

**BOARD MEMBERS**

Danny England, Chairman  
Arnold L. Martin, Vice-Chairman  
Brian Haren  
John H. Culbreth, Sr.  
Jim Oliver

**STAFF**

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

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**AGENDA**  
**FAYETTE COUNTY PLANNING COMMISSION MEETING**  
**140 STONEWALL AVENUE WEST**  
**June 3, 2021**  
**7:00 pm**

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

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1. Consideration of the Minutes of the meeting held on May 6, 2021.
2. Consideration of the Minutes of the meeting held on May 20, 2021.

**NEW BUSINESS**

3. Consideration of a Minor Final Plat of Simmons Estate. The property will consist of 2 lots zoned R-75, is located in Land Lot 9 of the 5<sup>th</sup> District and front(s) on Highway 92 South & McBride Road.

**PUBLIC HEARING**

4. Consideration of Petition No. RP-078-21, Mary Rebecca Huie-Jolly, Owner, and Rev. Warren Johnson, Agent, request to revise the Final Plats of Pleasant Pointe Subdivision to change the principle use from residential to nonresidential to develop a church on Lot 5 in Unit I and Lot 1 in Unit II. This property is located Land Lots 150 & 151 of the 5th District and fronts on Felton Drive and McElroy Road. **(Tabled from the May 6, 2021 meeting.)**
5. Consideration of Petition No. 1307-21, Fun Spot America of Atlanta, Inc., Owners, and Kate Triplett - Kimley-Horn and Associates, Inc., Agent, request to rezone 96.7 acres from C-H and M-1 to C-H to eliminate split zoning on the property. This property is located Land Lots 200, 201, & 216 of the 5th District and fronts on SR 85 North and Morning Creek Road.
6. Consideration of Petition No. 1308-21 A, Tammie L. Harp, Owner, and Randy M. Boyd, Agent, request to rezone 2.12 acres from R-40 to R-80 to develop a residential lot. This property is located Land Lot 247 of the 4th District and fronts on Goza Road.
7. Consideration of Petition No. 1308-21 B, Tammie L. Harp, Owner, and Randy M. Boyd, Agent, request to rezone 1.422 acres from A-R to R-80 to develop a residential lot. This property is located Land Lot 247 of the 4th District.
8. Consideration of Petition No. 1309-21, D. Michael Travis, Owner, and Alvin Williams, Agent, request to rezone 59.46 acres from G-B and R-40 to G-B to develop a movie/television studio complex. This property is located Land Lot 198 of the 13th District and fronts on SR 138.

9. Consideration of Petition No. 1310-21, Thomas Jesse Busey, Jr. Trustee, or his Successors in Trust, Owner, and Wright Chancey Ebenezer Bypass, LLC, Agent, request to rezone 84.746 acres from A-R to R-80 to develop a residential subdivision. This property is located Land Lot 36 of the 7th District and fronts on Ebenezer Road, Ebenezer Church Road and Ebenezer Bypass.



To: Fayette County Planning Commission  
From: Chanelle Blaine, Zoning Administrator  
Date: May 28, 2021  
Subject: Minor Final Plat to be considered on June 3, 2021

**MINOR FINAL PLAT**

Simmons Estates

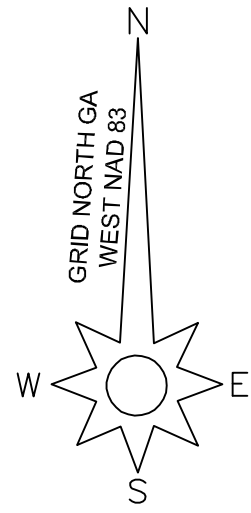
**OWNER/APPLICANT**



Nancy Lindsey

Recommend **APPROVAL** for the Final Plat.

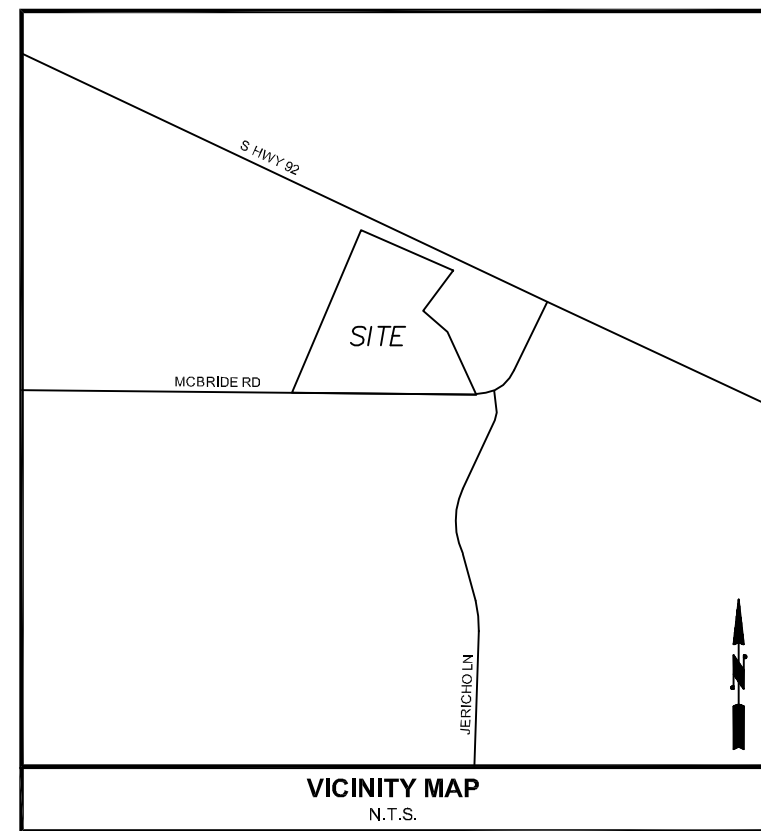
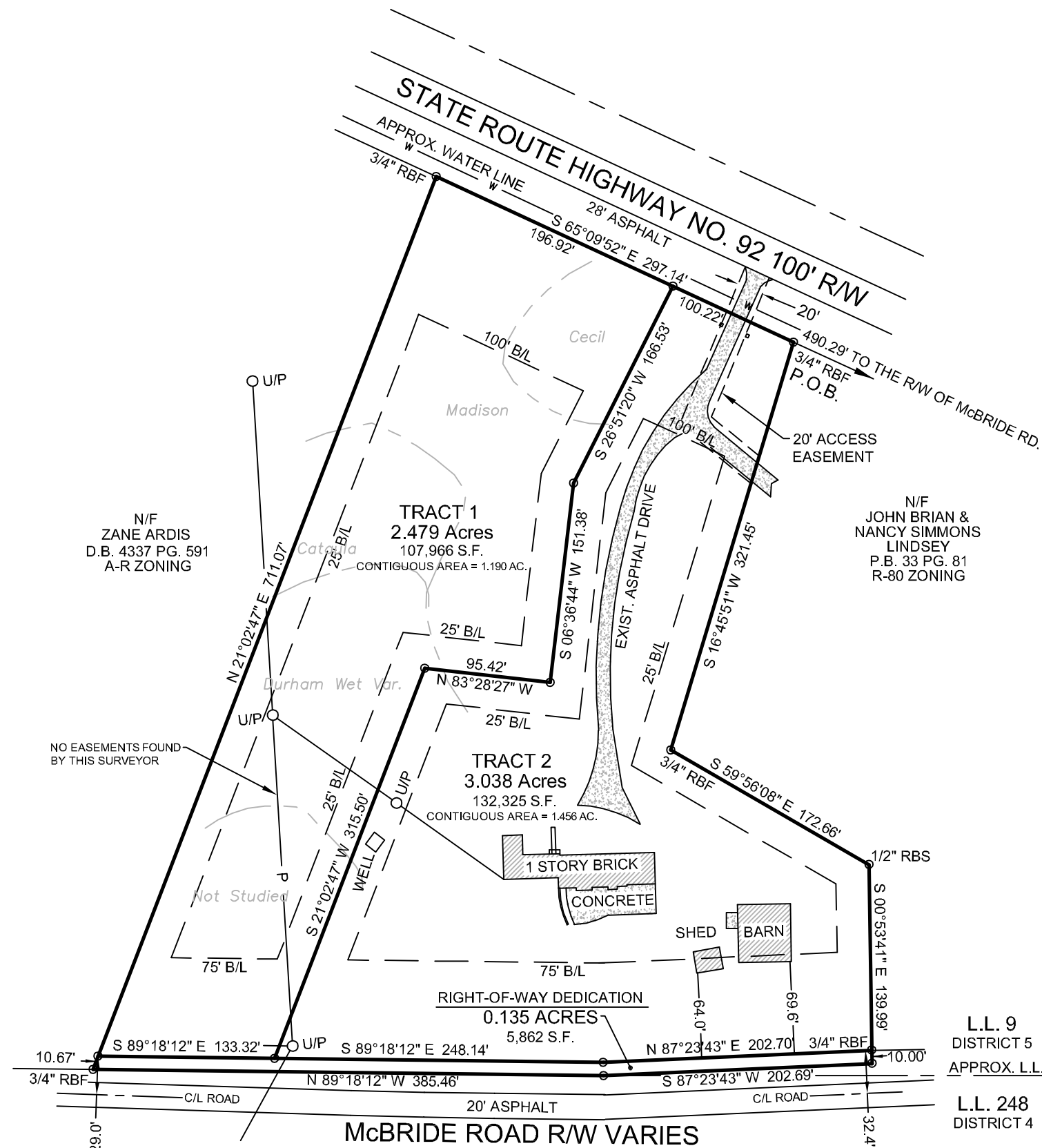
# MINOR FINAL PLAT OF SIMMONS ESTATES



THIS BLOCK RESERVED FOR THE  
CLERK OF THE SUPERIOR COURT.

## GENERAL NOTES:

- OWNER/DEVELOPER:  
NANCY LINDSEY  
1475 S. HWY 92  
FAYETTEVILLE, GA 30215  
770-310-5193  
brian.nancy@mindspring.com
- SURVEYOR:  
GASKINS & ASSOCIATES, LLC.  
P.O. BOX 321  
BROOKS, GA 30205  
770-460-9342  
sagaskins@bellsouth.net
- TOTAL NUMBER OF LOTS: 2
- TOTAL ACREAGE: 11.542 ACRES  
MINIMUM DIMENSIONAL ZONING REQUIREMENTS:  
ZONING DISTRICT = **R-75** (REZONING PETITION #1297-20 A-RTO R-75 APPROVED 12/10/20)  
MINIMUM LOT AREA: 2,500 S.F.  
MINIMUM LOT WIDTH AT BUILDING LINE = 125'  
MINIMUM LOT SIZE = 2.0 ACRES (87,120 S.F.)  
MINIMUM FLOOR AREA = SF  
FRONT YARD SETBACK = 50' (MINOR)  
75' (COLLECTOR)  
100' (ARTERIAL)
- SIDE YARD SETBACK = 25'  
REAR YARD SETBACK = 50'
- VARIANCE A-747-20 APPROVED ON 1/25/21.  
(1) TO INCREASE THE AMOUNT OF  
RESIDENTIAL ACCESSORY STRUCTURES PER INDIVIDUAL LOT FROM 2 TO 3.  
(2) TO REDUCE THE FRONT YARD B/L FROM 75' TO 64' TO ALLOW AN EXISTING  
SHED/WORKSHOP TO REMAIN.  
(3) TO INCREASE THE COMBINED TOTAL FOOTPRINT OF RESIDENTIAL ACCESSORY STRUCTURES  
PER INDIVIDUAL LOT FROM 1800 SQ. FT. TO 2200 SQ. FT.
- SEWER TO BE AN ON-SITE SEWAGE DISPOSAL SYSTEM.
- WATER TO BE PROVIDED BY AN ON-SITE WELL.
- 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.
- THIS SURVEY IS SUBJECT TO ALL EASEMENTS, RIGHTS-OF-WAY, RESTRICTION SHOWN OR  
NOT SHOWN, RECORDED OR NOT RECORDED.
- THERE ARE NO GROUNDWATER RECHARGE AREAS ON SUBJECT PROPERTIES.
- 1/2" REINFORCING RODS SHALL BE SET AT ALL LOT CORNERS UNLESS NOTED OTHERWISE.
- EACH BUILDABLE LOT HAS A MINIMUM CONTIGUOUS AREA OF 0.3 ACRES THAT IS FREE AND  
CLEAR OF ZONING BUFFERS AND SETBACKS, WATERSHED PROTECTION BUFFERS AND  
SETBACKS, JURISDICTIONAL WETLANDS, AND EASEMENTS OF ANY KIND. SECTION 6-3.3 OF THE  
SUBDIVISION REGULATIONS LISTS THE MINIMUM AREA REQUIREMENTS PER ZONING DISTRICT.
- THERE IS NO VISIBLE CEMETERY OR BURIAL GROUNDS OF THIS PROPERTY.
- THERE ARE NO STATE WATERS ON THIS SITE.
- THE EXISTING STRUCTURES OR FEATURES ON THIS PROPERTY ARE TO REMAIN.
- THERE ARE NO WETLANDS ON THE SURVEYED PROPERTY AS PER  
ON THE FAYETTE COUNTY GIS MAPS AND ARE SHOWN HEREON.
- SURVEY IS VALID ONLY IF PRINT HAS ORIGINAL SIGNATURE OF SURVEYOR.
- THERE ARE NO EXISTING EASEMENTS ASSOCIATED WITH THIS PROPERTY.



## SOIL CLASSIFICATION DELINEATION:

I, LARRY F. MCEVER DO HEREBY CERTIFY THAT THE LEVEL III SOIL  
SURVEY INFORMATION PROVIDED ON THIS PLAT WAS PERFORMED BY  
RESOURCE ENGINEERS, 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  
PROFESSIONAL ENGINEER  
REGISTRATION NO. PE 012170  
8305 SPENCE ROAD, FAIRBURN, GA 30213  
PHONE: 770-969 8923

DATE

## CLOSURE STATEMENT:

THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A  
CLOSURE PRECISION OF ONE FOOT IN 29,242 FEET AND AN  
ANGULAR ERROR OF 00° 00' 01" 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 TS02 TOTAL STATION & GEOMAX CHAMPION PRO GPS  
ON THE TRIMBLE NETWORK.

## SIGHT DISTANCE CERTIFICATION:

I HEREBY CERTIFY THAT THE AASHTO MINIMUM REQUIRED SIGHT  
DISTANCE OF 390' FOR 35 MILES PER HOUR IS PROVIDED FOR  
TRACT 1 AS SHOWN ALONG MCBRIDE ROAD.

*Larry F. McEver*  
GEORGIA REGISTERED LAND SURVEYOR No. 1620

## SURVEYORS CERTIFICATION:

AS REQUIRED BY SUBSECTION (D) OF O.C.G.A. SECTION 15-6-67, THIS PLAT HAS BEEN  
PREPARED BY A LAND SURVEYOR. THIS PLAT HAS BEEN APPROVED BY ALL  
APPLICABLE LOCAL JURISDICTIONS THAT REQUIRE PRIOR APPROVAL FOR RECORDING  
THIS TYPE OF PLAT OR ONE OR MORE OF THE APPLICABLE LOCAL JURISDICTIONS DO  
NOT REQUIRE APPROVAL OF THIS TYPE OF PLAT. FOR ANY APPLICABLE LOCAL  
JURISDICTION THAT REQUIRES APPROVAL OF THIS TYPE OF PLAT, THE NAMES OF THE  
INDIVIDUALS SIGNING OR APPROVING THIS PLAT, THE AGENCY OR OFFICE OF THAT  
INDIVIDUAL, AND THE DATE OF APPROVAL ARE LISTED IN THE APPROVAL TABLE SHOWN  
HEREON. FOR ANY APPLICABLE LOCAL JURISDICTION THAT DOES NOT REQUIRE  
APPROVAL OF THIS TYPE OF PLAT, THE NAME OF SUCH LOCAL JURISDICTION AND THE  
NUMBER OF THE APPLICABLE ORDINANCE OR RESOLUTION PROVIDING THAT NO SUCH  
APPROVAL IS REQUIRED ARE LISTED IN THE APPROVAL TABLE SHOWN HEREON. SUCH  
APPROVALS, AFFIRMATIONS, OR ORDINANCE OR RESOLUTION NUMBERS 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.

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).

*Larry F. Gaskins*  
SWINSON A. GASKINS, Sr.  
GEORGIA REGISTERED LAND SURVEYOR No. 1620

4/14/2021  
DATE

## MINOR FINAL PLAT APPROVALS:

### APPROVED BY FAYETTE COUNTY ENVIRONMENTAL HEALTH DEPARTMENT:

\_\_\_\_\_  
ENVIRONMENTAL HEALTH SPECIALIST DATE

### APPROVED BY FAYETTE COUNTY ENVIRONMENTAL MANAGEMENT DEPARTMENT:

\_\_\_\_\_  
ENVIRONMENTAL MANAGEMENT DIRECTOR DATE

### APPROVED BY FAYETTE COUNTY ZONING ADMINISTRATOR:

\_\_\_\_\_  
ZONING ADMINISTRATOR DATE

### APPROVED BY FAYETTE COUNTY ENGINEER:

\_\_\_\_\_  
FAYETTE COUNTY ENGINEER DATE

### APPROVED BY THE FAYETTE COUNTY PLANNING COMMISSION:

\_\_\_\_\_  
SECRETARY DATE

### APPROVED BY FAYETTE COUNTY FIRE MARSHAL:

\_\_\_\_\_  
FIRE MARSHAL DATE

## LEGEND:

RBF = REBAR FOUND  
RBS = REBAR SET  
L.L. = LAND LOT  
L.L.L. = LAND LOT LINE  
PL = PROPERTY LINE  
C/L = CENTERLINE  
P.O.B. = POINT OF BEGINNING  
B/L = BUILDING SETBACK LINE  
N/F = NOW OR FORMERLY  
F.W.P.D. = FIELD WORK PERFORMED DATE  
DB = DEED BOOK  
PB = PLAT BOOK  
PG=PAGE  
U/P = UTILITY POLE  
### = HOUSE NUMBER

## OWNERS ACKNOWLEDGEMENT:

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

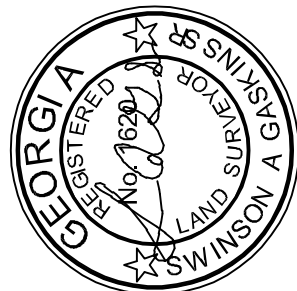
OWNER/AGENT  
\_\_\_\_\_  
ALL PROPERTY CONTAINED WITHIN THE RIGHT-OF-WAY OF ALL NEW STREETS AND  
ALL EXISTING STREETS ADJACENT TO THE SUBDIVISION AS INDICATED HEREON,  
ARE HEREBY DEEDED TO FAYETTE COUNTY, A POLITICAL SUBDIVISION OF THE  
STATE OF GEORGIA, AT NO COSTS TO FAYETTE COUNTY UPON RECORDATION OF  
SAID MINOR FINAL PLAT WITH THE FAYETTE COUNTY CLERK OF SUPERIOR COURT.

## Property Location

Land Lot 9 Of The 5th Land District  
Fayette County, Georgia

## NANCY LINDSEY

Prepared For:



Job No. SA20-106A

Drawn By: M.W.R. Reviewed By: S.A.G.

Issue Date: 4/14/2021

F.W.P.D.: 8/14/2021

Revisions Date

County Comments 5/12/2021

PAGE 1 OF 1

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

Surveyors - Planners - Development Consultants

P.O. BOX 321  
BROOKS, GA 30205

PSALM 51

sagaskins@bellsouth.net

770-460-9342

**PETITION NUMBER:** RP-078-21

**REQUESTED ACTION:** To revise the Final Plats of Pleasant Pointe Subdivision to change the principle use from residential to nonresidential to develop a church on Lot 5 in Unit I and Lot 1 in Unit II.

**ZONING DISTRICT:** R-40

**LOCATION:** Felton Drive and McElroy Road

**LAND LOT/DISTRICT:** Land Lots 150 and 151 of the 5th District

**APPLICANT/AGENT:** Mary Rebecca Huie-Jolly/ Rev. Warren Johnson

### **INVESTIGATION**

**History:** The Final Plat of Pleasant Pointe Subdivision Unit I was recorded on March 21, 1985 and Pleasant Pointe Subdivision Unit II was recorded on June 22, 1987. The subdivision contains a total 37 lots. Lot 1 of Pleasant Pointe Subdivision Unit II contains a single-family residence. Lot 5 of Pleasant Pointe Subdivision Unit II is undeveloped.

### **Subdivision Regulations**

**Sec. 104-595. - Approval of subdivisions.**

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

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

2. Proposed revisions to a recorded major final plat of any existing residential or agricultural-residential subdivisions which adds property to, increases the number of platted lots, **or changes the principal use on a lot** shall be considered in public hearings before the planning commission and the board of commissioners and public notification shall comply with Sec. 110-301. - Public notification. The following factors shall be considered by the planning and zoning department, the planning commission and the board of commissioners when reviewing these requests:
  - (i) *Street character.* Whether the request will result in a residence or accessory structure that will be out of character with the alignment of existing residences and accessory structures. Aspects to consider are the front setback established on the final plat, the alignment of existing residences and accessory structures, the degree a proposed residence or accessory structure will be out of alignment with the setback and/or existing residences and accessory structures and the presence of vegetation (trees, bushes, shrubbery, etc.) which may provide visual screening.

- (ii) *Lot size character.* Whether the request will result in a lot that will be out of character with the size of existing lots. Aspects to consider are the lot width required by the zoning district, the minimum and maximum range of lots sizes, the number of lots within a size range, the average lot size and the degree proposed lots will be smaller than existing lots.
- (iii) *Lot width character.* Whether the request will result in a lot that will be out of character with the width of existing lots. Aspects to consider are the lot width required by the zoning district, the minimum and maximum range of lot widths, the lot widths within a range, the average lot width and the degree proposed lots will more be narrow than existing lots.
- (iv) *Change of principal use.* Whether the change of use will adversely affect the existing use or usability of adjacent or nearby property, will result in a use which will or could cause an excessive or burdensome use of existing or planned streets, or utilities, or other conditions which give supporting grounds for either approval or disapproval of the change of use proposal.

## **Department Comments**

### **Planning and Zoning**

This request is to develop a church on the subject properties. A church is a Conditional Use in R-40 as follows:

Church and/or other place of worship. Allowed in O-I, C-C, C-H, A-R, R-85, R-80, R-78, R-75, R-72, R-70, R-55, R-50, R-45, R-40, R-20, and DR-15 zoning districts.

1. The lot area shall be at least five acres, and the lot width at the building line shall be at least 400 feet.
2. Such uses shall be permitted only on a lot which fronts on a major thoroughfare as designated by the county thoroughfare plan. All access is limited to the major thoroughfare only.
3. A minimum 50-foot buffer plus the required setbacks listed below shall separate all buildings and use areas from any residential or A-R zoning district. The setback shall be measured from the buffer. However, off-street parking areas and an unlit tot lot with a maximum size of 2,400 square feet may be located within the setback areas. A walking/running path or track may be located in the front yard setback. A buffer shall not be required along the common boundary where the side or rear yard abuts property developed for the following Conditional uses in a residential or A-R zoning district as regulated in sec. 110-169: cemetery, human or pet; child care facility; church and/or other place of worship; college and/or university; hospital; private school; or recreation centers owned by nonprofit organizations as so registered with the secretary of state office.

