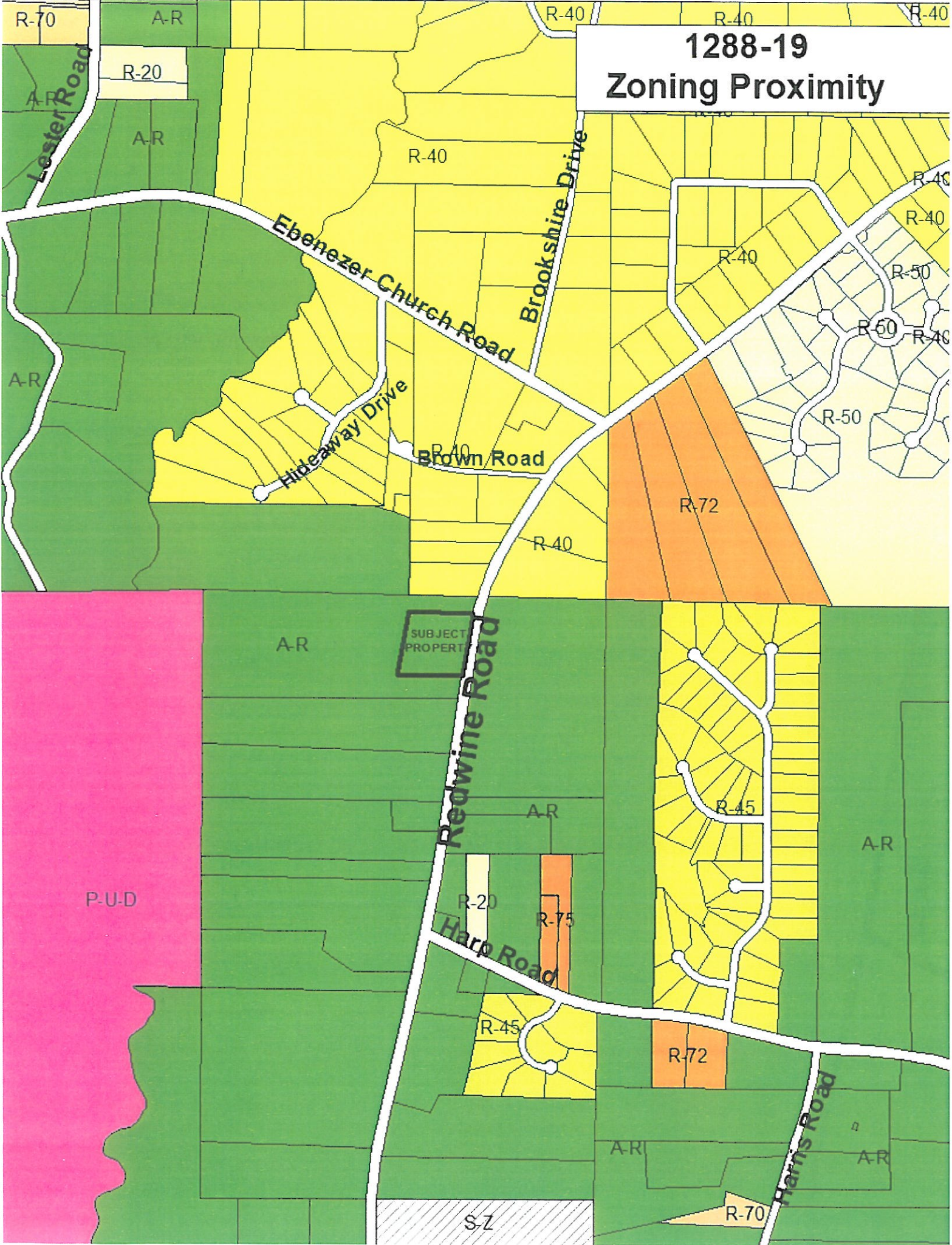
Brown Road

SUBJECT
PROPERTY

Redwine Road



1288-19 Zoning Proximity



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##=HOUSE NUMBER
=FIRE HYDRANT
CTP=CRIMP TOP PIPE

CONCEPT PLAN

OWNERS: HANDLEY FAMILY TRUST ESTATE
(DEED BOOK 3669, PAGES 24-25, PLAT BOOK 5, PAGE 98)

AGENT: RODWRIGHTCORP
PO BOX 629
FAYETTEVILLE, GA 30214
770-294-7990

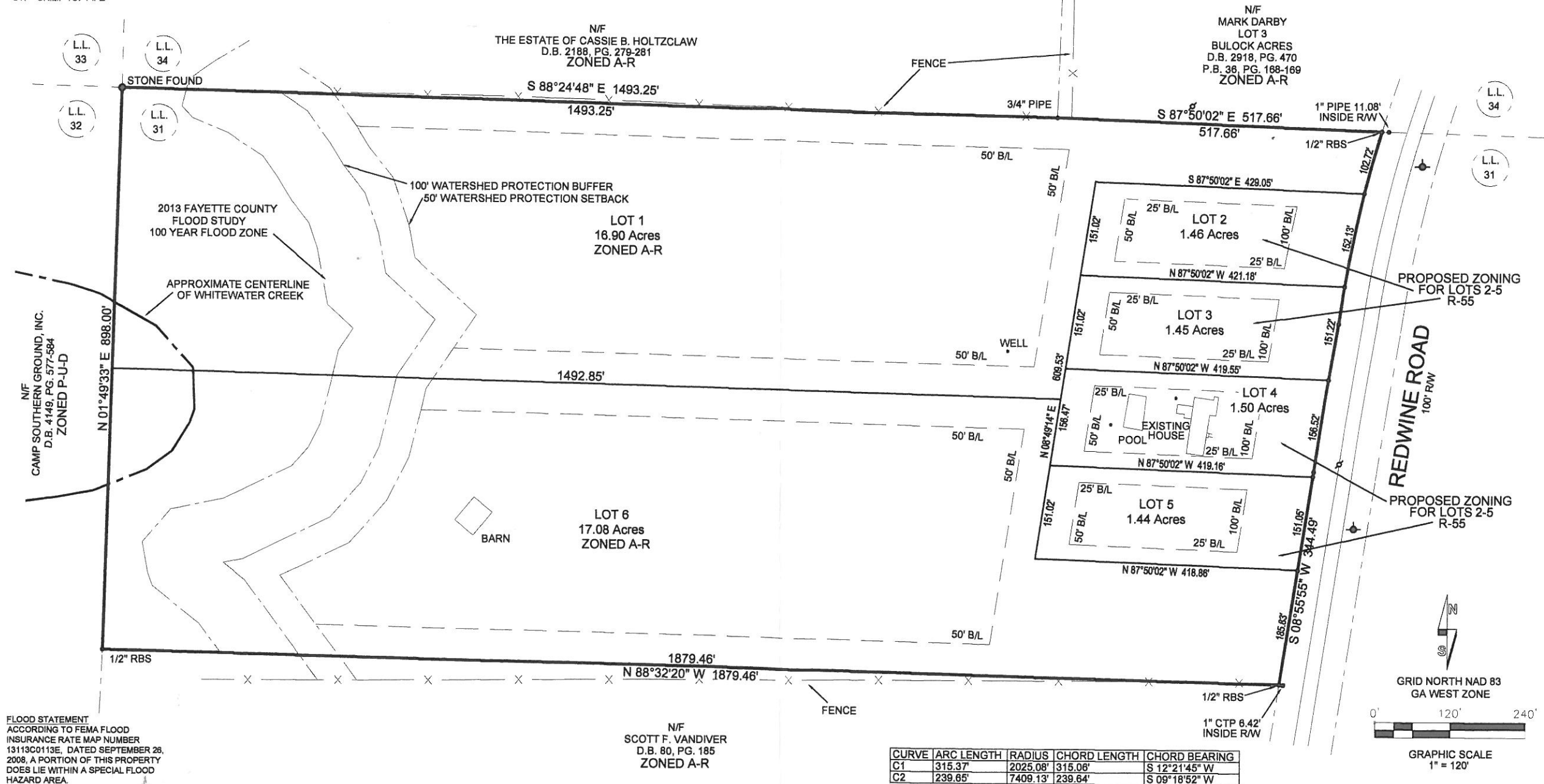
MINIMUM LOT SIZE = 1.00 ACRE
SETBACKS: FRONT - 100' ARTERIAL
FRONT - 75' COLLECTOR
FRONT - 50' LOCAL
SIDE - 25'
REAR - 50'

