

**BOARD MEMBERS**

Arnold L. Martin  
John Kruzan  
John H. Culbreth, Sr.  
Danny England  
Jim Oliver

**STAFF**

Deborah L. Bell, Planning and Zoning Director  
Deborah Sims, Zoning Administrator  
Chelsie Boynton, Planning and Zoning Coordinator  
E. Allison Ivey Cox, County Attorney

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**AGENDA**  
**FAYETTE COUNTY PLANNING COMMISSION MEETING**  
**140 STONEWALL AVENUE WEST**  
**September 7, 2023**  
**7:00 pm**

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

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**NEW BUSINESS**

1. Call to Order.
2. Pledge of Allegiance.
3. Approval of Agenda.
4. Consideration of the Minutes of the meeting held on August 3, 2023.
5. Consideration of a Minor Final Plat of A1-Mart. This property will consist of one (1) lot zoned C-C, is located in Land Lot 216 of the 5<sup>th</sup> District and fronts on GA Highway 85 North.
6. Consideration of a Minor Final Plat of the Panter/Glaze Estates. This property will consist of three (3) lots, zoned A-R, is located in Land Lots 35 & 62 of the 4th District and fronts on Price Road.
7. Consideration of a Minor Final Plat For The William Mercer Massengale Disclaimer By-Pass Trust. This property will consist of one (1) lot, zoned A-R, is located in Land Lot 157 of the 4th District and fronts on Rising Star Road.

**PUBLIC HEARING**

8. Consideration of Petition No. 1331-23, Therol R. Brown and Judy R. Brown, Owner, request to rezone 5.42 acres from R-40 to A-R. This property is located in Land Lot 60 of the 7th District, and fronts on Ebenezer Road.
9. Consideration of Petition No. 1332-23, Wright Chancey Ebenezer Bypass, LLC, Owner, and Taylor English Duma LLP (Steven L. Jones), Agent, request to rezone 84.746 acres from C-S to A-R. This property is located in Land Lots 35 and 36 of the 7th District, and fronts on Ebenezer Road, Ebenezer Bypass and Ebenezer Church Road.

# Meeting Minutes 8/3/23

THE FAYETTE COUNTY PLANNING COMMISSION met on August 3<sup>rd</sup>, 2023 at 7:00 P.M. in the Fayette County Administrative Complex, 140 Stonewall Avenue West, Fayetteville, Georgia.

**MEMBERS PRESENT:** Jim Oliver, Chairman  
John H. Culbreth Sr., Vice Chairman  
John Kruzan  
Danny England  
Arnold Martin

**STAFF PRESENT:** Debbie Bell, Planning and Zoning Director  
Deborah Sims, Zoning Administrator  
Chelsie Boynton, Planning and Zoning Coordinator  
E. Allison Ivey Cox, County Attorney

## NEW BUSINESS

1. Call to Order.
2. Pledge of Allegiance.
3. Approval of Agenda.

*Danny England made a motion to approve the agenda. John Culbreth Sr. seconded the motion. The motion passed 5-0.*

4. Consideration of the Minutes of the meeting held on July 20, 2023.

*Arnold Martin made a motion to approve the Minutes of the meeting held on July 20, 2023. Danny England seconded the motion. The motion passed 5-0.*

5. Consideration of a Minor Final Plat of Tract 3 Runaway Manor, consisting of two (2) lots, zoned A-R, is located in Land Lot 223 of the 4th District and fronts on Bernhard Road.

Debbie Bell stated this plat was reviewed and approved by staff.

Chairman Oliver asked if the Board had any questions or comments, there were none. The petitioner was not present.

*Danny England made a motion to approve the Minor Final Plat of Tract 3 Runaway Manor. John Kruzan seconded the motion. The motion passed 5-0.*

6. Consideration of a Minor Subdivision Plat of Madison Monroe Acres. The property will consist of two (2) lots, zoned A-R, is located in Land Lot 250 of the 5<sup>th</sup> District and fronts on fronts on GA Highway 279 and Morning Road.



Debbie Bell stated this plat has been approved by staff and Georgia Department of Transportation.

The petitioner was not present. There were no comments from the Board.

***Danny England made a motion to approve the Minor Subdivision Plat of Madison Monroe Acres. John Culbreth Sr. seconded the motion. The motion passed 5-0.***

7. Consideration of a Minor Division Plat for Steve Buice 117 Hickory Hill Road and 262 Mask Road, consisting of two (2) lots, zoned A-R, is located in Land Lot 6 of the 4th District and fronts on Hickory Hill Road and Mask Road.

The petitioner was not present. There were no comments from the Board.

***Danny England made a motion to approve the Minor Division Plat for Steve Buice. John Culbreth Sr. seconded the motion. The motion passed 5-0.***

#### **PUBLIC HEARING**

8. Consideration of Petition No. 1330-23, Joshua D. Brewer and Corrie E. Brewer, Owner, request to rezone 19.58 acres from P-U-D to A-R. This property is located in Land Lot 1 of the 7th District, and fronts on Green Meadow Lane.

Debbie Bell stated this lot was originally part of the Camp Southern Ground PUD. The were two residential lots that were part of the PUD. She stated in October 2016 Camp Southern Ground submitted a Revised Development Plan that removed the two tracts from the PUD. She stated the tracts kept the zoning but were removed from the Camp Southern Ground PUD. She stated the applicant is requesting to go back to the A-R zoning. She stated staff is recommending conditional approval with the following conditions:

1. The parcel shall retain the 75' perimeter buffers established by Rezoning Resolution No. 1222-11.
2. The parcel shall retain the 150' building setback from rights of way as established by Rezoning Resolution No. 1222-11.
3. The petitioner shall, within 30 days, provide a foundation survey showing the unpermitted accessory structure to determine if a variance is required to retain the structure in its present location.
4. If a variance is required for the accessory structure, the petitioner shall apply for said variance within 30 days of the determination of need by staff.
5. Once the appropriateness of the accessory structure location is resolved, the petitioner shall proceed with the required building permit application for the structure before any other permits shall be issued.

Danny England asked if there was only one structure on the property?

Debbie Bell stated yes and pointed out where it was located on the provided survey.

Joshua Brewer stated he did not know he was supposed to present anything.

Chairman Oliver asked him to explain what he's doing and how this came about? He asked Mr. Brewer why he wanted to rezone from PUD to A-R?

Mr. Brewer stated it was for a tax break.

Chairman Oliver asked him to speak about the barn that's been built? He stated they're trying to understand why Mr. Brewer didn't receive the appropriate building permits.

Mr. Brewer stated he misunderstood the requirements.

Chairman Oliver asked if he was trying to build two buildings under one permit?

Mr. Brewer stated no. The only permit he submitted was for the house. He stated it was rejected by the Environmental Health Department due to the septic field and he's been dealing with that for three months.

Chairman Oliver asked if he was in the development business?

Mr. Brewer stated he was in the construction business.

Chairman Oliver asked if he got any inspections?

Mr. Brewer stated no.

Chairman Oliver stated Mr. Brewer knows the process, he knows that inspections are required.

Mr. Brewer stated he did not know they were required for non-dwelling structures. He stated he's doing one in Henry County and they do not require permits for non-dwellings.

Chairman Oliver asked if he could comply with staff recommendations.

Mr. Brewer stated yes.

Chairman Oliver asked if the building will require a variance?

Mr. Brewer stated no. He's three feet from the 75-foot setback. He's 78 feet from the property line.

Arnold Martin asked about the process for getting a building a permit now that structure has already been built?

Debbie Bell stated he will still apply and Building Safety may have some additional requirements for the engineered certification for the structure, for the slab, depth of slab, and the wings.

Chairman Oliver asked if anyone in the audience wanted to speak.

Joe Mendola stated he owns the lot that adjoins the property. He gave a summary of the history of the property. He spoke the subdivision convenance, the conservation easement, the establishment of Camp Southern Ground, and the setbacks of PUD. He spoke about his concerns of the wetlands, and if the rezoning would reduce the setback. He stated the structure is not 75 feet from his property, it's barely 50 feet from his property.

Chairman Oliver stated one of the conditions of approval is that the PUD buffer of 75 feet stays in place.

Mr. Mendola asked what happens if the barn is only 50 feet away from his property line?

Chairman Oliver stated Mr. Brewer would have to apply for a variance. He stated that the petitioner has agreed to stay in the PUD buffers. He stated they cannot address water drains or conservation easements.

Elias Makres stated he built the Mendola house and another home on Green Meadow. He stated over the last 35 years they've had people do what Mr. Brewer has done, build without following rules. He stated this has made the government more strict and require more from builders. He said as a contractor it, it troubles him when someone says they are a contractor and comes in and says they didn't know they were supposed to do this. He stated it wasn't just a building a placed without a permit, clearing was also done without a permit. He asked why would someone want to change the zoning but keep the setbacks? He stated he thinks if it's changed to A-R it's easier to get the variance. He stated the structure is not currently 75 feet from the property line.

Chairman Oliver asked if Mr. Brewer wanted to address anything that has been said.

Mr. Brewer stated no.

Danny England stated that the staff report says he could not build a barn before a house in PUD. He asked if the property is zoned to A-R, would the barn be okay since it was built before the house? He asked would he still be in violation of code?

Debbie Bell stated he would only be in violation of not having a permit and possibly the setback.

Danny England asked if rezoned to A-R, in a Zoning Board of Appeals (ZBA) case, would the possibility of him having to remove the structure be off the table?

Debbie Bell stated if the 75 foot setback is maintained and it encroaches the buffer it would still need to be addressed and a variance would still need to be requested.

Chairman Oliver asked if the property would meet the criteria for a variance?

Debbie Bell stated no.

Danny England asked if the path, if denied for a rezoning, would be for Mr. Brewer to go to the ZBA to request a variance to keep the barn since it was built before the house?

Debbie Bell stated yes.

Chairman Oliver stated he was confused about the petitioner's explanation to rezone the property to A-R. He stated it seemed like it was a suggestion by staff after Mr. Brewer received a stop work order.

Deborah Sims stated Mr. Brewer submitted a permit application for the barn and she explained that since it was zoned PUD, they could not approve it. She stated if it was rezoned to A-R, they could approve the barn permit.

Chairman Oliver asked if there were any more questions or comments. There were none. He asked for a motion.

***John Krusan made a motion to recommend denial of Petition No. 1330-23 request to rezone 19.58 acres from P-U-D to A-R. John Culbreth Sr. seconded the motion. The motion carried 5-0.***

## **OLD BUSINESS**

9. Work session to discuss Chapter 110. Zoning Ordinance, regarding Sec. 110-169. Conditional use approval.

Debbie Bell stated they would be revisiting discussion points for special events. She stated she emailed a letter and recommendations from Bobby Ferrell, recommendations from Ms. Burton-Hughes, and an email from Holly Longino.

Bobby Ferrell stated that North Fayette has had concerns about a large scale event that has been allowed to take place for two years. He stated one of the major problems is the noise, He noted the draft ordinance doesn't go into depth about stage locations. He stated he's speaking in terms of the Rick Ross Car and Bike Show. She stated the stage was erected at the front of the property. His suggestion was that stages of that size and magnitude should not be less than a quarter of a mile from homes where people live. He stated the corner is zoned A-R but everywhere else is zoned residential. He stated the Marshal denied the noise or nuisance permit. He realized the noise would be too allowed but the event still

went forward. He stated an event of that size and that magnitude are out of sorts for the community but he understands that there are ordinances that allow certain things to go on. He stated he also had a problem with attendees in the draft ordinance. He stated this should be capped. He stated it mentions an event going over 5,000 attendees, there would be additional requirements. He stated he is a former Fire Captain and he's worked a lot of major events throughout the city of Atlanta. He stated an event of this size raised traffic concerns. Roads have to be shut down, and they were escorting busses. He stated officers were paid to go above the law. His second concern was that this property only has one means of egress. He stated that should be reconsidered according to the number of patrons.

Chairman Oliver asked what he thought the number should be?

Mr. Ferrell said he couldn't say and he would leave it to the Marshal. He said at least 1,000.

Chairman Oliver stated the problem is they are trying to write a County wide ordinance. He stated he understood about the Rick Ross event but if you try to tailor this specifically aimed at that venue, a judge would throw the whole ordinance out because it was targeted. He stated there are only a few places in the County that could meet a requirement of being a quarter of a mile from residential zoning. They're trying to create an ordinance that would fit the County best. He stated the ideas are good but they can't tailor it toward this one venue. He stated perhaps it needs to be tailored more towards the time frame. He understood the neighbors were upset about the pre party or pool party that happened the night before. He agreed that 5,000 attendees may be too much and could be lowered some.

Bobby Ferrell agreed with the Chairman on needing a County wide ordinance. He stated even if the event took place on the south side of the County, it would still be a nuisance. He stated the Marshal said no so where do they stop it? He stated he's sure that other events or fairs in the County do have more than one means of egress for something of that size. He stated if the event goes over 5,000, the draft ordinance didn't mention anything about egress or any type of emergency plan. He stated that may something the Fire Marshal would address. He stated these were his main two concerns; the relation between egress and patron capacity and noise nuisance or a site plan for a location of stages. He asked who's monitoring the sanctions of the violations?

Arnold Martin stated Chastain Park has large events but still has ordinances. He stated music must stop immediately. He stated some of those regulations may be something we can address and adopt in the County. He stated conversations like this will take the ordinance to the next level so that next year more is being done to make sure rules are being followed. He mentioned having a point of contact prior to the event and during the event. He stated the location of the stage wouldn't matter because of the size speakers. He stated they've have had other entities come in and speak about their events. He stated the County is growing.

Danny England stated one of the discussions at the last meeting was being able to quantify whether something was wrong or not. He stated if you don't like the type of music, you

may consider it too loud but if you do like it it's not too loud. He stated it can be subjective and they have to try to make objective rules. He stated that music going on at a certain time of day is obvious, they can all agree it's 11:01pm. But the volume of music that they need to be able to accurately measure. He stated Chastain Park has been there a long time, so residents know what they're getting into. He stated you guys are suffering from Chastain Park being across the street and you didn't sign up for that. It makes it hard to deal with this thing that is suddenly happening to you once a year. He stated it could start to happen more often. He stated this event is the top one percent event size that the County has right now. Every other event is much smaller so they can't overly protect because of this one event that is the largest the event. He said it could hurt the people with smaller events so they have to balance that.

John Culbreth Sr. stated Mr. Ferrell's comments were very good and they would address them. He stated they cannot create that will just address one area. He agreed it would be thrown out of court. He stated he was in the park system with the City of Atlanta when Chastain was in it's Hay Day of complaints. He stated it wasn't always an amphitheater, it was once a place where they held high school graduations. Over the years, the concert began and the City came up with a decibel meter for the sound and they locked down the time if the sound went above a decibel meter. They had staff out there monitoring the sound. He stated they are looking at all the components on how to put together a County wide ordinance. He agreed with the egress concern. He stated they are going to do something but it may not be able to fix everything in the community.

John Kruzan asked staff if the petitioners gave any insight on how large the event would be when applying for a permit?

Debbie Bell stated yes. They anticipated selling approximately 6,000 tickets.

John Kruzan asked if they hit that?

Debbie Bell stated yes. They did a presell and had to show a pre-purchased ticket at the gate. She stated that was also part of their transportation plan, to have people select their parking area so they would have a count for their shuttles. The shuttle system was to eliminate the gridlock that was encountered on Highway 279 last year. She stated they did a follow up meeting after the event and she recommended was that they look at acquiring an access point on Highway 138 so they could construct an additional commercial driveway to have an additional ingress egress point. She stated that the Fire Department reported that they had no problems getting ambulances in for any problems that they had to address. There were a few minor medical emergencies, She stated working with the planner resolved the safety concerns. She stated Mr. Ross' event paid for all of the off duty law enforcement staff from Fayette County, City of South Fulton, and City of Atlanta. Those agencies coordinated with Fayette County Sheriff's Office as the primary point of contact. The Sheriff's Office reported that that also worked well.

Mr. Ferrell stated the residents couldn't go anywhere and needed the subdivision pass to

get to their homes. He stated stage location should be top in the work sessions followed by traffic concerns. He stated a two lane state highway can't handle 7,000 people. He said they took cars out of the scenario but there were still 7,000 patrons and police officers blocking certain points to make sure the busses got in. He stated the event should also have proper means of egress.

Arnold Martin asked if he had any guidelines they could refer to in terms of egress?

Mr. Ferrell stated City of Atlanta adopted a national Fire Code. He could not recall the name of it. He asked if there would be another work session.

Debbie Bell stated she doesn't have one scheduled yet.

Larry Younger stated he lived in the North Ridge Subdivision. He commented on the proposed regulation of two events per year. He stated Mr. Ross had the car show in June and the pool party in July. He asked if those would be considered his two events for the year?

Debbie Bell stated that in draft ordinance she suggested that events that are expected to host more than 5000 attendees in a single day, or have exceeded this threshold in the past may be operated for one calendar day, per year. So it would limit an event of that magnitude to one day, per year.

Mr. Younger asked if it's based on the number of people that show up, not how many events he has?

Debbie Bell stated she doesn't know the details of the pool party.

Mr. Younger stated Mr. Ross is selling tickets to it.

Debbie Bell stated Code Enforcement would have to speak that and she believes they're aware of it. She stated they working to create parameters and definitions so an event of that magnitude won't take place every month.

Mr. Younger stated there won't be 5,000 people at the pool party but he was hoping they would be told no due to already having previous events.

Debbie Bell stated she'd look into it. There may be a better way to word it that might be more effective.

Velma [last name inaudible] stated she lived in Dix-Lee-On. She stated the car show was an unpleasant experience. She stated it took her half an hour to get to Highway 138. She stated this type of event would not be allowed in Peachtree City or any of the South Fayette County communities. She stated they received passes for their cars. She stated she's lived there 26 years and never had to have permission to drive in her subdivision. She asked that

the Board seriously consider the citizens. She stated they have been there longer and will still be there when he leaves. She stated she's retired and she'd like to remain there but she doesn't want that type of neighborhood.

Chairman Oliver asked if the community has reached out to Mr. Ross or his team and told him they'd like to meet and talk?

Ms. Velma stated she doesn't think he would want to meet.

Chairman Oliver stated the Planning Commission and staff are working hard but there are private parties. He stated the neighbors do have a right to find enjoyment and entertainment and that Mr. Ross needs to do some bridge building for this particular event. He suggested that Ms. Velma lead the efforts to reach out to his team.

Ms. Velma asked what type of permit was granted?

Chairman Oliver stated of all the events, this one is probably the most scrutinized. He stated that this year's event seemed to be better than last year. He stated that the neighbors should really try to reach out to him and share their concerns.

Mr. Younger stated Rick Ross was asked to meet with the people in the neighborhood and said no.