4. Minimum setbacks for structures and use areas (excluding parking areas and tot lots as defined herein).
  - (i) Front yard: 100 feet.
  - (ii) Side yard: 50 feet.
  - (iii) Rear yard: 75 feet.
5. Uses and/or structures incidental to a church shall be limited to: a private school, parsonage, gymnasium, pool, playground, tot lot, outdoor athletic facility, childcare facility, adult day care facility, administration, human cemetery (provided that all requirements for a cemetery herein are met), broadcast facility, including a tower (see article III of this chapter, general provisions), and seasonal sales (see this article, seasonal sales as outdoor displays) shall be allowed provided all buildings and use areas meet the minimum setback and buffer requirements.
6. Only portable temporary lighting for athletic facilities shall be permitted and the athletic facility shall not be lighted or used after 10:00 p.m.
7. Child care facilities shall be allowed provided that all requirements for child care facilities herein are met (see this article, child care facility).
8. Adult day care facilities shall be allowed provided that all requirements for adult day care facilities herein are met (see this article, adult day care facility).
9. Landscape areas shall be required in accordance with chapter 104.
10. All buildings, other than storage buildings, shall maintain a decorative facing on those portions of the building which face public streets and any property zoned residential or agricultural-residential. The decorative facing shall consist of brick, stone, stucco, wood, or similar building materials compatible with the area.
11. Accessory structures such as a storage building, detached garage, pavilion, and/or pool shall comply with the buffer and/or setback requirements and shall be located to the side/rear of the main sanctuary building.
12. The construction of one open air pavilion utilized for picnics/social gatherings only is allowed under the following conditions:
  - (i) The pavilion shall be constructed following the construction of the main sanctuary building;
  - (ii) The floor area shall not exceed 40 percent of the square footage of the main sanctuary building; and
  - (iii) The pavilion shall not be lighted or used after 10:00 p.m.If the open air pavilion is built in conjunction with lighted restrooms and/or an attached storage building, the overall square footage shall not exceed 40 percent of the main sanctuary building square footage.
13. Use of existing structure. When property containing legal structures (conforming or nonconforming), under the current zoning, is utilized as a church and/or place of worship under this section, the setback requirements only shall be reduced to the extent of, but only at the location of, any encroachment by the structures and said structures shall be considered legally nonconforming structures. The use of these structures shall be limited to administration, parsonage/residence, storage building, or detached garage.

The factors enumerated above from **Sec. 104-595**, Subdivision Regulations are to be used to review these requests:

*Street Character:* The R-40 zoning district requires a front yard setback of 40 feet on Felton Drive and 60 feet on McElroy Road. A church is a Conditional Use in the R-40 zoning district and would require a setback of 100 feet on both Felton Drive and McElroy Road.

*Lot size character:* The R-40 zoning district requires a minimum lot size of one (1) acre. Lots in Pleasant Pointe Subdivision Units I and II range in size from one (1) acre to 4.65 acres (Lot 1 of Pleasant Pointe Subdivision Unit II). A church requires a minimum five (5) acre lot. The applicant is proposing to develop a church on Lot 5 (1.51 acres) in Unit I and Lot 1 (4.62 acres) in Unit II. To meet this minimum lot size for a church these lots will need to be combined by revising the Final Plats and creating a lot of 6.13 acres.

*Lot width character:* The R-40 zoning district requires a minimum lot width of 125 feet on an internal local road (subdivision street). A church requires a lot width of 400 feet.

*Change of principal use:* Pleasant Pointe Subdivision was platted as a residential subdivision. To allow a non-residential use such as a church within the subdivision would be contrary to the intent of the residential subdivision plat as those purchasing lots had reasonable reliance upon the plat being approved as a residential subdivision. This would extend a non-residential use approximately 765 feet into the subdivision along the curvature of Felton Drive. These lots are at the entry point of the subdivision on Felton Drive and McElroy Road.

The property owner has brought up the issue of the existing house on Lot 1 of Unit 2 which is in the setback of McElroy Road. The property owner has indicated that it is an old farmhouse with historical significance and the intent is it be preserved and used as a parsonage for the church and a variance would be sought. Section 110-169, o, 13, states the following:

Use of existing structure. When property containing legal structures (conforming or nonconforming), under the current zoning, is utilized as a church and/or place of worship under this section, the setback requirements only shall be reduced to the extent of, but only at the location of, any encroachment by the structures and said structures shall be considered legally nonconforming structures. The use of these structures shall be limited to administration, parsonage/residence, storage building, or detached garage.

## **Water**

FCWS has water availability - a 8" PVC water main along the north side of Felton Dr. opposite of the property. Additionally, FCWS has a 24" DIP water main along the east side of McElroy Rd adjacent to the property.

## **Public Works /Environmental Management**

Public Works reviewed the change-of-use request for the property at 220 McElroy Road. We understand the applicant seeks to change the parcel's use from residential to a church.

As a conditional use, the church is required to have access on a thoroughfare (e.g., a State Route, a County Arterial or a County Collector). For this corner parcel, that means the access shall be on McElroy Road. Fayette County's Development Regulations require a minimum offset between a nonresidential driveway and an existing drive of 400 feet. The property has 390 feet of road frontage on McElroy. So, if approved, it would create a conflict between the need for access on a thoroughfare and the Development Regulations. In addition to the offset requirement, a new driveway (residential or nonresidential) would have to meet intersection sight distance requirements.

There are no Environmental Management concerns.

## **Environmental Health Department**

This Dept. has no objections to the proposed change of use to nonresidential (church).

## **STAFF RECOMMENDATION**

Staff recommends **DENIAL** of this request to revise the Final Plats of Pleasant Pointe Subdivision to change the principle use from residential to nonresidential to develop a church on Lot 5 in Unit I and Lot 1 in Unit II as this would be contrary to the intent of the residential subdivision plat because those purchasing lots had reasonable reliance upon the plat being approved as a residential subdivision with residential uses.

Public Works has commented on a conflict between the Development Regulations and the Zoning Ordinance relating to access to the subject property. The Zoning Ordinance requires access to only McElroy Road (see #2 under Conditional Use on page 2). Under the Development Regulations an offset of 400 feet is required which the Subject Property cannot meet. Section 100-60 of the Zoning Ordinance states the following:

Sec. 110-60. - Conflicting requirements.

The harmonious, orderly, and progressive development of land is further facilitated by recognizing a hierarchy among the regulations and ordinances which govern the development of land. To that end it is understood there may be conflicting requirements between the Fayette County Zoning Ordinance and the subdivision regulations and/or the development regulations. **Should any requirements of the subdivision regulations and/or development regulations conflict with this chapter, the subdivision regulations and/or development regulations shall control.** Should any requirements conflict within this chapter, the most restrictive shall apply.

Based on this Section, the Development Regulations would control over the Zoning Ordinance requiring the access to the church be from Felton Drive. This would put traffic from a non-residential use on an internal local road within a residential subdivision.



Dear Pete Frisina

I am the property owner of 220 McElroy Road requesting a revision to the Final Plats of Pleasant Pointe Subdivision on lots 1 and 5 to change the use from residential to nonresidential for a church. The property consists of two tracts which together are 6.8 acres and is the original setting of an old farmhouse whose earliest parts date back 200 years. My property is largely undeveloped land except for this historic farmhouse and powerlines. It borders on McElroy Road and Felton Road.

The farmhouse is within the setback of McElroy Road. If the property is developed or subdivided the farmhouse in the setback will need to be addressed and my wish is that the historic farmhouse can remain in the setback through a variance from the Zoning Board of Appeals. The Secretary of the Fayette County Historical Society, Tony V. Parrott, advised in a 04.29.21 email to me "If a variance can be secured from the county to allow a nonconforming structure to remain would be the easiest way to keep the structure." My intention is to sell the entire property to Rev. Warren Johnson, with the agreement that the historic house would be retained as the parsonage for the small church building that he intends to build on the property.

There are archeological and historical reasons for this request. The oldest original parts of the house are placed on hand hewn timbers; these are cut with an axe; the timbers are set on boulders. This type of construction is very early, likely before 1830, dating it back 200 years to the earliest Irish and Scotch-Irish settlers in Fayette County, before sawmilling. This historically significant early construction could never be replaced if the house were moved.

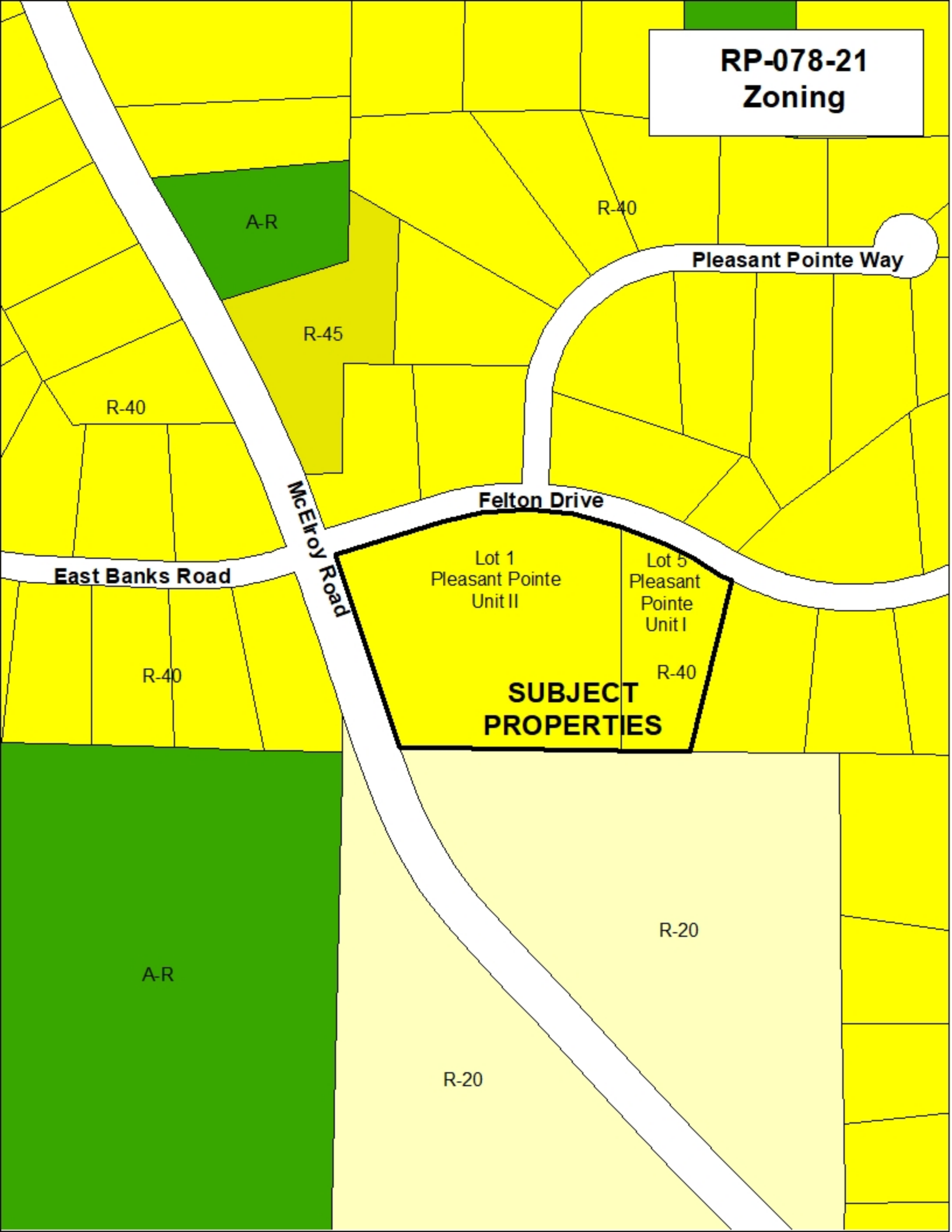
Kenny Shockley whose family owned the property from 1956 until I bought it in 2015, said "the oldest graves in the cemetery across Felton Drive from my property were of the original family in the farmhouse, we know this because it was the only farmhouse around anywhere nearby" (from my 04.27.21 interview with Kenny Shockley.)

The US census gives supporting evidence that the names of the "Felton" road and "Pleasant" Point subdivision that still mark the property, are family names of descendants of the original circa 1830 inhabitants. According to the census Henry H McElroy, born on August 4, 1908, and a resident of Fayetteville Georgia, was a son of Pleasant D McElroy and Lizzie McElroy. Henry had 6 siblings one of whom was named Felton McElroy. The original inhabitants of the farmhouse are buried in the historic cemetery which the previous owners, the Shockley's, took out of their ownership of the original 220 McElroy Road tract to donate to the Fayette County historical society. The oldest grave is of James McElroy who fought in Popes GA Militia in the War of 1812. The water in the house comes from a well which (though it has been modernized) likely supplied these early settlers in Fayette County.

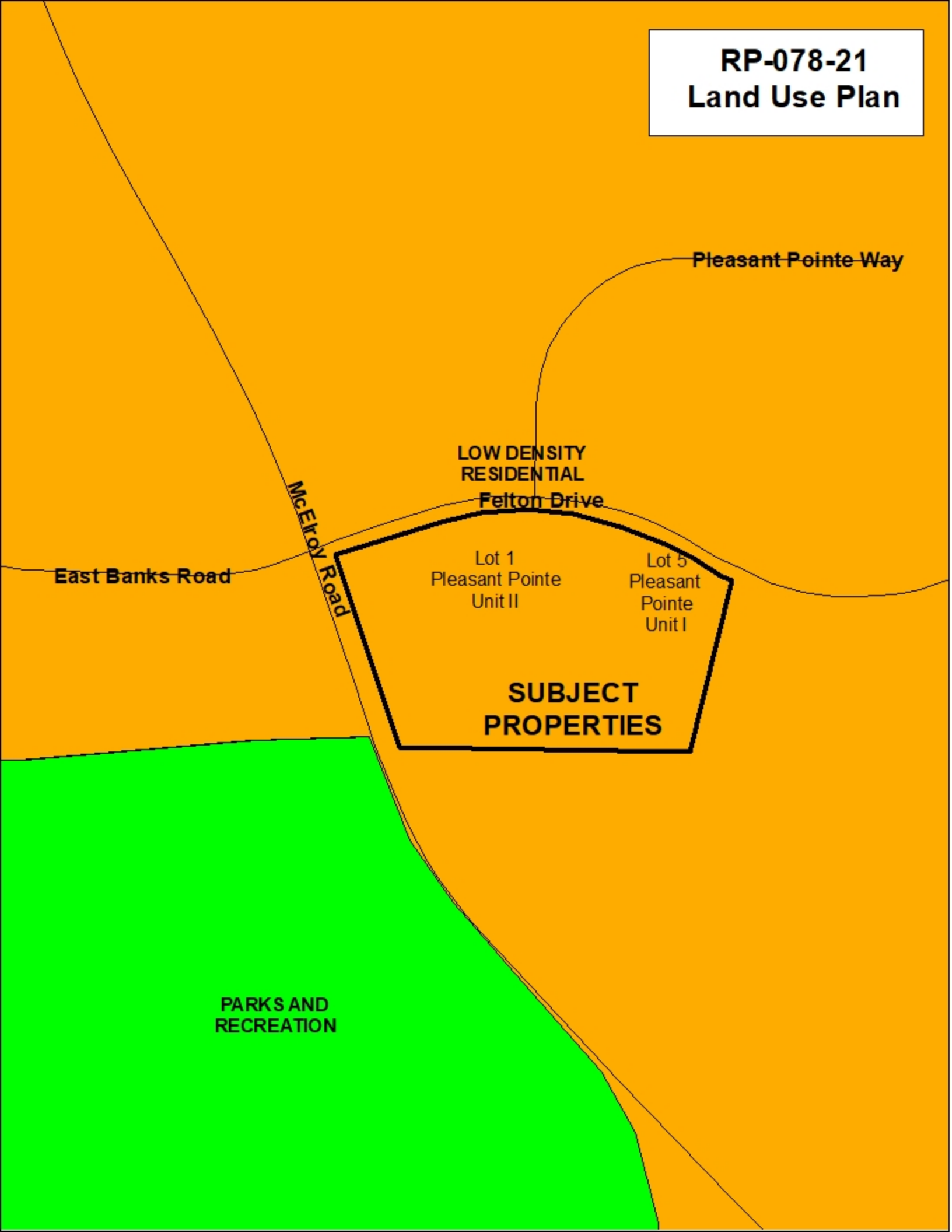
Sincere thanks for your assistance

Mary R. Huie-Jolly  
[maryrhj@gmail.com](mailto:maryrhj@gmail.com)  
phone 404 790 8232

**RP-078-21  
Zoning**



**RP-078-21**  
**Land Use Plan**



LOW DENSITY  
RESIDENTIAL

Felton Drive

Lot 1  
Pleasant Pointe  
Unit II

Lot 5  
Pleasant  
Pointe  
Unit I

**SUBJECT  
PROPERTIES**

**PARKS AND  
RECREATION**



**RP-078-21**  
**Aerials**



**East Banks Road**

**McCloy Road**

**Felton Drive**

**Pleasant Pointe Way**

**Lot 1  
Pleasant Pointe  
Unit II**

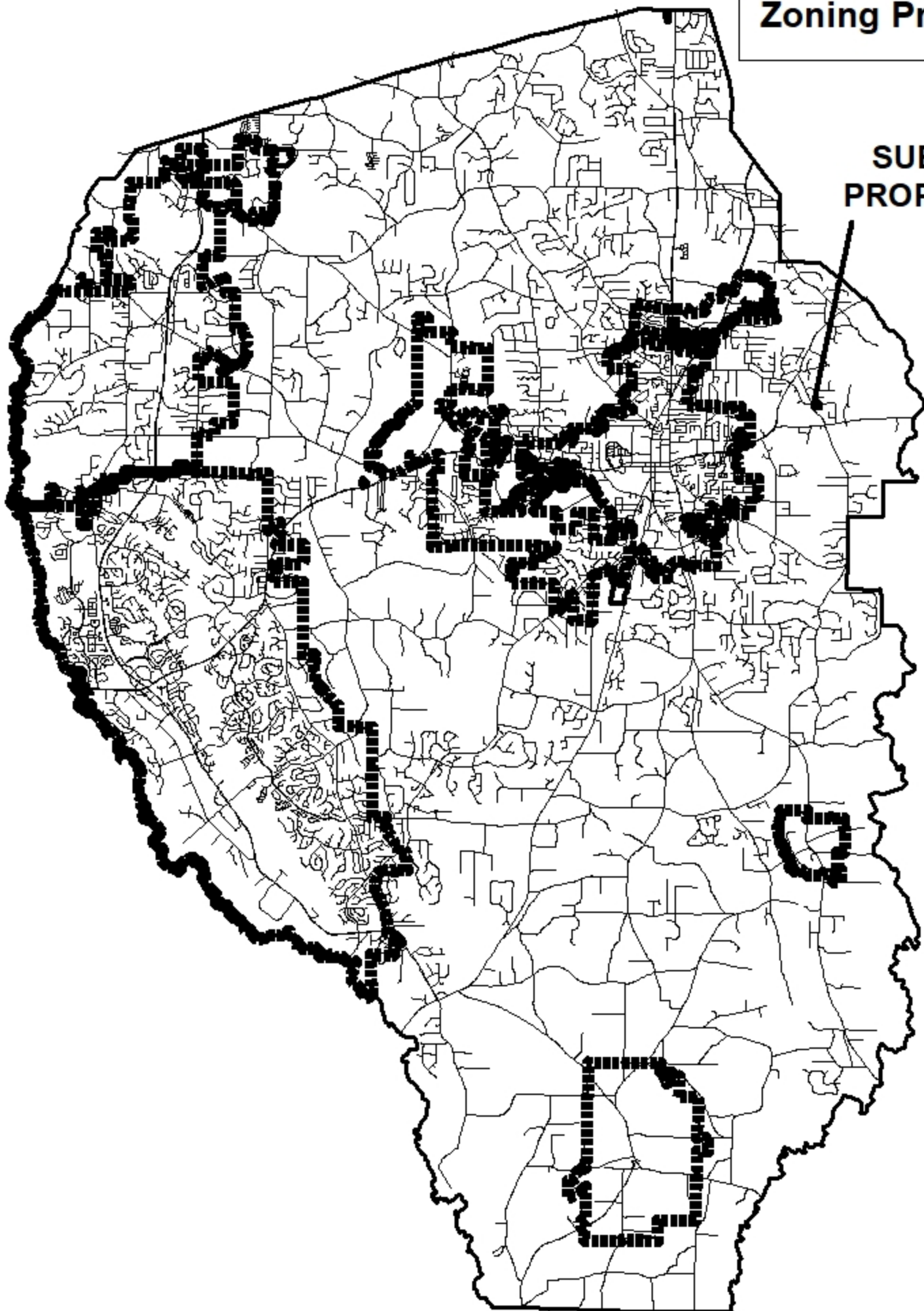
**Lot 5  
Pleasant  
Pointe  
Unit I**

**SUBJECT  
PROPERTIES**



**RP-078-21**  
**Zoning Proximity**

**SUBJECT  
PROPERTIES**

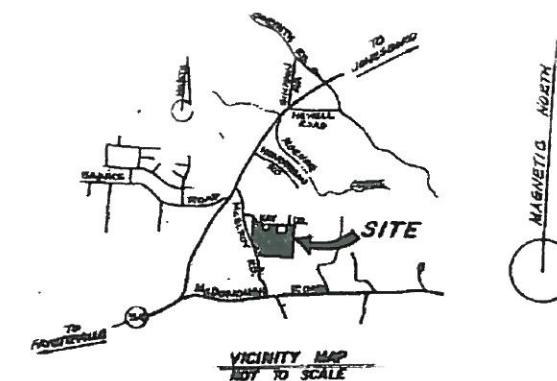


CURVE	ARC LENGTH	RADIUS	CHORD LENGTH	CHORD BEARING
C1	329.47'	612.06'	325.51'	N 84°56'38" E
C2	170.11'	607.47'	169.56'	S 71°36'01" E

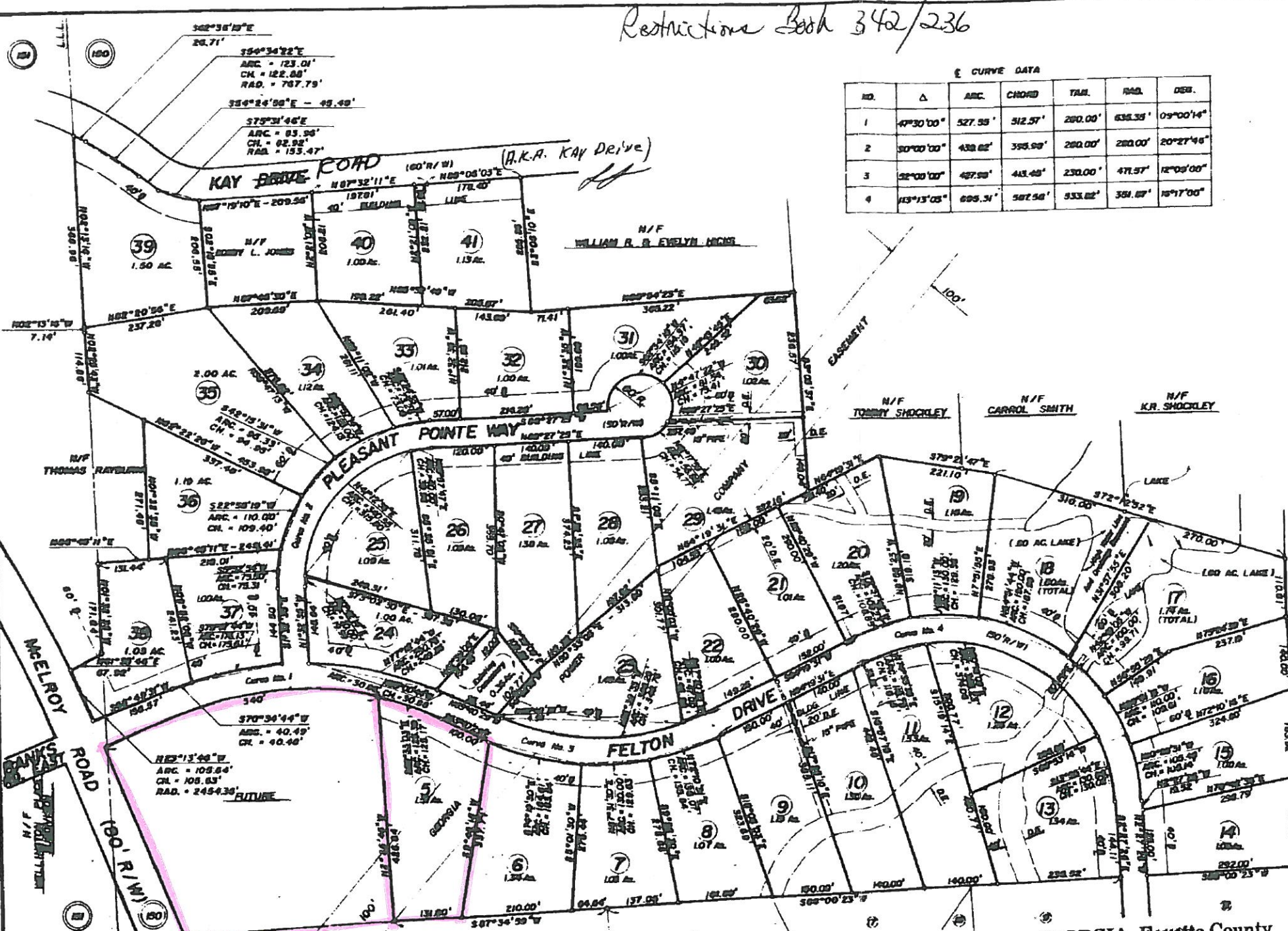


Restrictions Book 342/236

NO.	Δ	ARC.	CHORD	TANG.	RAD.	DEG.
1	47°30'00"	527.55'	512.57'	280.00'	635.35'	09°00'14"
2	50°00'00"	438.82'	355.58'	280.00'	280.00'	20°27'46"
3	52°00'00"	457.58'	443.45'	230.00'	471.57'	12°03'00"
4	113°13'05"	685.34'	587.58'	533.82'	351.87'	10°17'00"



**OWNER ACKNOWLEDGMENT**  
 WE THE UNDERSIGNED OWNERS OF THE PROPERTY SHOWN ON THIS  
 PLAN HEREBY OFFER TO DEDICATE AND/OR RESERVE FOR PUBLIC  
 USE THE RIGHT OF WAY, EASEMENTS AND OTHER GRANTS SO  
 SHOWN.  
R.T. Shockley  
 APPROVED BY COUNTY PLANNING, FAYETTE COUNTY, GA.  
 DATE FEB. 19, 1985 BY Don E. Prime  
 COUNTY ENGINEER  
**APPROVED BY FAYETTEVILLE-FAYETTE COUNTY PLANNING**  
**COMMISSIONER**  
 DATE 2-19-85 BY Robert S. Moore  
**APPROVED BY DEPARTMENT OF PUBLIC HEALTH, FAYETTE**  
**COUNTY, GA.**  
 THIS PLAN HAS BEEN REVIEWED BY A REPRESENTATIVE OF THE FAYETTE  
 COUNTY HEALTH DEPT. 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 2-21-85 BY Robert J. Ball P.E.  
 COUNTY SANITARIAN  
**ENGINEER ACKNOWLEDGMENT**  
 I CERTIFY THAT ALL MEASUREMENTS ARE CORRECT AND WERE PREPARED  
 FROM AN ACTUAL SURVEY OF THE PROPERTY HEREUNDER AND  
 SUPERVISION; THAT MEASUREMENT LOCATIONS ARE CORRECTLY SHOWN; AND  
 THAT THE PROPERTY WILL BE DRAIN AS SHOWN. MEASUREMENTS ARE SHOWN  
 IN FEET.  
Larry J. Seabolt



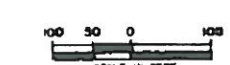
- NOTES:**
- 1) IRON PIN(1/2" REDARI) SET ON ALL LOT CORNERS.
  - 2) D.E. - DENOTES DRAINAGE EASEMENT.
  - 3) ZONING - R-40.  
FRONT BLDG. LINE - AS SHOWN FOR COUNTY REQUIREMENTS.  
SUBDIVISION COVENANTS MAY REQUIRE MORE.  
- SIDE BLDG. LINE - 15'.  
- REAR BLDG. LINE - 30'.
  - 4) T.B.M. @ INT. FELTON DR. & McELROY DR. ELEV. = 689.2'.
  - 5) "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."