SITE AREA = 5.85 ACRES
TAX PARCEL NO. 0501 017
EXISTING ZONING: AR - AGRICULTURAL RESIDENTIAL
PROPOSED ZONING: R - 55 - SINGLE FAMILY RESIDENTIAL
LAND USE PLAN DESIGNATION: LOW DENSITY RESIDENTIAL - 1 UNIT/1 ACRE

MINIMUM HOUSE SIZE 2500 SQ. FT.
MINIMUM LOT WIDTH AT BUILDING LINE: 150' COLLECTOR
EXISTING WATERLINE LOCATED ALONG THE EAST SIDE OF REDWINE ROAD.
REDWINE ROAD IS CLASSIFIED AS A MINOR ARTERIAL ROAD ON THE FAYETTE COUNTY THOROUGHFARE PLAN. PURSUANT TO CHAPTER 104, ARTICLE III, SECTION 104-52(b) OF THE CODE OF FAYETTE COUNTY, GA. A MINIMUM RIGHT-OF-WAY OF 100 FEET IS REQUIRED FOR A ARTERIAL ROAD.
POSTED SPEED LIMIT IS 45 MPH IN BOTH DIRECTIONS

SEP - 3 2019

TOTAL AREA
39.82 Acres
D.B. 3669, PG. 24-25
P.B. 5, PG. 98



FLOOD STATEMENT
ACCORDING TO FEMA FLOOD
INSURANCE RATE MAP NUMBER
13113C0113E, DATED SEPTEMBER 28,
2008, A PORTION OF THIS PROPERTY
DOES LIE WITHIN A SPECIAL FLOOD
HAZARD AREA.

Job No. 19-038

Drawn By: R.D.G. Reviewed By: R.M.B.

Issue Date: 07/24/19

F.W.P.D.: N/A

Revisions Date



RODWRIGHTCORP

Property Location

Land Lot 31 Of The 5th Land District
Fayette County, Georgia

S.A. GASKINS & ASSOCIATES, LLC

surveyors planners development consultants
P.O. BOX 303 BROOKS, GA 30205
678-571-3054
rdgaskins79@gmail.com

CLOSURE STATEMENT
THE FIELD DATA UPON WHICH THIS PLAT IS
BASED HAS A CLOSURE PRECISION OF ONE
FOOT IN 42,167 FEET AND AN ANGULAR ERROR
OF 00° 00' 02" PER ANGLE POINT AND HAS BEEN
ADJUSTED USING THE COMPASS RULE
METHOD.

THIS PLAT HAS BEEN CALCULATED FOR
CLOSURE AND IS FOUND TO BE ACCURATE
WITHIN ONE FOOT IN 100,000+ FEET.

ANGULAR & LINEAR MEASUREMENTS WERE
OBTAINED USING A LIECA 403 TCR TOTAL
STATION

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

PROPERTY OWNERS: Rebecca A. Handley and Nancy McCord as Co-Trustees of the Handley Family Trust

(Ms. Handley): 360 Darwin Place, Duluth, Georgia 30096

MAILING ADDRESS: (Ms. McCord): 4381 Quail Ridge Way, Norcross, Georgia 30092

PHONE: 404-824-7734

E-MAIL: _____

AGENT FOR OWNERS: Rodwrightcorp

MAILING ADDRESS: P.O. Box 629, Fayetteville, Georgia 30214

PHONE: 770-294-7990

E-MAIL: thesubdivider@gmail.com

PROPERTY LOCATION: LAND LOT 31 LAND DISTRICT 5 PARCEL 0501 017
LAND LOT _____ LAND DISTRICT _____ PARCEL _____

TOTAL NUMBER OF ACRES REQUESTED TO BE REZONED: 5.85

EXISTING ZONING DISTRICT: A-R PROPOSED ZONING DISTRICT: R-55

ZONING OF SURROUNDING PROPERTIES: A-R, PUD, R-40

PRESENT USE OF SUBJECT PROPERTY: 1 Single-Family, Residential Lots

PROPOSED USE OF SUBJECT PROPERTY: 4 Single-Family, Residential Lots

LAND USE PLAN DESIGNATION: Low Density Residential (1 Unit/1 Acre)

NAME AND TYPE OF ACCESS ROAD: Redwine Road (Minor Arterial)

LOCATION OF NEAREST WATER LINE: Redwine Road in Right-of-Way in front of Subject Property

(THIS AREA TO BE COMPLETED BY STAFF): PETITION NUMBER: 1288-19

[] Application Insufficient due to lack of: _____

by Staff: _____

Date: _____

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

by Staff: COS

Date: 9/3/2019

DATE OF PLANNING COMMISSION HEARING: October 3, 2019

DATE OF COUNTY COMMISSIONERS HEARING: October 24, 2019

Received from Rod Wright Corp a check in the amount of \$ 270.00 for application filing fee, and \$ 250.00 for deposit on frame for public hearing sign(s). 20.00 (sign)

Date Paid: 9/3/19 - CWS

Receipt Number: 6927908-sign

6927905-application

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:

Rebecca A. Handley and Nancy McCord as Co-Trustees of the Handley Family Trust

Please Print Names

Property Tax Identification Number(s) of Subject Property: 0501 017

(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) 31 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 5.85 acres (legal description corresponding to most recent recorded plat for the subject property is attached herewith).