Rick Minter stated Debbie Bell and staff has been very helpful. He stated that this is moving really fast and it affects their livelihood. He states the draft ordinance doesn't seem friendly to farms and it doesn't address agritourism. He stated people like green space and agritourism allows for green space. He stated he doesn't want to pick up his operation and go somewhere. He stated the mission is to promote the farm history and heritage of Inman and South Fayette County. He stated they've looked at the Museum of Appalachia in Tennessee and they want to become a year around place that promotes the history of the County. Not just one or two events. He asked that the Board take time to make their decision.

Danny England stated there is no vote or decision being made tonight.

Mr. Minter stated they are looking into rezoning for PUD but would hope he doesn't have to make that decision soon. He asked how would a pumpkin patch and a corn maze be addressed?

Debbie Bell stated it would fall under seasonal sales.

Mr. Minter stated Harp has a pumpkin patch every year with thousands of people showing up. He stated they need time to think things through and figure out something that works for everybody.



Arnold Martin asked if there are things Mr. Minter has heard this evening that would have an impact on his event?

Mr. Minter stated the decibel levels. He stated a lawn mower is about 100 decibels, and they have tractors at his event. He stated they have to consider where they are and what's being used there. He stated for the hours, they shut down at dark on Friday and Saturday and shut down at 4 o'clock on Sunday.

Arnold Martin asked if being capped at four or five thousand people a day would affect his event?

Mr. Minter stated they've never done an official count but there are a few thousand that come through in a day. He stated they have the parking for it. They have 50 acres, they use about 15 of it. He stated if people are coming to your event and they have to sit in traffic, they'll leave. They work to get people in and out as smoothly as they can. He stated the better show you put on, the longer people will stay which keeps from having a lot of churn. He stated they use law enforcement to help direct the traffic the first year but found it easier when they just used volunteers. He stated they work hard to not have any complaints about traffic.

Attorney Cox asked if there was anything from the Board that Debbie can take back and work on?

Danny England stated he thinks what we've heard is two or three main problems traffic, which is which is linked to the number of attendees. He suggested she create some tiers so that a 5000 plus person event is looked at much more seriously 100 person event Saturday. He added limiting the to it to a certain number of minutes per year. If you're below a certain threshold maybe that drops off. If you're putting on a mega event we can only absorb that kind of impacts, limited number of times. if you're doing something that falls within a certain range or below a certain occupancy or it's spread out over multiple days, maybe it's no harm no foul. If you can throw an event, and nobody knows what's happening, so it's people are there, you could do it more than twice or four times. If it has it has music, maybe we look at it a little differently, because that's going to factor directly into noise.

Attorney Cox asked the Board to look at the definition she's written. it looks like the way that first part reads it in order to even qualify for need for a special use event permit it's going to have to be disrupted to regular parks, public streets, right of way or sidewalks.

Danny England stated there's a lot interpretative subjective gray area. What's disruptive to one may not be disruptive to another. He stated he thinks they should stick with the number of people, how loud is it, how long does it go on, etc.

John Culbreth Sr. stated they need to define what is loud and the impact of sound. He also mentioned including traffic plans, site plans, violations, how violations will be addressed, access points, crowd sizes, timeframes. He stated they've address the sizes and timeframes

but it has to be strong enough to stand up in court.

Arnold Martin mentioned accountability. He spoke about defining the person in the County that is responsible and the residents can go to as a point person. He stated there should be somebody within in the County that is accountable.

John Kruzan spoke about the County growing and how events will continue to grow. He stated his concern is at what point in time is the tipping point that we say, if you have an event that's going to have X number of people, where does that tip over from being in a residential community to actually being held at a commercial site.

Danny England stated the County has several event centers but he's not sure how many of them have the capacity for 5,000 people. He stated this is a case where this event alone would not work at most professionally licensed, constructed, and permitted event centers in the County.

Arnold Martin stated they've adjusted going back to some of our guidelines and ordinances we created as related to zoning, we have tiered those we've said well, if you have up to two acres, this is going to be the requirements and you have the five acres etc, we worked our way into that mean, we can again approach that in the same manner as already been suggested.

Debbie Bell stated she would take all feedback and bring something back in September.

Ms. Velma asked if the Board is taking into consideration that this is a revenue generating event that he's having?

Danny England stated yes.

*No action was taken on this item.*

**ADJOURNMENT:**

John Culbreth moved to adjourn the meeting. Danny England seconded. The motion passed 5-0.

The meeting adjourned at 8:47 p.m.

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**PLANNING COMMISSION  
OF  
FAYETTE COUNTY**

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**Page 12**  
**August 3, 2023**  
**PC Meeting**

**JIM OLIVER, CHAIRMAN**

**ATTEST:**

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**CHELSIE BOYNTON**  
**PC SECRETARY**

To: Fayette County Planning Commission  
From: Deborah Bell, Planning and Zoning Director   
Date: August 31, 2023  
Subject: Minor Final Plat to be considered on September 7, 2023

**MINOR FINAL PLAT**

Minor Final Plat of A1-Mart

**OWNER/APPLICANT**

C-Store Operator, LLC (a.k.a. 7<sup>th</sup> Sky  
Investment, LLC)

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







Rev.	Description	Date
1	PER COMMENTS	6/15/23

Date:	4/14/23
Drawn by:	LS
Check by:	LS
Design by:	INTL
Project #:	10712203

SCALE: 1" = 20'  
 20' 10' 0'

MINOR FINAL PLAT OF A1-MART FOR 7TH SKY INVESTMENT LLC  
 LAND LOT 216 - 5TH DISTRICT FAYETTE COUNTY, GEORGIA

PROPERTY

DRAWING NO.  
SHEET NO. 2 of 2

**NOTES**

- THIS PLAT WAS PREPARED FOR THE EXCLUSIVE USE OF THE PERSON, PERSONS, OR ENTITY NAMED IN THE TITLE BLOCK SAID USE DOES NOT EXTEND TO ANY UNNAMED PERSON WITHOUT EXPRESS PERMISSION BY THE SURVEYOR NAMING SAID PERSON.
- INFORMATION REGARDING THE REPUTED PRESENCE, SIZE, CHARACTER AND LOCATION OF EXISTING UNDERGROUND UTILITIES AND STRUCTURE IS BASED ON RECORD DRAWINGS AND FIELD SURVEY. THE LOCATION OF THESE UTILITIES AND STRUCTURES SHOULD BE CONFIRMED BY THE SURVEYOR PRIOR TO CONSTRUCTION. THIS DRAWING IS NOT TO BE CONSIDERED IN THAT LIGHT BY THESE INFORMATION AND IT SHALL BE CONSIDERED IN THAT LIGHT BY THESE INFORMATION REGARDING THE LOCATION AND ARRANGEMENT OF UNDERGROUND UTILITIES AND STRUCTURES SHOWN HEREON MAY BE ENCOUNTERED. THE SURVEYOR IS NOT RESPONSIBLE FOR THE CORRECTNESS OR SUFFICIENCY OF THIS INFORMATION.
- THIS PROPERTY DOES NOT LIE WITHIN A 100 YEAR FLOOD HAZARD ZONE PER FEMA FLOOD INSURANCE RATE MAP OF FAYETTE COUNTY, GEORGIA MAP NUMBER 131120043E PANEL 43 OF 170. MAP REVISED SEPTEMBER 26, 2008.
- THE PURPOSE OF THIS MINOR FINAL PLAT IS TO COMBINE TRACTS 1 & 2 INTO ONE TRACT.
- ECOLOGICAL STATE WATERS ARE NOT PRESENT ON THIS PROJECT SITE OR WITHIN 200 FEET OF THE PROPERTY. WETLANDS WERE NOT IDENTIFIED WITHIN THE PROPERTY BOUNDARIES, OR WITHIN 200 FEET OF THE DEVELOPED AREAS.
- UTILITIES WATER SERVICE PROVIDED BY FAYETTE COUNTY WATER SYSTEM. SEWER SERVICE TO BE PROVIDED BY ON-SITE SEPTIC SYSTEM PERMITTED THROUGH THE ENVIRONMENTAL HEALTH DEPARTMENT.
- THE PROJECT HORIZONTAL DATUM IS RELATIVE TO THE NORTH AMERICAN DATUM 1983 (NAD83). 2011 ADJUSTMENT, PROJECTED TO THE GEORGIA STATE PLANE COORDINATE SYSTEM, WEST ZONE. THE VERTICAL DATUM IS THE MEAN SEA LEVEL DATUM OF 1988 (MAY1988) USING THE NATIONAL GEODETIC SURVEY (NAD83) GEOD 2012A.

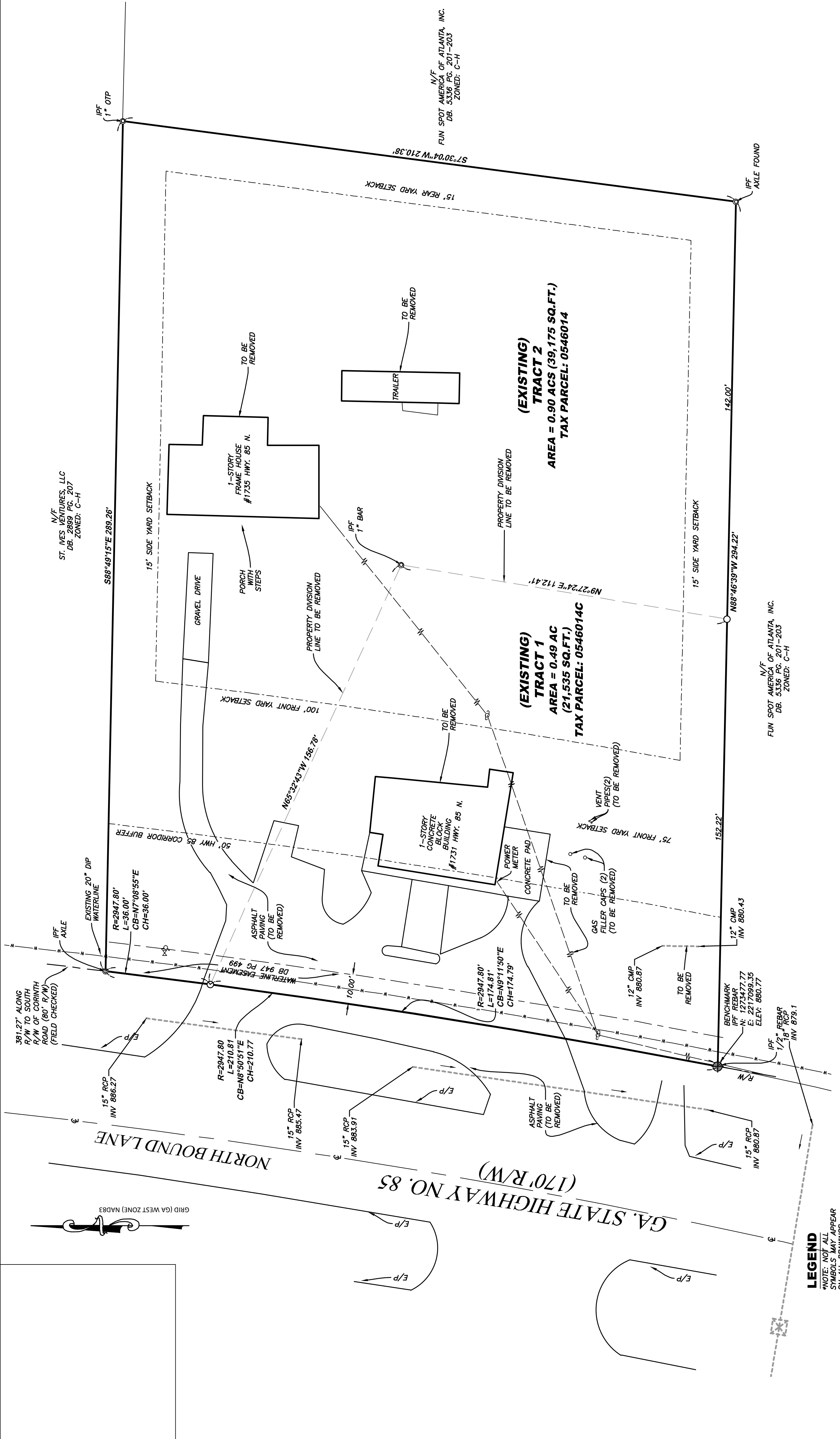
**SURVEY NOTES**

- FIELD WORK RESUMED 05/25/21. DATE OF PLAT PREPARATION: 4/14/23. EQUIPMENT UTILIZED: LEICA TS12 P 3.
- THE FIELD DATA UPON WHICH THIS MAP OR PLAT IS BASED HAS A CLOSURE ERROR OF 9 PER ANGLE POINT AND WAS ADJUSTED USING LEAST SQUARES.
- THIS MAP OR PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 124,686 FEET.
- RECORD TITLE: 1) DE 5336 PG 458-462 2) PLAT OF SURVEY DATED 02/22/22 BY INTEGRATED SCIENCE & ENGINEERING INC FOR C-STORES OPERATOR.
- TAX PARCELS: 0546014 0546014 0546014

**SURVEYORS CERTIFICATION (PLAT ACT):**

AS REQUIRED BY SUBSECTION (D) OF O.C.G.A. SECTION 15-6-57, THIS PLAT HAS BEEN PREPARED BY A SURVEYOR WHO IS A LICENSED PROFESSIONAL SURVEYOR IN THE JURISDICTION FOR RECORDING AS AUTHORIZED BY APPROVAL CERTIFICATES, SIGNATURES, STAMPS, OR STATEMENTS HEREON, SUCH APPROVALS OR AFFIRMATIONS SHOULD BE CONFIRMED WITH THE APPROPRIATE GOVERNMENTAL AGENCY. THE SURVEYOR HAS REVIEWED THE RECORD DRAWINGS AND THIS PLAT. FURTHERMORE, THE UNDERSIGNED LAND SURVEYOR CERTIFIES THAT THIS PLAT COMPLES WITH THE MINIMUM TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN THE RULES AND REGULATIONS OF THE SURVEYING BOARD OF THE STATE OF GEORGIA AND THE RULES AND REGULATIONS OF THE SURVEYING BOARD OF THE STATE OF GEORGIA, SECTION 15-6-67. SURVEYORS AND AS SET FORTH IN O.C.G.A. SECTION 15-6-67.

INTEGRATED SCIENCE & ENGINEERING, LSP000136, 6/30/2024  
 LARRY J. SEABOLT, GA RLS #2135  
 LSEABOLT@INTE.COM




**AREA SUMMARY**

TRACT 1 = 0.49 AC  
 TRACT 2 = 0.90 AC  
 TOTAL AREA = 1.39 ACS.

**LEGEND**

- NOTE: NOT ALL UTILITIES WILL APPEAR ON ALL DRAWINGS
- PROPERTY LINE
  - ADJOINER LINE
  - RIGHT-OF-WAY LINE
  - STORM LINE
  - SEWER LINE
  - FENCE
  - OVERHEAD POWER LINE
  - UNDERGROUND ELECTRIC LINE
  - UNDERGROUND GAS LINE
  - UNDERGROUND WATER LINE
  - UNDERGROUND COMMUNICATIONS LINE
  - CATCH BASIN
  - T.B.M. TEMPORARY BENCHMARK
  - CONCRETE RIGHT-OF-WAY MONUMENT
  - PROPERTY CORNER NOTE
  - PROPERTY CORNER LINE BREAK
  - REBAR
  - IRON PIN SET (1/2" REBAR/CAP 000198)
  - P.O.B. POINT OF BEGINNING
  - P.O.C. POINT OF COMMENCEMENT
  - DE DRAINAGE EASEMENT
  - SSE SANITARY SEWER EASEMENT
  - N/F NOW OR FORMERLY
  - CMP CORRUGATED METAL PIPE
  - PVC PLASTIC PIPE
  - CPFP CORRUGATED PLASTIC PIPE
  - HDPE HIGH DENSITY POLYETHYLENE PIPE
  - OS2 OUTLET CONTROL STRUCTURE
  - MANHOLE
  - GAS MANHOLE
  - WATER METER
  - SANITARY SEWER MANHOLE
  - STORM DRAIN MANHOLE
  - OUTLET CONTROL STRUCTURE
  - HEADWALL
  - CURB INLET W/ GRATE
  - COMMUNICATION MANHOLE
  - CABLE BOX
  - UTILITY BOX
  - TELEPHONE BOX
  - POWER POLE
  - GUY WIRE
  - LIGHT STANDARD
  - LIGHT COLUMN/HOLD
  - ELECTRIC METER
  - EDGE OF PAVEMENT
  - C&G CURB & GUTTER
  - R/WY RIGHT OF WAY



To: Fayette County Planning Commission  
From: Deborah Bell, Planning and Zoning Director   
Date: August 31, 2023  
Subject: Minor Final Plat to be considered on September 7, 2023

**MINOR FINAL PLAT**

Minor Final Plat of the Panter/Glaze Estates

**OWNER/APPLICANT**

Melanie N. Green

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



# MINOR FINAL PLAT OF THE PANTER/GLAZE ESTATES

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

THIS BLOCK RESERVED FOR THE CLERK OF THE SUPERIOR COURT.

## FINAL PLAT APPROVAL CERTIFICATION

APPROVED BY FAYETTE COUNTY ENVIRONMENTAL HEALTH DEPARTMENT

DATE \_\_\_\_\_ SIGNED \_\_\_\_\_  
ENVIRONMENTAL HEALTH SPECIALIST/DESIGNEE

APPROVED BY FAYETTE COUNTY ENVIRONMENTAL MANAGEMENT DEPARTMENT

DATE \_\_\_\_\_ SIGNED \_\_\_\_\_  
ENVIRONMENTAL MANAGEMENT DIRECTOR/DESIGNEE

APPROVED BY FAYETTE COUNTY ENGINEER

DATE \_\_\_\_\_ SIGNED \_\_\_\_\_  
COUNTY ENGINEER/DESIGNEE

APPROVED BY THE FAYETTE COUNTY PLANNING COMMISSION \_\_\_\_/\_\_\_\_/\_\_\_\_

DATE \_\_\_\_\_ SIGNED \_\_\_\_\_  
SECRETARY/DESIGNEE

APPROVED BY FAYETTE COUNTY ZONING ADMINISTRATOR.