**OWNER AND DEVELOPER**  
 R.T. SHOCKLEY  
 350 McELROY ROAD  
 FAYETTEVILLE, GEORGIA 30214  
 (404) 461-7887

GEORGIA, Fayette County  
 Clerk's Office Superior Court  
 Filed for record March 27 1985  
4:30 P.M.  
 Recorded in Book 15 Page 174  
 This 27th day of March 1985  
W.A. Ballard

**FINAL PLAT FOR**  
**UNIT I**  
**PLEASANT POINTE**  
 FAYETTE COUNTY, GEORGIA  
 LAND LOT 150 & 151 - 5th DISTRICT  
 SCALE 1" = 100'  
 1/28/85

**SOUTHEASTERN**  
**ENGINEERS & SURVEYORS, INC.**  
 103 COMMERCIAL DR. SUITE 4 FAYETTEVILLE, GA. 30214





## OWNERS ACKNOWLEDGEMENT

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: Larry J. Seabolt

APPROVED BY COUNTY ENGINEER, FAYETTE COUNTY, GA.

DATE: June 19, 1987SIGNED: Daniel R. Hall

County Engineer

APPROVED BY FAYETTEVILLE - FAYETTE COUNTY PLANNING COMMISSION

DATE: June 19, 1987SIGNED: Robin S. Moore

Secretary

APPROVED BY DEPARTMENT OF PUBLIC HEALTH, FAYETTE COUNTY, GA.

THIS PLAT HAS BEEN REVIEWED BY A REPRESENTATIVE OF THE FAYETTE COUNTY HEALTH DEPT. 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: 6-16-87, 1987SIGNED: Richard P. Felt

County Sanitarian

## SURVEYORS 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; AND, THAT THE PROPERTY WILL DRAIN AS SHOWN. MONUMENTS ARE SHOWN BY IRON PINS.

Larry J. Seabolt  
Georgia Registered Land Surveyor No. 2135

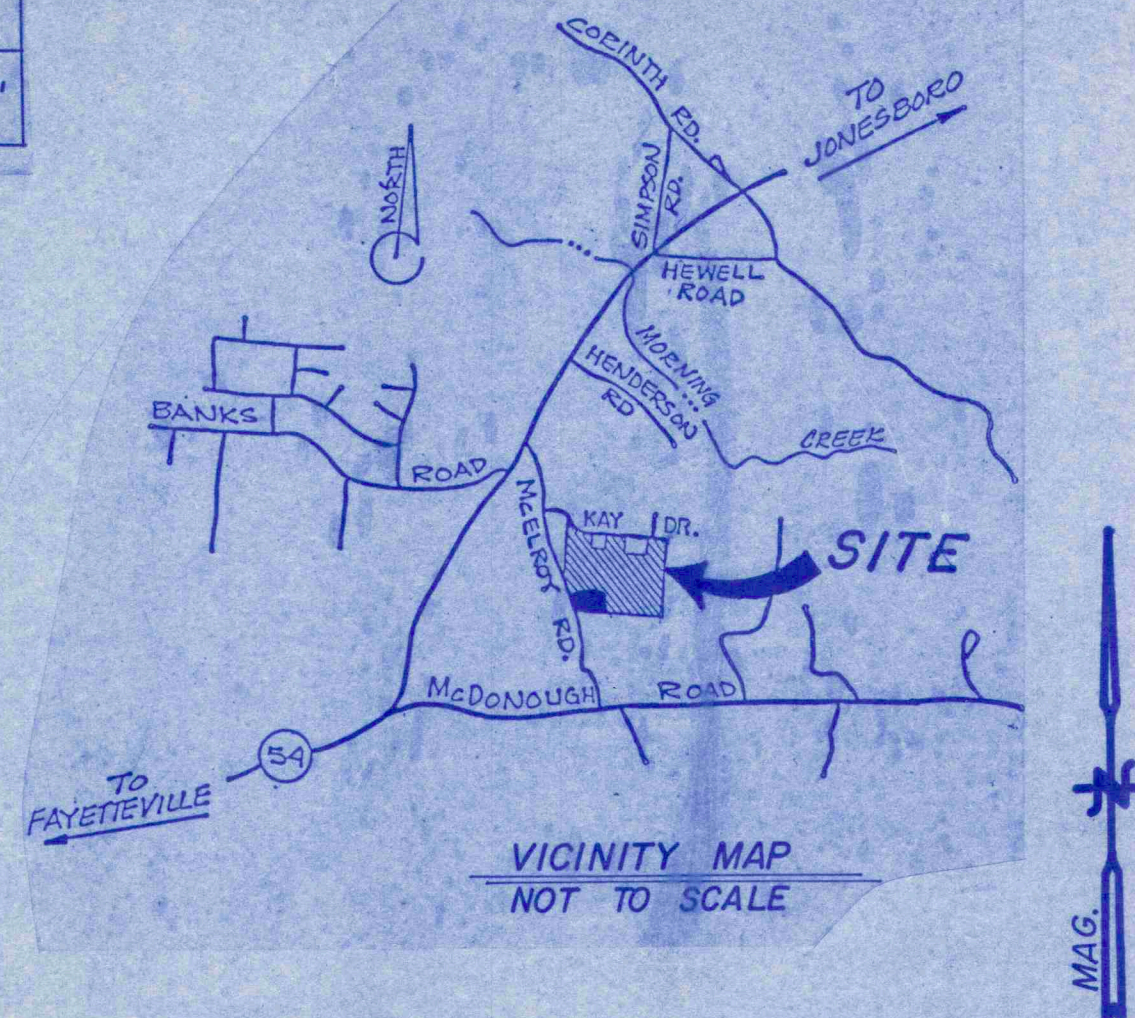
"FAYETTE COUNTY DOES NOT ACCEPT THE OWNERSHIP, MAINTENANCE OR RESPONSIBILITY FOR ANY DRAINAGE EASEMENT OR OVERALL DRAINAGE PLAN, OR THE LACK OF ONE, INDICATED BY THIS PLAT."

## C CURVE DATA

NO.	$\Delta$	ARC.	CHORD	TAN.	RAD.	DEG.
1	47°30'00"	527.55'	512.57'	280.00'	636.35'	09°00'14"

## NOTES:

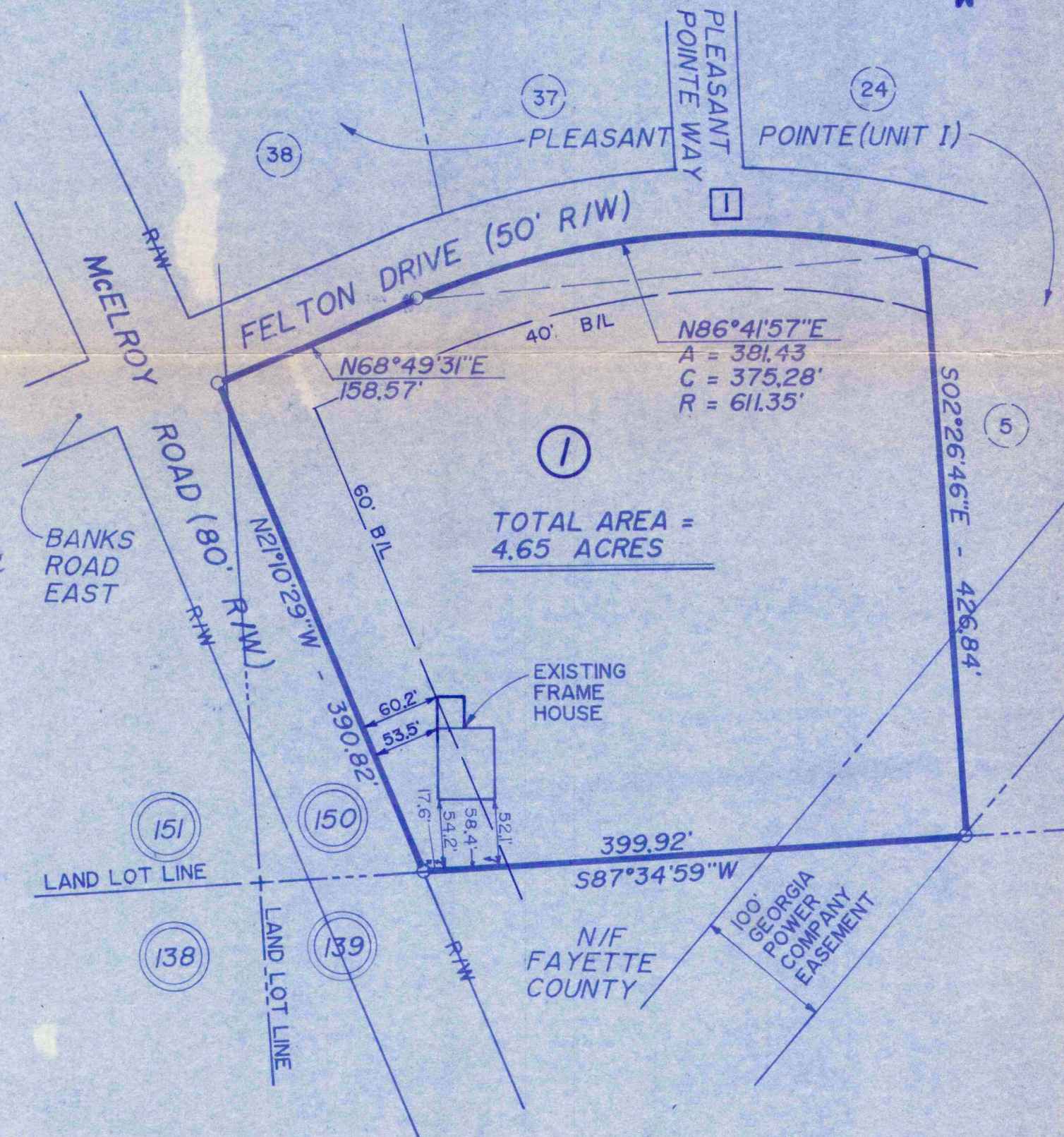
- 1) IRON PIN(1/2" REBAR) SET ON ALL LOT CORNERS.
- 2) D.E. - DENOTES DRAINAGE EASEMENT.
- 3) ZONING - R-40.  
FRONT BLDG. LINE - AS SHOWN FOR COUNTY REQUIREMENTS.  
SUBDIVISION COVENANTS MAY REQUIRE MORE.  
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## OWNER AND DEVELOPER

R.T. SHOCKLEY  
350 McELROY ROAD  
FAYETTEVILLE, GEORGIA 30214  
(404) 461-7887

APPROVED BY FAYETTE COUNTY PLANNER

DATE: 6/16/87SIGNED: Larry J. Seabolt

THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE PRECISION OF AT LEAST ONE FOOT IN 10,000 FEET AND AN ANGULAR ERROR OF 01 SECONDS PER ANGLE POINT, AND WAS ADJUSTED USING COMPASS RULE.

FIELD INFORMATION WAS OBTAINED WITH EDM EQUIPMENT, STEEL TAPE, AND THEODOLITE.

THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN AT LEAST ONE FOOT IN 10,000 FEET.

Larry J. Seabolt  
LARRY J. SEABOLT  
GEORGIA REGISTERED LAND SURVEYOR  
#2135

100 50 0 100  
GRAPHIC SCALE  
SCALE: 1" = 100'

FINAL PLAT FOR  
PLEASANT POINTE  
UNIT II

LAND LOT 150 & 151  
DISTRICT 5 th.  
COUNTY FAYETTE  
REFERENCE  
SCALE 1" = 100'

DATE 6/8/1987

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.



**SOUTHEASTERN ENGINEERS  
& SURVEYORS, INC.**  
P. O. BOX 703  
FAYETTEVILLE, GA. 30214  
404 / 461 - 4181



**REQUESTED ACTION:** M-1 & C-H to C-H

**PROPOSED USE:** Amusement Park

**EXISTING USE:** Amusement Park

**LOCATION:** SR 85 North

**DISTRICT/LAND LOT(S):** 5th District, Land Lots 200, 201, & 216

**OWNER:** Fun Spot America of Atlanta, Inc

**AGENT:** Kate Triplett - Kimley-Horn and Associates, Inc

**PLANNING COMMISSION PUBLIC HEARING:** June 3, 2021

**BOARD OF COMMISSIONERS PUBLIC HEARING:** June 24, 2021

---

**APPLICANT'S INTENT**

Applicant proposes to rezone from M-1 and C-H to C-H to eliminate split zoning in anticipation of combining the subject property with a C-H tract to the north.

**STAFF RECOMMENDATION**

**APPROVAL WITH SEVEN (7) CONDITIONS**

## **INVESTIGATION**

### **A. PROPERTY SITE**

The subject property is a 96.7 acre tract fronting on SR 85 North and Morning Creek Road in Land Lots 200, 201 and 216 of the 5th District. SR 85 North is classified as a Major Arterial road on the Fayette County Thoroughfare Plan and Morning Creek Road is classified as a County Local road on the Fayette County Thoroughfare Plan. The subject property is currently developed as an amusement park.

#### **History:**

**Rezoning Petition 453-83** – 24.5 acres from A-R to C-H and M-1 approved 5/12/83– the two proposed zoning areas were not described by a legal description – applicant’s letter in the file indicates that the front 12 acres would be C-H for commercial rental and the rear 12 acres would be M-1 for warehouse rental. No conditions were imposed.

**Rezoning Petition 734-89** – one (1) acre from A-R to C-H Conditional approved 12/14/21 – Conditions are as follows:

1. That the use of the subject property be restricted to the following uses:  
Outdoor/Commercial Recreational activities and related accessory uses, including but not limited to, a snack bar.
2. To provide and maintain off-street parking on the subject property during the construction period.

**Rezoning Petition 876-95** – 70.37 acres from A-R and L-B (Limited-Business) to M-1 Conditional 2/23/95 – Conditions are as follows:

1. That the subject property be used for recreational purposes only.
2. That the subject property not have direct access to Curved Road or Morning Creek Drive.
3. That a 20-foot planted buffer be required along Morning Creek Drive.
4. That all improvements, including parking, meet the 55 foot front yard setback along Morning Creek Drive.

### **B. SURROUNDING ZONING AND USES**

The general situation is a 96.7 tract that is zoned M-1 and C-H. In the vicinity of the subject property is land which is zoned C-H, R-20, A-R and M-1. 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	20.6	C-H	Undeveloped	Commercial
South	8.2 49.85 2.9	A-R A-R M-1	Single-family Residential Undeveloped Light Industrial	Low Density Residential (1 Unit/1 Acre)  Light Industrial & Environmentally Sensitive Areas (floodplain)
East	36.1	A-R	Undeveloped	Low Density Residential (1 Unit/1 Acre)
East (across Morning Creek Road)	.50 1.2 2.0 1.9	R-20 R-20 R-20 R-20	Single-family Residential Undeveloped Single-family Residential Undeveloped	Low Density Residential (1 Unit/1 Acre)
West (across SR 85)	115.0 47.0 6.9  1.117 6.98	M-1 M-1 C-H  M-1 C-H	Undeveloped Undeveloped Light Industrial & Self-storage  Single-family Residential Building Contractor	Commercial & Light Industrial  Environmentally Sensitive Areas (floodplain)  Commercial & Environmentally Sensitive Areas (floodplain)

### C. COMPREHENSIVE PLAN

The subject property lies within an area designated for Commercial, Low Density Residential (1 Unit/1 Acre) and Environmentally Sensitive Areas (floodplain). The subject property is currently zoned C-H and M-1 which are non-residential zoning districts and developed as an amusement park. The purpose of this rezoning request is to eliminate the split zoning in anticipation of combining the subject property with a C-H tract to the north. Given this situation and the fact that the subject property is currently developed with non-residential uses, this request conforms to the intent of the Fayette County Comprehensive Plan as its orientation is from SR 85 which is a nonresidential corridor in this area.

### D. ZONING/REGULATORY REVIEW

The applicant seeks to rezone from M-1 and C-H to C-H for the purpose of eliminating split zoning in anticipation of combining the subject property with a C-H tract to the north. The C-H tract to the north will be utilized for expansion of the existing amusement park with the first project being a large roller coaster that will extend into the aforementioned C-H tract. Staff will recommend a condition that the properties be combined by deed and said deed be recorded prior to submittal of a site plan.

## **Prior Conditions of Rezoning**

As indicated under History above, two out of the three prior rezoning petitions have conditions that are applicable to the subject property. It is the intent of this rezoning petition to eliminate and/or update conditions. The existing conditions with Staff comments are as follows:

**Rezoning Petition 734-89** – one (1) acre from A-R to C-H Conditional approved 12/14/21 – Conditions are as follows:

1. **That the use of the subject property be restricted to the following uses: Outdoor/Commercial Recreational activities and related accessory uses, including but not limited to, a snack bar.** (It is Staff's opinion that a condition limiting the uses on the subject property is unnecessary. Conditions limiting uses were routinely put in place in the past, but Staff has since stopped the practice. Any permitted or conditional uses in the C-H zoning district would be appropriate in the SR North 85 corridor.)
2. **To provide and maintain off-street parking on the subject property during the construction period.** (It is Staff's opinion that a condition to provide and maintain off-street parking on the subject property during the construction period is unnecessary as there is ample parking on-site.)

**Rezoning Petition 876-95** – 70.37 acres from A-R and L-B (Limited-Business) to M-1 Conditional 2/23/95 – Conditions are as follows:

1. **That the subject property be used for recreational purposes only.** (It is Staff's opinion that a condition limiting the uses on the subject property is unnecessary. Conditions limiting uses were routinely put in place in the past, but Staff has since stopped the practice. Any permitted or conditional uses in the C-H zoning district would be appropriate in the SR North 85 corridor.)
2. **That the subject property not have direct access to Curved Road or Morning Creek Drive.** (Staff is updating this condition. See Recommended Conditions below.)
3. **That a 20-foot planted buffer be required along Morning Creek Drive.** (From a windshield survey of Morning Creek Road, it does not appear that a 20 foot planted buffer was established but in its place is a solid wooden fence of at least eight feet in height on the subject property. The fence provides a visual screen to the homes along the east side on Morning Creek Road. The fence runs south along Morning Creek Road to a point where the existing vegetation becomes thick. While the fence is still standing, portions of the fence have fallen into disrepair. It is staff's opinion that a fence of this type provides a better screen than a 20 foot planted buffer.

Public Works/Environmental Management comments include recommend conditions for the dedication of 30 feet of right of way and the removal of all structures within the said new right of way limits, both at no cost to Fayette County. In the context of these recommended conditions from Public Works/Environmental Management, “structures” includes the fence. Staff will recommend a condition that a new solid fence/wall of at least eight feet in height be installed along the new right of way of Morning Creek Road.

4. **That all improvements, including parking, meet the 55 foot front yard setback along Morning Creek Drive.** (It is Staff’s opinion that this condition is unnecessary. The front setback for C-H on Morning Creek Road, which is classified as a County local road, is 65 feet for any structures. Setbacks do not apply to parking areas and with a fence/wall of at least eight feet in height as a screen (see comment above) the application of the setback to parking areas is unnecessary.)

#### **Existing Buildings – Morning Creek Road**

There are some existing buildings in close proximity to Morning Creek Road. These structures appear to be storage buildings and are likely preexisting agricultural buildings based on historical aerials. The Concept Plan submitted with Rezoning Petition 876-95 showed a proposed 19,500 square foot maintenance facility building in this area and contains this note in relation to these structures, “Existing Bldg. To Be Removed.” The aforementioned maintenance facility building was not constructed. The Concept Plan submitted with this rezoning petition does not indicate these buildings but shows this area as a “Future Development Pad.” Public Works/Environmental Management comments include recommend conditions for the dedication of 30 feet of right of way and the removal of all structures within the new right of way limits, both at no cost to Fayette County. It is not clear if these buildings are within the new right of way but they will be within the setback. If the buildings are within the new right of way they must be removed. If the buildings are not in the right of way and only in the setback the owner has the option to remove the buildings or apply for a variance from the Zoning Board of Appeals (ZBA) if they plan to keep the buildings. Staff will recommend a condition that the buildings either be removed or a variance for the buildings be approved by the ZBA prior to approval of a site plan.

#### **Access**

The Concept Plan submitted indicates three (3) accesses from SR 85 North (see GDOT comments below) and one (1) access from Morning Creek Road (see Recommended Condition # 2).

### **Site Plan**

Should this petition be approved, the owner/developer must submit a Site Plan as required by Section 8-26., c. of the Development Regulations. Access must comply with the provisions of Section 8-53. of the Development Regulations and the Georgia D.O.T., as appropriate. The subject property must comply with all applicable Fayette County Code regulations. 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 Site Plan, as applicable.

### **SR 85 North Overlay Zone**

The subject property, including the C-H tract to the north that is proposed to be combined with the subject property as it is an extension of the original development, will not be subject to the SR 85 North Overlay Zone. The SR 85 North Overlay Zone states the following:

All undeveloped property and property being totally redeveloped (i.e., where all of the existing principal structures have been demolished/removed) which has road frontage on SR 85 North where nonresidential development commenced after the effective date of the SR 85 North Overlay Zone (03/22/07) shall be subject to the requirements of the SR 85 North Overlay Zone. The intent of the overlay is to set standards specific to SR 85 North from the city limits of the City of Fayetteville north to the Fayette-Clayton county line.