(I) (We) hereby delegate authority to Rodwrightcorp 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.

Nancy McCord
Signature of Property Owner 1
4381 Quail Ridge Way
Address Norcross GA 30092

Rebecca Handley
Signature of Property Owner 2
3640 Darwin Place
Address Duluth, GA 30096

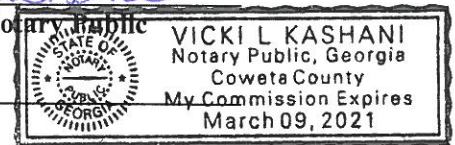
Signature of Property Owner 3

Address

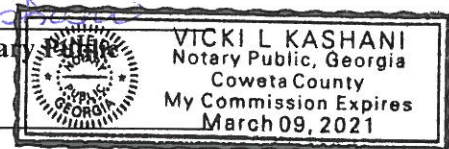
Signature of Authorized Agent

P.O. Box 629, Fayetteville, Georgia 30214
Address

Vicki L. Kashani
Signature of Notary Public
8-23-19
Date



Vicki L. Kashani
Signature of Notary Public
8-23-19
Date

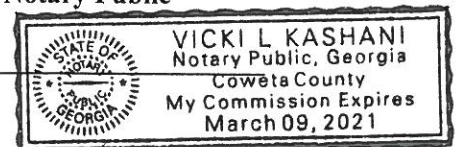


Signature of Notary Public

Date

Vicki L. Kashani
Signature of Notary Public

8-23-19
Date



NAME: Rebecca A. Handley and Nancy McCord as Co-Trustees of the Handley Family Trust PETITION NUMBER: _____

ADDRESS: (Ms. Handley): 360 Darwin Place, Duluth, Georgia 30096
(Ms. McCord): 4381 Quail Ridge Way, Norcross, Georgia 30092

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

Rodwrightcorp _____ affirms that he is the owner or the specifically authorized agent of the property described below. Said property is located in a(n) A-R Zoning District. He/She respectfully petitions the County to rezone the property from its present classification and tenders herewith the sum of \$ 350.00 to cover all expenses of public hearing. He/She petitions the above named to change its classification to R-55.

This property includes: (check one of the following)

☒ See attached legal description on recorded deed for subject property or
See attached survey

☐ Legal description for subject property is as follows:

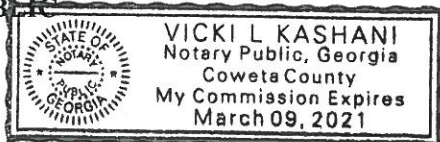
PUBLIC HEARING to be held by the Planning Commission of Fayette County on the 5th day of October, 2019 at 7:00 P.M.

PUBLIC HEARING to be held by the Board of Commissioners of Fayette County on the 26th day of October, 2019 at 7:00 P.M.

SWORN TO AND SUBSCRIBED BEFORE ME THIS 23rd DAY OF August, 2019.

Vicki L. Kashani

NOTARY PUBLIC



APPLICANT'S SIGNATURE

AGREEMENT TO DEDICATE PROPERTY FOR FUTURE RIGHT-OF-WAY

I/We, Rebecca A. Handley and Nancy McCord as Co-Trustees of the Handley Family Trust, said property owner(s) of subject property requested to be rezoned, hereby agree to dedicate, at no cost to Fayette County, Fifty (50) feet of right-of-way along Redwine Road (Minor Arterial) 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 23rd day of August, 2019.

Nancy McCord

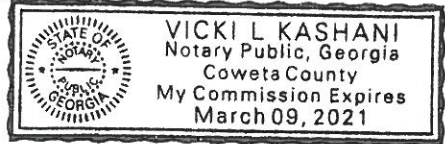
SIGNATURE OF PROPERTY OWNER

Rebecca Handley

SIGNATURE OF PROPERTY OWNER

Vicki L. Kashani

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/.
- 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 23rd day of August, 20 19.

APPLICANT'S SIGNATURE

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.

CONSTITUTIONAL OBJECTION TO CURRENT ZONING

As applied to the property of Rebecca A. Handley and Nancy McCord Co-Trustees of the Handley Family Trust, dated March 31, 2010 which is identified by the Fayette County Tax Assessor as Parcel ID No.: 0501 017 and consists in part of approximately 5.85 acres (the “Subject Property”), subject of the Application to Amend the Official Zoning Map of Fayette County, Georgia (the “Application”) filed simultaneously herewith, the Zoning Ordinance of Fayette County, Georgia as presently applied to the Subject Property, zoned A-R, Agricultural-Residential District (“A-R”), is unconstitutional in that the owner’s and Applicant’s property rights in and to the property have been destroyed without first receiving fair, adequate and just compensation for such property rights. As applied to the Subject Property, the Zoning Ordinance of Fayette County, Georgia deprives the owner and Applicant of constitutionally protected rights in violation of Article I, Section I, Paragraphs I-II of the Constitution of the State of Georgia of 1983; Article I, Section III, Paragraph I of the Constitution of the State of Georgia of 1983; and the Due Process and Equal Protection Clauses of the Fourteenth Amendment to the Constitution of the United States.


Application of the Zoning Ordinance of Fayette County, Georgia to the Subject Property is unconstitutional, illegal, arbitrary, capricious, null and void, constituting a taking of the Subject Property in violation of the Just Compensation Clause of the Fifth Amendment to the Constitution of the United States; the Due Process and Equal Protection Clauses of the Fourteenth Amendment to the Constitution of the United States; Article I, Section I, Paragraphs I-II of the Constitution of the State of Georgia of 1983; and Article I, Section III, Paragraph I of the Constitution of the State of Georgia of 1983 thereby denying the owner and Applicant an economically viable use of the land while not substantially advancing legitimate state interests.

Inasmuch as it is impossible for the owner and/or Applicant to use the land and simultaneously comply with the Zoning Ordinance of Fayette County, Georgia, the Zoning Ordinance of Fayette County, Georgia constitutes an arbitrary, capricious, and unreasonable act by Fayette County without any rational basis therefore and constitutes an abuse of discretion in violation of Article I, Section I, Paragraph I of the Constitution of the State of Georgia of 1983; Article I, Section III, Paragraph I of the Constitution of the State of Georgia of 1983; and the Due Process Clause of the Fourteenth Amendment to the Constitution of the United States.