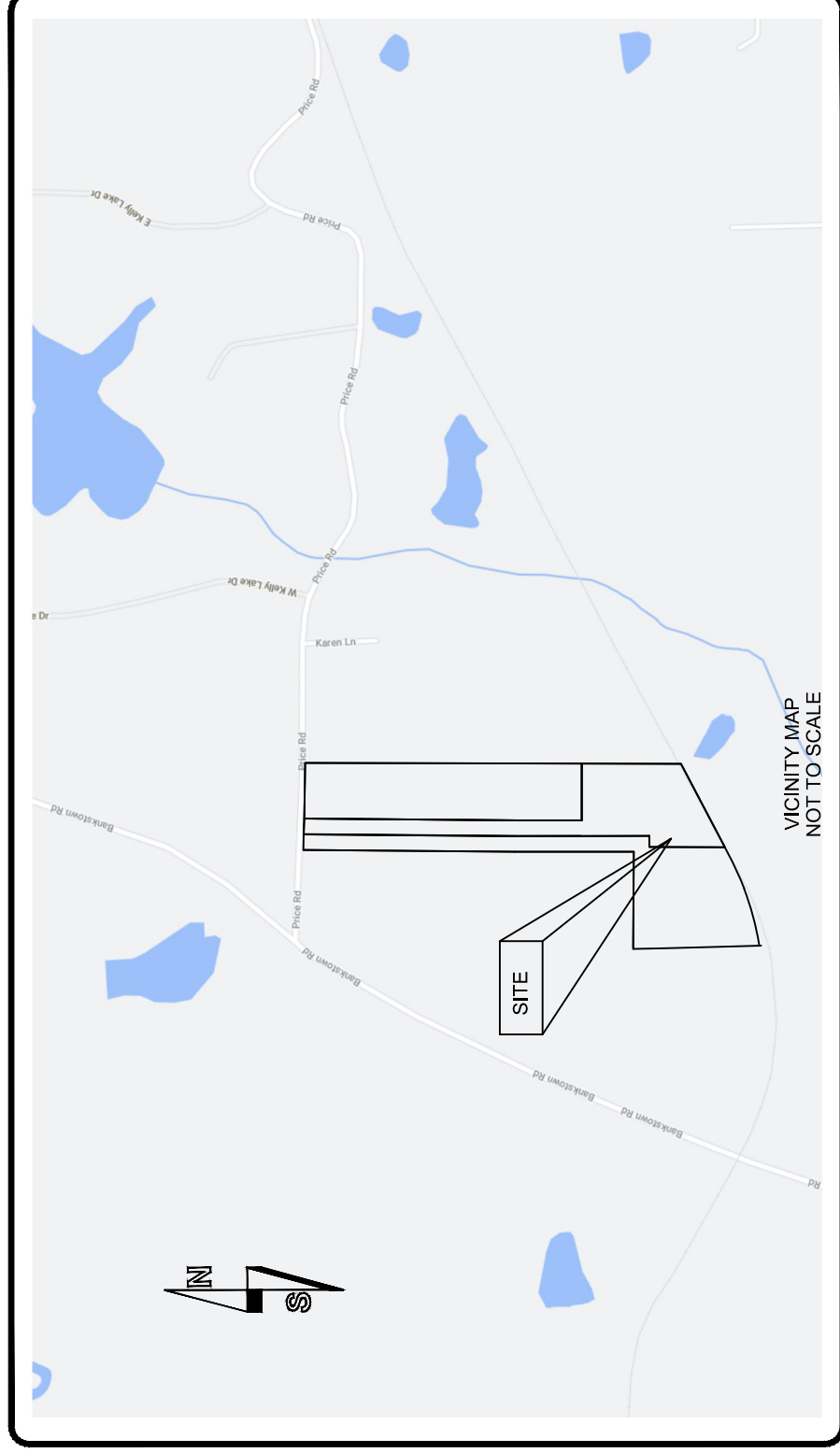
DATE \_\_\_\_\_ SIGNED \_\_\_\_\_  
ZONING ADMINISTRATOR/DESIGNEE

APPROVED BY FAYETTE COUNTY FIRE MARSHAL.

DATE \_\_\_\_\_ SIGNED \_\_\_\_\_  
FIRE MARSHAL/DESIGNEE

## SHEET INDEX

SHEET No.	DESCRIPTION
1	COVER
2	FINAL PLAT
3	FINAL PLAT



VICINITY MAP  
NOT TO SCALE

## GENERAL NOTES

- OWNER:  
MELANIE N. GREEN  
466 PRICE ROAD  
BROOKS, GA 30205  
513-608-1710  
bill@hayfergroup.com
- SURVEYOR:  
S. A. GASKINS & ASSOCIATES, LLC.  
P.O. BOX 321  
BROOKS, GA 30205  
678-571-3054  
rgaskins79@gmail.com
- TOTAL ACREAGE: 42.613 ACRES (1,856,222 SQ. FT.); DB 4516 PG 117-118  
3 LOTS- ZONED A-R  
MINIMUM DIMENSIONAL REQUIREMENTS FOR A-R ZONING DISTRICT:  
LOT AREA: 5 ACRES (217,800 SQ FT)  
LOT WIDTH: 250 FT  
FLOOR AREA: 1,200 SQ FT  
FRONT YARD SETBACK:  
MAJOR THOROUGHFARE  
ARTERIAL: 100 FEET  
COLLECTOR: 100 FEET  
MINOR THOROUGHFARE: 75 FEET  
REAR YARD SETBACK: 75 FT  
SIDE YARD SETBACK: 50 FT
- SEWER TO BE PROVIDED BY AN ON-SITE SEWAGE DISPOSAL SYSTEM.
- WATER TO BE PROVIDED BY INDIVIDUAL WELLS.
- 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 AND RESTRICTIONS SHOWN OR NOT SHOWN, RECORDED OR NOT RECORDED.
- THERE ARE NO RECORDED EASEMENTS FOUND ASSOCIATED WITH THIS PROPERTY.
- THERE IS NO GROUNDWATER RECHARGE AREA ON THIS PROPERTY.
- 12' REINFORCING RODS SET AT ALL LOT CORNERS UNLESS NOTED OTHERWISE.
- ACCORDING TO FEMA FLOOD INSURANCE RATE MAP NUMBER 13113C0165E, DATED SEPTEMBER 28, 2008, NO PORTION OF THIS PROPERTY LIES WITHIN A SPECIAL FLOOD HAZARD AREA.
- EACH RESIDENTIAL LOT HAS A CONTIGUOUS AREA OF MORE THAN 0.6 ACRES THAT IS FREE AND CLEAR OF ZONING BUFFERS AND SETBACKS, WATERSHED PROTECTION BUFFERS AND SETBACKS, JURISDICTIONAL WETLANDS, AND EASEMENTS OF ANY KIND.
- THERE ARE NO VISIBLE CEMETERIES OR BURIAL GROUNDS ON THIS PROPERTY.
- THERE ARE STATE WATERS ON THIS PROPERTY.

## SURVEYORS CERTIFICATION

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

FINAL SURVEYOR'S CERTIFICATE

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

BY: SWINSON A. GASKINS, Sr. GEORGIA REGISTERED LAND SURVEYOR NO. 1620  
DATE: 07/19/23

## OWNER'S CERTIFICATION

I, THE UNDERSIGNED OWNER AND/OR MORTGAGEE OF THE JOHN PANTER/GLAZE ESTATES SUBDIVISION, HEREBY OFFER TO DEDICATE, DEED AND/OR RESERVE FOR PUBLIC USE THE RIGHTS-OF-WAY, EASEMENTS AND OTHER GROUND SHOWN ON THIS PLAT. ALL PROPERTY CONTAINED WITHIN THE REQUIRED RIGHT-OF-WAY OF ALL EXISTING STREETS ADJACENT TO THE SUBDIVISION AS INDICATED HEREON, SHALL BE DEDICATED AND CONVEYED AT NO COST TO FAYETTE COUNTY, A POLITICAL SUBDIVISION OF THE STATE OF GEORGIA, UPON RECORDATION OF SAID FINAL PLAT WITH THE FAYETTE COUNTY CLERK OF SUPERIOR COURT.

OWNER \_\_\_\_\_ DATE \_\_\_\_\_

I, THE UNDERSIGNED, CERTIFY THAT AS THE LEGAL OWNER OF THE SUBJECT PROPERTY, I HEREBY AUTHORIZE THE SUBMITTAL OF THIS FINAL PLAT FOR THE SUBDIVISION OF MY PROPERTY.

OWNER \_\_\_\_\_ DATE \_\_\_\_\_

## WETLANDS DELINEATION

I, BRANNON MILES, DO HEREBY CERTIFY THAT I HAVE FIELD INSPECTED THE PROPERTY KNOWN AS THE MARTIN ESTATE ON MARCH 2, 2022 AND DETERMINED THAT THE PROPERTY CONTAINS JURISDICTIONAL WETLANDS AS DEFINED BY THE U.S. ARMY CORPS OF ENGINEERS.

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



Prepared For:

MELANIE N. GREEN

## Property Location

Land Lot 35 & 62 Of The 4th Land District  
Fayette County, Georgia

## S.A. GASKINS & ASSOCIATES, LLC

surveyors planners development consultants  
P.O. BOX 321 BROOKS, GA 30205  
678-571-3054  
rgaskins79@gmail.com

Job No. 21-080

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

Issue Date: 07/19/23

F.W.P.D.: 07/06/23

Revisions: \_\_\_\_\_ Date \_\_\_\_\_

County Comments: 08/08/23





THIS BLOCK RESERVED FOR THE CLERK OF THE SUPERIOR COURT.

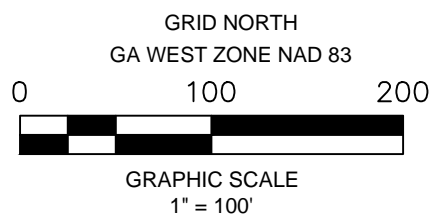
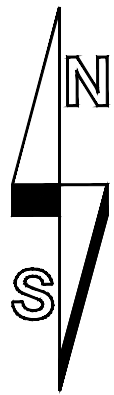
CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	355.00'	14969.60'	1°21'32"	S 88°55'43" E	354.99'
C2	244.61'	2070.29'	6°46'11"	S 65°15'57" W	244.47'
C3	362.30'	1814.29'	11°26'30"	S 74°52'02" W	361.70'

**LEGEND**  
 RBF=REBAR FOUND  
 RBS=REBAR SET  
 CTP=CRIMP TOP PIPE  
 L.L.=LAND LOT  
 L.L.L.=LAND LOT LINE  
 P.L.=PROPERTY LINE  
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 F.W.P.D.=FIELD WORK PERFORMED DATE  
 O/F=OUT OF FLOOD PLAIN  
 DB=DEED BOOK  
 PG=PAGE  
 PB=PLAT BOOK  
 ### =HOUSE NUMBER  
 OTP= OPEN TOP PIPE

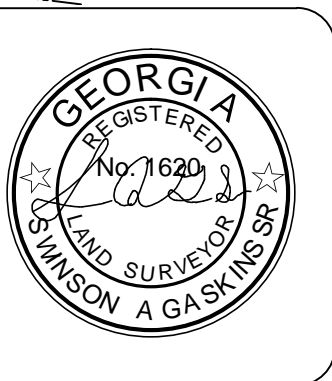
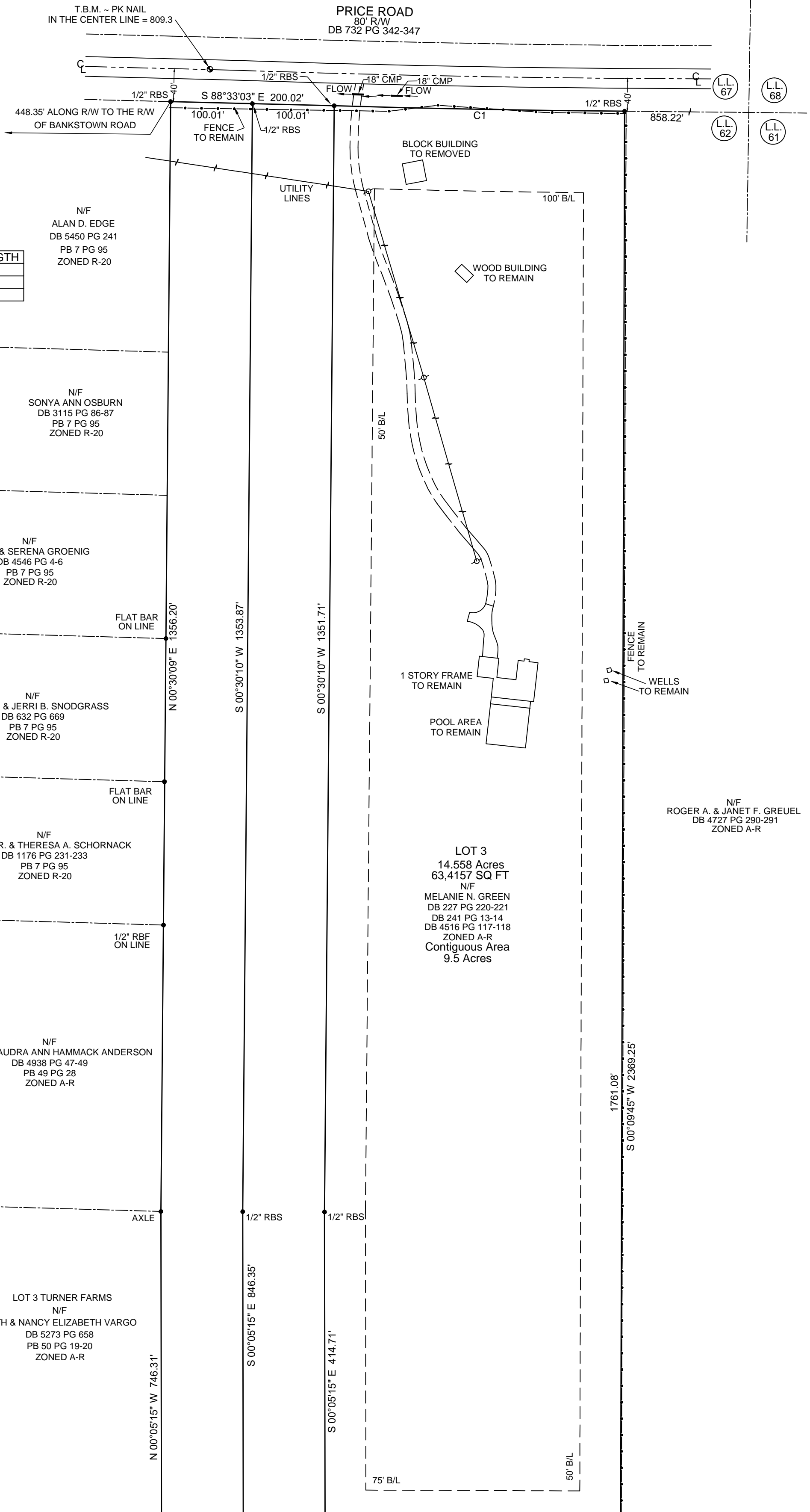
**CLOSURE STATEMENT**  
 THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 42,167 FEET AND AN ANGULAR ERROR OF 00° 00' 02" PER ANGLE POINT AND HAS BEEN ADJUSTED USING THE COMPASS RULE METHOD.

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

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



# MINOR FINAL PLAT OF THE PANTER/GLAZE ESTATES



Prepared For:  
**MELANIE N. GREEN**

**Property Location**  
 Land Lot 35 & 62 Of The 4th Land District  
 Fayette County, Georgia

**S.A. GASKINS & ASSOCIATES, LLC**  
 surveyors planners development consultants  
 P.O. BOX 321 BROOKS, GA 30205  
 678-571-3054  
 rdgaskins79@gmail.com

Job No. 21-080  
 Drawn By: R.D.G. Reviewed By: R.M.B.  
 Issue Date: 07/19/23  
 F.W.P.D.: 07/06/23  
 Revisions: \_\_\_\_\_ Date: \_\_\_\_\_  
 County Comments: 08/08/23



To: Fayette County Planning Commission  
From: Deborah Bell, Planning and Zoning Director *DOB*  
Date: August 31, 2023  
Subject: Minor Final Plat to be considered on September 7, 2023

**MINOR FINAL PLAT**

Minor Final Plat For The William Mercer  
Massengale Disclaimer By-Pass Trust

**OWNER/APPLICANT**

Minor Final Plat For The William Mercer  
Massengale Disclaimer By-Pass Trust  
James Richard Massengale, Trustee

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



# MINOR FINAL PLAT FOR THE WILLIAM MERCER MASSENGALE DISCLAIMER BY-PASS TRUST

THIS BLOCK RESERVED FOR THE CLERK  
OF THE SUPERIOR COURT.

SHEET INDEX	
SHEET No.	DESCRIPTION
1	COVER
2	FINAL PLAT

## FINAL PLAT APPROVAL CERTIFICATION

APPROVED BY FAYETTE COUNTY ENVIRONMENTAL HEALTH DEPARTMENT

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

APPROVED BY FAYETTE COUNTY STORMWATER MANAGEMENT DEPARTMENT

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

APPROVED BY FAYETTE COUNTY ENGINEER

DATE \_\_\_\_\_ SIGNED \_\_\_\_\_  
COUNTY ENGINEER

APPROVED BY THE FAYETTE COUNTY PLANNING COMMISSION \_\_\_\_\_/\_\_\_\_/\_\_\_\_\_

DATE \_\_\_\_\_ SIGNED \_\_\_\_\_  
SECRETARY.

APPROVED BY FAYETTE COUNTY ZONING ADMINISTRATOR.

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

APPROVED BY FAYETTE COUNTY FIRE MARSHAL.

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



VICINITY MAP  
NOT TO SCALE

## SURVEYORS CERTIFICATION

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

### FINAL SURVEYOR'S CERTIFICATE

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

BY: SWINSON A. GASKINS, Sr. GEORGIA REGISTERED LAND SURVEYOR NO.1620  
DATE: 07/21/23

## OWNER'S CERTIFICATION

I, THE UNDERSIGNED OWNER AND/OR MORTGAGEE OF THE THE WILLIAM MERCER MASSENGALE DISCLAIMER BY-PASS TRUST SUBDIVISION, HEREBY OFFER TO DEDICATE, DEED AND/OR RESERVE FOR PUBLIC USE THE RIGHTS-OF-WAY, EASEMENTS AND OTHER GROUND SHOWN ON THIS PLAT. ALL PROPERTY CONTAINED WITHIN THE REQUIRED RIGHT-OF-WAY OF ALL EXISTING STREETS ADJACENT TO THE SUBDIVISION AS INDICATED HEREON, SHALL BE DEDICATED AND CONVEYED AT NO COST TO FAYETTE COUNTY, A POLITICAL SUBDIVISION OF THE STATE OF GEORGIA, UPON RECORDATION OF SAID FINAL PLAT WITH THE FAYETTE COUNTY CLERK OF SUPERIOR COURT

OWNER \_\_\_\_\_ DATE \_\_\_\_\_

I, THE UNDERSIGNED, CERTIFY THAT AS THE LEGAL OWNER OF THE SUBJECT PROPERTY, I HEREBY AUTHORIZE THE SUBMITTAL OF THIS FINAL PLAT FOR THE SUBDIVISION OF MY PROPERTY.