The site plan of the original Dixie Land Fun Park was approved in 1983.

### **F. 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 Site Plan, as applicable.

### **G. DEPARTMENTAL COMMENTS**

#### **Water System**

FCWS has no concerns at this time regarding the rezoning. There is water availability along Hwy 85 adjacent to this property via a 20" DIP watermain.

## **Public Works/Environmental Management**

### **County Road Frontage Right of Way Dedication**

GA Hwy 85 is a Major Arterial roadway and the GDOT controls all entrances and exits onto the state route. Any proposed modifications to the site entrances and exits will be permitted through GDOT. Fayette County Environmental Management

Morning Creek Road is a County Local roadway and upon approval of site development plans the county requests that the owner dedicate at no cost 30 feet of Right of Way from the centerline of Morning Creek Road to Fayette County. To be shown on approved site plans and warranty deed filed prior to any additional certificate of occupancy being issued.

### **Traffic Data**

According to the GDOT on-line traffic data, the annual average daily traffic for State Route 85 approximately one (1) mile is 31,600 vehicles per day. The owner has not submitted traffic data for the proposed future addition however the uniform rezoning of the existing tract without modification proposes a negligible effect on existing traffic patterns on Hwy 85.

### **Site Distance**

Minimum sight distances will have to be satisfied for any proposed new road intersections. GADOT will review sight distances.

### **Floodplain Management**

The 96.7 acre request for rezoning DOES contain floodplain per FEMA FIRM panel 13113C0113E dated September 26, 2008. The property DOES contain additional floodplain delineated in the FC 2013 Future Conditions Flood Study.

### **Wetlands**

The property DOES contain wetlands per the U.S. Department of the Interior, Fish and Wildlife Service 1994 National Wetland Inventory Map.

### **Watershed Protection**

There ARE state waters located on the subject property and WILL BE subject to the Fayette County Watershed Protection Ordinance.

## **Groundwater**

The property IS NOT within a groundwater recharge area.

## **Post Construction Stormwater Management**

This development WILL BE subject to the Post-Development Stormwater Management Ordinance if re-zoned and developed with more than 5,000 square feet of impervious surfaces.

## **Recommended Conditions of Rezoning:**

1. The owner shall dedicate from the centerline of Morning Creek Road at no cost to the County 30 feet of Right of Way. To be shown on site development plans and a warranty deed filed prior to any additional certificate of occupancy being issued.
2. The owners shall remove all structures within the said new right of way limits at no cost to Fayette County prior to dedication.
3. All zoning buffers will be required to be replanted to current standards based on current county regulations.
4. No new driveways for the subject property to be allowed on Morning Creek Road.
5. The existing rear gated entrance along Morning Creek Road may be improved with paving but only utilized as an emergency entrance/exit.
6. Future development shall provide an integrated style of Stormwater management. Techniques should be used to create water quality/ runoff reduction facilities that can be used as green spaces within the new and existing development.

## **Environmental Health Department**

This Dept. has no objections to the proposed rezoning.

## **Fire**

No comments.

## **Georgia Department of Transportation**

There is a concern about the proposed additional accesses for the Fun Spot property, the proposed accesses should meet the GDOT driveway spacing requirements that are detailed in the current edition of the GDOT Encroachment Manual, the posted speed limit for this area of SR 85 is 55 MPH, also there is a concern for the proposed most southern access will be encroaching on the existing bridge and the applicant should be made aware that the proposed accesses will have to have decel lanes constructed along with the accesses. The applicant should be made aware of the GDOT requirements.



### **STAFF ANALYSIS**

This request is based on the petitioner's intent to rezone said property from M-1 and C-H to C-H for the purpose of developing Commercial. 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 Commercial, Low Density Residential (1 Unit/1 Acre) and Environmentally Sensitive Areas (floodplain). The subject property is currently zoned C-H and M-1 which are non-residential zoning districts and developed as an amusement park. The purpose of this rezoning request is to eliminate the split zoning in anticipation of combining the subject property with a C-H tract to the north. Given this situation and the fact that the subject property is currently developed with non-residential uses, this request conforms to the intent of the Fayette County Comprehensive Plan as its orientation is from SR 85 which is a nonresidential corridor in this area.
2. As conditioned, the proposed rezoning will not adversely affect the existing use or usability of adjacent or nearby property.
3. As conditioned, 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 non-residential district support this petition.

Based on the foregoing Investigation and Staff Analysis, Staff recommends **APPROVAL WITH SEVEN (7) CONDITIONS**.

### **RECOMMENDED CONDITIONS**

If this petition is approved by the Board of Commissioners, it should be approved **C-H 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 subject property be combined with the C-H tract to the north by a deed and said deed be recorded prior to submittal of a site plan.
2. That Morning Creek Drive/Curved Road shall not be used for customer access to the subject property and shall be limited to one service/emergency driveway cut. Said service/emergency driveway cut location shall be indicated on the site plan and labeled as "Service/Emergency Access Only."
3. That the owner shall dedicate from the centerline of Morning Creek Road, at no cost to the County, 30 feet of Right of Way. To be shown on the site plan and a warranty deed recorded prior to approval of a site plan. The owners shall remove all structures (buildings and fence) within the said new right of way limits at no cost to Fayette County prior to dedication. *(This condition will be administered by Public Works/Environmental Management.)*
4. If the aforementioned existing buildings in close proximity to Morning Creek Road are not within the new right of way, the owner shall either remove the buildings or have a variance for the buildings approved by the ZBA prior to approval of a site plan.
5. That the owner shall install a new solid fence/wall of at least eight feet in height along the new right of way of Morning Creek Road similarly in location to the existing fence in conjunction with the removal of the existing fence per Condition #3 above and prior to approval of a site plan.
6. All zoning buffers will be required to be replanted to current standards based on current county regulations. *(This condition will be administered by Public Works/Environmental Management.)*
7. Future development shall provide an integrated style of Stormwater management. Techniques should be used to create water quality/ runoff reduction facilities that can be used as green spaces within the new and existing development. *(This condition will be administered by Public Works/Environmental Management.)*

734-89  
C-H Cond.

453-83

C-H

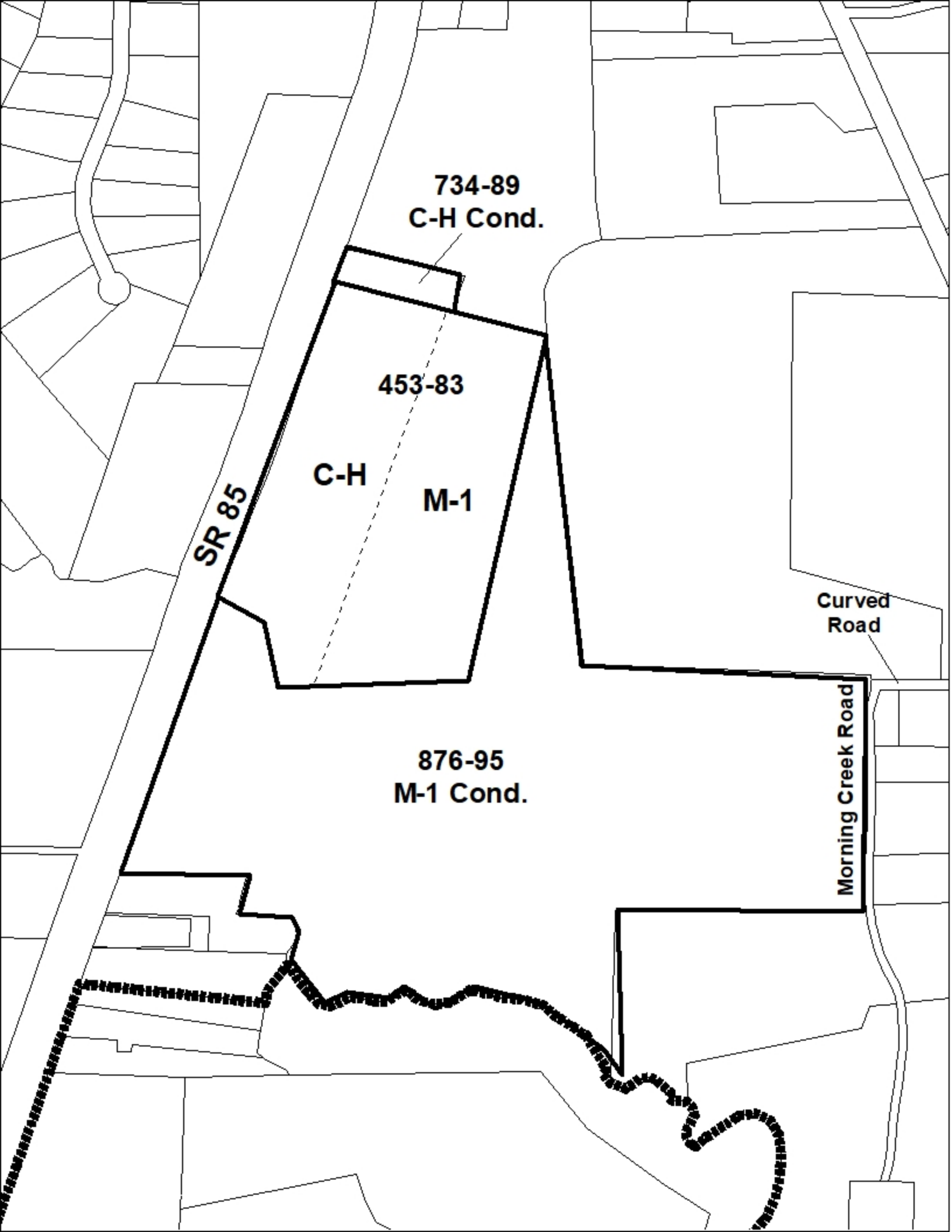
M-1

SR 85

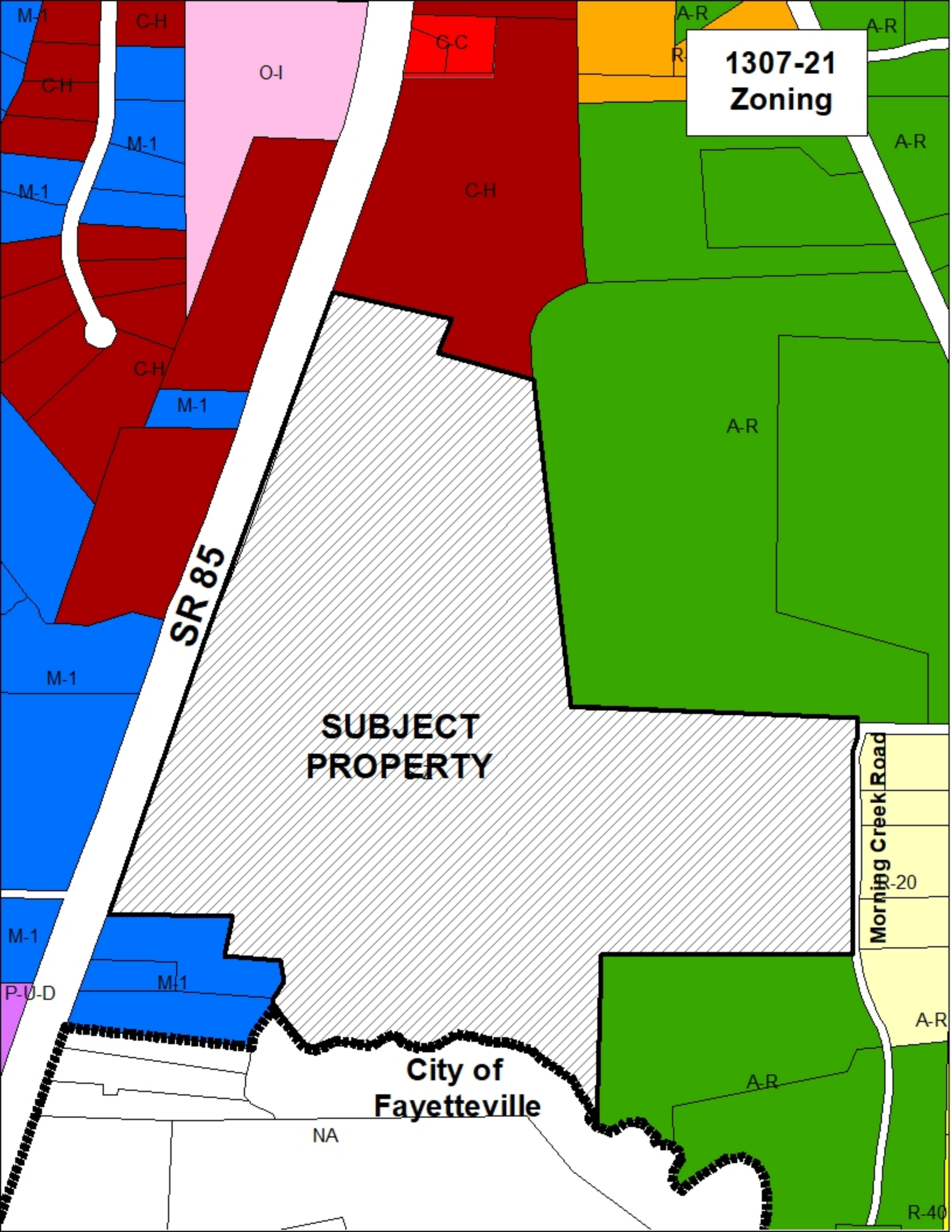
Curved  
Road

876-95  
M-1 Cond.

Morning Creek Road



**1307-21  
Zoning**



**SUBJECT  
PROPERTY**

**SR 85**

**City of  
Fayetteville**

**Morning Creek Road**

**-20**

**A-R**

**R-40**

**NA**

**A-R**

**A-R**

**A-R**

**A-R**

**A-R**

**GC**

**CH**

**O-I**

**CH**

**M-1**

**CH**

**M-1**

**M-1**

**CH**

**M-1**

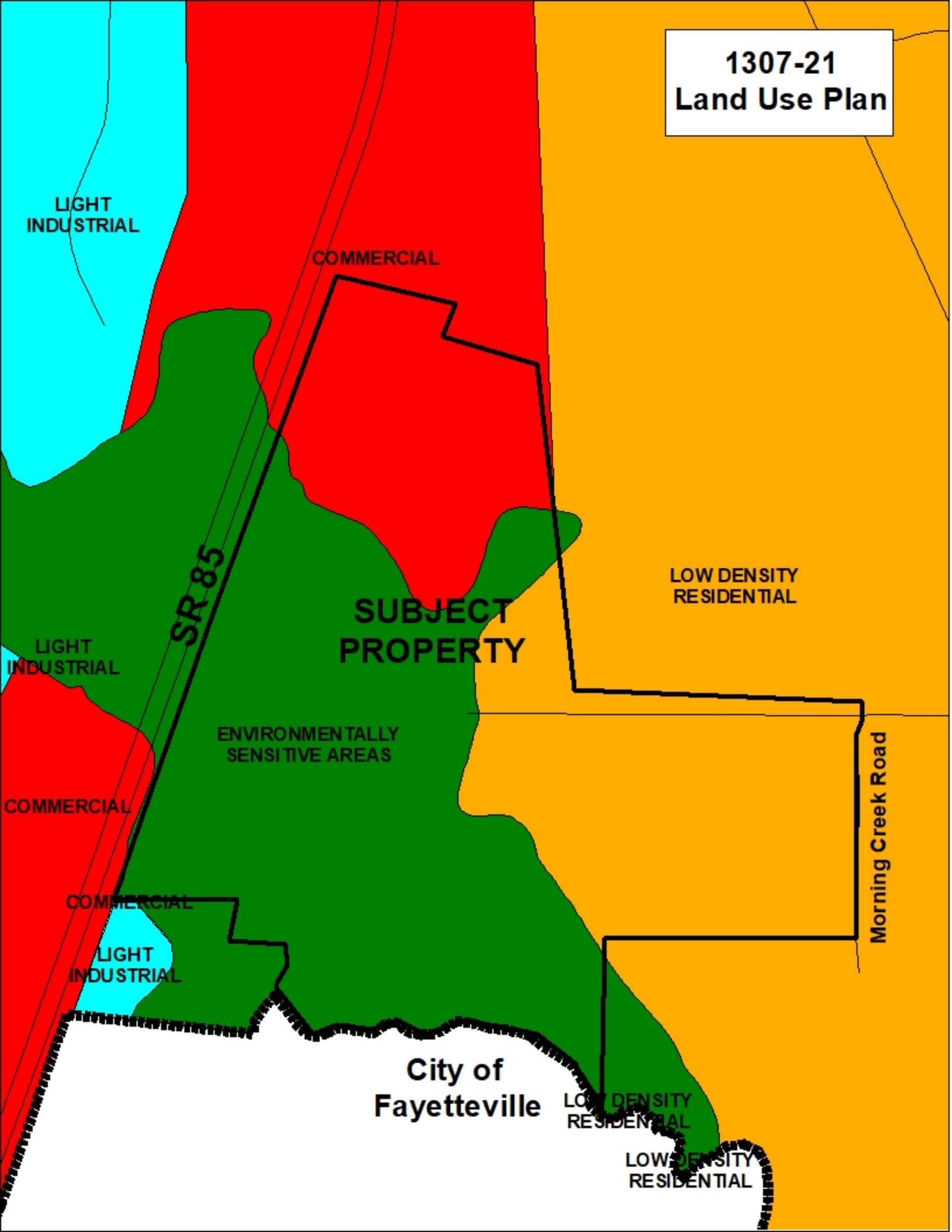
**M-1**

**M-1**

**P-U-D**

**M-1**

**1307-21  
Land Use Plan**



LIGHT  
INDUSTRIAL

COMMERCIAL

SR 85

**SUBJECT  
PROPERTY**

LOW DENSITY  
RESIDENTIAL

LIGHT  
INDUSTRIAL

ENVIRONMENTALLY  
SENSITIVE AREAS

COMMERCIAL

COMMERCIAL

LIGHT  
INDUSTRIAL

Morning Creek Road

**City of  
Fayetteville**

LOW DENSITY  
RESIDENTIAL

LOW DENSITY  
RESIDENTIAL



1307-21  
Aerials

SR 85

SUBJECT  
PROPERTY

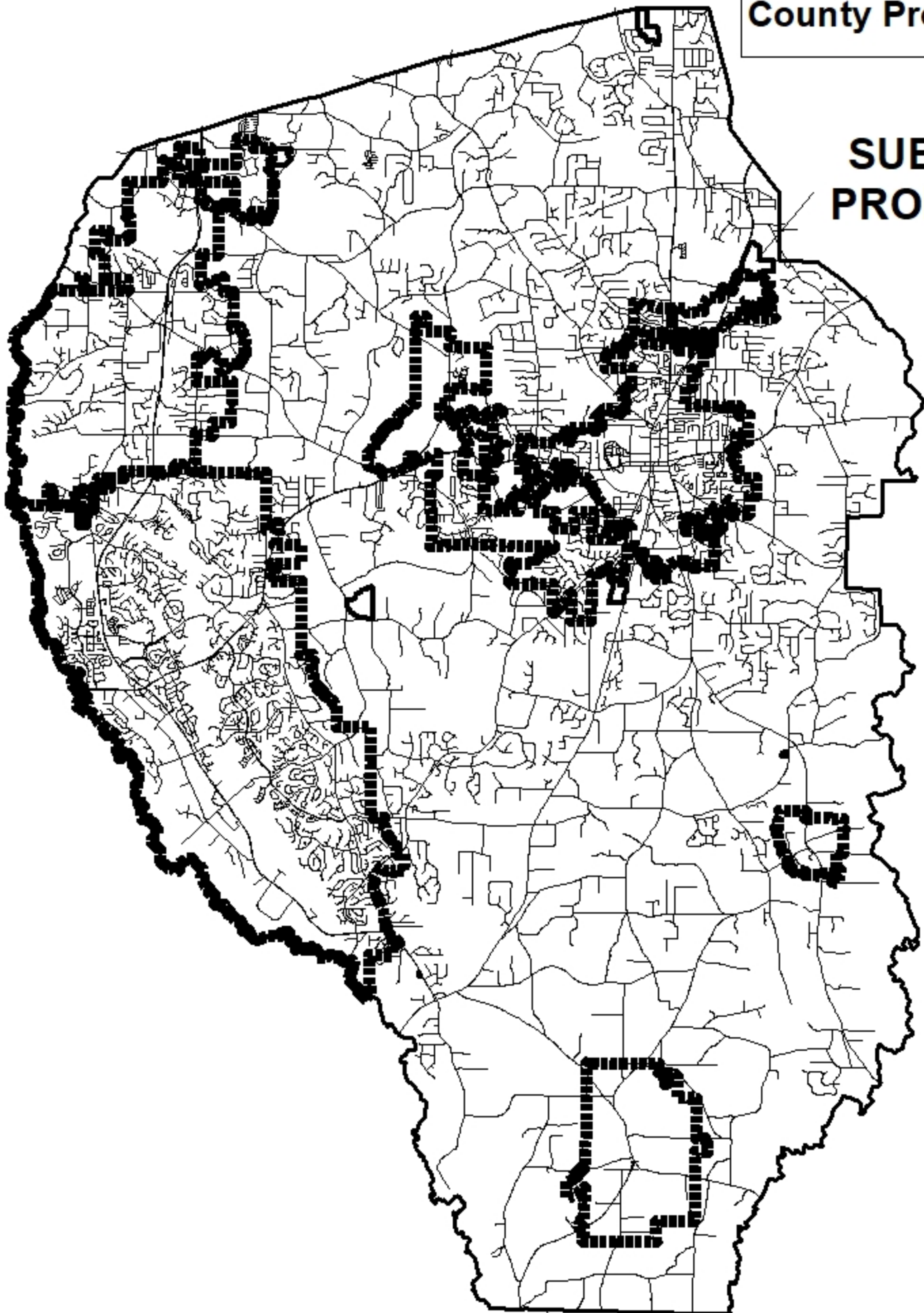
Morning Creek Road

City of  
Fayetteville



1307-21  
County Proximity

**SUBJECT  
PROPERTY**



1307-21



April 29, 2021

Fayette County Planning and Zoning Department  
140 Stonewall Ave West, Suite 202  
Fayetteville, GA 30214

**RE: *Fun Spot Rezoning Letter of Intent; 1675 Highway 85 N***

To Whom it may concern:

Kimley-Horn and Associates, Inc., on behalf of our Client/the Owner, Fun Spot America of Atlanta, Inc, has prepared this letter of intent in order to define our Client's intent to rezone parcel 0546 011 located at 1675 Highway 85 N, in Fayette County. The parcel is approximately 96.7 acres and is the current home to the Fun Spot Atlanta amusement park.

Based on conversations with Fayette County, Kimley-Horn and the Owner understand that this parcel has been rezoned and modified three times since 1983. With each of these approved rezonings, various conditions were applied to portions of the parcel. The parcel is now currently zoned M-1 (with associated conditions), and it is the Owner's intent to rezone to C-H with no conditions in order to clarify/consolidate or eliminate the conditions and therefore streamline the zoning and development process moving forward with Fayette County.

The Owner has also purchased 20.7 acres north of the site to be rezoned. This site is zoned C-H, and it is the Owner's intent to consolidate the two parcels into one parcel to allow for future development. While the existing amusement park is largely intended to remain, the Owner intends to add a roller coaster to the site in 2022. This roller coaster would traverse the two parcels to be consolidated together under a C-H zoning. The control and inspection of the roller coaster is within State of Georgia jurisdiction, not Fayette County.

The Owner has a vision to develop the overall site with additional park features, including potential uses such as lodging, additional amusement park features, retail/restaurant, additional parking, and other uses allowed by right in the C-H zoning classification. A master plan will be provided to Fayette County after rezoning has been completed, and the plan has been further developed. Future development pads, which are located outside of the floodplain, are depicted on the included rezoning plan.