Application of the Zoning Ordinance of Fayette County, Georgia to the Subject Property is unconstitutional and discriminates against the owner and Applicant in an arbitrary, capricious, and unreasonable manner between the owner as well as the Applicant and others similarly situated in violation of Article I, Section I, Paragraph II of the Constitution of the State of Georgia of 1983 and the Equal Protection Clause of the Fourteenth Amendment to the Constitution of the United States.

WHEREFORE, RODWRIGHTCORP (the "Applicant") requests that Fayette County, Georgia rezone the Subject Property as specified and designated in the Application.

GALLOWAY & LYNDALL, LLP.
Counsel for Applicant



Steven L. Jones
Georgia State Bar No.: 639038

The Lewis-Mills House
406 N. Hill St.
Griffin, GA 30223
(770) 233-6230
sjones@gallyn-law.com

OBJECTION TO ZONING HEARING BASED ON
YORK V. ATHENS COLLEGE OF MINISTRY, INC.

As applied to the property of Rebecca A. Handley and Nancy McCord as Co-Trustees of the Handley Family Trust, dated March 31, 2010, which is identified by the Fayette County Tax Assessor as Parcel ID No.: 0501 017 and consists in part of approximately 5.85 acres (the “Subject Property”), subject of the Application to Amend the Official Zoning Map of Fayette County, Georgia (the “Application”), filed simultaneously herewith, the public hearings before and any action or recommendation by the Fayette County, Georgia Planning Commission (the “Planning Commission”) and/or Board of Commissioners of Fayette County, Georgia (the “Board of Commissioners”) on the same are objected to based on, but not limited to, the reasons set forth herein (collectively, the “York Objection”), in accordance with *York v. Athens College of Ministry, Inc.*, 2018 Ga. App. LEXIS 632, 821 S.E.2d 120 (Ga. Ct. App. 2018):

Contemporaneous with the filing of this *York* Objection, the Applicant is filing a Constitutional Objection to the Current A-R, Agricultural-Residential District (“A-R”) Zoning of the Subject Property, and all objections set forth therein are incorporated herein by reference as if fully restated.

The Applicant objects to any and all members of the public who appear at the public hearings before the Planning Commission and/or Board of Commissioners to the extent that (but not limited to) said individuals (a) do not satisfy the substantial interest-aggrieved citizen test; (b) are not under oath; (c) are not subject to cross-examination; (d) present evidence on and/or make statements that qualify as (or must or should be assessed with the aid of) expert opinion without any or all individuals being qualified as expert witnesses; (e) present evidence on and/or make statements that are not germane to the exclusive factors for rezoning set forth in Section 110-300 of the Zoning Ordinance of Fayette County, Georgia; and/or (f) present evidence and/or make

statements that are founded, wholly or in part, upon inadmissible, unreliable, nonprobative, insubstantial and/or lay, nonexpert opinion evidence. Likewise, to the extent that any recommendation by the Planning Commission and/or decision by the Board of Commissioners is a quasi-judicial decision, the Applicant objects to the hearings before the Planning Commission and Board of Commissioners because the time limitation imposed on the presentation of evidence and testimony in support of the Application deprives the Applicant a meaningful opportunity to be heard and preserve issues in violation of the Due Process Clause of the Fourteenth Amendment to the Constitution of the United States and Article I, Section I, Paragraph I of the Constitution of Georgia of 1983.


Additionally, the Applicant objects to any recommendation of the Planning Commission and action by the Board of Commissioners that does not approve the Rezoning Application or approves the Rezoning Application with unreasonable conditions to the extent that (but not limited to) the same is: (a) in violation of Section 50-13-19(h) of the Official Code of Georgia Annotated or otherwise: (1) in violation of constitutional, statutory, and/or ordinance provisions; (2) in excess of the constitutional, statutory and/or ordinance authority of the Planning Commission and/or the Board of Commissioners; (3) made upon unlawful procedure; (4) affected by other error of law; (5) clearly erroneous in view of the reliable probative, and substantial evidence on the whole record; and/or (6) arbitrary, capricious and/or characterized by abuse of discretion or clearly unwarranted exercise of discretion; (b) contrary to any Reports and Recommendations for approval of (1) the Fayette County, Georgia Director of Planning and Zoning (or any assigns thereof); (2) the Planning Commission and/or (3) any other Department or agency of Fayette County, Georgia or the State of Georgia; (c) founded, wholly or in part, upon inadmissible, unreliable, nonprobative, insubstantial and/or lay, nonexpert opinion evidence; and/or (d) contrary to the exclusive factors

for rezoning set forth in Section 110-300 of the Zoning Ordinance of Fayette County, Georgia, including, but not limited to, the Fayette County, Georgia Comprehensive Plan 2017-2040 and the Fayette County, Georgia Future Land Use Plan.

By and through this *York* Objection, the Applicant hereby preserves all the above and incorporated Objections and asserts them on and within the record before, and for consideration and resolution by, the Board of Commissioners of Fayette County, Georgia.

WHEREFORE, RODWRIGHTCORP (the "Applicant") requests that Fayette County, Georgia rezone the Subject Property as specified and designated in the Application.

GALLOWAY & LYNDALL, LLP
Counsel for Applicant



Steven L. Jones
Georgia State Bar No.: 639038

The Lewis-Mills House
406 N. Hill St.
Griffin, GA 30223
(770) 233-6230
sjones@gallyn-law.com

RECEIVED
1288-19

LEGAL DESCRIPTION

All that tract or parcel of land lying and being in Land Lot 31 of the 5th District of Fayette County, Georgia and being more particularly described as follows:

Beginning at a point on the West Right-of-way line of Redwine Road (100' R/W), said point being 102.72 feet South of the intersection of the North line of Land Lot 31 of the 5th District and the West Right-of-way line of Redwine Road, thence continuing South along said Right-of-way of Redwine Road for 610.92 feet to a point, thence North 87 degrees 50 minutes 02 seconds West for 418.86 feet to a point, thence North 08 degrees 49 minutes 14 seconds East for 609.53 feet to a point, thence South 87 degrees 50 minutes 02 seconds East for 429.05 feet to a point on the West Right-of way line of Redwine Road and the point of beginning.

Said tract containing 5.85 acres.

PETITION NUMBER: RP-073-19

REQUESTED ACTION: Request approval to revise the Final Plat for Bogdan C. Wolfe & Pamela M. Wolfe to add one lot to the subdivision by subdividing Lot 1 into two separate lots.

EXISTING USE: Single-Family Residential

ZONING DISTRICT: R-72

LOCATION: 725 McBride Road

LAND LOT/DISTRICT: Land Lot 252 of the 4th District

APPLICANT: Bogdan C. Wolfe & Pamela M. Wolfe

INVESTIGATION

The Final Plat for Bogdan C. Wolfe & Pamela M. Wolfe was recorded on August 31, 2006.