OWNER \_\_\_\_\_ DATE \_\_\_\_\_

Job No. 19-057

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

Issue Date: 07/21/23

F.W.P.D.: 07/06/23

Revisions Date  
County Comments 08/21/23

PAGE 1 OF 2

Prepared For:

THE WILLIAM MERCER MASSENGALE  
DISCLAIMER BY-PASS TRUST

## Property Location

Land Lot 157 Of The 4th Land District  
Fayette County, Georgia

## S.A. GASKINS & ASSOCIATES, LLC

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

- LEGEND**
- RF=REBAR FOUND
  - RS=REBAR SET
  - CTP=CRIMP TOP PIPE
  - LL=LAND LOT
  - LL=LAND LOT LINE
  - R=PROPERTY LINE
  - CO=CONSTRUCTION ENTRANCE
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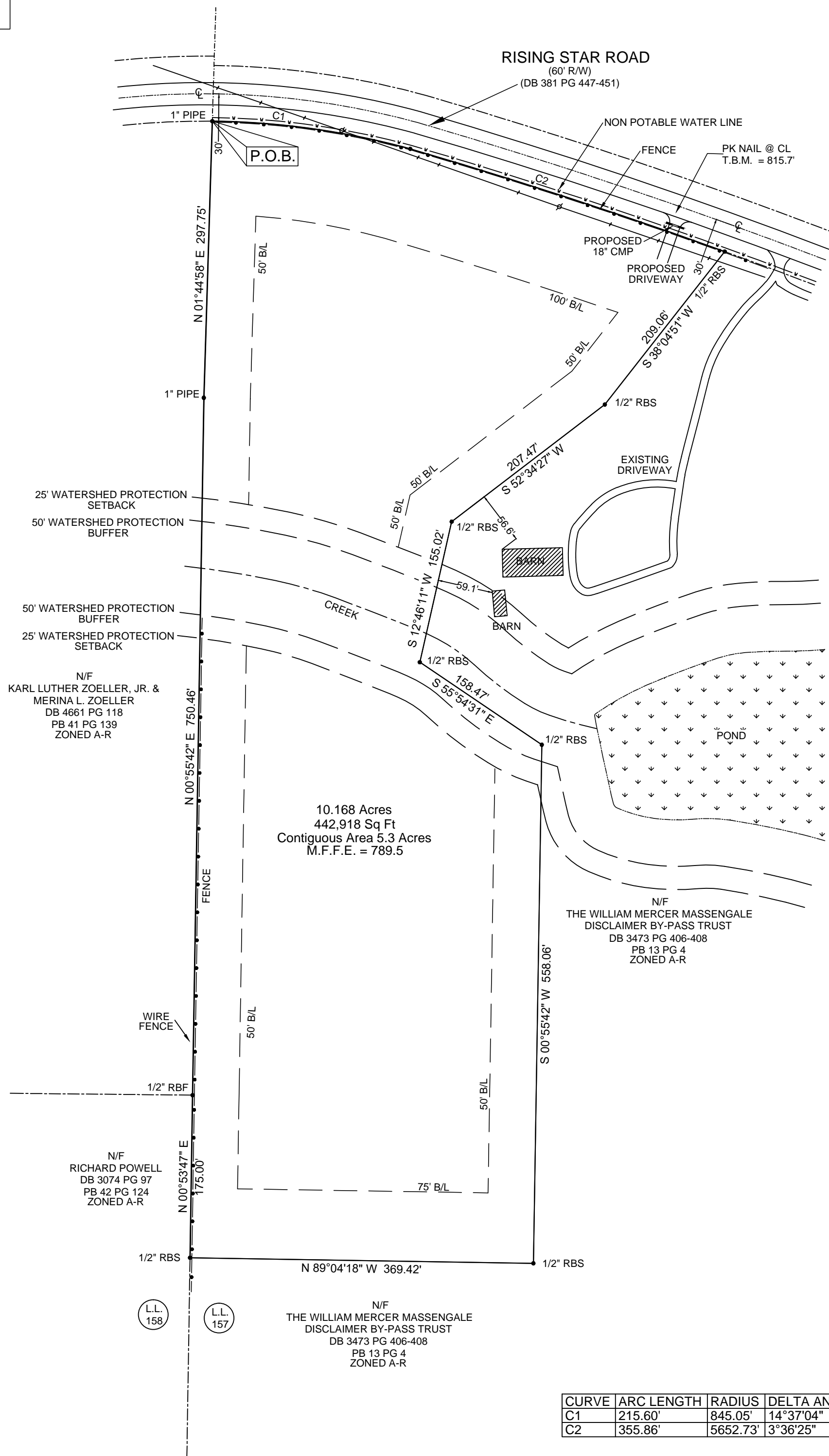
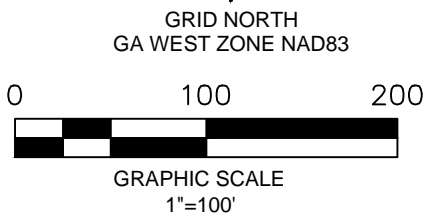
## GENERAL NOTES

- OWNER:  
THE WILLIAM MERCER MASSENGALE  
DISCLAIMER BY-PASS TRUST  
JAMES RICHARD MASSENGALE, TRUSTEE  
310 HORIZON HILL  
NEWNAN, GA 30265  
404-578-7241
  - SURVEYOR:  
S. A. GASKINS & ASSOCIATES, LLC.  
P.O. BOX 321  
BROOKS, GA 30205  
678-571-3054  
rdgaskins79@gmail.com
  - TOTAL ACREAGE: 10.168 ACRES
- 1 LOT- ZONED A-R  
MINIMUM DIMENSIONAL REQUIREMENTS FOR A-R ZONING DISTRICT  
LOT AREA: 5 ACRES  
LOT WIDTH: 250 FT  
FLOOR AREA: 1,200 SQ FT  
FRONT YARD SETBACK:  
MAJOR THOROUGHFARE  
ARTERIAL: 100 FEET  
COLLECTOR: 100 FEET  
MINOR THOROUGHFARE: 75 FEET  
REAR YARD SETBACK: 75 FT  
SIDE YARD SETBACK: 50 FT  
SEWER TO BE AN ON-SITE SEWAGE DISPOSAL SYSTEM.  
WATER TO BE PROVIDED BY 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 AND RESTRICTIONS SHOWN OR NOT SHOWN, RECORDED OR NOT RECORDED.
  - THERE ARE NO RECORDED EASEMENTS FOUND ASSOCIATED WITH THIS PROPERTY.
  - THERE IS NO GROUNDWATER RECHARGE AREA ON THIS PROPERTY.
  - 1/2" REINFORCING RODS SET AT ALL LOT CORNERS UNLESS NOTED OTHERWISE.
  - ACCORDING TO FEMA FLOOD INSURANCE RATE MAP NUMBER 13113C0155E, DATED SEPTEMBER 28, 2008 MAP, THIS PROPERTY DOES NOT LIE WITHIN A SPECIAL FLOOD HAZARD AREA.
  - EACH RESIDENTIAL LOT HAS A CONTIGUOUS AREA OF MORE THAN 0.6 ACRES THAT IS FREE AND CLEAR OF ZONING BUFFERS AND SETBACKS, WATERSHED PROTECTION BUFFERS AND SETBACKS, JURISDICTIONAL WETLANDS, AND EASEMENTS OF ANY KIND.
  - THERE IS NO VISIBLE CEMETERY OR BURIAL GROUNDS ON THIS PROPERTY.
  - THERE ARE STATE WATERS ON THIS PROPERTY.
  - PER THE NATIONAL WETLANDS INVENTORY THE SITE DOES NOT CONTAIN JURISDICTIONAL WETLANDS. ANY JURISDICTIONAL WETLANDS ON THE SITE ARE UNDER THE JURISDICTION OF THE U.S. ARMY CORPS OF ENGINEERS. PROPERTY OWNERS MAY BE SUBJECT TO PENALTY BY LAW FOR DISTURBANCE TO THESE JURISDICTIONAL WETLAND AREAS WITHOUT PROPER AUTHORIZATION.

# MINOR FINAL PLAT FOR THE WILLIAM MERCER MASSENGALE DISCLAIMER BY-PASS TRUST

THIS BLOCK RESERVED FOR THE CLERK  
OF THE SUPERIOR COURT.

- LEGEND**  
 RBF=REBAR FOUND  
 RBS=REBAR SET  
 CTP=CRIMP TOP PIPE  
 L.L.=LAND LOT  
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 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



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

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

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

CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	215.60'	845.05'	14°37'04"	S 82°01'42" E	215.01'
C2	355.86'	5652.73'	3°36'25"	S 71°54'35" E	355.81'

Job No. 19-057

Drawn By: R.D.G.	Reviewed By: R.M.B.
Issue Date: 07/21/23	
F.W.P.D.: 07/06/23	
Revisions	Date
County Comments	08/21/23

PAGE 2 OF 2



Prepared For:  
  
**THE WILLIAM MERCER MASSENGALE  
DISCLAIMER BY-PASS TRUST**

**Property Location**

Land Lot 157 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

**PETITION NO: 1331-23**

**REQUESTED ACTION:** Rezone from R-40 to A-R

**PARCEL NUMBER:** 0714 036

**PROPOSED USE:** Agricultural-Residential

**EXISTING USE:** Single-Family Residential

**LOCATION:** 282 Ebenezer Road

**DISTRICT/LAND LOT(S):** 7<sup>th</sup> District, Land Lot 60

**OWNERS:** Therol R. Brown & Judy R. Brown

**AGENT:** N/A

**PLANNING COMMISSION PUBLIC HEARING:** September 7, 2023

**BOARD OF COMMISSIONERS PUBLIC HEARING:** September 28, 2023

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**APPLICANT'S INTENT**

Applicant proposes to rezone 5.42 acres from R-40 to A-R for the purposes of continuing a single-family home and accessory structures.

**STAFF RECOMMENDATION**

As defined in the Fayette County Comprehensive Plan, Low Density Residential is designated for this area, so the request for A-R zoning is appropriate. Based on the Investigation and Staff Analysis, Staff recommends **APPROVAL** of the request for a zoning of A-R, Agriculture-Residential District.

## **INVESTIGATION**

### **A. GENERAL PROPERTY INFORMATION**

The property is a legal lot of record. This property is not located in an Overlay Zone.

### **B. REZONING HISTORY:**

July 12, 1979 -- Board of Commissioners approved Petition No. 387-79 to rezone the property from A-R to R-40.

### **C. CURRENT DEVELOPMENT HISTORY:**

The property is developed as a single-family residence with standard accessory structures.

**B. SURROUNDING ZONING AND USES**

Near the subject property is land which is zoned C-H, M-1 and A-R. See the following table and the attached Zoning Map. The subject property is bounded by the following adjacent zoning districts and uses:

Direction	Acreage	Zoning	Use	Comprehensive Plan
North	~ 6.2	R-70	Single Family Residential	Rural Residential 3 – 3-acre minimum
East	5	A-R	Single Family Residential	Rural Residential 3 – 3-acre minimum
South	6.9	A-R	Single Family Residential	Rural Residential 3 – 3-acre minimum
West	18	A-R	Undeveloped forested land	Rural Residential 3 – 3-acre minimum

**C. COMPREHENSIVE PLAN**

**Future Land Use Plan:** The subject property lies within an area designated for Rural Residential 3 on the Future Land Use Plan map. This request conforms to the Fayette County Comprehensive Plan.

**D. ZONING/REGULATORY REVIEW**

**Access & Right-of Way:** The property has existing access on Ebenezer Road.

**Site Plan:** The applicant submitted a survey for the property. They do propose adding a new barn for farm equipment.

**E. DEPARTMENTAL COMMENTS**

- Water System** - FCWS has no objection to the proposed rezoning.
- Public Works** - No objections
- Environmental Management** - No objections.
  - **Floodplain Management** - The subject property **DOES NOT** contain floodplain per FEMA FIRM panel 13113C0091E dated September 26, 2008, or 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 NO** known state waters located on the subject property.
  - **Groundwater** – The property **IS NOT** within a groundwater recharge area.
  - **Stormwater Management** – There is no stormwater management facility on the parcel.
- Environmental Health Department** – This office has no objections to the proposed rezoning.
- Fire** – No objections to the requested rezoning.
- GDOT** – Not applicable, not on State Route.



## **STANDARDS**

### **Sec. 110-300. - Standards for map amendment (rezoning) evaluation.**

All proposed map amendments shall be evaluated with special emphasis being placed on the relationship of the proposal to the land use plan and related development policies of the county. The following factors shall be considered by the planning and zoning department, the planning commission and the board of commissioners when reviewing a request for rezoning:

- (1) Whether the zoning proposal is in conformity with the land use plan and policies contained therein;
- (2) Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property;
- (3) Whether the zoning proposal will result in a use which will or could cause an excessive or burdensome use of existing or planned streets, utilities, or schools;
- (4) Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the zoning proposal.

## **STAFF ANALYSIS**

1. The subject property lies within an area designated for Rural Residential Uses. This request does conform to the Fayette County Comprehensive Plan in terms of the use and proposed lot size.
2. The area around the subject property is an area that already has various residential and agricultural uses. It is staff's opinion that the zoning proposal would not adversely affect the existing or future uses of nearby properties.
3. It is staff's opinion that the zoning proposal will not have an excessive or burdensome impact on streets, utilities, or schools.
4. The proposal is consistent in character and use with the surrounding uses as agricultural and low density residential.

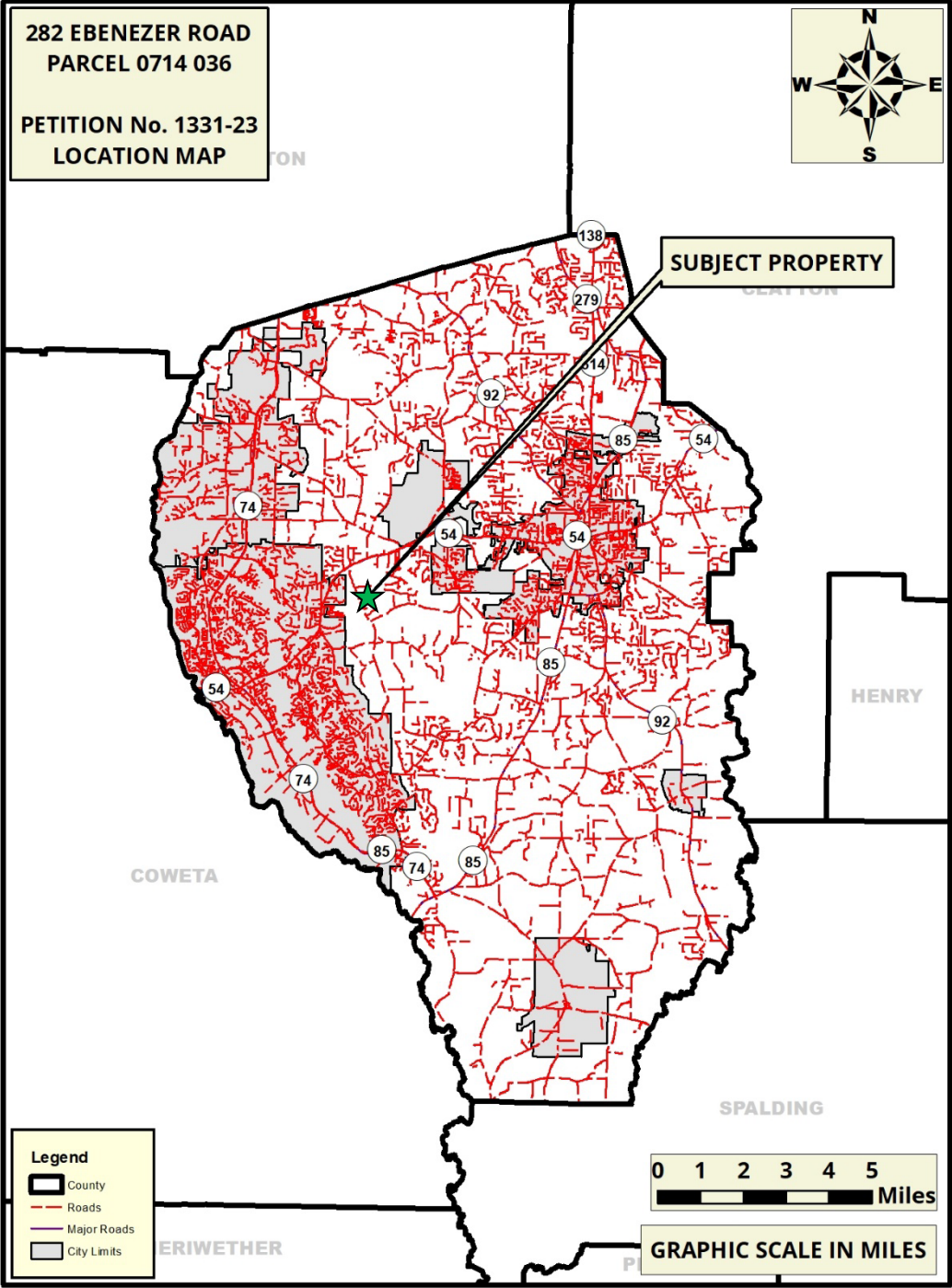
## **ZONING DISTRICT STANDARDS**

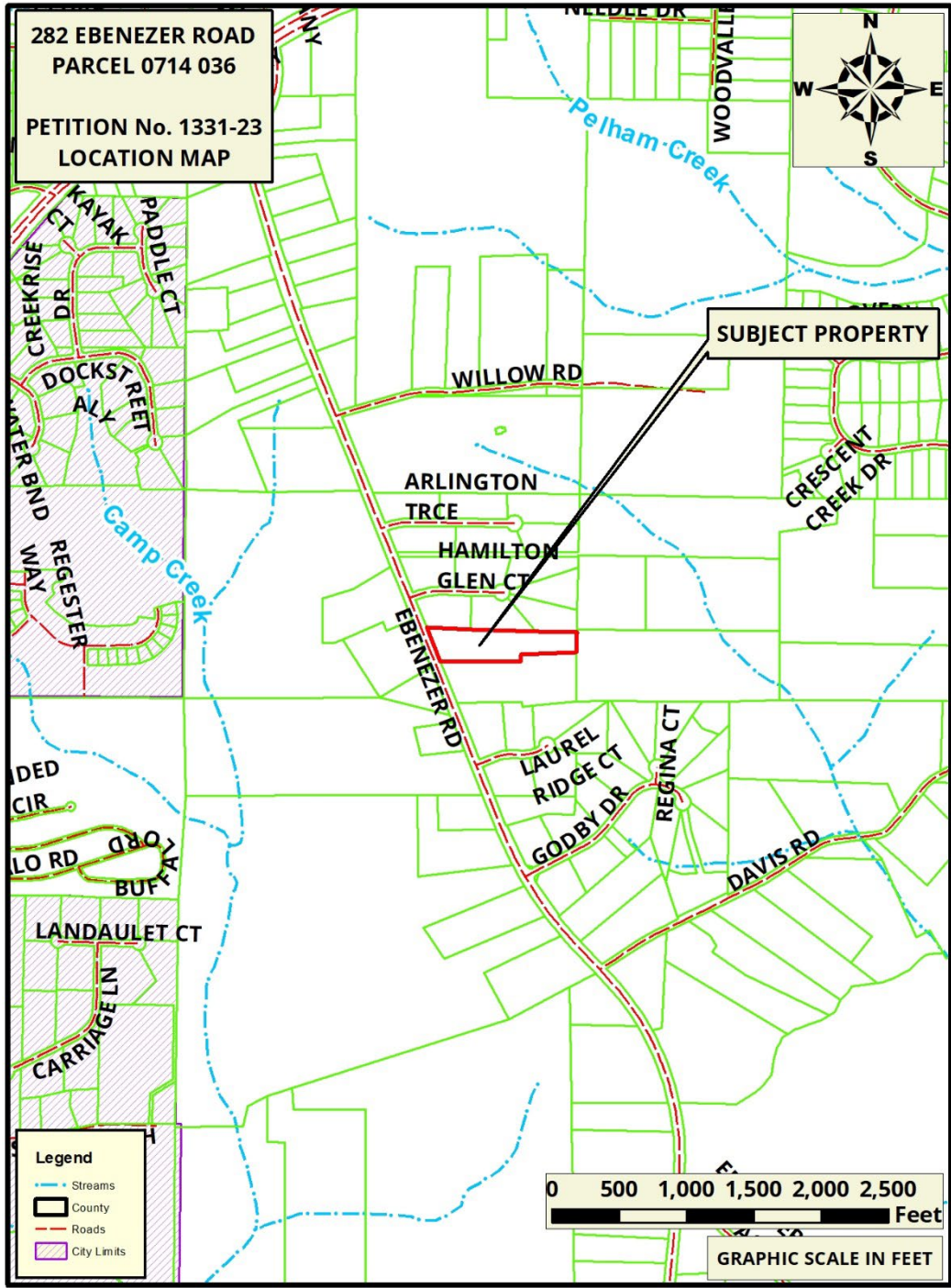
### **Sec. 110-125. A-R, Agricultural-Residential District.**