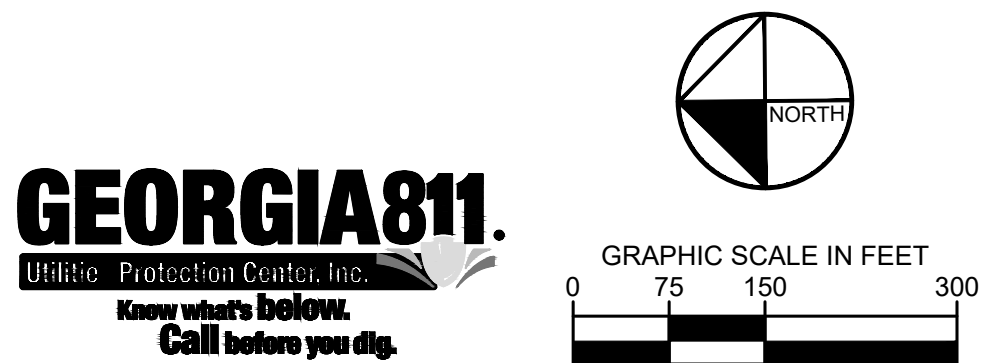
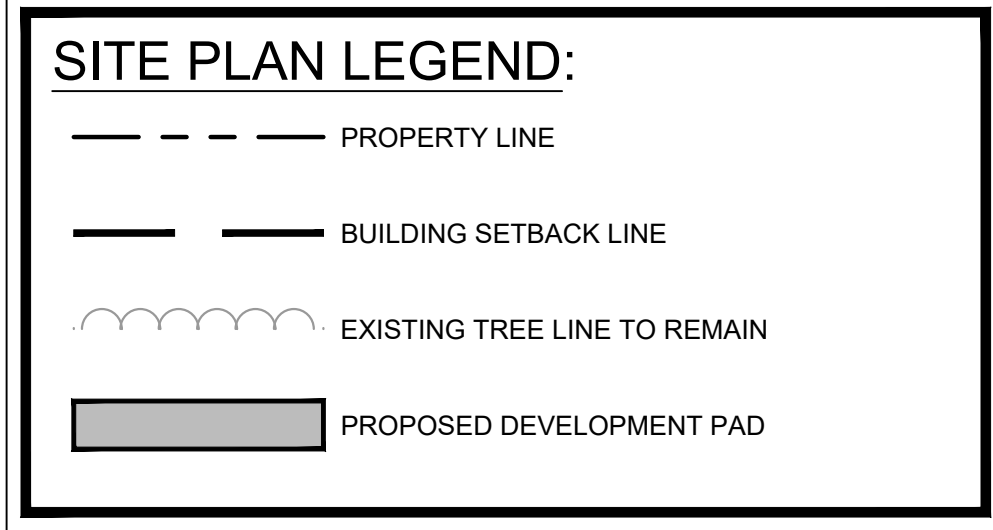
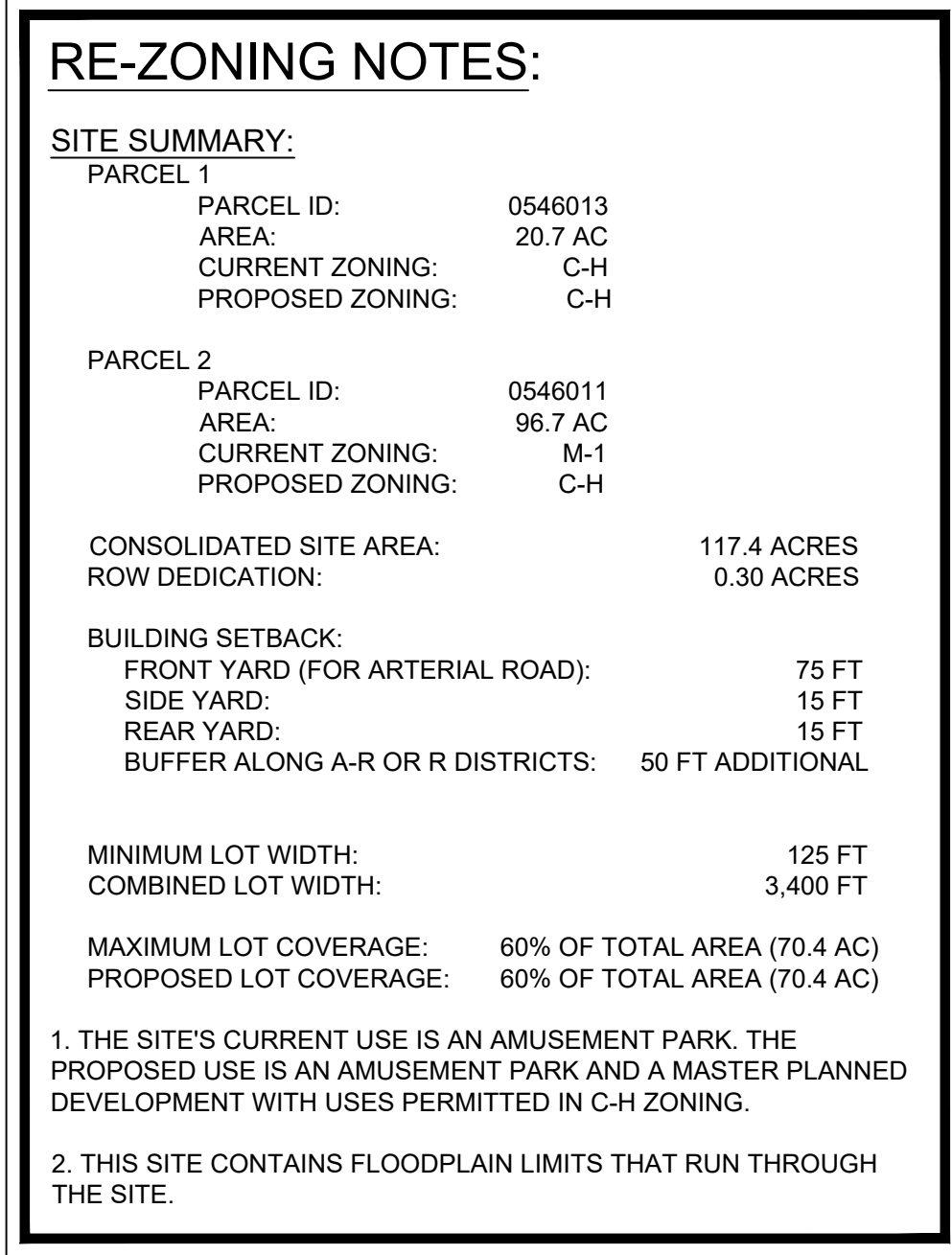
Fun Spot America of Atlanta is passionate about growing their presence and footprint in Fayette County on this site and would appreciate the County's support in the rezoning pursuit of the 96.7 acre parcel in order to consolidate and future develop this site. If you have any questions or need any additional information, please do not hesitate to contact me at 404-900-7017 or [kate.triplett@kimley-horn.com](mailto:kate.triplett@kimley-horn.com)

Sincerely,

A handwritten signature in blue ink that reads "Kate Triplett".

Kate Triplett, P.E.  
Project Manager/Assistant Secretary





**PETITION NO: 1308-21 A&B**

**REQUESTED ACTION:** R-40 & A-R to R-80

**PROPOSED USE:** Residential

**EXISTING USE:** Undeveloped

**LOCATION:** Goza Rd

**DISTRICT/LAND LOT(S):** 4th District, Land Lot 247

**OWNER:** Tammie L. Harp

**AGENT:** Randy M. Boyd

**PLANNING COMMISSION PUBLIC HEARING:** June 3, 2021

**BOARD OF COMMISSIONERS PUBLIC HEARING:** June 24, 2021

---

**APPLICANT'S INTENT**

Applicant proposes to rezone from R-40 and A-R to R-80 to develop a 3.542 acre residential lot.

**STAFF RECOMMENDATION**

**ARROVAL**

**1.**

**1308-21 A&B**

## INVESTIGATION

### A. PROPERTY SITE

The subject property is made up of a 2.12 acre tract (R-40) fronting on Goza Rd and a 1.422 acre tract (A-R) to the rear of the aforementioned tract. Goza Rd is classified as a Minor Arterial road on the Fayette County Thoroughfare Plan. The subject property is undeveloped.

**History:** Petition 852-94 to rezone 2.5 acres from A-R to R-40 was approved by the Board of Commissioners with one condition on May 26, 1994. The condition is as follows:

That the subject property will be limited to one (1) single-family dwelling lot.

### B. SURROUNDING ZONING AND USES

The general situation is a 2.12 acre tract that is zoned R-40 and a 1.422 acre tract that is zoned A-R. In the vicinity of the subject property is land which is zoned A-R. 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	.86 .59	A-R A-R	Single-family Residential Undeveloped	Rural Residential -3 (1 Unit/3 Acres)
South	1.1 2.208	A-R A-R	Single-family Residential Undeveloped	Rural Residential -3 (1 Unit/3 Acres)
East (across Goza Road)	2.47 3.97 14.24	A-R A-R A-R	Single-family Residential Single-family Residential Single-family Residential	Rural Residential -3 (1 Unit/3 Acres)
West	30.08	A-R	Undeveloped	Rural Residential -3 (1 Unit/3 Acres)

**C. COMPREHENSIVE PLAN**

The subject property lies within an area designated for Rural Residential – 3 (1 Unit/3 Acres). This request conforms to the Fayette County Comprehensive Plan.

**D. ZONING/REGULATORY REVIEW**

The applicant seeks to rezone from R-40 (1308-21 A) and A-R (1308-21 B) to R-80 for the purpose of developing one residential lot totaling 3.542 acres. The A-R tract (1.422 acres) is part of a larger 3.63 acre lot. The agent has stated that the remaining 2.208 acres will be utilized with a 27.68 acre A-R parcel to the south that will be subdivided into A-R lots.

**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.

**E. DEPARTMENTAL COMMENTS**

**Water System**

FCWS has no concerns regarding this rezoning. There is water availability at this location along Goza Rd served by a 20" DIP waterman.

**Public Works/Engineering**

No Comments at this time.

**Environmental Management**

No Comments at this time.

**Environmental Health Department**

This Dept. has no objections to proposed rezoning.

**Fire**

N/A

### **STAFF ANALYSIS**

This request is based on the petitioner's intent to rezone said property from A-R to R-80 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 Rural Residential – 3 (1 Unit/3 Acres). 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 **ARROVAL**.

**1308-21 A&B  
Zoning**

**SUBJECT  
PROPERTY  
1308-21 B**

R-40

**SUBJECT  
PROPERTY  
1308-21 A**

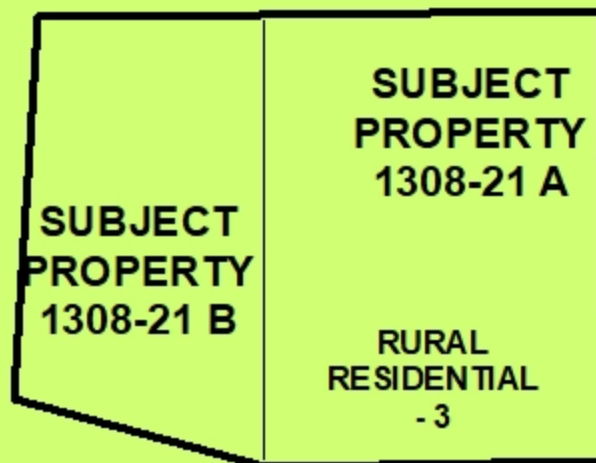
**Goza Road**

A-R

A-R



**1308-21 A&B  
Land Use Plan**



**Goza Road**

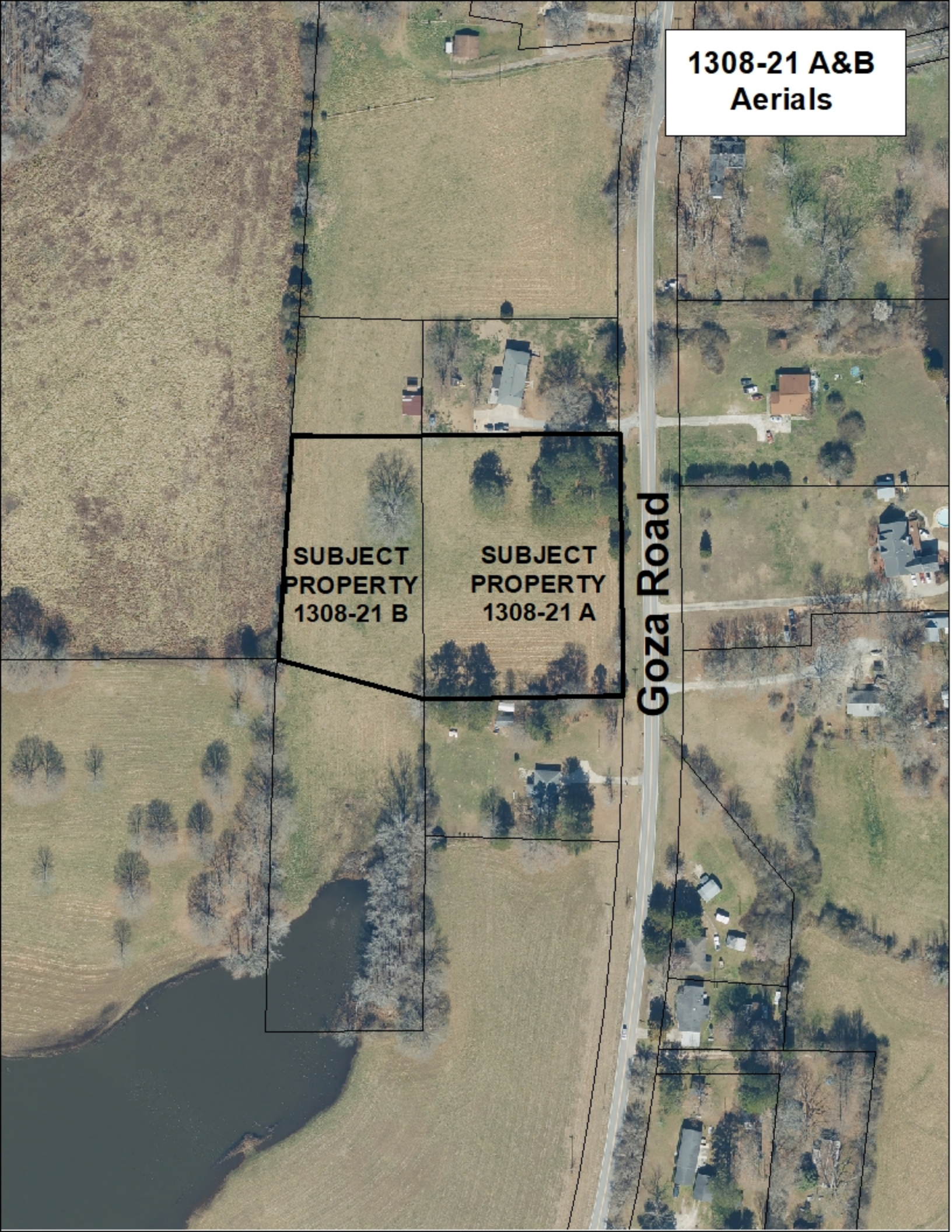


**1308-21 A&B  
Aerials**

**SUBJECT  
PROPERTY  
1308-21 B**

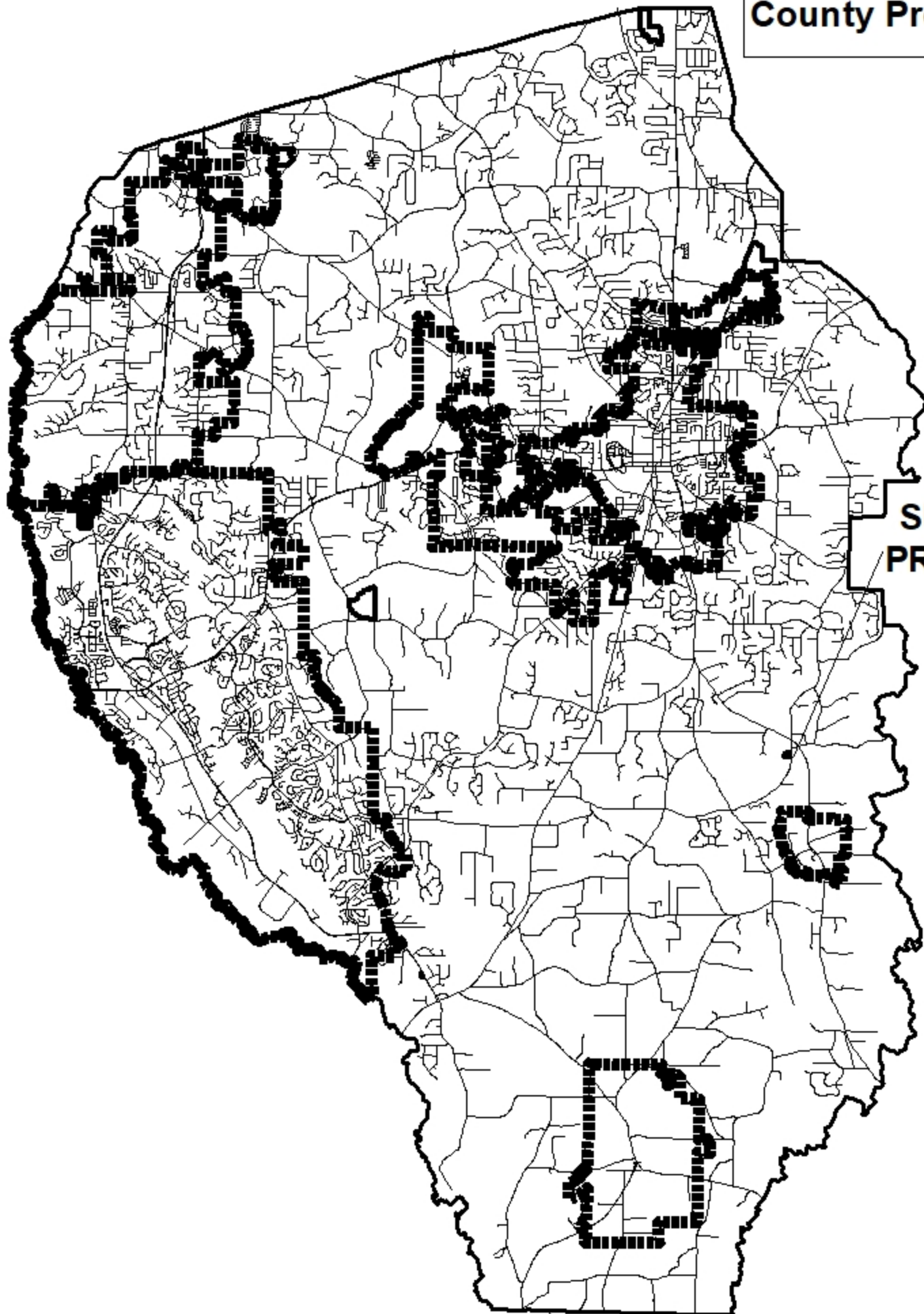
**SUBJECT  
PROPERTY  
1308-21 A**

**Goza Road**





**1308-21 A&B  
County Proximity**



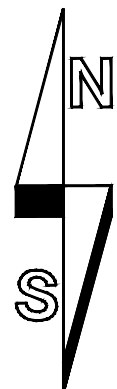
**SUBJECT  
PROPERTY**

LEGEND  
RBF=REBAR FOUND  
RBS=REBAR SET  
CTP=CRIMP TOP PIPE  
L.L.=LAND LOT  
L.L.L.=LAND LOT LINE  
P.=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  
PG=PAGE  
PB=PLAT BOOK  
(###)=HOUSE NUMBER

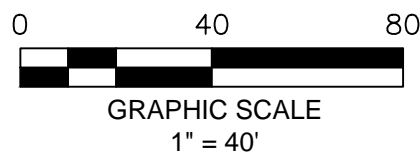
GENERAL NOTES

TRACT A IS CURRENTLY ZONED A-R ~ PROPOSED ZONING R-80

TRACT B IS CURRENTLY ZONED R-40 ~ PROPOSED ZONING R-80



GRID NORTH  
GA WEST ZONE NAD 83



CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	73.33'	2975.00'	1°24'44"	S 00°15'16" W	73.33'

Job No. 21-040

Drawn By:  
R.D.G.

Reviewed By:  
R.M.B.

Issue Date: 04/30/21

F.W.P.D.: 04/29/21

Revisions Date



Prepared For:

TAMMIE L. HARP

Property Location

Land Lot 247 Of The 4th 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

N/F  
JERRY A. HIGGINS, JR  
AND  
MELISSA HIGGINS  
DB 1850 PG 633  
ZONED A-R

N/F  
JERRY A. HIGGINS, JR  
AND  
MELISSA HIGGINS  
DB 1312 PG 284  
ZONED A-R

N 88°37'33" E  
183.20'

S 88°37'33" W  
257.50'

TRACT A  
1.442 Acres  
ZONED A-R  
PARCEL# 0447 061

TRACT B  
2.120 Acres  
ZONED R-40  
PARCEL# 0447 047

N 03°43'48" E 303.94'

S 00°20'47" W 348.91'

N 78°24'09" W 205.00'

S 89°39'25" E 264.75'

N/F  
TAMMIE L. HARP  
DB 2622 PG 119-120  
ZONED A-R

N/F  
TIMOTHY E AND ELAINE S. POWERS  
DB 3027 PG 372-373  
ZONED A-R

N 01°07'15" W 283.39'

FRONTAGE = 356.72'

C1

1502.5' ALONG EXISTING R/W  
TO THE SOUTH LINE OF LAND LOT 247

GOZA ROAD  
80' R/W

**REQUESTED ACTION:** G-B & R-40 to G-B

**PROPOSED USE:** Movie/Television Studio

**EXISTING USE:** Single-Family

**LOCATION:** SR 138

**DISTRICT/LAND LOT(S):** 13th District, Land Lot 198

**OWNER:** D. Michael Travis

**AGENT:** Alvin Williams

**PLANNING COMMISSION PUBLIC HEARING:** June 3, 2021

**BOARD OF COMMISSIONERS PUBLIC HEARING:** June 24, 2021

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**APPLICANT'S INTENT**

Applicant proposes to rezone 59.46 acres from G-B and R-40 to G-B to develop a movie/television studio complex.

**STAFF RECOMMENDATION**

**APPROVAL WITH TWO (2) CONDITIONS**

## INVESTIGATION

### A. PROPERTY SITE

The subject property is a 59.46 acre tract fronting on SR 138 in Land Lot 198 of the 13th District. SR 138 is classified as a Major Arterial road on the Fayette County Thoroughfare Plan. The subject property contains a single-family residence.

**History:** In June of 2012, the Board of Commissioners (BOC) were approached by the current property owner and agent/developer with the concept of a movie/television studio on the subject property. It was the consensus of the BOC that staff create a zoning district for a movie/television studio use and applicable Comprehensive Plan amendments for the SR 138 area for their consideration. (see attached BOC minutes – 6/6/2012)

On December 13, 2012, the BOC approved Ordinance 2012-14 amending the Zoning Ordinance to create the General-Business (G-B) zoning district and the SR 138 and North SR 314 overlay zone. (see attached BOC minutes – 12/13/2012)

On December 13, 2012, the BOC approved Resolution 2012-21 amending the Comprehensive Plan creating a General-Business land use category and designating an area along SR 138 as General-Business on the Future Land Use Plan. The depth of the General-Business land use area from SR 138 was based on the depth of two existing parcels to the east that are both approximately 1,400 feet in depth. (see attached BOC minutes – 12/13/2012)

Petition 1277-13 to rezone 24.03 acres from R-40 to G-B for a movie/television studio submitted by the current property owner and agent was approved by the Board of Commissioners with one condition on February 28, 2013. (see attached BOC minutes – 2/28/2013) The condition is as follows:

That the owner/developer connects the development to the Fayette County Water System for fire protection as required by the Fire Marshal.

To date, no movie/television studio development has taken place on the subject property. The 24.03 acres, with a depth of approximately 1,400 feet, was part of an “L” shaped 85.73 acre parcel with frontage on both SR 138 and SR 314 (see attached Travis Property map). This rezoning created a split zoning on the 85.73 acres with 24.03 acres zoned G-B with frontage on SR 138 and the remaining 61.7 acres zoned R-40 with frontage on SR 314. The current agent/developer had also proposed to purchase the 61.7 acres zoned R-40 to create a family compound for his residence and additional family members. The 61.7 acres was divided by a lake running north/south through the property with approximately 26.27 acres to the east of the lake and 35.43 acres to the west of the lake.