Subdivision Regulations

Sec. 104-595. - Approval of subdivisions.

(2) **Final plat or minor subdivision plat**

j. **Revision to a recorded final plat.**

Revision to a recorded final plat. A revision to a recorded final plat shall show the name, phase (if any), date of the recorded subdivision plat being revised, and the exact citation with regard to the clerk of superior court records and the book and page number wherein said plat is recorded. See [section 104-596](#) for requirements to be indicated on the revised final plat, as applicable. In addition, proposed revisions to a recorded final plat that substantially changes the street and/or utility layout, unless initiated by the county, shall require a revised preliminary plat in accordance with this section. Proposed revisions to a recorded final plat of any existing residential or agricultural-residential subdivisions which add property to, increases the number of platted lots, or changes the principal use on a lot will be considered in public hearings before the planning commission and the board of commissioners. The legal notice shall be advertised at least seven calendar days prior to the public hearing before the planning commission, but not more than 45 calendar days, nor less than 15 calendar days prior to the public hearing before the board of commissioners. In the event that the timeframes above cannot be met with one advertisement, the notice shall be published twice. As applicable, a revised final plat shall comply with the revised preliminary plat and shall be approved by the planning commission.

Final Plat

Should this request be approved, a revised Final Plat must be submitted, approved, and recorded.

Department Comments

Planning and Zoning: The surveyor has indicated to staff that the Contiguous Area cannot be met on the proposed lots. A variance from the Planning Commission will be required prior to Final Plat approval. The current Contiguous Area requirement is .9 acres and it is projected that the Contiguous Area on these lots will be approximately .82 and .85 acres.

Water System: Water not available.

Fire: Approved

Engineering/Public Works: Engineering has no issues with the proposed revision to a recorded plat. The applicant is responsible for ensuring all current County regulations can be satisfied for the Final Plat.

Environmental Management Dept.:

Floodplain The property **DOES NOT** contain floodplain per FEMA FIRM panel 13113C0113E and 13113C0094E dated Sept 26, 2008. The property **DOES** contain floodplain delineated in the FC 2013 Future Conditions Flood Study. Per Fayette County Floodplain Management Ordinance the elevation of the lowest floor, including basement and building access of any development shall be a least 3 feet above the base flood elevation or one foot above the future-conditions flood elevation, whichever is higher. This applies to lots with floodplain and lots adjacent to floodplain. A Floodplain Management Plan is required if any development activities are totally or partially within an Area of Special Flood Hazard as defined by the Floodplain Management Ordinance.

Wetlands The property **DOES NOT** contain wetlands per the U.S. Department of the Interior, Fish and Wildlife Service 1994 National Wetland Inventory Map. This property **DOES** contain wetlands per Plat Book 43, Page 39. Per Section 8-4 of Fayette County Development Regulations, the applicant must obtain all required permits from the U.S. Army Corps of Engineers prior to issuance of any permits from Fayette County for any phase of development affecting wetlands.

Watershed The stream adjacent to the property **IS** subject to a Watershed Protection Buffer. If the stream is intermittent, there is a watershed buffer of 50 feet from wretsted vegetation and a 25 ft. watershed setback measured from the buffer. If the stream is perennial, there is a watershed buffer of 100 ft. from wretsted vegetation and a 50 ft. watershed setback measured from the buffer.

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

Stormwater This development **IS NOT** subject to the Post-Development Stormwater Management Ordinance.

Environmental Health Dept.: This Dept. is unable to sign off on current proposal due to the fact that the new proposed line crosses existing drain field. Corrective options include 1) relocate proposed property line so that it is at least 5' from existing drain field or 2) apply for an application to relocate drain field. Option 2 will require submission of a level 3 red stamp Soils report with certificate of insurance attached.

STAFF ANALYSIS

Staff recommends **APPROVAL** of this request so the revision to the Final Plat procedure can begin.