- (a) *Description of district.* This district is composed of certain lands and structures having a very low density single-family residential and agricultural character and designed to protect against the depreciating effects of small lot, residential development and those uses which are incompatible with such a residential and agricultural environment.
- (b) *Permitted uses.* The following permitted uses shall be allowed in the A-R zoning district:
- (1) Single-family dwelling;
  - (2) Residential accessory structures and uses (see article III of this chapter);
  - (3) Growing of crops and the on-premises sale of produce and agricultural products, provided 50 percent of the produce/products sold shall be grown on-premises;
  - (4) Plant nurseries and greenhouses (no sales of related garden supplies);
  - (5) Raising of livestock; aquaculture, including pay fishing; apiary (all beehives shall comply with the required setbacks); and the sale thereof; and
  - (6) One semi-trailer/box truck utilized as a farm outbuilding, provided the property is a minimum of five acres and the semi-trailer/box truck is only used to store agricultural items.
- (c) *Conditional uses.* The following conditional uses shall be allowed in the A-R zoning district provided that all conditions specified in article VII of this chapter. Conditional uses, nonconformances, transportation corridor overlay zone, and commercial development standards are met:
- (1) Aircraft landing area;
  - (2) Animal hospital, kennel or veterinary clinic;
  - (3) A-R bed and breakfast inn;
  - (4) A-R wedding/event facility;
  - (5) Cemetery;
  - (6) Church and/or other place of worship;
  - (7) Colleges and university, including, but not limited to: classrooms, administration, housing, athletic fields, gymnasium, and/or stadium;
  - (8) Commercial driving range and related accessories;
  - (9) Child care facility;
  - (10) Deer processing facility.
  - (11) Developed residential recreational/amenity areas;
  - (12) Farm outbuildings, including horse stables, auxiliary structures, and greenhouses (permanent or temporary);
  - (13) Golf course (minimum 18-hole regulation) and related accessories;
  - (14) Home occupation;
  - (15) Horse show, rodeo, carnival, and/or community fair;
  - (16) Hospital;
  - (17) Kennel (see animal hospital, kennel, and/or veterinary clinic);
  - (18) Private school, including, but not limited to: classrooms, administration, playground, housing, athletic fields, gymnasium, and stadium;
  - (19) Processing, packaging, or handling of perishable agricultural products (i.e. fruits and vegetables) which are grown on premises;

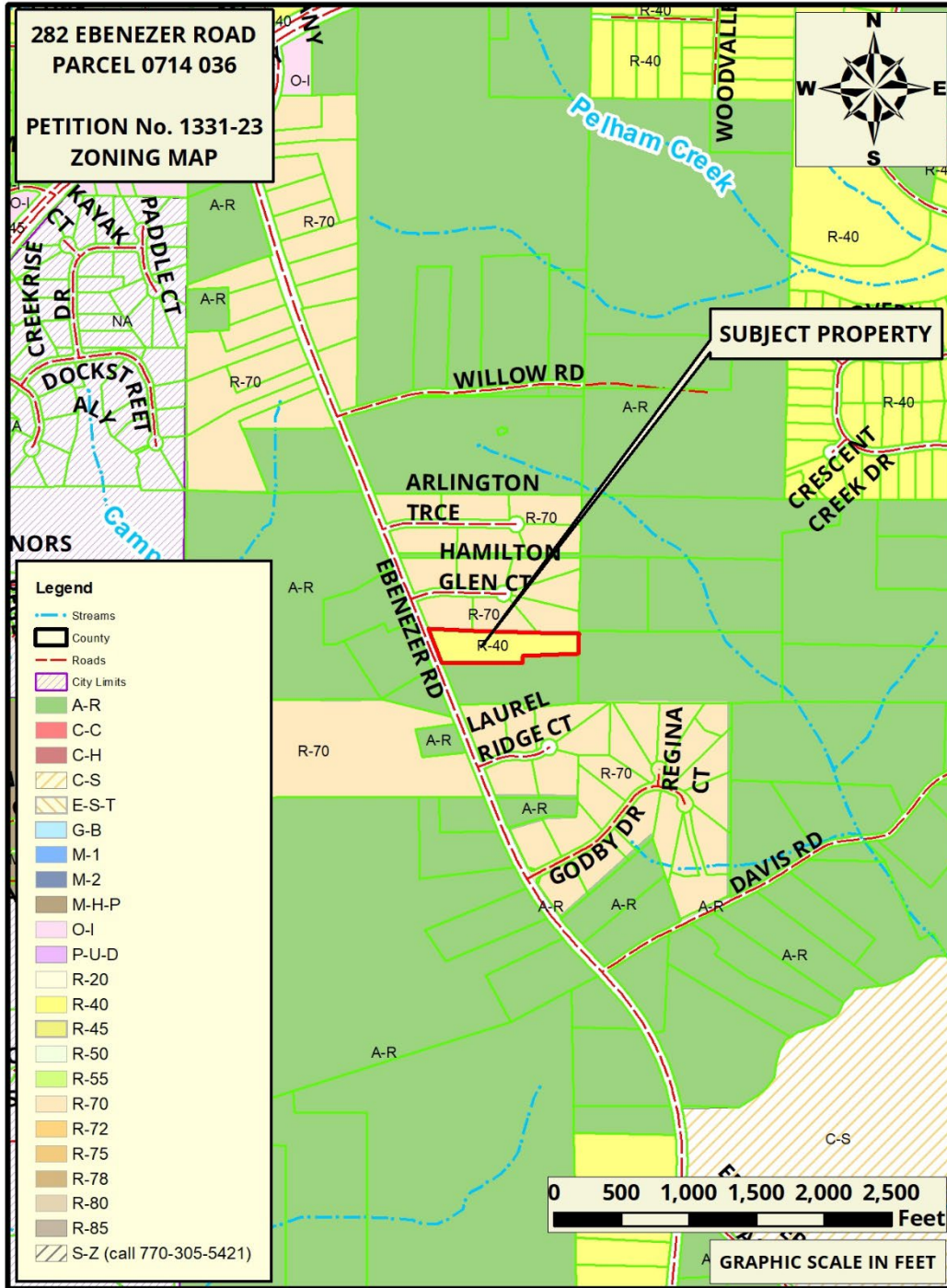
- (20) Recreation centers and similar institutions owned by nonprofit organizations as so registered with the state secretary of state office;
  - (21) Religious tent meeting; and
  - (22) Shooting range, outdoor.
- (d) *Dimensional requirements.* The minimum dimensional requirements in the A-R zoning district shall be as follows:
- (1) Lot area: 217,800 square feet (five acres).
  - (2) Lot width: 250 feet.
  - (3) Floor area: 1,200 square feet.
  - (4) Front yard setback:
    - a. Major thoroughfare:
      - 1. Arterial: 100 feet.
      - 2. Collector: 100 feet.
    - b. Minor thoroughfare: 75 feet.
  - (5) Rear yard setback: 75 feet.
  - (6) Side yard setback: 50 feet.
  - (7) a. 35 feet as defined in article III of this chapter.
    - b. The limitation on height shall not apply to agricultural structures such as storage barns, silos, or other types of structure not normally designed for human occupation except that when an agricultural structure exceeds the maximum building height the minimum distance from property lines to any building shall be increased one foot for every two feet or part thereof of building height over 35 feet.
- (e) *Special regulations.* Prior to the issuance of development and/or building permits, a site plan, as applicable, shall be submitted to the zoning administrator and approved by the appropriate county officials. This requirement shall apply to all permitted uses and conditional uses allowed in the AR zoning district except single-family dwellings; residential accessory structures; growing crops and the on-premises sale of produce at agricultural stands of 100 square feet or less of floor area; growing and seasonal sale of Christmas trees; plant nursery, landscape tree farm, or greenhouse operations existing prior to the effective date of June 26, 2003; and the raising and/or selling of livestock.

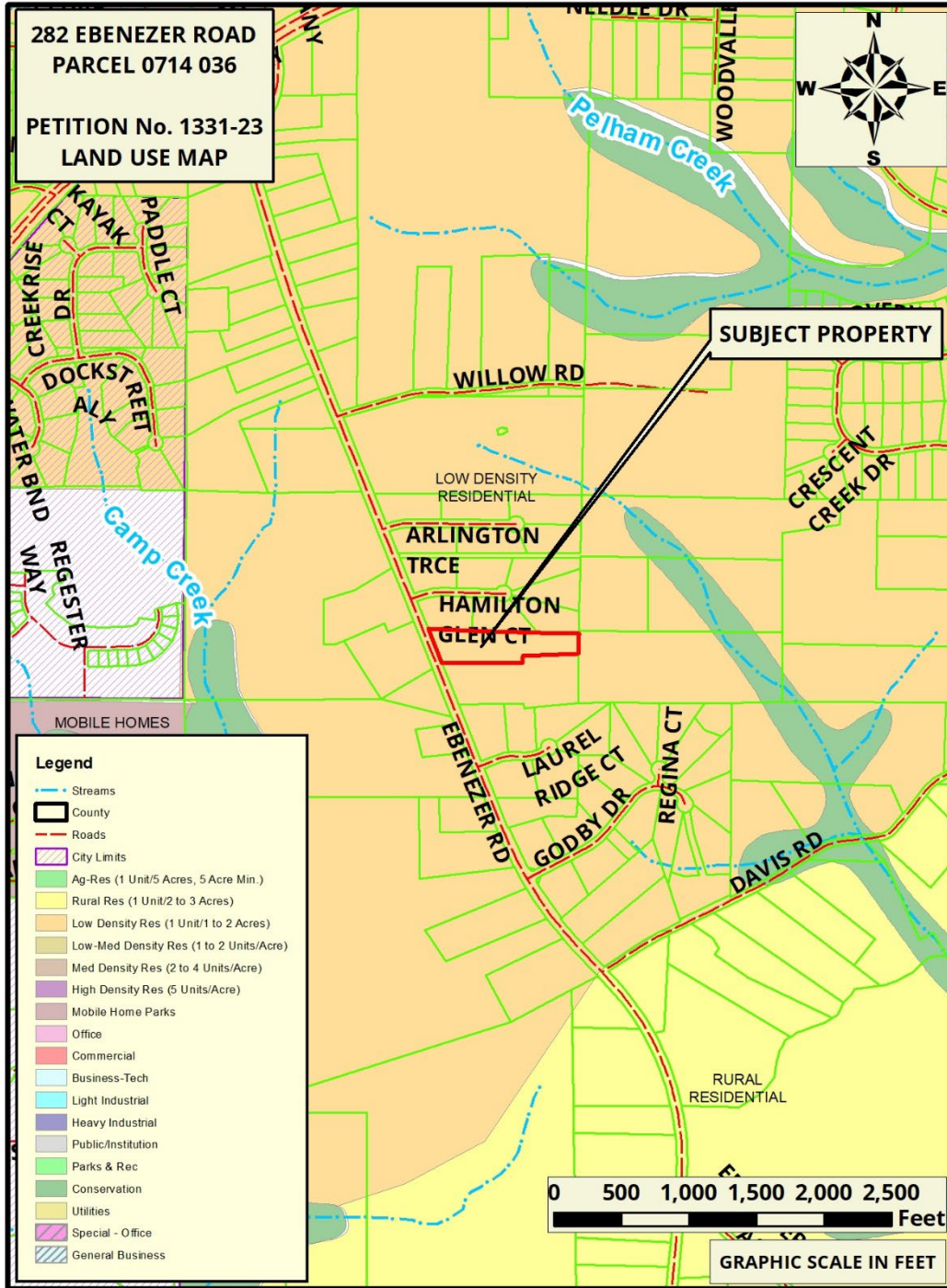
(Code 1992, § 20-6-1; Ord. of 7-28-2011; Ord. No. 2012-09, § 4, 5-24-2012; Ord. No. 2012-13, § 4, 12-13-2012; Ord. No. 2012-14, § 3, 12-13-2012; Ord. No. 2014-19, § 6,7, 12-11-2014; Ord. No. 2015-05, § 2, 3-26-2015; Ord. No. 2016-12, § 3, 7-28-2016; Ord. No. 2017-04, § 2, 3-23-2017; Ord. No. 2018-03, §§ 11, 12, 9-22-2018)