The only land connection between these two areas is over the dam which greatly limits the subdivision developability of the 35.43 acres as the County will not accept a road over a dam. The most that could be approved over the dam would be a driveway for a lot. The 26.27 acres was eventually sold and developed into a subdivision leaving the 35.43 acres without road frontage to SR 314.

## **B. SURROUNDING ZONING AND USES**

The general situation is a 59.46 acre tract that is zoned G-B and R-40. In the vicinity of the subject property is land which is zoned R-40 and RS-180 (Clayton County). The RS-180 zoning district in Clayton County is a single-family residential zoning district with a minimum lot size of 18,000 square feet (.41 acres). See the following table and also the attached Zoning Location Map.

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

<b>Direction</b>	<b>Acreage</b>	<b>Zoning</b>	<b>Use</b>	<b>Comprehensive Plan</b>
North (across SR 138)	7 lots in Clayton County	RS-180 (Clayton County)	Single-family Residential	Mixed Use (Clayton County)
South	3.1 45.3 12 lots in Dix-Lee-On subdivision	R-40 R-40 R-40	Undeveloped Single-family Residential Single-family Residential	Low Density Residential (1 Unit/1 Acres)
East	25.0 6.57	R-40 R-40	Single-family Residential Lake	General Business Low Density Residential (1 Unit/1 Acre)
West	47.2	R-40	Private High School	Public Facility/Institution

## **C. COMPREHENSIVE PLAN**

The subject property lies within an area designated for General Business and Low Density Residential (1 Unit/1 Acre). The aforementioned 24.03 acres zoned G-B in 2013 is within an area designated as General Business and the 35.43 acres zoned R-40 is designated as Low Density Residential (1 Unit/1 Acres). This request only partially conforms to the Future Land Use Plan. However, this request meets several objects and policies within the Economic Development Element of the Fayette County Comprehensive Plan. These policies and objectives are as follows:

Policy: Support the development of business opportunities to diversify and strengthen the tax base, create and maintain jobs, and preserve the quality of life in Fayette County.

Policy: Provide for the development and expansion of a diversified economic base (office, industrial and commercial) to produce a wide range of employment opportunities.

Objective a. Target corporations that require a highly educated workforce matching the educational demographics of Fayette County.

Objective b. Recruit clean industry which has minimal impacts on existing public facilities and the environment.

The Georgia Entertainment Industry Investment Act (tax credit) has been instrumental in attracting the film industry to the state. A 2019 study entitled “The Economic Impact of the Film Industry in Georgia” by the Center of Economic Development Research at Georgia Tech states the following:

The economic impact for the defined film industry in Georgia was \$8.6 billion in FY2017. In the same year, there were over 17,800 employed in film, which represents a 376 percent increase since 2001. Of those workers, 96 percent are employed in production while the remaining 4 percent is spread across film distribution, teleproduction/postproduction services, and other services including booking or casting agencies. The presence of the film industry in Georgia supports over 33,000 additional jobs in other industries. Altogether, film production supports nearly 51,000 jobs and \$2.6 billion in personal income for the State of Georgia.

As the film industry is an emerging industry in Georgia, this development will improve business opportunities, diversify and strengthen the tax base, and create and maintain jobs. The film industry requires a wide range of occupation types including tradesmen, technicians, professionals and executives. The production of film and media projects is a relatively clean industry which will have minimal impact on public facilities and the environment.

The recommended condition to increase the buffer from 50 feet to 100 feet along lots in the Dix-Lee-On subdivision will lessen any potential impact and is supported by the following policy and objectives:

Policy: The County seeks to achieve a harmonious and attractive development pattern which minimizes undesirable visual, auditory, environmental, and other impacts created by potentially incompatible uses.

Objective c. Stabilize residential neighborhoods adjacent to nonresidential areas through the establishment of transitional land uses, vegetated buffers and/or architectural screens, and the control of vehicular access.

- Objective d. Require additional site design standards as a condition of rezoning when necessary to minimize the effect of nonresidential uses both visually and environmentally.

#### **D. ZONING/REGULATORY REVIEW**

The applicant seeks to rezone from G-B and R-40 to G-B for the purpose of developing a movie/television studio complex. (see attached G-B zoning district) The subject property is split zoned G-B (24.03 acres) and R-40 (35.43) acres.

The letter of intent states that a total of 18 structures are proposed. Five (5) structures will be utilized as mixed-use consisting the Cinema South LLC headquarters, Cinema South Film Academy, Cinema South Studios Job training facility, production offices, independent production support services, post-productions facilities, data center, digital studios, comic book and animation school, other creative companies and a major film, television, broadcast, cable TV and streaming conglomerate production home. Twelve structures, each 24,147 square feet in size, will house eight (8) sound stages and four (4) warehouses/millworks.

#### **State Route 138 and North SR 314 Overlay Zone**

Due to the frontage on State Route 138, development of the property is subject to the requirements of the State Route 138 and North SR 314 Overlay Zone. The Overlay Zone requirements are in addition to the G-B zoning district requirements. Overlay Zone requirements including, but not limited to, the following: a 100 foot setback from the right-of-way of SR 138, a 50 foot setback for impervious surfaces from right-of-way of SR 138 and architectural standards.

#### **Access**

The Concept Plan submitted indicates one (1) access from SR 138.

#### **Site Plan**

Should this petition be approved, the owner/developer must submit a Site Plan as required by Section 8-26., c. of the Development Regulations. Access must comply with the provisions of Section 8-53. of the Development Regulations and the Georgia D.O.T., as appropriate. The subject property must comply with all applicable Fayette County Code regulations. 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 Site Plan, as applicable. The Concept Plan shows a proposed structure in the Watershed Protection buffer and setback which will need to be correct on the site plan.

## **E. DEPARTMENTAL COMMENTS**

### **Water System**

FCWS does not currently have water availability at this location. The closest water line is a 10" PVC located at the southwest corner of the Hwy 138 and Hwy 314 intersection of (approximately 2,200 feet from edge of this property).

### **Public Works/Environmental Management**

#### **County Road Frontage Right of Way Dedication**

The rezoning is located on State Route 138 and all transportation improvements will be addressed by Georgia Department of Transportation.

#### **Traffic Data**

Conceptual plans submitted do not address traffic data. According to the GDOT on-line traffic data, the annual average daily traffic for State Route 138 in this approximate location is **24,000 vehicles per day**. The site will access State Route 138 and Georgia DOT will provide traffic analysis for future development requests.

#### **Site Distance**

Site distance will be analyzed by Georgia DOT for future development or improvements.

#### **Floodplain Management**

The property **DOES NOT** contain floodplain per FEMA FIRM panel 1311C0037E dated September 26, 2008. The property **DOES** contain additional floodplain delineated in the FC 2013 Future Conditions Flood Study.

#### **Wetlands**

The property **DOES** contain wetlands per the U.S. Department of the Interior, Fish and Wildlife Service 1994 National Wetland Inventory Map.

#### **Watershed Protection**

The Watershed Protection Ordinance does apply.



### **Groundwater**

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

### **Post Construction Stormwater Management**

This development **WILL BE** subject to the Post-Development Stormwater Management Ordinance if developed with more than 5,000 square feet of impervious surfaces.

### **Tree Protection and Landscaping**

This development **WILL BE** subject to the Tree Protection and Landscaping ordinances if re-zoned and developed.

### **Environmental Health Department**

This Dept. has no objections to proposed rezoning. However, it appears that the parcel number is incorrect on application form (listed as 1306 088 should be 1306 008 as per tax record).

### **Fire**

The Fire Marshall recommends that the existing condition requiring connection to the Fayette County Water System for fire protection remain in place for the rezoning request.

### **Georgia Department of Transportation**

I apologize for the delayed response, let the applicant know that a decel lane will be required for this development by GDOT, the applicant should refer to the current edition of the GDOT Encroachment Manual when designing an access for a GDOT encroachment permit.

## **STAFF ANALYSIS**

This request is based on the petitioner's intent to rezone said property from G-B and R-40 to G-B for the purpose of developing Movie Studio. 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 General Business and Low Density Residential (1 Unit/1 Acre). The aforementioned 24.03 acres zoned G-B in 2013 is within an area designated as General Business and the 35.43 acres zoned R-40 is designated as Low Density Residential (1 Unit/1 Acres). This request only partially conforms to the Future Land Use Plan. However, this request meets several objects and policies within the Economic Development Element of the Fayette County Comprehensive Plan. These policies and objectives are as follows:
  - Policy: Support the development of business opportunities to diversify and strengthen the tax base, create and maintain jobs, and preserve the quality of life in Fayette County.
  - Policy: Provide for the development and expansion of a diversified economic base (office, industrial and commercial) to produce a wide range of employment opportunities.
    - Objective a. Target corporations that require a highly educated workforce matching the educational demographics of Fayette County.
    - Objective b. Recruit clean industry which has minimal impacts on existing public facilities and the environment.
2. As conditioned, 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 potential as a non-residential development 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 **G-B 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 owner/developer connects the development to the Fayette County Water System for fire protection as required by the Fire Marshal.
2. That the owner/developer establish a 100 foot buffer along the boundary of the subject property and lots in the Dix-Lee-On subdivision. The buffer shall provide for a greater separation of uses and a visual screen through the use of natural vegetation or other means, including, replanting or supplemental plantings (see chapter 104, development regulations, for planting requirements). Other visual screening elements or noise attenuation devices, such as walls or berms, may be utilized in addition to the vegetation in the buffer. Stormwater retention and detention facilities may be located in the buffer but shall be set back a minimum of 50 feet from the property line. Said 50 feet, as measured from the property line, shall be for the aforementioned required natural vegetation, plantings, and other visual screening elements or noise attenuation devices only. Multi-use path connections and utilities (including underground stormwater piping) may be located anywhere within the buffer.



## *Minutes*

Board of Commissioners  
June 6, 2012  
3:30 P.M.

**Notice:** A complete audio recording of this meeting can be heard by accessing Fayette County's Website at [www.fayettecountyga.gov](http://www.fayettecountyga.gov). Click on "Board of Commissioners", then "County Commission Meetings", and follow the instructions. The entire meeting or a single topic can be heard.

The Board of Commissioners of Fayette County, Georgia, met in Official Session on June 6, 2012, at 3:30 p.m. in the Public Meeting Room of the Fayette County Administrative Complex, 140 Stonewall Avenue, Fayetteville, Georgia.

**Commissioners Present:**

Herb Frady, Chairman  
Robert Horgan, Vice Chairman  
Steve Brown  
Lee Hearn  
Allen McCarty

**Staff Present:**

Jack Krakeel, County Administrator  
Scott Bennett, County Attorney  
Carol Chandler, Executive Assistant  
Karen Morley, Chief Deputy Clerk

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Chairman Frady called the meeting to order. He called for a moment of silence to remember D-Day June 6, 1944 which was the invasion of Normandy, France and the beginning of the end of World War II. He asked everyone to stand in a moment of silent prayer to honor those veterans and everyone involved in that invasion.

**Acceptance of Agenda:** Commissioner Brown made a motion to accept the agenda as presented. Commissioner Horgan seconded the motion. The motion carried 5-0.

**Old Business:**

**1. Discussion of proposed revisions to the County's building permit fee schedule:**

Director of Permits and Inspections Joe Scarborough presented this item for discussion. A copy of the request and backup, identified as "Attachment No. 1", follow these minutes and are made an official part hereof. He said this was a followup to the Board's Retreat Meeting held on March 10<sup>th</sup> where he had presented the Board with a comparison of surrounding jurisdictions basically pointing out that the County was seriously lagging in the current fees that were being charged. He said he had been directed by the Board at that time to meet with the Finance Department staff and revise the current fee schedule to meet the department's operating costs. He discussed the proposed fees as well as departmental costs.

**5. Todd Brooks wishes to discuss the possibility that the Board of Commissioners would consider amending the County's Land Use Plan near Highways 138, 279 and 314 near the Clayton and Fayette County line:**

Todd Brooks presented this item to the Board for discussion. A copy of the request and backup, identified as "Attachment No. 9", follow these minutes and are made an official part hereof. Mr. Brooks stated that his family has owned 85 acres near the County line for a century. He said three months ago his family had been approached by Alvin Williams regarding purchase of this land. He pointed out that there were approximately 12 acres that touch Highway 138 and he was informed that he would have to begin discussions on changing the Land Use Plan. He said there was already a strip of land from the Catholic School all the way over to Highway 314 with a Land Use Plan of only office. He said he was asking for the Board's consideration to change the Land Use Plan to bring this back 740 feet all the way to the commercial on Highway 314 and then consider commercial if the Board chooses to do so. He introduced Mr. Williams to the Board and said he would explain his proposed use for this property.

Alvin Williams said the goal for the 12 acres of land would be to build a film/television studio. He said he and his wife had been in the entertainment industry for the last eight years with his wife being in the industry for over 20 years. He said they would like to build a 50,000 square foot family television studio enclosure with no back lot. He said all of the activity would be self-contained within the building. He said there was a road that divides the property and he and his wife would live on the other side of the road. He pointed out that he and his wife had lived in Fayetteville for the last 7 years and married 7 years as well. He said he was also involved in a new company that is in partnership with Google/YouTube and they will be launching two of the company's original 100 channels. He said some of the production where she is providing the production facilities and services for what will be needed. He said he would not be able to say the name of his company since they would not be doing a press release until July. He said this was the purpose for the land use and he asked for the Board's consideration.

Chairman Frady asked Mr. Brooks if he had spoken with County staff regarding this request and Mr. Brooks replied yes. He said he had been speaking with Pete Frisina since 2004 and then the 2008 crisis hit and they decided to wait.

Zoning Director Dennis Dutton remarked that Todd and Pete have been in discussions about this issue. He said basically staff was trying to get direction from the Board on whether to prepare amendments to the Land Use Plan and bring this back to the Board on a future Thursday evening meeting for consideration and vote.

Commissioner Brown pointed out that this property was adjacent to a school and staff would have to be sensitive of that issue. He said he did not have a problem with building a design studio but expressed concerned with a commercial zoning format being located next to a school. He was concerned if these plans fell through and the property sold to someone else, there might be some type of undesirable commercial that would be located next to the school.

Commercial Horgan expressed concern with all of the surrounding residential property. He questioned if this facility would be tapping into Clayton County sewer system on Highway 138 or what was being proposed. Mr. Brooks replied that he thought it would be a large community septic system. He pointed out that surrounding landowners have advertised their property for sale and indicated that it could be used as commercial.

Commissioner Brown interjected that there would have to be a significant buffering requirement next to the school. He said he would like to see a special zoning designation so the County would not be trapped into a commercial zoning situation.

Mr. Dutton remarked that staff would have to begin the process of amending the Land Use Plan and a revision to the Zoning Ordinance.

Commissioner Brown said as long as the property was buffered and protect the school he would have no problem in doing a specific designation for this to lock it in.

Mr. Dutton asked for the Board's direction in order for staff to move forward and get the Planning Commission to review the Land Use Plan. He said if the Board wants staff to look at this from another zoning designation, then staff would proceed with that as well.

There was a consensus of the Board for staff to proceed forward through the required process and bring this back to the Board at a later date.

**6. Discussion of input from the Planning Commission regarding the Land Use Plan and the expansion and improvements at the intersection of State Routes 85 and 74 South:**

Zoning Administrator Dennis Dutton presented this item to the Board for discussion. A copy of the request and backup, identified as "Attachment No. 10", follow these minutes and are made an official part hereof. He remarked that staff as well as the Planning Commission was charged with a revision of the Comprehensive Land Use Plan dealing with the future Land Use Plan and the S.R. 85 and S.R. 74 intersection, the widening project and the realignment of Padgett Road. He said the Planning Commission had dealt with reviewing the direction that they wanted to go with a lighter mixed use in that area to preserve the historic content of the Starr's Mill. He said Planning Commission members Doug Powell and Tim Thoms were present to discuss this issue.

Planning Commission Chairman Tim Thoms asked for the Board's input as to which direction should be taken on this issue. He said the Planning Commission had heard from a lot of citizens who wanted to preserve this area as historic and build around it.

Planning Commission member Doug Powell said there had been a lot of public comment against putting in zoning with a lot of buildings. He said if the Starr's Mill area could be preserved as a park setting, people would be encouraged to stay and not move. He said the Planning Commission was suggesting the creation of a special use area that would limit the amount of commercial that goes in. He said this section was the gateway entrance to Fayette County and if focus could be on Starr's Mill, it would be a gem for the County.

Commissioner Brown said there certainly was not a majority on this Board to zone that area of the County commercial. He suggested that staff contact Historical Concepts in Peachtree City to speak at the Planning Commission meeting tomorrow night. He said they have done many of these type of communities and were well versed in the historical rural type aesthetic.

There was a consensus for staff to move this item forward through the required process.



## *Minutes*

Board of Commissioners  
December 13, 2012  
7:00 P.M.

**Notice:** A complete audio recording of this meeting can be heard by accessing Fayette County's Website at [www.fayettecountyga.gov](http://www.fayettecountyga.gov). Click on "Board of Commissioners", then "County Commission Meetings", and follow the instructions. The entire meeting or a single topic can be heard.

The Board of Commissioners of Fayette County, Georgia, met in Official Session on December 13, 2012 at 7:00 p.m. in the Public Meeting Room of the Fayette County Administrative Complex, 140 Stonewall Avenue, Fayetteville, Georgia.

**Commissioners Present:**

Herb Frady, Chairman  
Robert Horgan, Vice Chairman  
Steve Brown  
Allen McCarty

**Commissioner Absent:**

Lee Hearn

**Staff Present:**

Jack Krakeel, Interim County Administrator  
Scott Bennett, Interim County Attorney  
Floyd Jones, County Clerk

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**Call to Order, Invocation and Pledge of Allegiance.**

Chairman Frady called the December 13, 2012 Board of Commissioners meeting to order at 7:02 p.m. Commissioner McCarty offered the Invocation and led the audience in the Pledge of Allegiance.

**Acceptance of Agenda.**

Commissioner Brown moved to accept the Agenda as presented and to remove Old Business Item 1 and Consent Agenda Item 19 from the Agenda. Commissioner Horgan seconded the motion. No discussion followed. The motion passed 4-0-1 with Commissioner Hearn being absent.

**PRESENTATION/RECOGNITION:**

**1. Recognition of the Fayette County Kiwanis Club who donated a van to Fayette Senior Services.**

Chief Executive Officer of the Fayette Senior Services, Nancy Meaders, explained that the Kiwanis Club of Fayette County purchased Fayette Senior Services a handicap vehicle which carries two wheelchairs at the same time and has a ramp that adjusts to the height of the curbs. She said the seniors love the van and want

**Bob Sitz:** Mr. Bob Sitz said he was against Ordinance 2012-13 with certain qualifications. He then read a letter to the Board explaining his position on Ordinance 2012-13. [A copy of Mr. Sitz' letter is included as an attachment to these minutes.]

No one else spoke in favor of or in opposition to the request.

Commissioner Horgan moved to approve Ordinance 2012-13 amending the Fayette County Code of Ordinances, Chapter 20. Zoning Ordinance, Articles III, IV, V, VI, and VII concerning the number of animals in the A-R zoning district. Commissioner McCarty seconded the motion. Discussion followed. The motion passed 4-0-1 with Commissioner Hearn being absent. A copy of the request, Mr. Sitz' letter, and Ordinance 2012-13, identified as "Attachment 7", follow these minutes and are made an official part hereof.

**6. Consideration of Ordinance 2012-14 amending the Fayette County Code of Ordinances, Chapter 20. Zoning Ordinance, Articles IV, V, VI, and VII concerning the new General Business Zoning District and the area of State Routes 138 and 314.**

Community Development Director Pete Frisina spoke about Ordinance 2012-14. He said this request originated from a request by a citizen in the county who came to the Board of Commissioners in June. He reminded the Commissioners that the Board directed staff to look into the idea for a movie studio in the area of State Route 138. He explained that the proposed amendments would create a new zoning district called the "General Business District" that has similar uses to what is in the County's Business-Technology Park; but it just does not require the park. He explained that it is a non-retail, commercial district that allows for businesses and for television / broadcasting studios and the film industry. He continued that staff is looking towards the creation of a State Route Overlay for the State Route 138 and State Route 314 area, since, even though there is already an overlay in that area it does not relate to what the County is doing with the proposed amendments. Mr. Frisina mentioned that he had a few housekeeping amendments to make after some mistakes were found in the ordinance, and he briefly explained those mistakes.

**Alvin Williams:** Mr. Williams stated he was the individual looking to purchase the property, and therefore he was in favor of Ordinance 2012-14. He added that he would not be adding satellites on the property and that he would not produce pornography on the property. He then gave each Commission schematics that "mock[ed] up [his] thoughts on what the land would look like, the building may look like," in order to have a general sense of what a 60,000 square-foot facility would look like on the property.

**Alice Jones:** Mrs. Alice Jones complimented Mr. Williams for bringing clarity to the homeowners that had questions about the content of the proposed television studio.

**Robert Johnson:** Mr. Johnson began by saying he may be either for or against Ordinance 2012-14 and that his position would likely be affected by answers to certain questions he had. He then asked his questions and received answers to his questions. Mr. Johnson informed the Board that based on the answers given; he would probably be in favor of Ordinance 2012-14.

**Dorothy Herring:** Ms. Herring asked for language to be written into the General Business Ordinance specifying that no satellites or pornography would be that location. Commissioner McCarty replied that there are already laws in place that address her concerns. Discussion followed. Ms. Herring stated that the citizens in the north-end of Fayette County are dependent on the Commissioners to ensure that the community is protected from the concerns that she expressed. Mr. Williams stated he would not create pornography or similar material due



to his personal and business integrity. Mr. Herring said the community trusts Mr. Williams to do what he said he would do and that the Commissioners would do what needs to be done since the citizens' care very much about what happens around them.

**David Brill:** Mr. Brill said he is the President of the North Fayette Community Association, and he thanked Mr. Frisina and the Planning and Zoning Department, the Planning Commission, and the Board of Commissioners for including the residents in the north-end of the County while writing an ordinance that matches the set of low-impact businesses to the nearby residential community. He said this newly written Ordinance enables a tolerable and acceptable compatibility and he recommended its passage.

No one else spoke in favor of or in opposition to this request.

The Board complimented Mr. Williams, the communities in northern Fayette County, and staff for their effort and work in this request.

Commissioner Brown moved to approve Ordinance 2012-14 amending the Fayette County Code of Ordinances, Chapter 20. Zoning Ordinance, Articles IV, V, VI, and VI concerning the new General Business Zoning District in the area of State Routes 138 and 314. Commissioner McCarty seconded the motion. Discussion followed. The motion passed 4-0-1 with Commissioner Hearn being absent. A copy of the request, Mr. William's schematics, and Ordinance 2012-14, identified as "Attachment 8", follow these minutes and are made an official part hereof.

**7. Consideration of Resolution 2012-21 amending the Fayette County Comprehensive Plan Land Use Element by creating a new General Business Land Use Category and Fayette County Future Land Use Plan Map, and by designating the area of State Route 138 with the General Business Land Use Category.**

Community Development Director Pete Frisina spoke briefly about Resolution 2012-21. Mr. Frisina said the resolution was the companion to Ordinance 2012-14, and he explained that it creates a new Land Use category called "General Business" that corresponds to the zoning district that was just created. He said it would Land Use the area on State Route 138 between the Catholic school on State Route 279 and the business on State Route 138. He clarified that there were three large businesses in the area, and it encompasses the property Mr. Williams is looking at and two others with similar sizes next to it.

No one spoke in favor of or in opposition to this request.

Commissioner Brown moved to approve Resolution 2012-21 amending the Fayette County Comprehensive Plan Land Use Element by creating a new General Business Land Use Category and Fayette County Future Land Use Plan Map, and by designating the area of State Route 138 with the General Business Land Use Category. Commissioner McCarty seconded the motion. The motion passed 4-0-1 with Commissioner Hearn being absent. A copy of the request and Resolution 2012-21, identified as "Attachment 9", follow these minutes and are made an official part hereof.



## *Minutes*

Board of Commissioners  
February 28, 2013  
7:00 P.M.

**Notice:** A complete audio recording of this meeting can be heard by accessing Fayette County's Website at [www.fayettecountyga.gov](http://www.fayettecountyga.gov). Click on "Board of Commissioners", then "County Commission Meetings", and follow the instructions. The entire meeting or a single topic can be heard.