**RP-073-19
Zoning**

Shamrock Drive

R-40

R-70

A-R

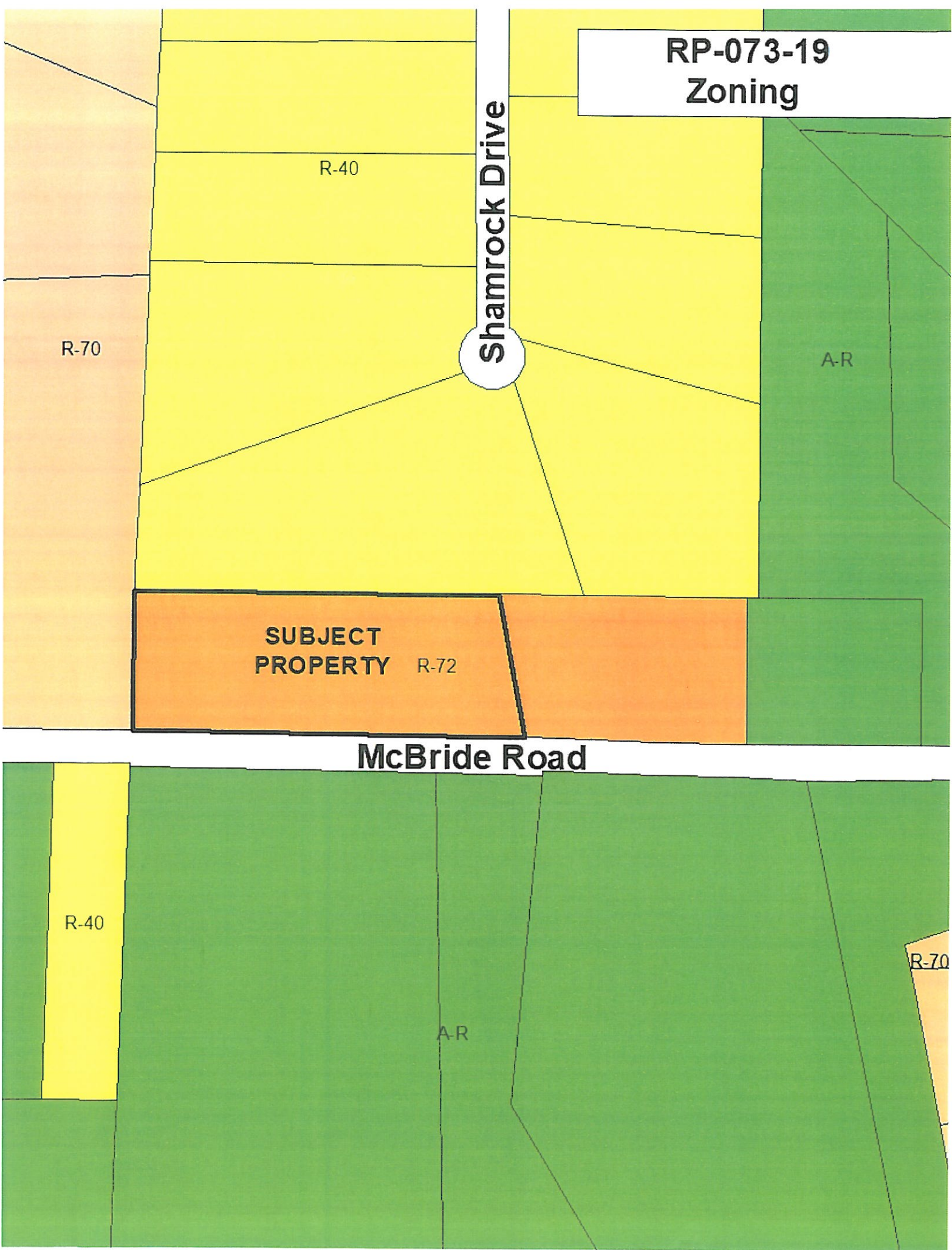
**SUBJECT
PROPERTY** R-72

McBride Road

R-40

A-R

R-70



RP-073-19
Land Use Plan

Shamrock Drive

RURAL
RESIDENTIAL
- 2

**SUBJECT
PROPERTY**

McBride Road

RURAL
RESIDENTIAL
- 3

RP-073-19
Aerials

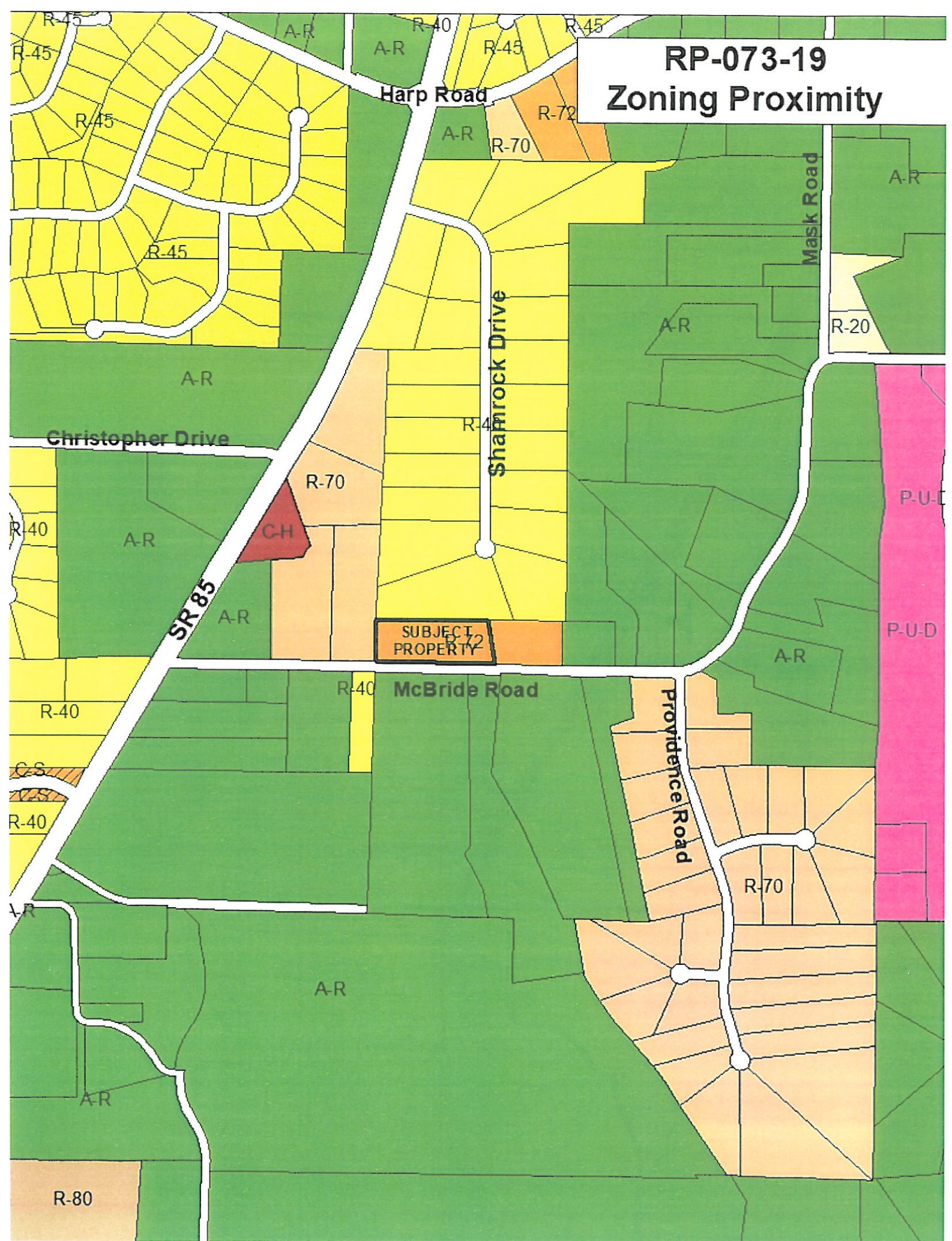
Shamrock Drive

**SUBJECT
PROPERTY**

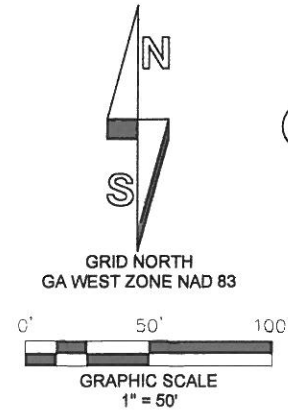
McBride Road



RP-073-19 Zoning Proximity



LEGEND
RBF=REBAR FOUND
RBS=REBAR SET
CTP=CRIMP TOP PIPE
L.L.=LAND LOT
L.L.L.=LAND LOT LINE
P.L.=PROPERTY LINE
CO=CONSTRUCTION ENTRANCE
EP=EDGE OF PAVEMENT
P.O.B.=POINT OF BEGINNING
B/L=BUILDING SETBACK LINE
D.E.=DRAINAGE EASEMENT
N/F=NOW OR FORMERLY
F.W.P.D.=FIELD WORK
PERFORMED DATE
O/F=OUT OF FLOOD PLAIN
DB=DEED BOOK
PB=PAGE
PB=PLAT BOOK
###=HOUSE NUMBER