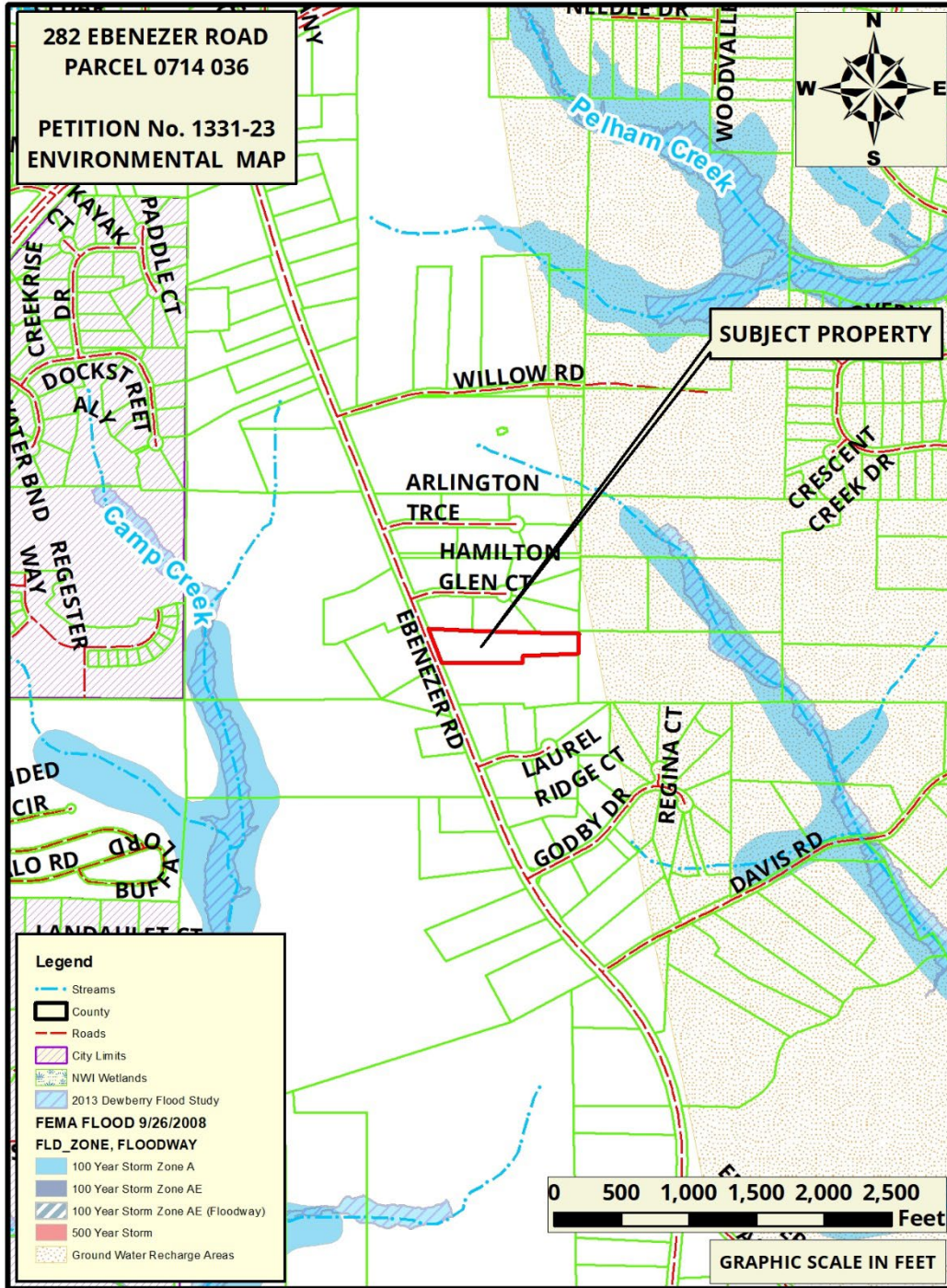




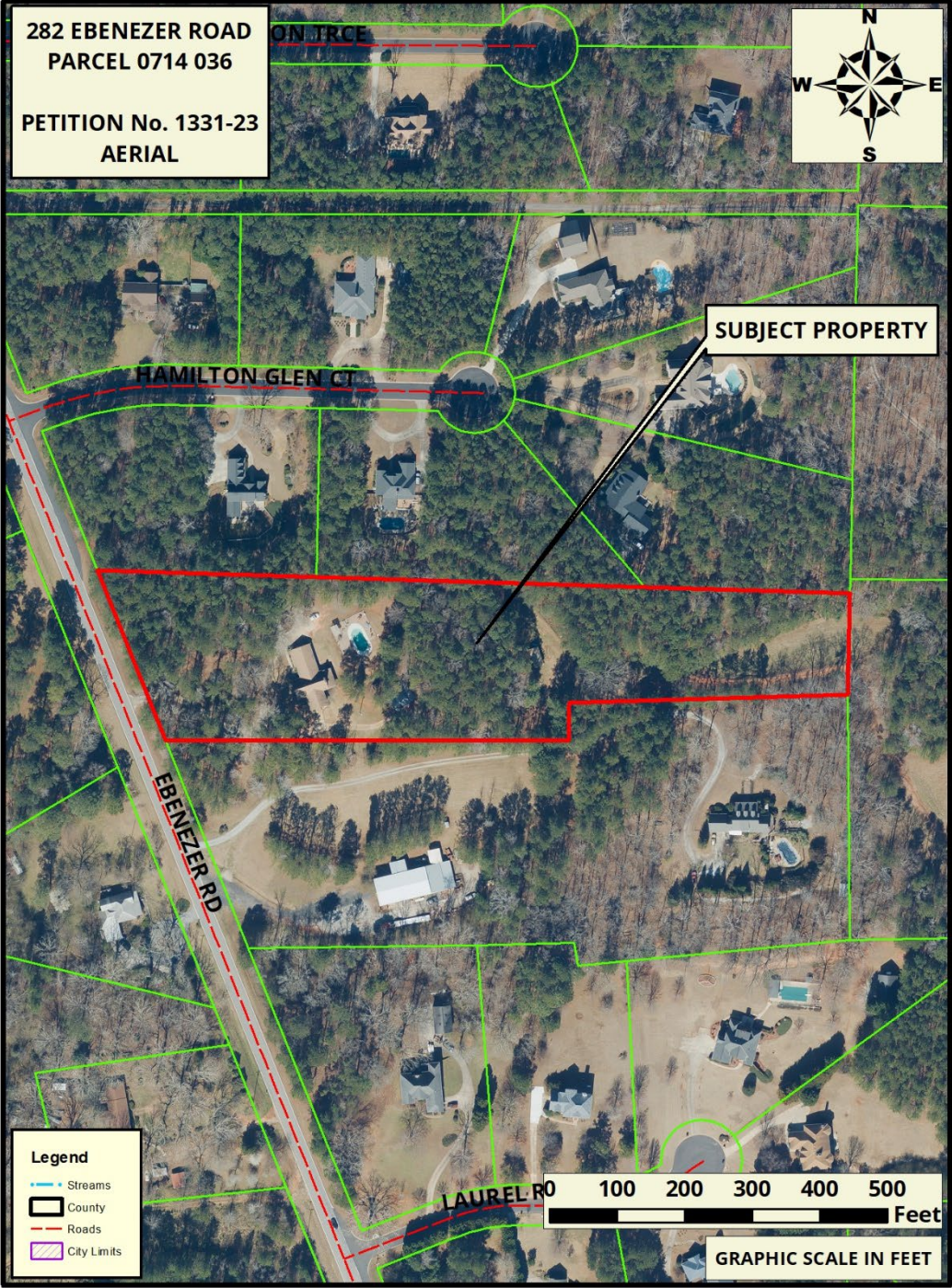


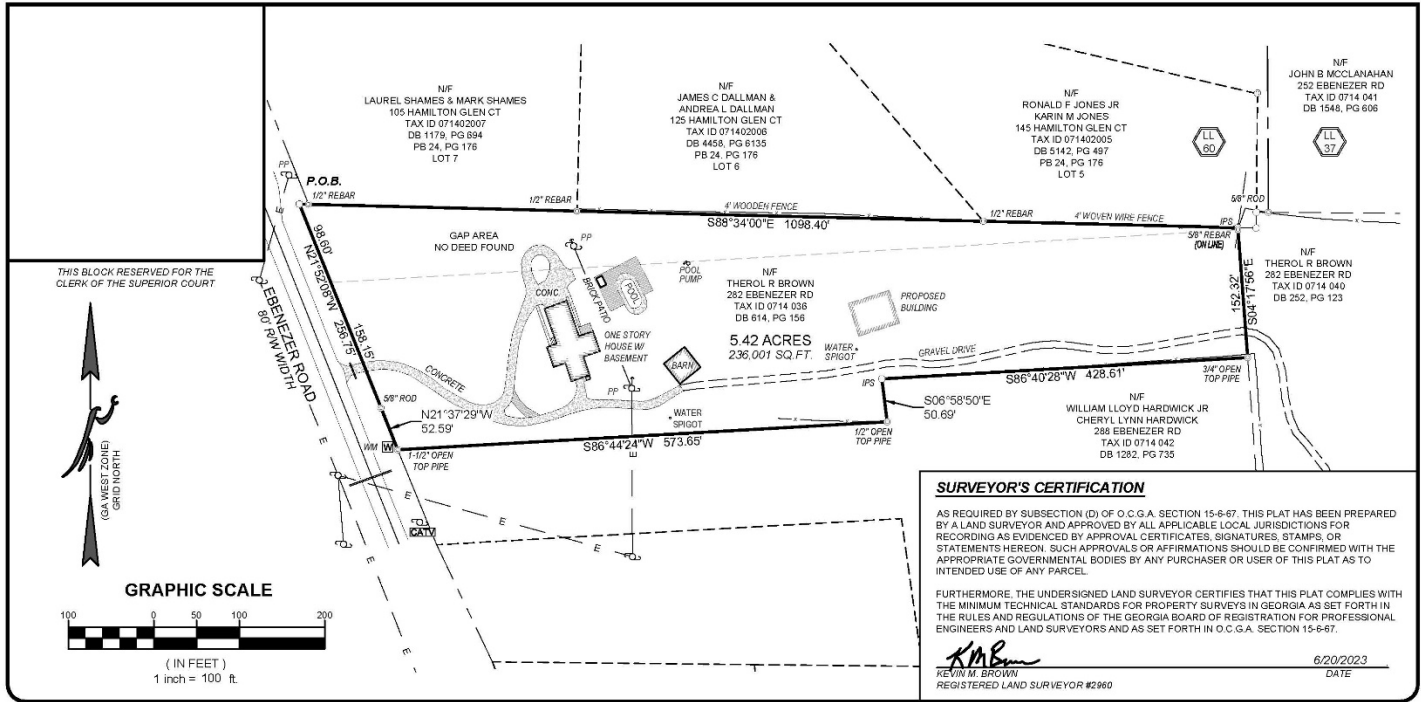












**SURVEYOR'S CERTIFICATION**

AS REQUIRED BY SUBSECTION (D) OF O.C.G.A. SECTION 15-6-67, THIS PLAT HAS BEEN PREPARED BY A LAND SURVEYOR AND APPROVED BY ALL APPLICABLE LOCAL JURISDICTIONS FOR RECORDING AS EVIDENCED BY APPROVAL CERTIFICATES, SIGNATURES, STAMPS, OR STATEMENTS HEREON. SUCH APPROVALS OR AFFIRMATIONS SHOULD BE CONFIRMED WITH THE APPROPRIATE GOVERNMENTAL BODIES BY ANY PURCHASER OR USER OF THIS PLAT AS TO INTENDED USE OF ANY PARCEL.

FURTHERMORE, THE UNDERSIGNED LAND SURVEYOR CERTIFIES THAT THIS PLAT COMPLIES WITH THE MINIMUM TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN THE RULES AND REGULATIONS OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN O.C.G.A. SECTION 15-6-67.

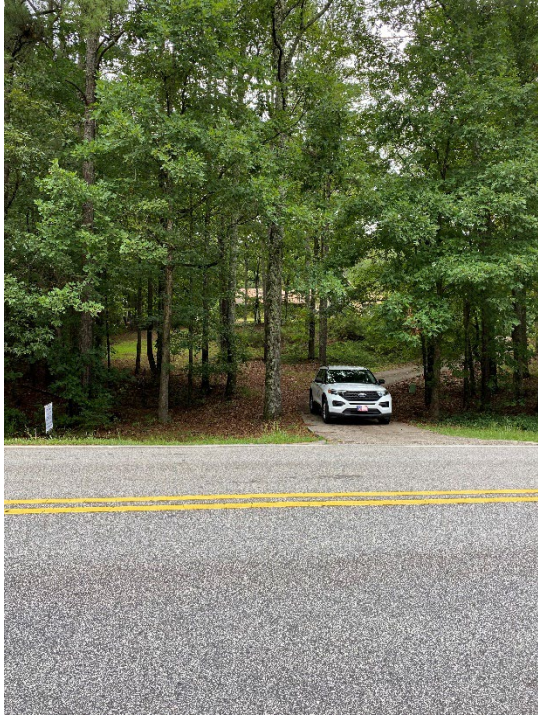
*KRB*  
 KEVIN M. BROWN  
 REGISTERED LAND SURVEYOR #2960

6/20/2023  
 DATE

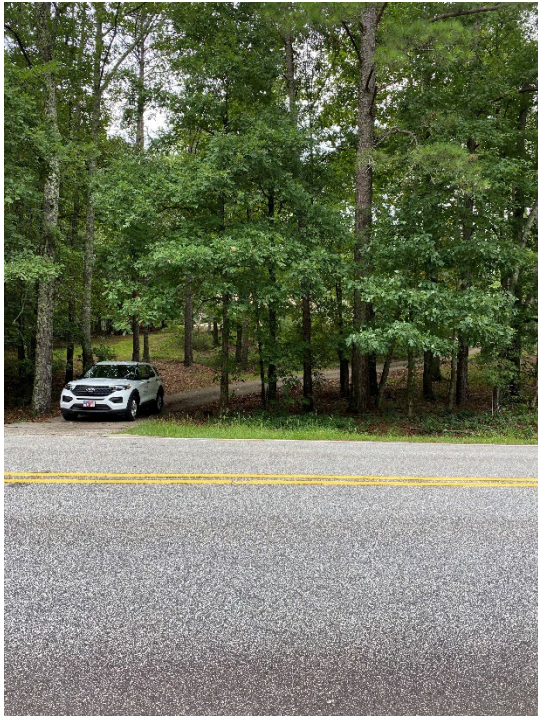
FALCON DESIGN CONSULTANTS, LLC. ALL RIGHTS ARE RESERVED. ANY POSSESSION, REPRODUCTION OR OTHER USE OF THIS DOCUMENT WITHOUT PRIOR WRITTEN PERMISSION FROM FALCON DESIGN CONSULTANTS, LLC. IS EXPRESSLY PROHIBITED.		<b>REVISIONS</b> 1. _____ 2. _____ 3. _____ 4. _____ 5. _____			<b>BOUNDARY SURVEY</b>  <b>THEROL R. BROWN</b> <b>#282 EBENEZER ROAD</b>  LOCATED IN: LAND LOT 60, 7TH DISTRICT FAYETTE COUNTY, GEORGIA		CIVIL ENGINEERING LAND PLANNING LAND SURVEYING  CONSTRUCTION MANAGEMENT LANDSCAPE ARCHITECT
SHEET NUMBER: <b>1 OF 1</b>	DATE: 06-20-2023 SCALE: 1"=100' DRAWN BY: J. ROBERTS REVIEWED BY: K. BROWN	Know what's below. <b>Call before you dig.</b> UTILITIES PROTECTION CENTER 11930 262/411 THRU-CALL AT GEORGIA OR DIAL 811					

**SURVEY**





1331-23 - 282 Ebenezer Road



1331-23 - 282 Ebenezer Road



1331-23 - 282 Ebenezer Road



1331-23 - 282 Ebenezer Road



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

PROPERTY OWNERS: THEROL R. BROWN & JUDY R. BROWN  
MAILING ADDRESS: 282 EBENEZER RD., FAYETTEVILLE, GA 30215  
PHONE: 770-630-5480 E-MAIL: therolr@bellsouth.net

AGENT FOR OWNERS: N/A

MAILING ADDRESS: \_\_\_\_\_

PHONE: \_\_\_\_\_ E-MAIL: \_\_\_\_\_

PROPERTY LOCATION: LAND LOT 60 LAND DISTRICT 7th PARCEL 0714 036  
LAND LOT \_\_\_\_\_ LAND DISTRICT \_\_\_\_\_ PARCEL \_\_\_\_\_

TOTAL NUMBER OF ACRES REQUESTED TO BE REZONED: 5.42

EXISTING ZONING DISTRICT: R-40 PROPOSED ZONING DISTRICT: A-R

ZONING OF SURROUNDING PROPERTIES: A.R. and R-70

PRESENT USE OF SUBJECT PROPERTY: Residential

PROPOSED USE OF SUBJECT PROPERTY: A-R

LAND USE PLAN DESIGNATION: Rural Residential

NAME AND TYPE OF ACCESS ROAD: EBENEZER RD.

LOCATION OF NEAREST WATER LINE: EBENEZER RD.

(THIS AREA TO BE COMPLETED BY STAFF): PETITION NUMBER: 1331-23

[ ] Application Insufficient due to lack of: \_\_\_\_\_

by Staff: \_\_\_\_\_ Date: \_\_\_\_\_

Application and all required supporting documentation is Sufficient and Complete

by Staff: [Signature] Date: JULY 12, 2023

DATE OF PLANNING COMMISSION HEARING: September 7, 2023

DATE OF COUNTY COMMISSIONERS HEARING: September 28, 2023

Received from Therol Brown a check in the amount of \$ 250.00 DMS ~~300.00~~ for application filing fee, and \$ 50.00 for deposit on frame for public hearing sign(s).

Date Paid: 7/10/2023 Receipt Number: \_\_\_\_\_

OWNER'S AFFIDAVIT

NAME: Therol R. & Judy R. Brown PETITION NUMBER: 1331-23

ADDRESS: 282 EBENEZER Rd., Fayetteville, GA 30215

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

Therol R. & Judy R. Brown affirms that <sup>we are</sup> ~~he is~~ the owner or the specifically authorized agent of the property described below. Said property is located in a(n) 7th Zoning District. ~~He/She~~ <sup>we</sup> respectfully petitions the County to rezone the property from its present classification and tenders herewith the sum of \$ \_\_\_\_\_ to cover all expenses of public hearing. ~~He/She~~ <sup>we</sup> petitions the above named to change its classification to A-R.

This property includes: (check one of the following)

[ ] See attached legal description on recorded deed for subject property or

[ ] Legal description for subject property is as follows:

PUBLIC HEARING to be held by the Planning Commission of Fayette County on the September 7 day of \_\_\_\_\_, 20 23 at 7:00 P.M.

PUBLIC HEARING to be held by the Board of Commissioners of Fayette County on the 28th day of September, 20 23 at 7:00 P.M.

SWORN TO AND SUBSCRIBED BEFORE ME THIS 10th DAY OF July, 20 23

Therol R. Brown  
SIGNATURE OF PROPERTY OWNER

Judy R. Brown  
SIGNATURE OF PROPERTY OWNER

Debra M Sims  
NOTARY PUBLIC

Deborah M Sims  
NOTARY PUBLIC  
Coweta County, GEORGIA  
My Commission Expires 01/05/2027



**AGREEMENT TO DEDICATE PROPERTY FOR FUTURE RIGHT-OF-WAY**

We, Therol R. & Judy R Brown, said property owner(s) of subject property requested to be rezoned, hereby agree to dedicate, at no cost to Fayette County, \_\_\_\_\_ feet of right-of-way along \_\_\_\_\_ as measured from the centerline of the road.

Based on the Future Thoroughfare Plan Map streets have one of the following designations and the Fayette County Development Regulations require a minimum street width as specified below:

- Local Street (Minor Thoroughfare)            60-foot right-of-way (30' measured from each side of road centerline)
- Collector Street (Major Thoroughfare)       80-foot right-of-way (40' measured from each side of road centerline)
- Arterial Street (Major Thoroughfare)       100-foot right-of-way (50' measured from each side of road centerline)

Sworn to and subscribed before me this 10th day of July, 2023.

Therol R. Brown  
SIGNATURE OF PROPERTY OWNER

Judy R. Brown  
SIGNATURE OF PROPERTY OWNER

Deborah M Sims  
NOTARY PUBLIC

Deborah M Sims  
NOTARY PUBLIC  
Coweta County, GEORGIA  
My Commission Expires 01/05/2027

**DISCLOSURE STATEMENT**

(Please check one)

Campaign contributions:

No

Yes (see attached disclosure report)

TITLE 36. LOCAL GOVERNMENT  
PROVISIONS APPLICABLE TO COUNTIES AND MUNICIPAL CORPORATIONS  
CHAPTER 67A. CONFLICT OF INTEREST IN ZONING ACTIONS

O.C.G.A. § 36-67A-3 (2011)

§ 36-67A-3. Disclosure of campaign contributions

(a) When any applicant for rezoning action has made, within two years immediately preceding the filing of that applicant's application for the rezoning action, campaign contributions aggregating \$250.00 or more to a local government official who will consider the application, it shall be the duty of the applicant to file a disclosure report with the governing authority of the respective local government showing:

(1) The name and official position of the local government official to whom the campaign contribution was made; and

(2) The dollar amount and description of each campaign contribution made by the applicant to the local government official during the two years immediately preceding the filing of the application for the rezoning action and the date of each such contribution.

(b) The disclosures required by subsection (a) of this Code section shall be filed within ten days after the application for the rezoning action is first filed.

(c) When any opponent of a rezoning action has made, within two years immediately preceding the filing of the rezoning action being opposed, campaign contributions aggregating \$250.00 or more to a local government official of the local government which will consider the application, it shall be the duty of the opponent to file a disclosure with the governing authority of the respective local government showing:

(1) The name and official position of the local government official to whom the campaign contribution was made; and

(2) The dollar amount and description of each campaign contribution made by the opponent to the local government official during the two years immediately preceding the filing of the application for the rezoning action and the date of each such contribution.

(d) The disclosure required by subsection (c) of this Code section shall be filed at least five calendar days prior to the first hearing by the local government or any of its agencies on the rezoning application.

**HISTORY:** Code 1981, § 36-67A-3, enacted by Ga. L. 1986, p. 1269, § 1; Ga. L. 1991, p. 1365, § 1; Ga. L. 1993, p. 91, § 36.



Type: WD  
Recorded: 6/23/2023 11:05:00 AM  
Fee Amt: \$25.00 Page 1 of 2  
Transfer Tax: \$0.00  
Fayette, Ga. Clerk Superior Court  
Sheila Studdard Clerk of Court

Please return to:  
Lawson, Beck & Sandlin, LLC  
1125 Commerce Drive, Suite 300  
Peachtree City, GA 30269  
File #23-LAW-HAD

Participant ID(s): 1138094925,  
7067927936

Cross Index Deed Book 204, Page 65  
Deed Book 5627 Page 230  
Deed Book 614, Page 156  
**BK 5627 PG 230 - 231**

STATE OF GEORGIA  
COUNTY OF FAYETTE

3

Draw Deed Only

**LIMITED WARRANTY DEED**

THIS INDENTURE made this 21<sup>st</sup> day of June, 2023 between **Therol R. Brown and Judy R. Brown** as party or parties of the first part, hereinafter called Grantor, and **Therol R. Brown and Judy R. Brown as Joint Tenants with Rights of Survivorship** as party or parties of the second part, hereinafter called Grantee (the words "Grantor" and "Grantee" to include their respective heirs, successors and assigns where the context requires or permits).