The Board of Commissioners of Fayette County, Georgia, met in Official Session on February 28, 2013 at 7:00 p.m. in the Public Meeting Room of the Fayette County Administrative Complex, 140 Stonewall Avenue, Fayetteville, Georgia.

**Commissioners Present:**

Steve Brown, Chairman  
Charles Oddo, Vice Chairman  
David Barlow  
Allen McCarty  
Randy Ognio

**Staff Present:**

Steve Rapson, County Administrator  
Floyd Jones, County Clerk  
Dennis Davenport, Interim County Attorney

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### **Call to Order, Invocation, and Pledge of Allegiance**

Chairman Brown called the February 28, 2013 Board of Commissioners meeting to order at 7:00 p.m.

Commissioner Barlow introduced Ms. Slma Shelbayah, representing the Islamic Community Center of Atlanta sang the Invocation in the Arabic language.

Commissioner Oddo led the audience in the Pledge of Allegiance.

### **Acceptance of Agenda**

Commissioner Oddo moved to accept the Agenda. Commissioner Barlow seconded the motion. The motion passed unanimously.

Commissioner Ognio agreed with Commissioner Oddo. He said the entire Board felt for the Moody's and have been in similar situations where something went wrong. He said if the Board could vote with their heart they would vote one way, but there were legalities and other issues. He hoped the Moody's would hang in there and see if a solution could be found.

Commissioner Barlow added that he wanted to remind the people that when they were elected they took an oath the day they were sworn in to uphold the laws and ordinances of the county and of the United States of America. He said the Board has to uphold the laws and ordinances, regardless of how they personally feel.

The motion to deny Petition 1225-12 based on not meeting the application of Item Number One (1) listed in the Ordinance, and that the County refund any application fees to the Moody's that they may have paid to the County in asking for the petition passed 4-0-1 with Commissioner McCarty abstaining from the vote. A copy of the request, identified as "Attachment 3", follows these minutes and is made an official part hereof.

3. **Consideration of Petition 1226-13, Pauline D. Boyd, Owner, and James Babb, Agent, request to rezone property from A-R: Agricultural-Residential to R-70: Single-Family Residential District to develop one (1) single-family dwelling lot. This property consists of 2.17 acres located in Land Lot 19 of the 9<sup>th</sup> District and fronts on Barsi Point.**

Community Development Director Pete Frisina introduced Petition 1226-13 to the Board.

Mr. Brian Babb and Mr. James Babb spoke in favor of Petition 1226-13. No one else spoke in favor of or in opposition to the petition.

Mr. Frisina informed the Board that the petition was approved by the Planning Commission with one (1) condition. Mr. Frisina then read the following condition into the record:

*That the owner / developer shall dedicate at no cost to Fayette County, via quit claim deed, 30 feet of right of way as measured from the centerline of Barsi Point prior to approval of the minor subdivision plat. Said dedication area shall be shown on the minor subdivision plat. Condition is to ensure provision of adequate right of way.*

Chairman Brown moved to approve Petition 1226-13 with one condition as read by Mr. Frisina. Commissioner Barlow seconded the motion. Interim County Attorney Davenport asked if the applicant was okay with the condition as presented. The applicant stated that he was. Commissioner Oddo asked if the application conformed to the Land Use Plan, and Mr. Frisina replied that it did.

The motion to approve Petition 1226-13 with one condition as read by Mr. Frisina passed unanimously. A copy of the request, identified as "Attachment 4", follows these minutes and is made an official part hereof.

4. **Consideration of Petition No. 1227-13, D. Michael Travis and Linda H. Travis, Owners, and Alvin Williams, Agent, request to rezone property from R-40: Single-Family Residential District to G-B: General Business to develop a Movie and TV Production Studio. This property consists of 24.03 acres located in Land Lot 198 of the 13<sup>th</sup> District and fronts on S.R. 138.**

Community Development Director Pete Frisina introduced Petition 1227-13 to the Board.

Mr. Alvin Williams spoke in favor of Petition 1227-13.

Mr. David Brill, President of the North Fayette Community Association, spoke in favor of Petition 1227-13. He also thanked the Planning and Zoning staff for their work in presenting an ordinance that allows for and protects from this type of use.

No one else spoke in favor of or in opposition to this request.

Mr. Frisina read the following condition into the record:

*The owner / developer connects the development to the Fayette County Water System for fire protection as required by the Fire Marshal.*

Chairman Brown moved to approve Petition 1227-13 with one condition. Commissioner Barlow seconded the motion.

Chairman Brown said he agreed with Mr. Brill, and he said this was an area where "we really did it right." He said he was very proud of the County, of the land owners, and the applicant. He said they took the community's concerns into consideration, attended a lot of association meetings, especially in the North Fayette Community area, and staff was receptive to the views of the individuals who live in the area. He said staff crafted a specific ordinance that met both the applicant's needs and served to protect the citizens living in the area. He thought it was a great effort all around since everyone pitched in from the citizens to the staff to the applicant. He wished they could all go that well.

Commissioner Barlow thanked Mr. Williams for his patience, and he thanked the county staff for not giving up. He commented on Mr. William's patience and courtesy, and thanked him for it.

Interim County Attorney Davenport asked the applicant if he was okay with the condition as read. Mr. Williams replied that he was okay with the condition as read.

The motion to approve Petition 1227-13 with one condition passed unanimously. A copy of the request, identified as "Attachment 5", follows these minutes and is made an official part hereof.

**PUBLIC COMMENT:**

**Lee Hearn:** Mr. Lee Hearn spoke about the LOST agreement that the Board approved, saying Fayette County would lose \$150,000 per year in LOST revenue. He asked which programs would have to be cut due to the agreed upon shortfall. He stated that the LOST agreement was a poor deal for Fayette County's taxpayers. He questioned how the County Attorney selection process was concerning to him. He asked how the process worked for the selection of Mr. Davenport as the Interim Attorney, and he questioned how Mr. Davenport could represent both Fayette County and the Town of Tyrone since he serves as the attorney for the Town of Tyrone. He asked if there was an advertisement for a permanent attorney. He commented on the Jail Committee and how members were selected to sit on the committee. He asked if the Board intended to finish the West Fayetteville Bypass, about what policies have been put into place to govern the upcoming budget process, how the Count would handle declining revenue. He spoke about the Ethics Ordinance saying the goal was to prevent Commissioners from giving day to day instructions to staff since it is the job



**1309-21  
Travis Property**

**SR 138**

**G-B  
24.03  
Acres**

**R-40  
35.43  
Acres**

**R-40  
26.27  
Acres**

**SR 314**

**Dix-Lee-On  
Subdivision**



Sec. 110-150. - G-B, General-Business District.

- (a) *Purpose.* The purpose of the General Business District (G-B) is to provide for business development that contains uses which are free from such nuisances as noise, vibration, smoke, gas, fume, odor, dust, radiation or other injurious or noxious conditions related to those uses. The G-B zoning district limits the development of retail commercial uses and reduces the resulting traffic generation and noise associated with this type of development. The uses allowed in this zoning district could lend to a business park development pattern.
- (b) *Permitted uses.* The following permitted uses shall be allowed in the G-B zoning district:
- (1) Auction house (indoor only);
  - (2) Banquet hall and/or catering service;
  - (3) Business, professional, and/or government offices;
  - (4) Business support centers and/or call centers;
  - (5) College and/or university, classrooms and/or administration only;
  - (6) Computer data services and/or information technology;
  - (7) Educational/instructional/tutoring facilities, including, but not limited to: art; computer; dance; driving and/or DUI; martial arts; music; professional/business/trade; and similar facilities;
  - (8) Financial, credit, real estate, and/or insurance establishments (excluding retail banking facilities or pawn establishments);
  - (9) Health club, fitness center, and/or indoor athletic facility (excluding bowling alleys, pool rooms and skating rinks);
  - (10) Medical supply and equipment sales;
  - (11) Printing, graphic, blue printing, photography lab, and/or reproduction service;
  - (12) Private school, including, classrooms and/or administration only;
  - (13) Publishing and distribution;
  - (14) Restaurant supply;
  - (15) Scientific, medical/dental, and/or research laboratories;
  - (16) Television/radio broadcasting studio, recording studio, telecommunication, and/or movie/media productions (including on-site with movie/media productions, ancillary businesses that supply support services, equipment and resources to the movie/media industry); and
  - (17) Training center, trade school, and/or vocational centers.
- (c) *Conditional uses.* The following conditional uses shall be allowed in the G-B zoning district provided that all conditions specified in article V of this chapter are met:
- (1) Single-family residence and residential accessory structures and uses (see article III of this chapter);
  - (2) Home occupation;
  - (3) College and/or university, including, but not limited to: classrooms, administration, housing, athletic fields, gymnasium, and stadium; and
  - (4) Private school, including, but not limited to: classrooms, administration, playground, housing, athletic fields, gymnasium, and/or stadium.
- (d) *Dimensional requirements.* The minimum dimensional requirements in the G-B shall be as follows:
- (1) Lot area:

- a. Where public water is available: 43,560 square feet (one acre).
  - b. Where public water is not available: 65,340 square feet (1.5 acres).
- (2) Lot width: 125 feet.
- (3) Front yard setback:
  - a. Major thoroughfare:
    - 1. Major arterial: 100 feet.
    - 2. Arterial: 100 feet.
    - 3. Collector: 80 feet.
  - b. Minor thoroughfare: 65 feet.
- (4) Rear yard setback: 25 feet.
- (5) Side yard setback: 25 feet.
- (6) Buffer. If the rear or side yard abuts a residential or A-R zoning district, a minimum buffer of 50 feet shall be provided adjacent to the lot line, in addition to the required setback. The setback shall be measured from the buffer.
- (7) Height limit:
  - a. 40 feet.
  - b. Only soundstages associated with movie/media productions in this zoning district may exceed 40 feet in height. The front setback shall be increased eight feet for every one foot of building height over 40 feet. If the side and/or rear yards abut a residential or A-R zoning district, the setbacks shall be increased five feet for every one foot of building height over 40 feet.
  - c. The required minimum acreage shall be increased based on building height per the table below:

Height Limit	Required Acreage
50 feet	20—50
55 feet	> 50—75
60 feet	> 75—100
65 feet	> 100

- (8) Lot coverage limit, including structures and parking area: 70 percent of total lot area.
- (9) Outside storage and refuse area requirements. The following requirements shall apply to outside storage and refuse areas. Where this section contradicts any other requirement, the most restrictive shall apply.
  - a. Outside storage of merchandise, equipment, parts, and business vehicles shall be allowed in side or rear yards only, subject to screening, setback and buffer requirements.

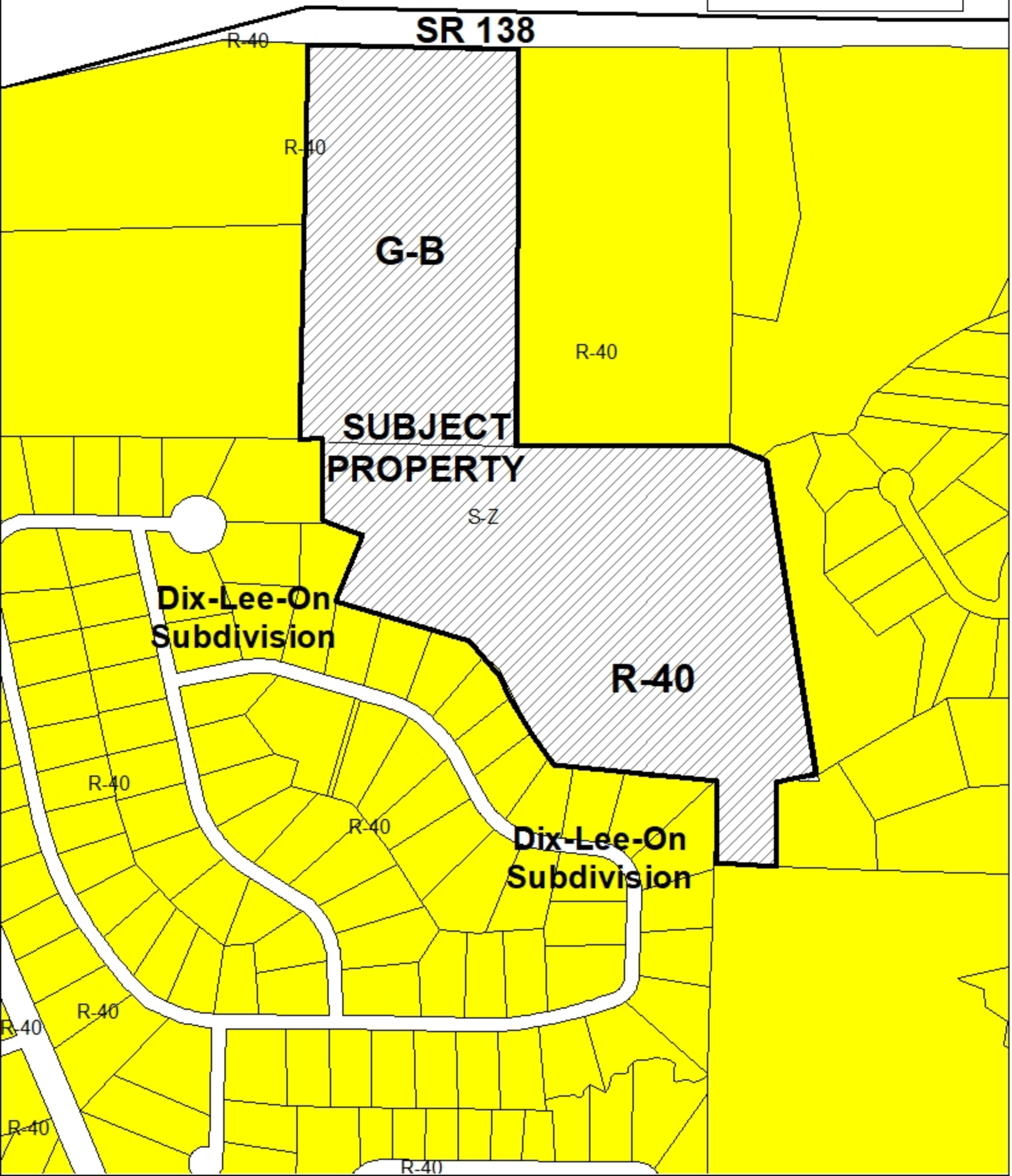
- b. All refuse areas shall be allowed in side or rear yards only, shall be screened, and comply with the required buffers and setbacks.

(Code 1992, § 20-6-26; Ord. No. 2012-14, § 4, 12-13-2012; Ord. No. 2013-05, 7-25-2013; Ord. No. 2018-03, § 13, 9-22-2018)



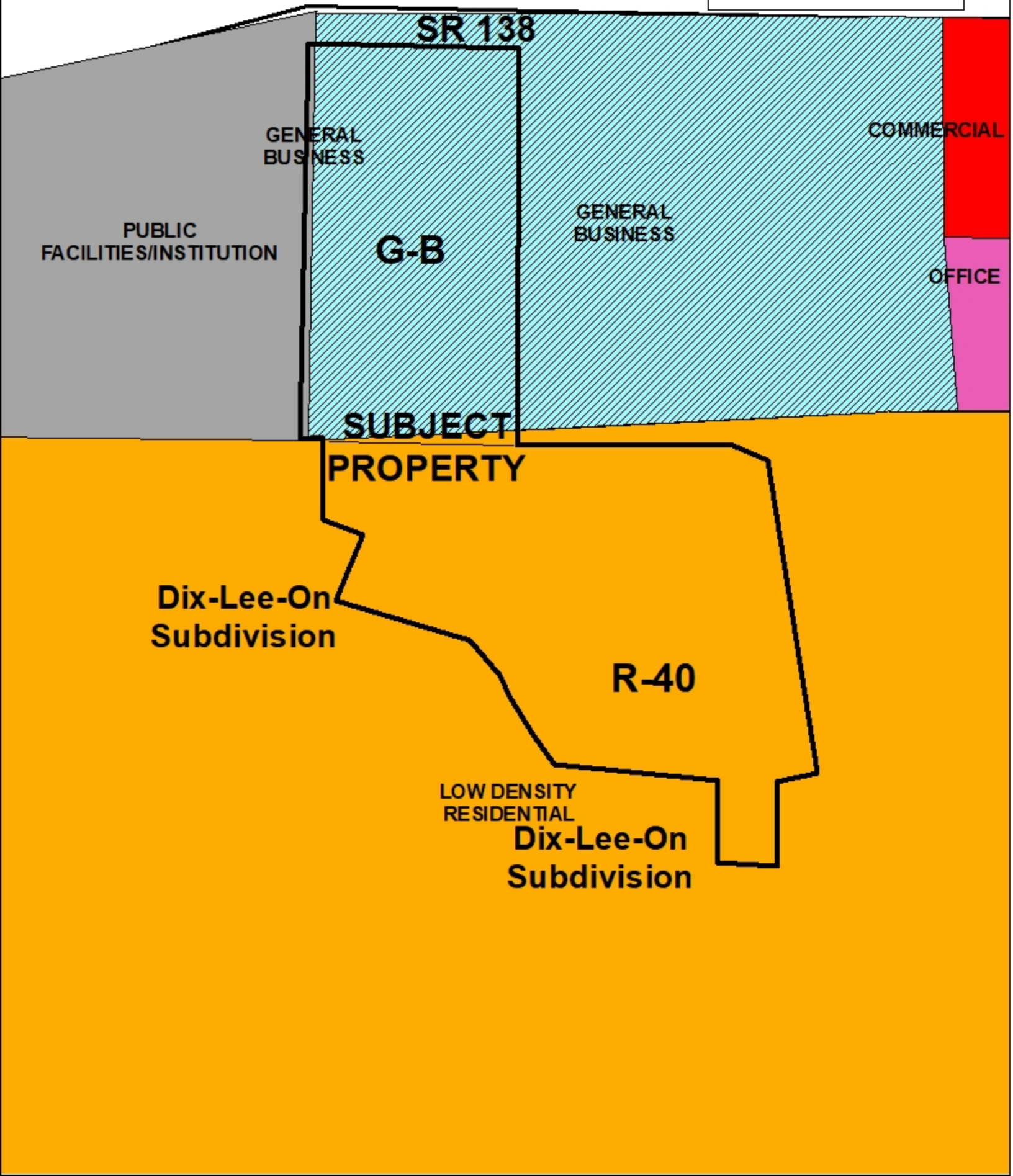
# Clayton County

1309-21  
Zoning



# Clayton County

1309-21  
Land Use Plan





**1309-21  
Aerials**

**Clayton County**

**SR 138**

**G-B**

**SUBJECT  
PROPERTY**

**Dix-Lee-On  
Subdivision**

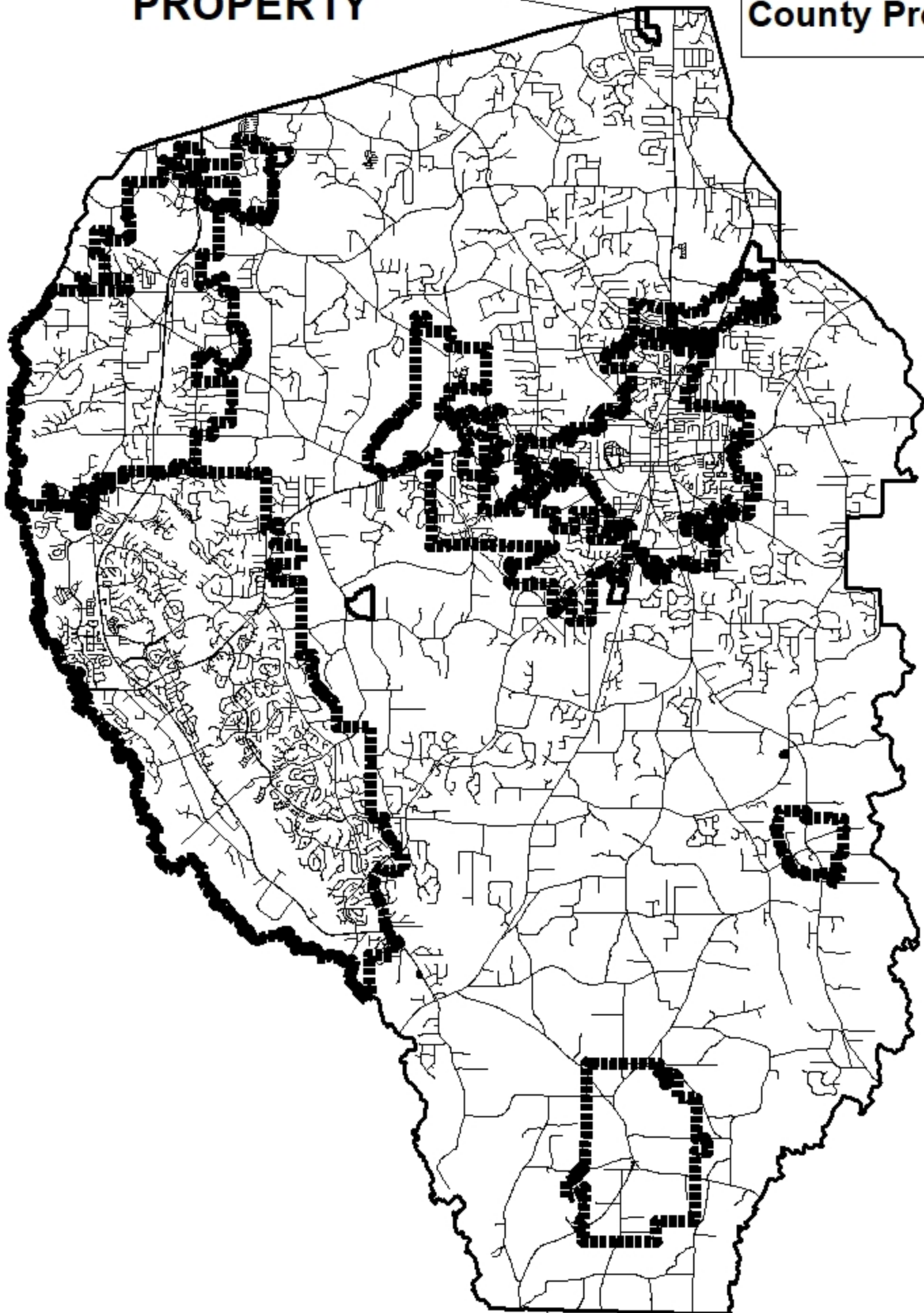
**R-40**

**Dix-Lee-On  
Subdivision**



**SUBJECT  
PROPERTY**

**1309-21  
County Proximity**





***Cinema South LLC***  
***Letter of Intent***

May 4, 2021

Fayette County  
140 Stonewall Avenue W.  
Ste 202  
Fayetteville, GA 30214

RE: Cinema South Studios LLC

Dear Mr. Frisina:

Our company, Cinema South LLC, is proposing the Cinema South Studios LLC project within Fayette County. The project is looking to locate at 2260 Hwy 138, Fayetteville, GA, 30214, Land Lot 198, Land District 13<sup>th</sup>, Parcel 1306-008, which we currently have under contract. The project includes a total **acreage** of 59.46; with 24.03 acres currently zoned as GB and 35.43 acres currently zoned as R-40.

Cinema South LLC is seeking to have the entire, 59.46 acres to be zoned as GB.

Cinema South Studios, LLC is looking to develop and construct eighteen (18) structures over the 59.46 acres.

The 24.03 acres will consist of five (5) structures which will be utilized as mixed-use.

The square footage of each structure is defined as:

- 28,365 sq. ft.
- 37,090 sq. ft.
- 28,365 sq. ft.
- 31,652 sq. ft.
- 36,603 sq. ft.



The mixed-use facilities will be utilized as, Cinema South LLC headquarters, Cinema South Film Academy, Cinema South Studios Job training facility, production offices, independent production support services, post-productions facilities, data center, digital studios, comic book and animation school, other creative companies and a major film, television, broadcast, cable tv and streaming conglomerate production home.

The 35.43 acres will consist of twelve (12) structures, each structure being 24,147 sq. ft. The structures will be defined as, eight (8) sound stages and four (4) warehouses/millworks. These structures individually and collectively will be utilized specifically for; film and television soundstages, production offices, warehousing and mill works.

Cinema South Studios, LLC is willing to double the buffer along the property lines against, Dix-Lee On that will obstruct the view of any Cinema South Studios LLC structures. In addition, the Cinema South Studios LLC structures, will be painted to blend in with the foliage as to give it an additional layer of concealment from Dix-Lee On view.