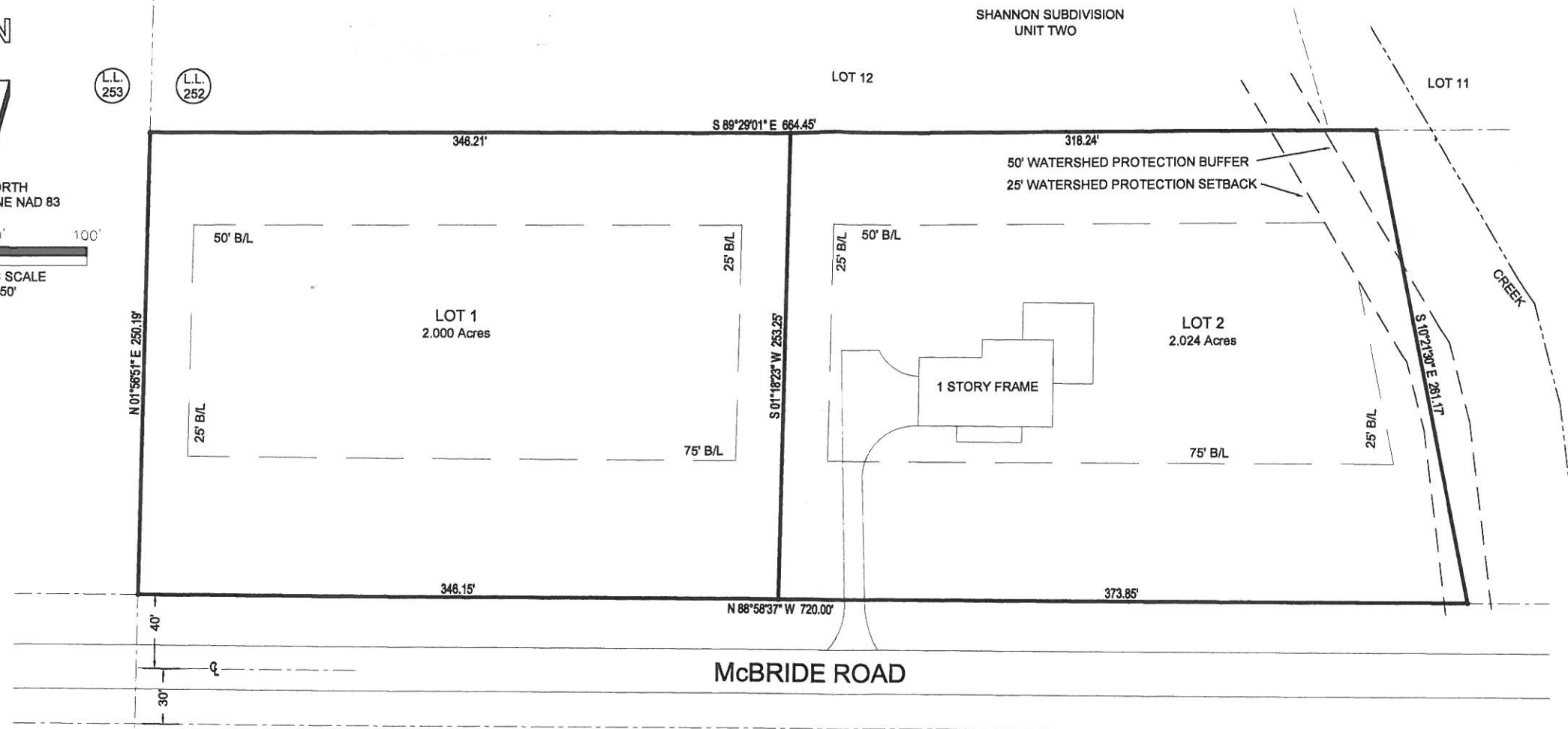
SEP - 3 2019

OWNERS: BOGDAN C. & PAMELA M. WOLFE
DB 1345 PG 62
AGENT: RANDY M. BOYD
PO BOX 64
ZEBULON, GA 30295
404-275-1677

MINIMUM LOT SIZE = 2.00 ACRE
SETBACKS: FRONT - 75' ARTERIAL
FRONT - 75' COLLECTOR
FRONT - 50' LOCAL
SIDE - 25'
REAR - 50'

SITE AREA = 4.024 ACRES
TAX PARCEL NO. 0449 058
EXISTING ZONING: R-72 CONDITIONAL

MINIMUM HOUSE SIZE 2100 SQ. FT.
MINIMUM LOT WIDTH AT BUILDING LINE: 175' COLLECTOR



Prepared For:

**BOGDAN C. &
PAMELA M. WOLFE**

Property Location

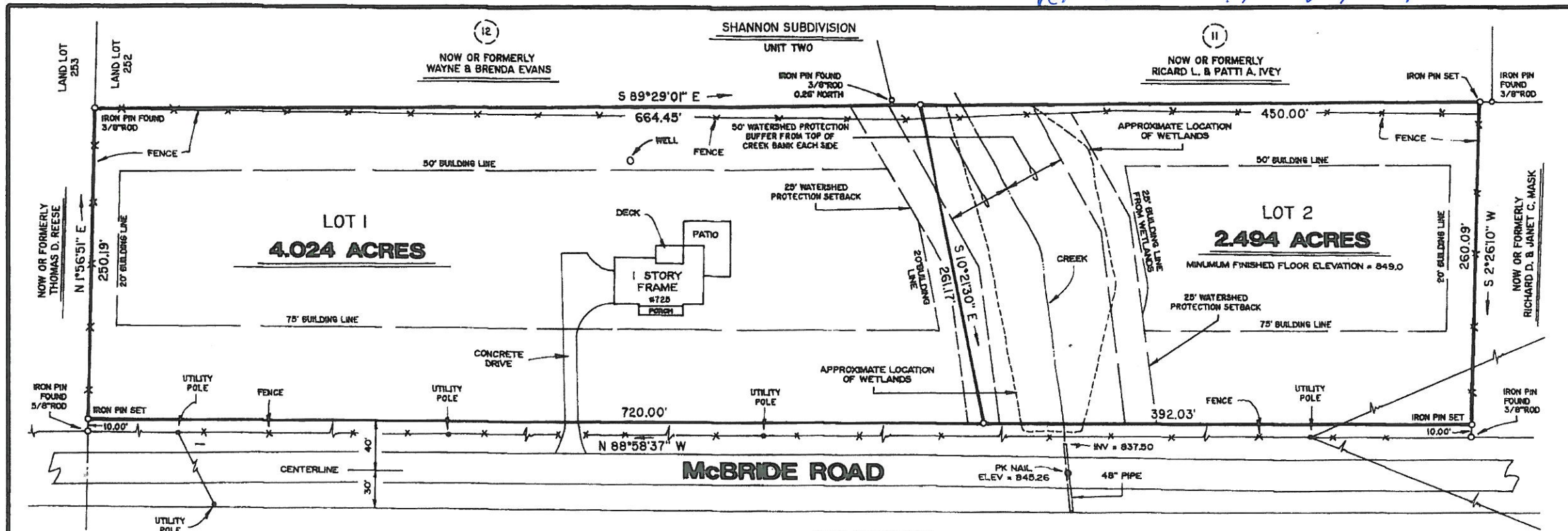
Land Lots 252 Of The 4th Land District
Fayette County, Georgia