WITNESSETH that: Grantor, for and in consideration of the sum of TEN DOLLARS and other good and valuable consideration (\$10.00) in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, has granted, bargained, sold, aliened, conveyed and confirmed, and by these presents does grant, bargain, sell, alien, convey and confirm unto the said Grantee, the following described property:

All that tract or parcel of land situate lying and being in Land Lot 60 of the 7<sup>th</sup> Land District, Fayette County, Georgia being 5.42 acres +/- and being more particularly described as follows: Commence at a 1/2" Rebar located at the southwest corner of Lot 7 of Hamilton Glen Subdivision pursuant to Plat Book 24, Page 176, run thence along the southern line of Lot 7 of Hamilton Glen subdivision South 88 degrees 34 minutes 00 seconds East 314.08 feet to a point; run thence along the southern line of Lot 6 of Hamilton Glen subdivision South 88 degrees 34 minutes 00 seconds East 475.50 feet to a point; run thence along the southern line of Lot 5 of Hamilton Glen subdivision South 88 degrees 34 minutes 00 seconds East 308.82 feet to a 5/8" Rebar; run thence South 04 degrees 17 minutes 56 seconds East 152.32 feet to a 3/4" Open Top Pipe; run thence South 86 degrees 40 minutes 28 seconds West 428.61 feet to a point; run thence South 06 degrees 58 minutes 50 seconds East 50.69 feet to a 1/2" Open Top Pipe, run thence South 86 degrees 44 minutes 24 seconds West 573.65 feet to a 1-1/2" Open Top Pipe located on the easterly right of way of Ebenezer Road (80' R/W); run thence along said easterly right of way, North 21 degrees 37 minutes 29 seconds West 52.59 feet to a 5/8" rod; run thence along said easterly right of way, North 21 degrees 52 minutes 08 seconds West 256.75 feet to a point; thence leaving said right of way run South 88 degrees 34 minutes 00 seconds East 10.89 feet to a 1/2" Rebar and the POINT OF BEGINNING.

Said property is a combination of the property owned by Therol R. Brown and Judy R. Brown in Land Lot 60 of the 7<sup>th</sup> Land District, Fayette County, Georgia

Said property is conveyed subject to an ingress/egress easement which services the property of Therol R. Brown located in Land Lot 37 of the 7<sup>th</sup> Land District, Fayette County, Georgia records.

Subject to restrictive covenants and easements of record.

TO HAVE AND TO HOLD the said tract or parcel of land, with all and singular the rights, members and appurtenances thereof, to the same being, belonging, or in anywise appertaining, to the only proper use, benefit and behoof of the said Grantee forever in FEE SIMPLE.

AND THE SAID Grantor will warrant and forever defend the right and title to the above described property unto the said Grantee against the claims of all persons claiming by through or under Grantor.

IN WITNESS WHEREOF, Grantor has hereunto set grantor's hand and seal this first day and year first above written.

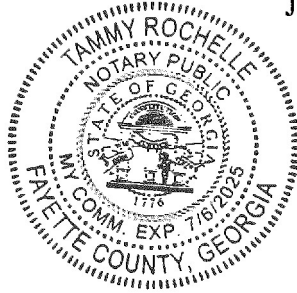
Signed, Sealed and delivered in the presence of:

Unofficial Witness

Therol R. Brown

Notary Public

Judy R. Brown



**PETITION NO: 1332-23**

**REQUESTED ACTION:** Rezone from C-S to A-R

**PARCEL NUMBER:** 0715 029

**PROPOSED USE:** Agricultural-Residential

**EXISTING USE:** Vacant, undeveloped land

**LOCATION:** 622 Ebenezer Road

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

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

**AGENT:** RODWRIGHTCORP c/o Steven L. Jones, Taylor English Duma LLP

**PLANNING COMMISSION PUBLIC HEARING:** September 7, 2023

**BOARD OF COMMISSIONERS PUBLIC HEARING:** September 28, 2023

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**APPLICANT'S INTENT:** Applicant proposes to rezone 86 acres from C-S to A-R for the purposes of developing 10 single-family homesites.

**STAFF RECOMMENDATION**

As defined in the Fayette County Comprehensive Plan, Low Density Residential is designated for this area, so the request for A-R zoning is appropriate. However, until the right-of-way is properly dedicated, Staff recommends that the rezoning request be **DENIED**.

Should the request be approved, staff recommends the following **CONDITIONS**:

1. Fayette County requires the dedication of right-of-way for the realigned Ebenezer Church Road as depicted on the 7/4/23 Rezoning Plat and totaling 2.981 acres.
2. Fayette County requires the dedication of right-of-way, as needed, to provide 50 feet of right of way as measured from the existing centerline of Ebenezer Road. Per Fayette County's Thoroughfare Plan, Ebenezer Road is a minor arterial.
3. Any land dedicated to Fayette County shall be made free and clear of structures (e.g., signs, fences, etc.), debris, and vegetation (except for ground cover) prior to conveying to Fayette County unless approved otherwise, in writing, from the County Engineer.
4. Each lot associated with the A-R zoning shall be limited to two (2) driveways. (A-R zoning does not restrict the number of agricultural driveways but staff believes it is appropriate to do so in this situation given the current C-S zoning prohibited driveways onto Ebenezer Church Road and Ebenezer Road.)
5. The remnant parcel on the southwest side of Ebenezer Bypass is a nonconforming parcel. It shall be labeled as "Not a Buildable Lot" on the final plat and designated as common area under the ownership of the subdivision's Homeowners' Association.
6. Prior to submission of a final plat(s) and irrespective of the number of lots in the plat(s), the developer shall be required to extend the water line between Ebenezer Road and Ebenezer Church Road to provide water

service for the lots. The water line extension shall be constructed to the standards outlined in Sec. 12-90. -  
Mandatory connection to public water system, including the installation of fire hydrants.



**INVESTIGATION**

**A. GENERAL PROPERTY INFORMATION**

The property is a legal lot of record. This property is not located in an Overlay Zone.

**B. REZONING HISTORY:**

January 13, 2022 -- Board of Commissioners approved Petition No. 1314-21 to rezone the property from A-R to C-S.

**C. CURRENT DEVELOPMENT HISTORY:**

The property is currently undeveloped land.

**B. SURROUNDING ZONING AND USES**

Near the subject property is land which is zoned C-H, M-1 and A-R. See the following table and the attached Zoning Map. The subject property is bounded 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) and Environmentally Sensitive Areas (floodplain). This request conforms to the Fayette County Comprehensive Plan.

**D. ZONING/REGULATORY REVIEW**

**Access & Right-of Way:** The property has existing access on Ebenezer Church Road, Ebenezer Bypass and Ebenezer Road. Please refer to Public Works notes below.

**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.

There is a remnant parcel on the southwest side of Ebenezer Bypass. In the original development plan, this was intended to be HOA-owned greenspace. It is 1.887 acres and does not meet the zoning requirements for a buildable lot in the A-R zoning district. It should be clearly designated as unbuildable and transferred to the HOA as originally proposed.

**Realignment of Ebenezer Church Road and Ebenezer Bypass:** The realignment of Ebenezer Church Road to connect to Ebenezer Road is complete. The new realignment is shown on the Development Plan.

**E. DEPARTMENTAL COMMENTS**

- Water System** - FCWS has no objection to the proposed rezoning. Water is available on the East side of Ebenezer Rd in a 16 in ductile iron water main. Water is also available on the South side of Ebenezer Church Rd in a 12 in ductile iron main.
- Public Works** notes the following should be incorporated into the conditions of zoning:
  - Fayette County requires the dedication of right-of-way for the realigned Ebenezer Church Road as depicted on the 7/4/23 Rezoning Plat and totaling 2.981 acres.
  - Fayette County requires the dedication of right-of-way, as needed, to provide 50 feet of right of way as measured from the existing centerline of Ebenezer Road. Per Fayette County’s Thoroughfare Pla, Ebenezer Road is a minor arterial.
  - Any land dedicated to Fayette County shall be made free and clear of structures (e.g., signs, fences, etc.), debris, and vegetation (except for ground cover) prior to conveying to Fayette County unless approved otherwise, in writing, from the County Engineer.
  - Each lot associated with the A-R zoning shall be limited to two (2) driveways. (A-R zoning does not restrict the number of agricultural driveways but staff believes it is appropriate to do so in this situation given the current C-S zoning prohibited driveways onto Ebenezer Church Road and Ebenezer Road.)
- Environmental Management** – No objections to the rezoning request.
  - **Floodplain Management** - The subject property **DOES** contain floodplain per FEMA FIRM panel 13113C0091E & 13113C0092E, dated September 26, 2008, and 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** known state waters located on the subject property.
  - **Groundwater** – The property **IS** within a groundwater recharge area.

- **Stormwater Management** – There is no stormwater management facility on the parcel.
- Environmental Health Department** – This office has no objections to the proposed rezoning.
- Fire** – The Fire Marshal recommends a requirement that the developer provide connections to the public water system for all lots, to include fire hydrants, in compliance with Sec. 12-90.-Mandatory connection to public water system. This will allow the residents of Sterling Ridge to have water and most importantly improve Fire EMS response.
- GDOT** – Not applicable, not on State Route.

## **STANDARDS**

### **Sec. 110-300. - Standards for map amendment (rezoning) evaluation.**

All proposed map amendments shall be evaluated with special emphasis being placed on the relationship of the proposal to the land use plan and related development policies of the county. The following factors shall be considered by the planning and zoning department, the planning commission and the board of commissioners when reviewing a request for rezoning:

- (1) Whether the zoning proposal is in conformity with the land use plan and policies contained therein;
- (2) Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property;
- (3) Whether the zoning proposal will result in a use which will or could cause an excessive or burdensome use of existing or planned streets, utilities, or schools;
- (4) Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the zoning proposal.

## **STAFF ANALYSIS**

1. The subject property lies within an area designated for Rural Residential Uses. This request does conform to the Fayette County Comprehensive Plan in terms of the use and proposed lot size.
2. The area around the subject property is an area that already has various residential and agricultural uses. It is staff's opinion that the zoning proposal would not adversely affect the existing or future uses of nearby properties.
3. It is staff's opinion that the zoning proposal will not have an excessive or burdensome impact on streets, utilities, or schools.
4. The proposal is consistent in character and use with the surrounding uses as agricultural and low density residential.



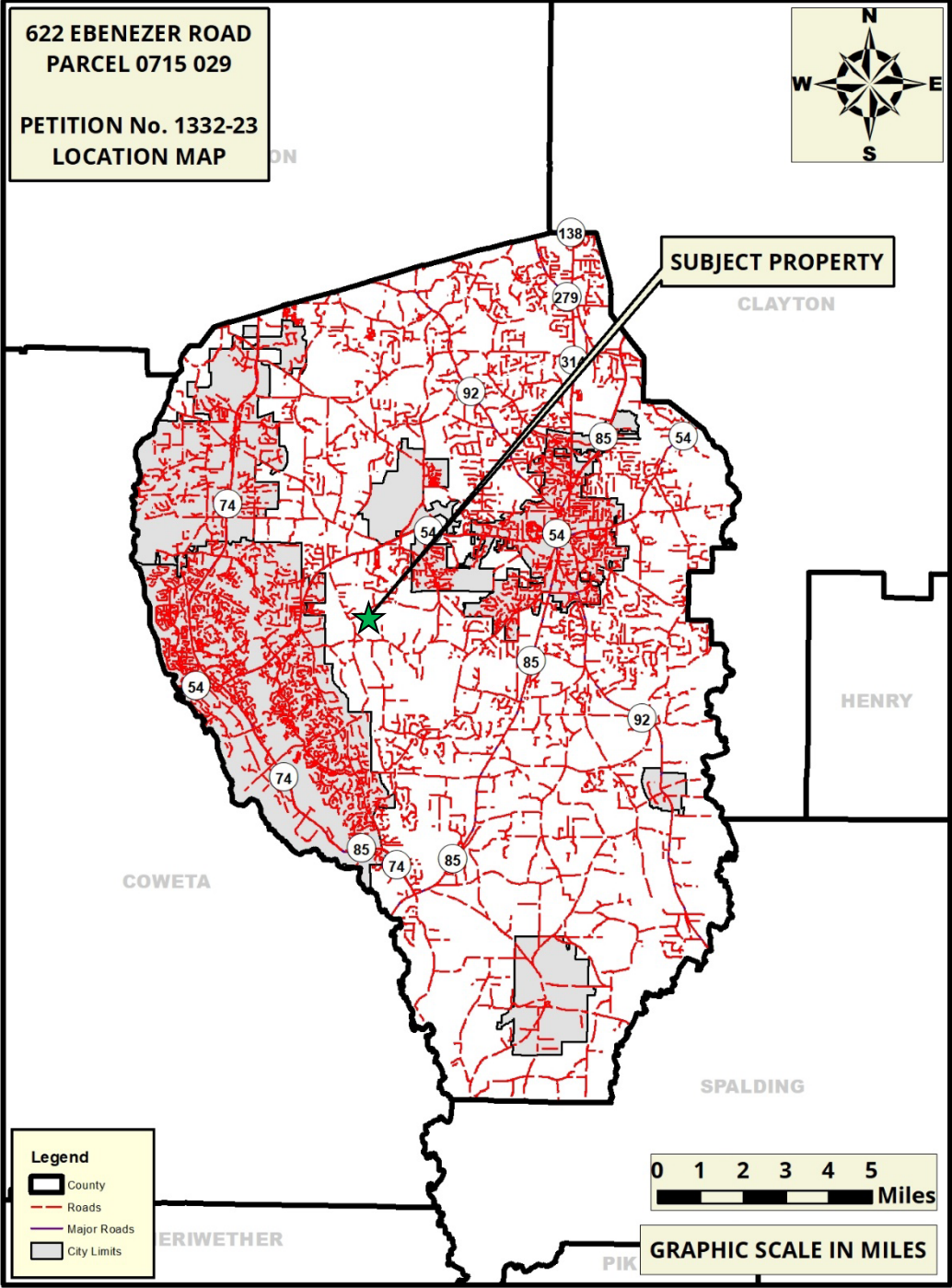
## **ZONING DISTRICT STANDARDS**

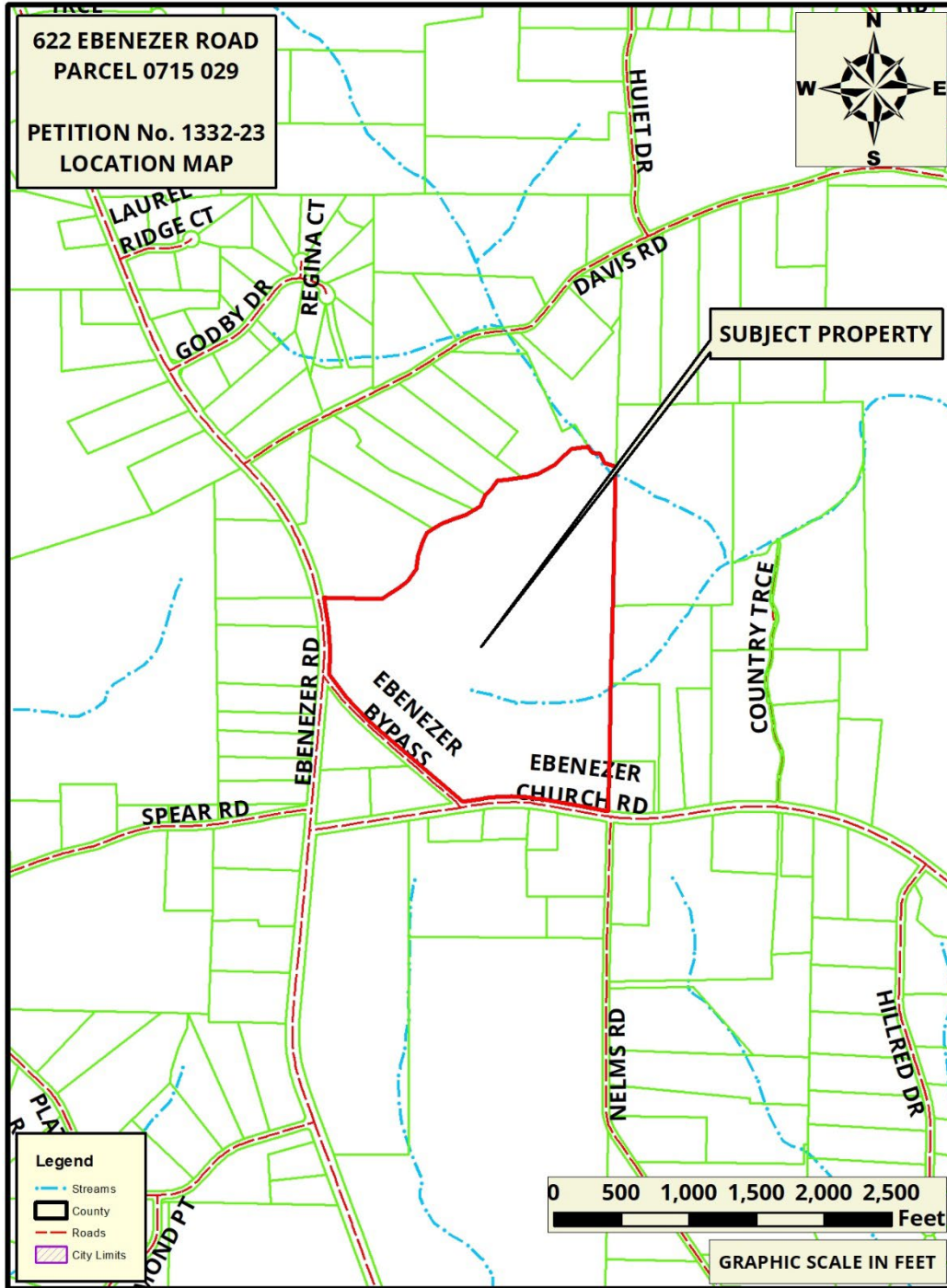
### **Sec. 110-125. A-R, Agricultural-Residential District.**