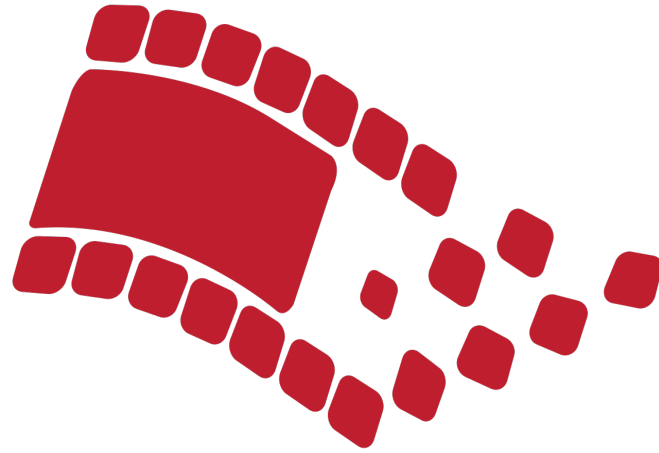
The hours of operation will be from 8a.m. to 7p.m. in respect to the mixed-used portion, with the film and television production hours start earlier and will run longer within the walls of the sound-proof studios and warehouses.

Cinema South Studios, LLC lead developer is CDM Seven, of Houston, Texas. 2425 West Loop South, Suite 350, Houston, TX 77027, 281-831-0802.

If you have any questions or comments, please don't hesitate to reach out to us.

Sincerely,

Alvin & Tammy Williams  
770-627-0862 Office  
877-351-2791 Toll-Free  
[info@cinemasouth.net](mailto:info@cinemasouth.net)



# Cinema South STUDIOS

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[www.CinemaSouthStudios.com](http://www.CinemaSouthStudios.com)



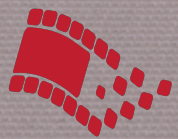


A one-stop shop for movie studios, filmmakers, and production companies. Cinema South Studios will also include workshops, office and production and post-production support facilities.



Cinema South  
STUDIOS





Cinema South  
STUDIOS







# Job Training and Community Development

Cinema South Studios in partnership with Tammy'Dele Films Workshops is a proven workforce Job training and educational program that provides training for below-the-line jobs in lighting, grip, production accounting, production assistant and related workshops. The program has trained upwards of 1500 graduates each receiving a Certificate of Completion.

Tammy'Dele Films Workshops was launched in 2011. Initial workshops were conducted under Open Rivers Film Academy launched and owned by Tammy Williams.

All training programs and workshops are designed by Tammy Williams and have leading, working industry professional teaching the hands on workshops.



[www.TammyDeleFilmsWorkshops.com](http://www.TammyDeleFilmsWorkshops.com)

# List of a Few Job Training Workshops:

Set Production  
Assistant

Office Production  
Assistant

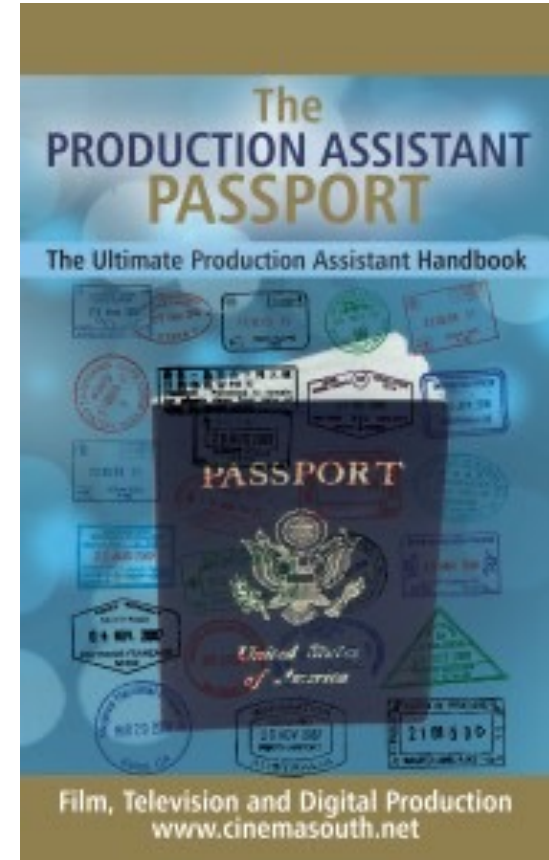
Lighting and  
Grip

Hair and  
Make-Up

Production  
Accounting

Editing

How To Play Digital and Win



Text Book Created & Written By: Alvin & Tammy Williams





# TEAM

## “Owner”

Co-Founder, **Tammy Williams** has worked in the broadcast industry for over 20 years. She has a diverse writing and producing portfolio which includes films, television pilots, biographies, documentaries, entertainment and network news.

- Along with her work with ABC Entertainment and Getty Images, Williams has developed marketing and promotion video for billboards, commercials, red-carpet events and promos. Clients include AT&T, McDonald's, Allstate, Chevrolet, State Farm, Walmart, Ford, and UNCF, just to name a few.

Williams has made her director's debut with the back-door pilot of the family series, the chronicles of *Ernie & Cerie*.

Williams holds a B.S. in Mass Communications, Radio/Television Production from Middle Tennessee State University. Williams directs Cinema South's business strategy, and also lead the company's acclaimed PA education program that is providing the film industry with finely trained professionals.



Cinema South  
STUDIOS

# TEAM

## “Owner”



**Alvin V. Williams** is currently, Writer, Producer and Educator for Tammy'Dele Films. Williams is former Executive Vice President and co-founder of Alchemy Networks, developing a new digital to TV model targeted to the 13 to 34 multicultural millennial and 25 to 54 women of color. Alvin was responsible for marketing, business development, publicity, online, social media and ad sales.

Williams' tenure also includes a post as Senior Director of Music, Talent & Acquisitions at UP TV, where he was instrumental in launching the small cable network from zero households to over 40 million households as Director of Affiliate Marketing & Affinity Promotions. Alvin was later tapped by the CEO to create the Music Industry & Acquisitions department that lead to success of advertiser supported short-form and long-form programming, the creation of Gospel Play, and acquisition of a wide range of programming for the network.

Williams is also a former A&R director, first with Word Entertainment/Warner Brothers, where he was responsible for signing and executive producing projects for artist such as Shirley Caesar, Marvin Sapp, The WOW project, and others. Williams also created and was Director of Music Word Gospel/Sony Music. A&Red projects and working with such artist as Beyonce, Kelly Rowland, Michelle Williams, and MTV/Paramount Pictures movie, *The Fighting Temptations*. Under Williams direction, his first release with Michelle Williams entered the Gospel Billboard charts at #1 as well as his second release, debut at #1, The soundtrack to *The Fighting Temptations*.

He holds a B.A. in Business Administration from Tennessee State University and is an honorable discharged veteran of the United States Army



Cinema South  
STUDIOS



## RETRACEMENT SURVEY

CURRENT OWNER:  
MICHAEL TRAVIS A/K/A DAVID MICHAEL TRAVIS A/K/A D. MICHAEL TRAVIS  
DEED REFERENCES:  
DEED BOOK 4036, PAGES 639-640  
DEED BOOK 3233, PAGES 224-230  
DEED BOOK 3210, PAGES 345-347  
DEED BOOK 3180, PAGES 122-123  
DEED BOOK 3004, PAGES 537-538THE PROPERTY SHOWN IS ALSO DEPICTED AS TRACTS  
1, 4, 5, 6, 7, 8, AND 9 ON PLAT BOOK 10, PAGE 48ALSO REFERENCE DEED BOOK 4648, PAGES 542-543 WHICH  
DEEDED THE EASTERLY PORTION OF THE ORIGINAL PARENT  
TRACT TO DON BRENT, LLC WHICH IS NOW THE FAIRBROOK SUBDIVISION.

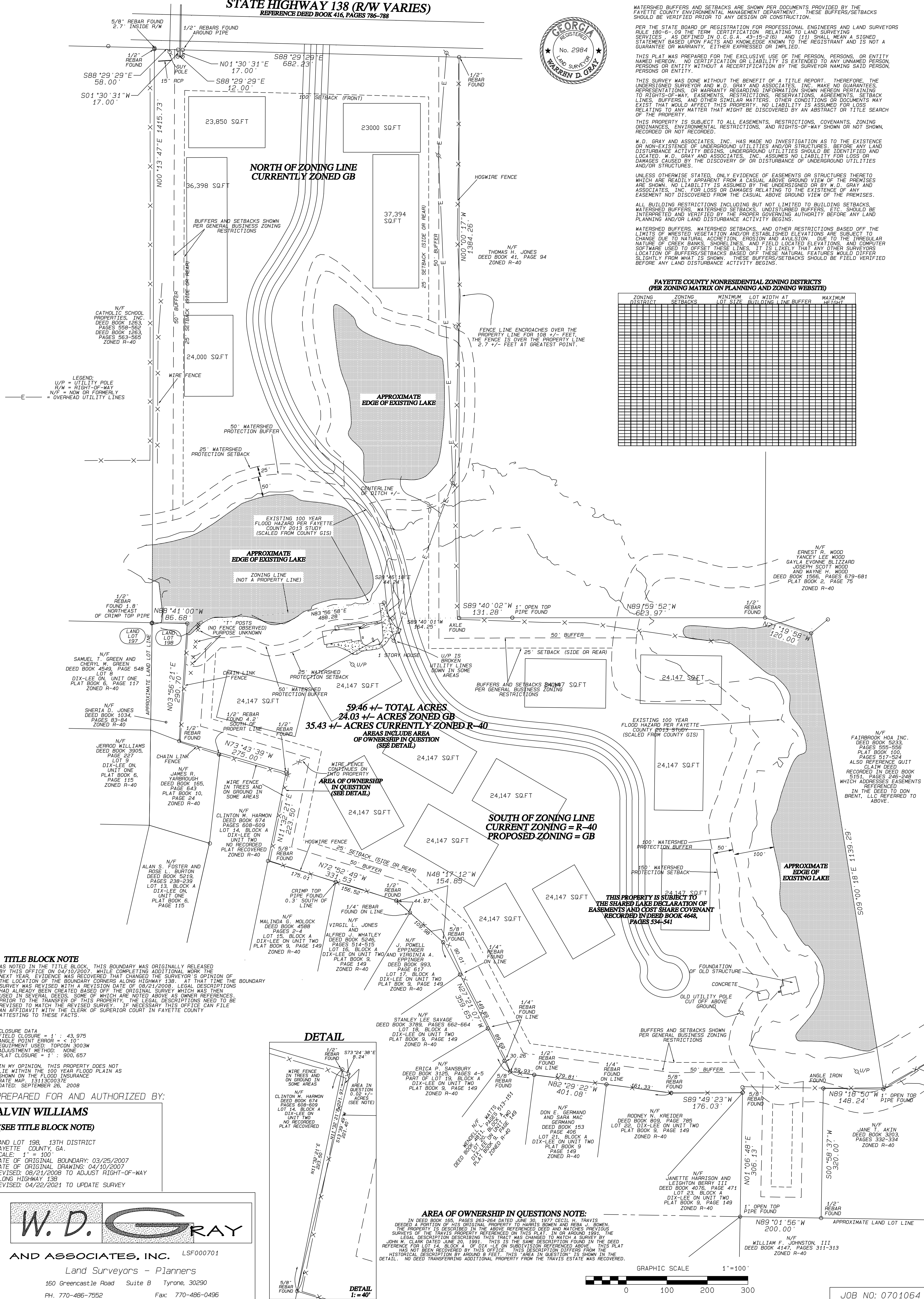
- NOTE - OTHER IMPROVEMENTS EXIST THAT ARE NOT SHOWN.

(iii) This plat is a retracement of an existing parcel or parcels of land and does not subdivide or create a new parcel or make any changes to any real property boundaries. The recording information of the documents, maps, plats, or other instruments which created the parcel or parcels are stated hereon. RECORDATION OF THIS PLAT DOES NOT IMPLY APPROVAL OF ANY LOCAL JURISDICTION, AVAILABILITY OF PERMITS, COMPLIANCE WITH LOCAL REGULATIONS OR REQUIREMENTS, OR SUITABILITY FOR ANY USE OR PURPOSE OF THE LAND. 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.

04-27-2021

WARREN D. GRAY, GEORGIA PLS # 2984

DATE

STATE HIGHWAY 138 (R/W VARIES)  
REFERENCE DEED BOOK 416, PAGES 786-788

**REQUESTED ACTION:** A-R to R-80

**PROPOSED USE:** Residential

**EXISTING USE:** Undeveloped

**LOCATION:** Ebenezer Road, Ebenezer Church Road & Ebenezer Bypass

**DISTRICT/LAND LOT(S):** 7th District, Land Lot 36

**OWNER:** Thomas Jesse Busey, Jr. Trustee, or his Successors in Trust,

**AGENT:** Wright Chancey Ebenezer Bypass, LLC

**PLANNING COMMISSION PUBLIC HEARING:** June 3, 2021

**BOARD OF COMMISSIONERS PUBLIC HEARING:** June 24, 2021

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**APPLICANT'S INTENT**

Applicant proposes to rezone 84.746 acres from A-R to R-80 to develop a residential subdivision consisting of 25 lots.

**STAFF RECOMMENDATION**

**APPROVAL WITH TWO (2) CONDITIONS**



## INVESTIGATION

### A. PROPERTY SITE

The subject property is an 84.746 acre tract fronting on Ebenezer Road, Ebenezer Church Road and Ebenezer Bypass in Land Lot 36 of the 7th District. Ebenezer Road is classified as an Arterial road, Ebenezer Church Road is classified as a Collector road and Ebenezer Bypass is classified as a County Local road on the Fayette County Thoroughfare Plan. The subject property is undeveloped.

### B. SURROUNDING ZONING AND USES

The general situation is an 84.746 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	18.6	A-R	Undeveloped	Rural Residential – 3 (1 Unit/3 Acres)
	6.32	A-R	Single-family Residential	
	6.32	A-R	Single-family Residential	
	12.89	A-R	Undeveloped	
	10.1	A-R	Single-family Residential	
	9.8	A-R	Undeveloped	
South (across Ebenezer Bypass)	5.0	A-R	Single-family Residential	Rural Residential – 3 (1 Unit/3 Acres)
	3.0	A-R	Single-family Residential	
South (across Ebenezer Church Road)	1.95	A-R	Church	Rural Residential – 3 (1 Unit/3 Acres)
	1.95	A-R	Cemetery	
	2.0	A-R	Single-family Residential	
	7.08	A-R	Church	
East (across Ebenezer Road)	8.7	R-40	Single-family Residential	Rural Residential – 3 (1 Unit/3 Acres)
	2.7	A-R	Single-family Residential	
West	28.8	A-R	Agriculture	Rural Residential – 3 (1 Unit/3 Acres)
	11.26	A-R	Undeveloped	
	5.0	A-R	Single-family Residential	
	3.72	A-R	Single-family Residential	

**C. COMPREHENSIVE PLAN**

The subject property lies within an area designated for Rural Residential – 3 (1 Unit/3 Acres). This request conforms to the Fayette County Comprehensive Plan.

**D. ZONING/REGULATORY REVIEW**

The applicant seeks to rezone from A-R to R-80 for the purpose of developing a residential subdivision consisting of 25 lots. The dimensions requirements of the R-80 zoning district are as follows:

<b>ZONING DISTRICT</b>	<b>ZONING SETBACKS</b>	<b>MINIMUM LOT SIZE</b>	<b>MINIMUM HOUSE SIZE</b>	<b>LOT WIDTH AT BUILDING LINE</b>
<b>R-80</b>  Single-Family Residential	Front - 75' Arterial Front - 75' Collector Front - 50' Local Side - 30' Rear - 50'	3 Acres	2,500 heated square feet	175'

**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 one street serving 15 lots that will access Ebenezer Road. Ten lots will directly access Ebenezer Bypass and Ebenezer Road.

**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 and/or Final Plat, as applicable.

**F. DEPARTMENTAL COMMENTS**

**Water System**

FCWS has no concerns regarding the rezoning. Water availability is along Ebenezer church Rd by a 12" watermain and along Ebenezer Rd by a 16 " watermain.

## **Public Works/Environmental Management**

### **Recommended Conditions of Rezoning:**

1. That the conceptual realignment of Ebenezer Bypass shall be considered and shown in the development's preliminary plat and construction plans.
2. That no lot shall have direct driveway access onto Ebenezer Road, Ebenezer Church Road, or Ebenezer Bypass.

### **County Road Frontage Right of Way Dedication**

Ebenezer Road is a **minor arterial**. For Final Plat approval Fayette County will require a ROW dedication along the Ebenezer Road frontage to provide **50 feet** of ROW as measured from the existing road centerline.

Ebenezer Church Road is a **collector**. For Final Plat approval Fayette County will require a ROW dedication along the Ebenezer Road frontage to provide **40 feet** of ROW as measured from the existing road centerline.

Ebenezer Bypass is an unpaved **county local road**. For Final Plat approval Fayette County will require a ROW dedication along the Ebenezer Bypass frontage to provide **30 feet** of ROW as measured from the existing road centerline. As part of an intersection improvement project, Fayette County is evaluating a project to realign and pave Ebenezer Bypass. Staff recommends a condition of rezoning that the conceptual realignment shall be considered and shown in the development's preliminary plat and construction plans. The purpose is to minimize impacts of possible future right-of-way acquisition.

### **Traffic Data**

According to the GDOT on-line traffic data, the annual average daily traffic for the Ebenezer Road is **3,780 vehicles per day**. The project with **25 lots** would add **234 trips per day**. This would increase the existing traffic on Ebenezer Road by **6.2%**

According to the GDOT on-line traffic data, the annual average daily traffic for the Ebenezer Church Road is **3,080 vehicles per day**. Based on the recommendation for rezoning no lots will have direct access to Ebenezer Church road.



### **Site Distance/Intersection Location**

Based on the requested donation of right of way, the proposed project would need to be reconfigured to provide the appropriate intersection spacing based on the Georgia DOT driveway and encroachment control. Minimum sight distances will have to be satisfied for the proposed new road intersection, Engineering has not field checked at this time.

### **Floodplain Management**

The request for rezoning **DOES** contain floodplain per FEMA FIRM panel 13113C0091E and 13113C0092E dated September 26, 2008. The property **DOES** contain additional floodplain delineated in the FC 2013 Future Conditions Flood Study.

### **Wetlands**

The property **DOES NOT** contain wetlands per the U.S. Department of the Interior, Fish and Wildlife Service 1994 National Wetland Inventory Map.

### **Watershed Protection**

There **ARE** state waters located on the subject property and **WILL BE** subject to the Fayette County Watershed Protection Ordinance.

### **Groundwater**

The property **IS** within a groundwater recharge area.

### **Post Construction Stormwater Management**

This development **WILL BE** subject to the Post-Development Stormwater Management Ordinance if re-zoned and developed with more than 5,000 square feet of impervious surfaces.

### **Environmental Health Department**

This Dept. has no objections to proposed rezoning.

### **Fire**

No comment

### **STAFF ANALYSIS**

This request is based on the petitioner's intent to rezone said property from A-R to R-80 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 Rural Residential – 3 (1 Unit/3 Acres). 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 WITH TWO (2) CONDITIONS.**

### **RECOMMENDED CONDITIONS**

If this petition is approved by the Board of Commissioners, it should be approved **R-80 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 conceptual realignment of Ebenezer Bypass shall be considered and shown in the development's preliminary plat and construction plans. *(This condition will be enforced by the Engineering/Public Works Department.)*
2. That no lot shall have direct driveway access onto Ebenezer Road, Ebenezer Church Road, or Ebenezer Bypass. *(This condition will be enforced by the Engineering/Public Works Department.)*



**1310-21  
Zoning**

R-70

**Davis Road**

A-R

A-R

A-R

A-R

**SUBJECT  
PROPERTY**

**Ebenezer Road**

R-40

**Ebenezer Bypass**

A-R

**Ebenezer Church Road**

A-R

A-R

A-R

**Nelms Road**

RURAL  
RESIDENTIAL  
-3

Davis Road

**1310-21  
Land Use Plan**

RURAL  
RESIDENTIAL  
-3

RURAL  
RESIDENTIAL  
-3

**SUBJECT  
PROPERTY**

ENVIRONMENTALLY  
SENSITIVE AREAS

Ebenezer Road

Ebenezer Bypass

Ebenezer Church Road

Nelms Road



**1310-21  
Aerials**

**Davis Road**

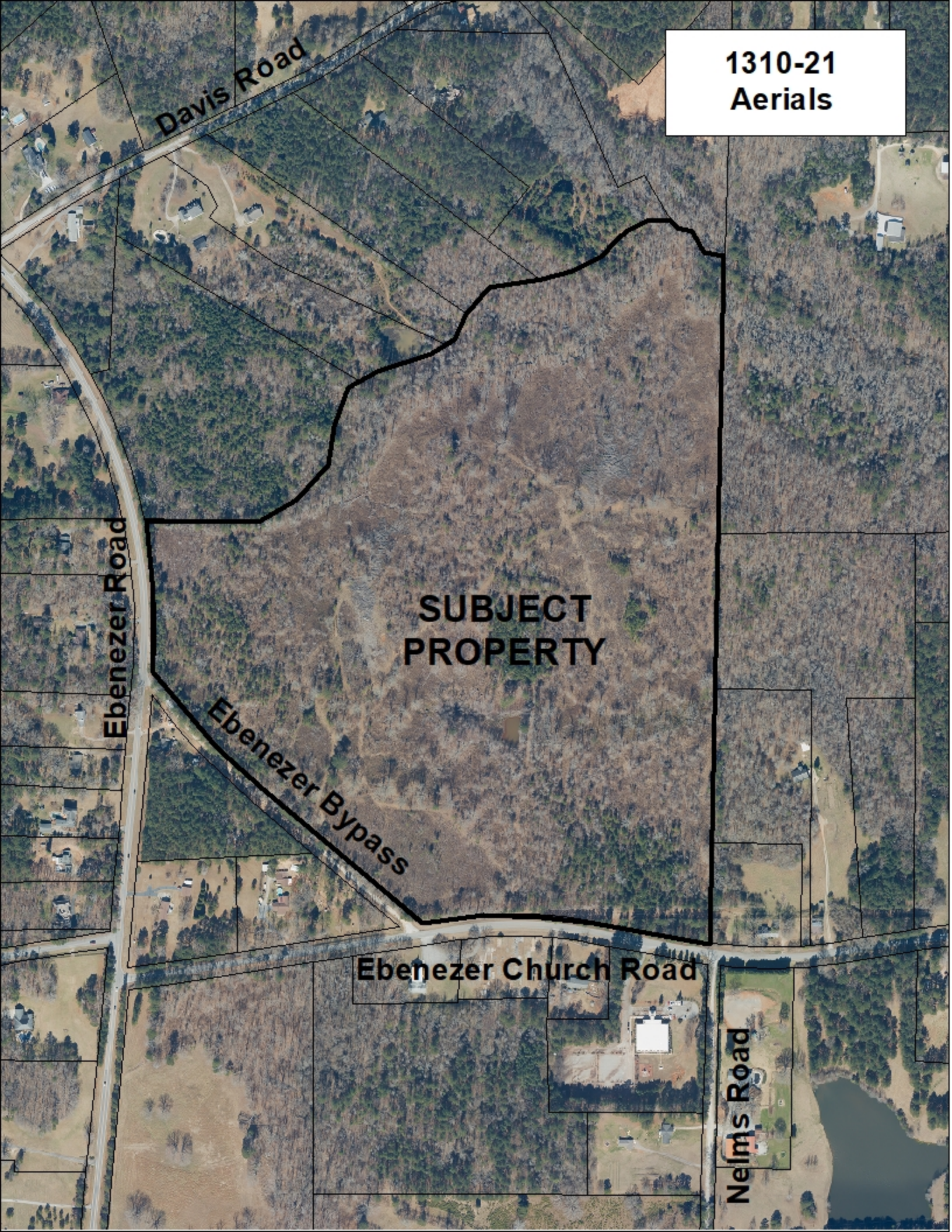
**Ebenezer Road**

**SUBJECT  
PROPERTY**

**Ebenezer Bypass**

**Ebenezer Church Road**

**Nelms Road**





1310-21  
County Proximity

**SUBJECT  
PROPERTY**