**S.A. GASKINS &
ASSOCIATES, LLC**

surveyors planners development consultants
P.O. BOX 321 BROOKS, GA 30205
678-571-3054
rdgaskins79@gmail.com

Job No. 19-083

Drawn By: R.D.G.
Reviewed By: R.M.B.
Issue Date: 09/03/19



GENERAL NOTES

- TOTAL AREA = 6.518 ACRES
- TOTAL NUMBER OF LOTS = 2
- PROPERTY ZONED = R-72 CONDITIONAL
- MINIMUM LOT SIZE = 2 ACRES
- MINIMUM LOT WIDTH AT BL = 175'
- MINIMUM HOUSE SIZE = 2100 SQ FT
- SETBACKS: FRONT = 75' SIDE = 20' REAR = 50'
- WATER TO BE PROVIDED BY AN INDIVIDUAL WELL.
- SANITARY SEWER TO BE PROVIDED BY INDIVIDUAL SEPTIC TANKS & DRAIN FIELDS.

Doc ID: 007224100001 Type: PLT
 Filed: 08/31/2006 at 12:12:00 PM
 Fee Amt: \$5.00 Page 1 of 1
 Fayette Co. Clerk Superior Court
 Sheila Studdard Clerk of Court
 BK43 PG39

FINAL PLAT FOR
**BOGDAN C. WOLFE &
 PAMELA M. WOLFE**
 LAND LOT 252 4th DISTRICT
 FAYETTE CO., GA

GRAPHIC SCALE
 4/18/06

R.M. BOYD & ASSOCIATES
 LAND SURVEYING & ENGINEERING, INC.
 325 SOUTH LEE STREET
 FAYETTEVILLE, GA 30214
 (770) 461-2417

IN MY OPINION THIS PLAT IS A CORRECT REPRESENTATION OF THE LAND PLATTED AND HAS BEEN PREPARED IN CONFORMITY WITH THE MINIMUM STANDARDS AND REQUIREMENTS OF LAW.

R.M. Boyd
 REGISTERED LAND SURVEYOR NO. 2227 DATE 4/18/06

BASED ON THE INFORMATION SHOWN ON THE FLOOD HAZARD BOUNDARY MAPS FURNISHED BY THE DEPT. OF H.U.D. THROUGH THE FEDERAL INSURANCE ADMINISTRATION, IT IS MY OPINION THAT THE PROPERTY SHOWN HEREON IS OUTSIDE THE FLOOD HAZARD AREA.

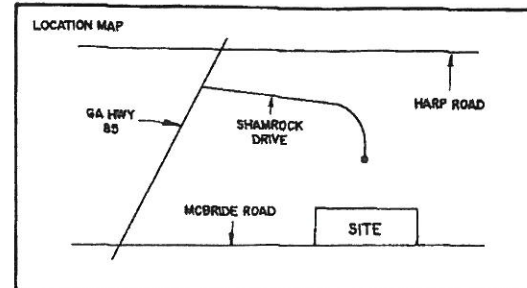
REFERENCE F.I.R.M. NUMBER 13113 0089 D DATE 3/18/96

THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 10,000 FEET AND AN ANGULAR ERROR OF 02 SECONDS PER ANGLE POINT AND WAS ADJUSTED USING THE COMPASS RULE.

THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 100,000 FEET.

A TOPCON GTS-313 WAS USED TO COMPILE THE ANGULAR AND LINEAR FIELD DATA.

1/2" ROD AT EACH PROPERTY CORNER UNLESS SHOWN OTHERWISE



OWNERS: BOGDAN C. & PAMELA M. WOLFE
 725 MCBRIDE ROAD
 FAYETTEVILLE, GA 30215
 (770) 460-1710

OWNER'S ACKNOWLEDGEMENT

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

Bogdan C. Wolfe
Pamela M. Wolfe
 OWNERS DATE 6/14/06

APPROVED BY FAYETTE COUNTY ZONING ADMINISTRATOR

Patricia Brannen
 SIGNED DATE 7/2/06

APPROVED BY FAYETTE COUNTY PLANNING COMMISSION

Robyn Wilson
 SECRETARY DATE 7/7/06

APPROVED BY FAYETTE COUNTY ENGINEER

ALL AS BUILT HAVE BEEN APPROVED

P. Mallon
 SIGNED DATE 6/23/06

CONDITION OF ZONING: (RESOLUTION NO. 1163-06, DATED 1/26/06)

AN ADDITIONAL TEN (10) FEET OF RIGHT-OF-WAY IS REQUIRED TO BE DEDICATED BY THE OWNER / DEVELOPER AT NO COST TO FAYETTE COUNTY TO CREATE A TOTAL OF 40 FEET OF RIGHT-OF-WAY, AS MEASURED FROM THE CENTERLINE OF THE STREET FOR FUTURE ROAD IMPROVEMENTS.

APPROVED DEPT. OF PUBLIC HEALTH FAYETTE COUNTY, GEORGIA

R.M. Boyd
 ENVIRONMENTAL HEALTH SPECIALIST IV DATE 7/7/06
 (Approved for plat recording purposes only) SAK

ENGINEER'S ACKNOWLEDGEMENT

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; THAT THE PROPERTY WILL DRAIN AS SHOWN. MONUMENTS SHOWN BY IRON PINS.

R.M. Boyd
 REGISTERED LAND SURVEYOR NO. 2227 DATE 4/18/06
 REGISTERED PROFESSIONAL ENGINEER NO. 19619

APPROVED BY FAYETTE COUNTY FIRE MARSHALL

ALL FIRE HYDRANTS LOCATED AS SHOWN

Dale Seabough
 SIGNED DATE 6/21/2006

THIS PLAT IS SUBJECT TO THE COVENANTS SET FORTH IN THE SEPARATE DOCUMENT(S) ATTACHED HERETO DATED _____

WHICH HEREBY BECOME(S) A PART OF THIS PLAT.

RECORDED IN DEED BOOK _____ PAGE _____

FAYETTE COUNTY DOES NOT ACCEPT OWNERSHIP, MAINTENANCE OR RESPONSIBILITY FOR ANY DRAINAGE EASEMENT OR OVERALL DRAINAGE PLAN OR THE LACK OF ONE, INDICATED BY THIS PLAT.