- (a) *Description of district.* This district is composed of certain lands and structures having a very low density single-family residential and agricultural character and designed to protect against the depreciating effects of small lot, residential development and those uses which are incompatible with such a residential and agricultural environment.
- (b) *Permitted uses.* The following permitted uses shall be allowed in the A-R zoning district:
- (1) Single-family dwelling;
  - (2) Residential accessory structures and uses (see article III of this chapter);
  - (3) Growing of crops and the on-premises sale of produce and agricultural products, provided 50 percent of the produce/products sold shall be grown on-premises;
  - (4) Plant nurseries and greenhouses (no sales of related garden supplies);
  - (5) Raising of livestock; aquaculture, including pay fishing; apiary (all beehives shall comply with the required setbacks); and the sale thereof; and
  - (6) One semi-trailer/box truck utilized as a farm outbuilding, provided the property is a minimum of five acres and the semi-trailer/box truck is only used to store agricultural items.
- (c) *Conditional uses.* The following conditional uses shall be allowed in the A-R zoning district provided that all conditions specified in article VII of this chapter. Conditional uses, nonconformances, transportation corridor overlay zone, and commercial development standards are met:
- (1) Aircraft landing area;
  - (2) Animal hospital, kennel or veterinary clinic;
  - (3) A-R bed and breakfast inn;
  - (4) A-R wedding/event facility;
  - (5) Cemetery;
  - (6) Church and/or other place of worship;
  - (7) Colleges and university, including, but not limited to: classrooms, administration, housing, athletic fields, gymnasium, and/or stadium;
  - (8) Commercial driving range and related accessories;
  - (9) Child care facility;
  - (10) Deer processing facility.
  - (11) Developed residential recreational/amenity areas;
  - (12) Farm outbuildings, including horse stables, auxiliary structures, and greenhouses (permanent or temporary);
  - (13) Golf course (minimum 18-hole regulation) and related accessories;
  - (14) Home occupation;
  - (15) Horse show, rodeo, carnival, and/or community fair;
  - (16) Hospital;
  - (17) Kennel (see animal hospital, kennel, and/or veterinary clinic);
  - (18) Private school, including, but not limited to: classrooms, administration, playground, housing, athletic fields, gymnasium, and stadium;
  - (19) Processing, packaging, or handling of perishable agricultural products (i.e. fruits and vegetables) which are grown on premises;

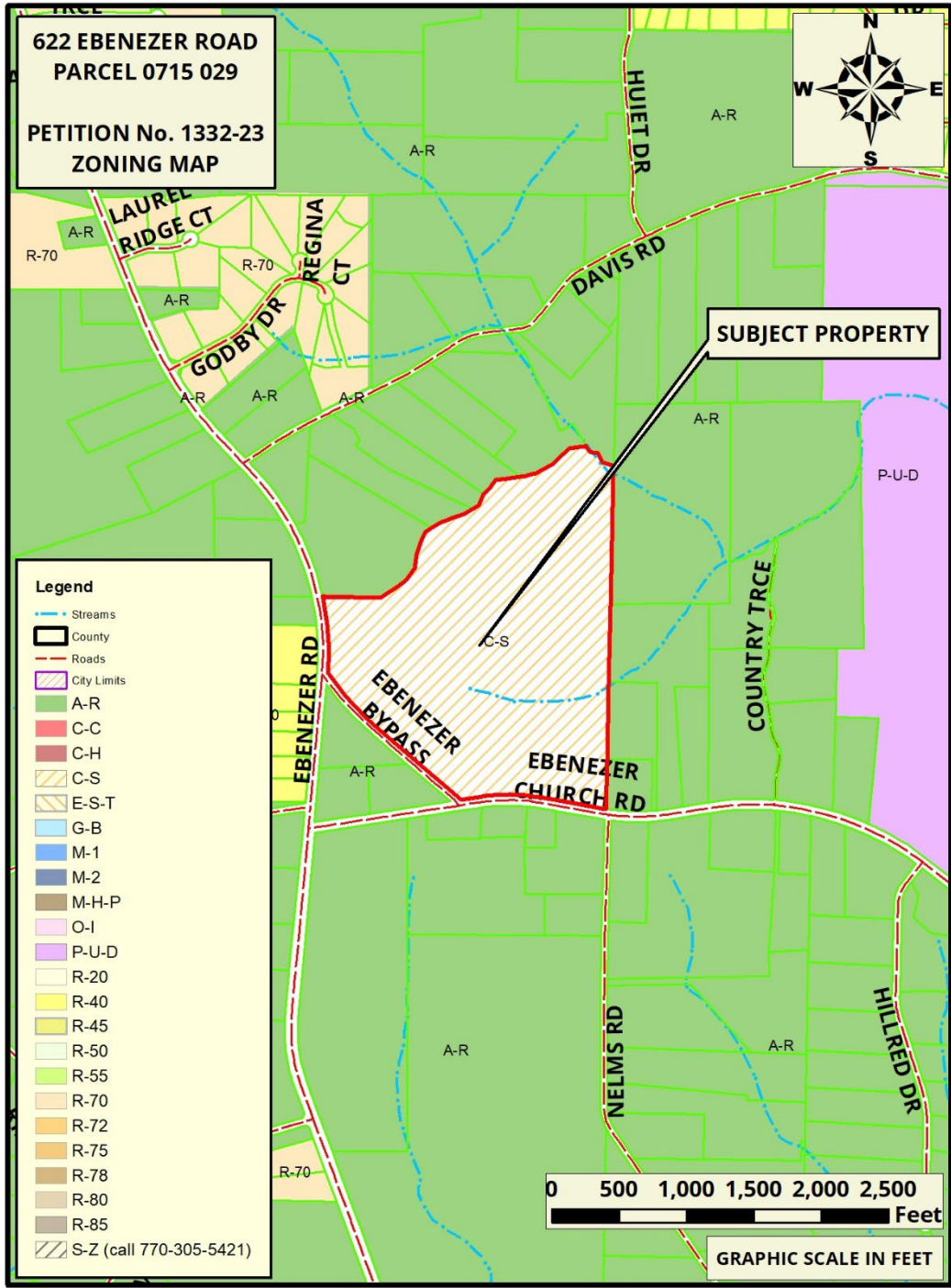
- (20) Recreation centers and similar institutions owned by nonprofit organizations as so registered with the state secretary of state office;
  - (21) Religious tent meeting; and
  - (22) Shooting range, outdoor.
- (d) *Dimensional requirements.* The minimum dimensional requirements in the A-R zoning district shall be as follows:
- (1) Lot area: 217,800 square feet (five acres).
  - (2) Lot width: 250 feet.
  - (3) Floor area: 1,200 square feet.
  - (4) Front yard setback:
    - a. Major thoroughfare:
      - 1. Arterial: 100 feet.
      - 2. Collector: 100 feet.
    - b. Minor thoroughfare: 75 feet.
  - (5) Rear yard setback: 75 feet.
  - (6) Side yard setback: 50 feet.
  - (7) a. 35 feet as defined in article III of this chapter.
    - b. The limitation on height shall not apply to agricultural structures such as storage barns, silos, or other types of structure not normally designed for human occupation except that when an agricultural structure exceeds the maximum building height the minimum distance from property lines to any building shall be increased one foot for every two feet or part thereof of building height over 35 feet.
- (e) *Special regulations.* Prior to the issuance of development and/or building permits, a site plan, as applicable, shall be submitted to the zoning administrator and approved by the appropriate county officials. This requirement shall apply to all permitted uses and conditional uses allowed in the AR zoning district except single-family dwellings; residential accessory structures; growing crops and the on-premises sale of produce at agricultural stands of 100 square feet or less of floor area; growing and seasonal sale of Christmas trees; plant nursery, landscape tree farm, or greenhouse operations existing prior to the effective date of June 26, 2003; and the raising and/or selling of livestock.

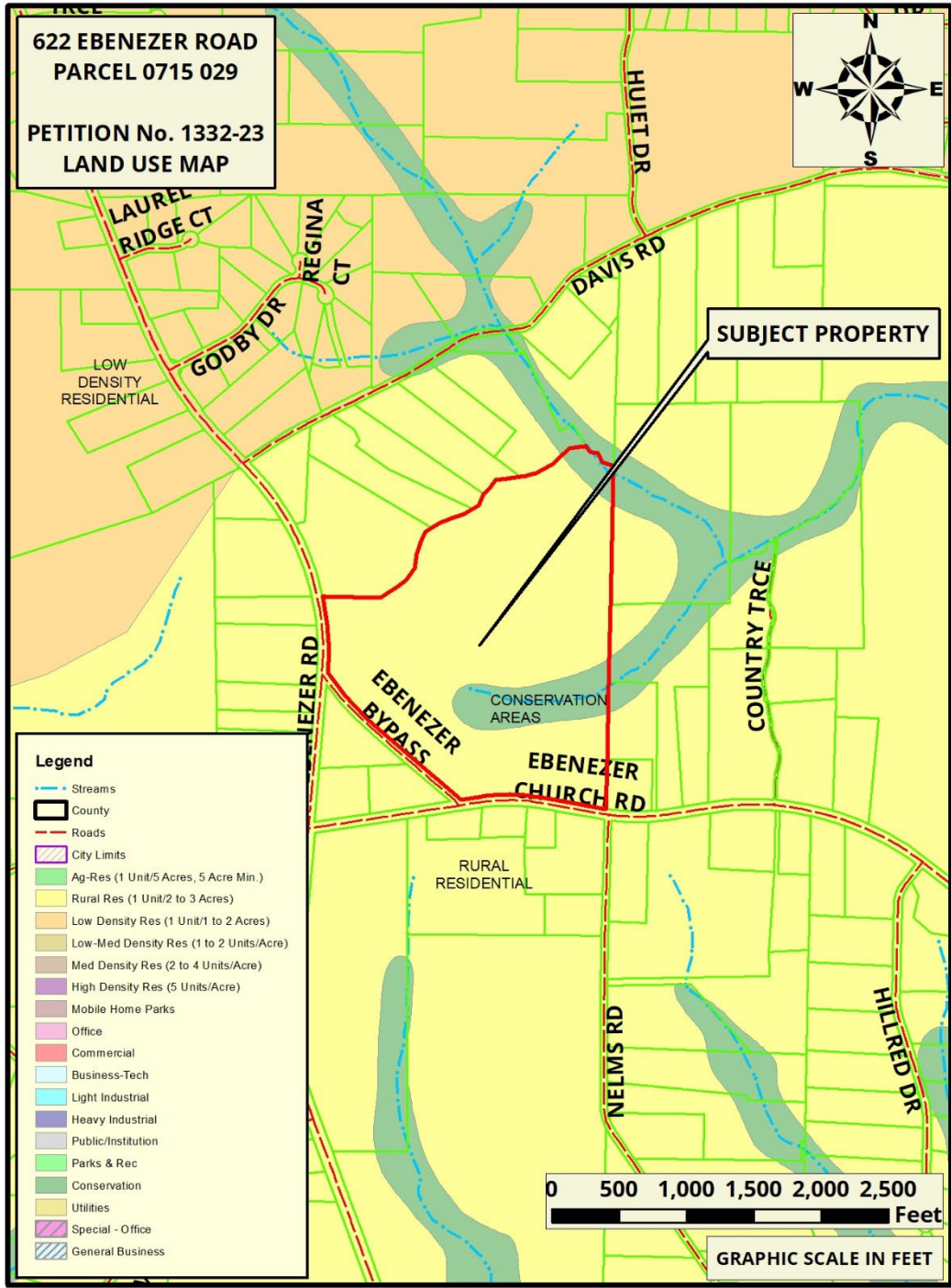
(Code 1992, § 20-6-1; Ord. of 7-28-2011; Ord. No. 2012-09, § 4, 5-24-2012; Ord. No. 2012-13, § 4, 12-13-2012; Ord. No. 2012-14, § 3, 12-13-2012; Ord. No. 2014-19, § 6,7, 12-11-2014; Ord. No. 2015-05, § 2, 3-26-2015; Ord. No. 2016-12, § 3, 7-28-2016; Ord. No. 2017-04, § 2, 3-23-2017; Ord. No. 2018-03, §§ 11, 12, 9-22-2018)



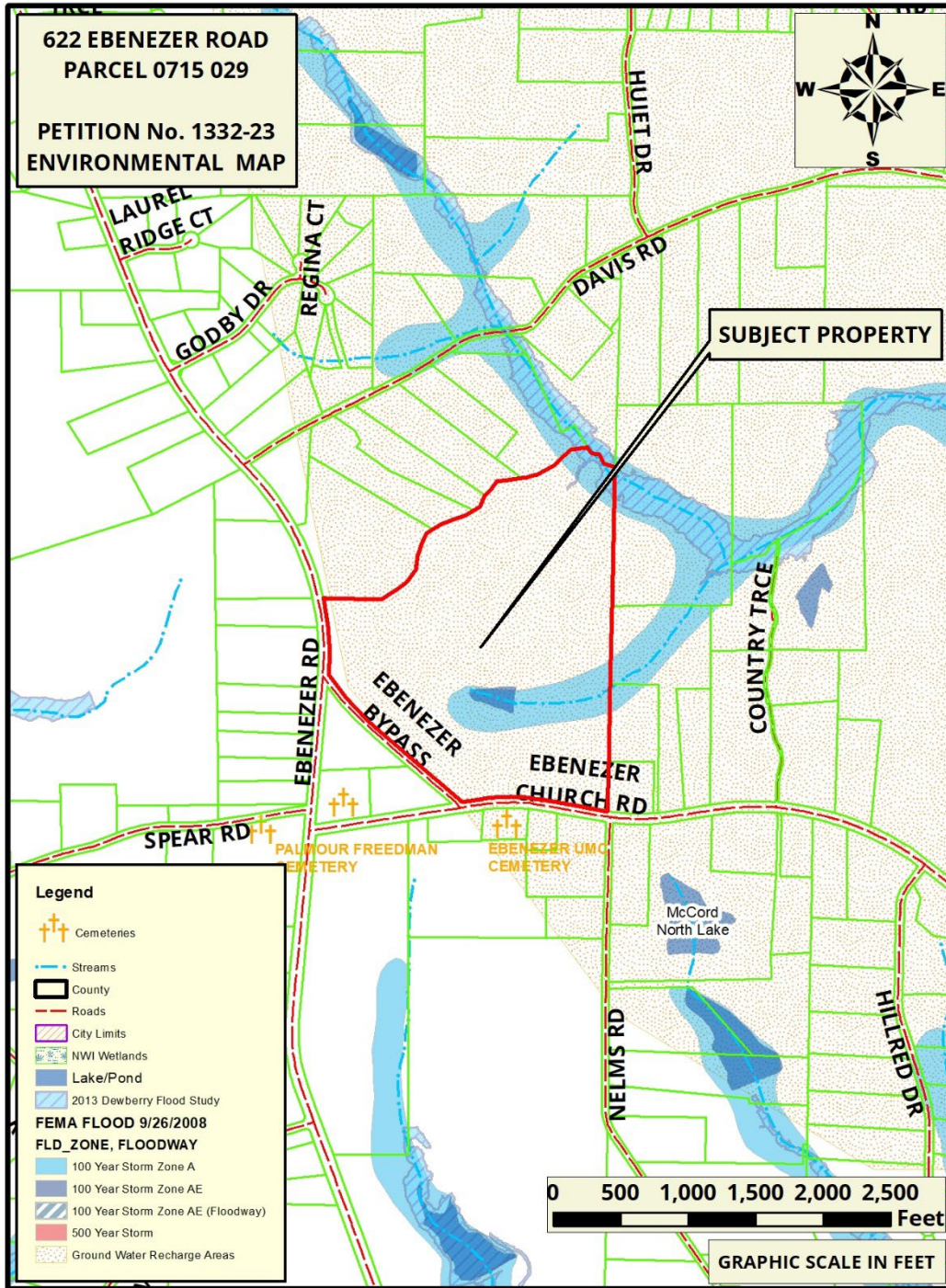




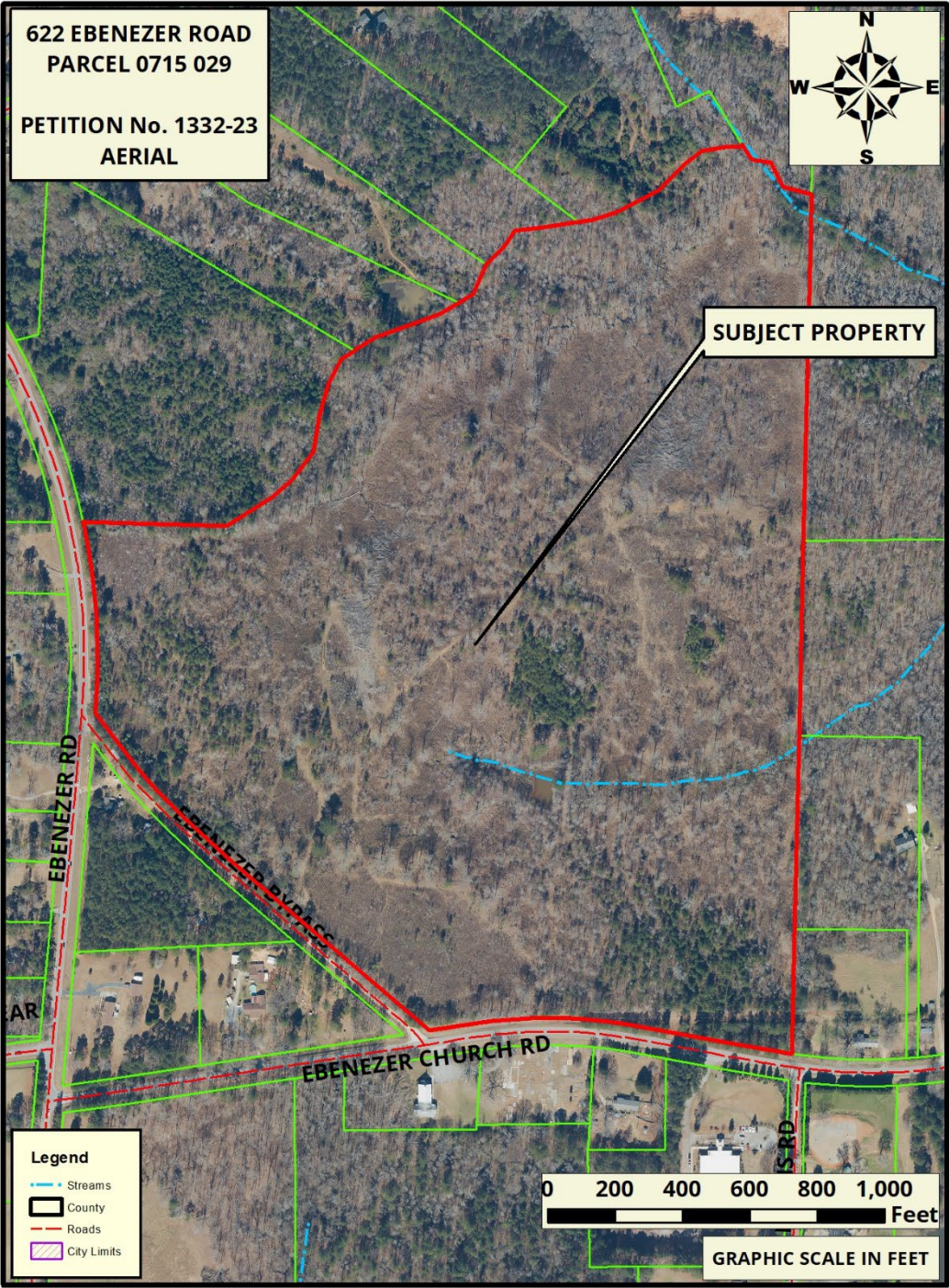




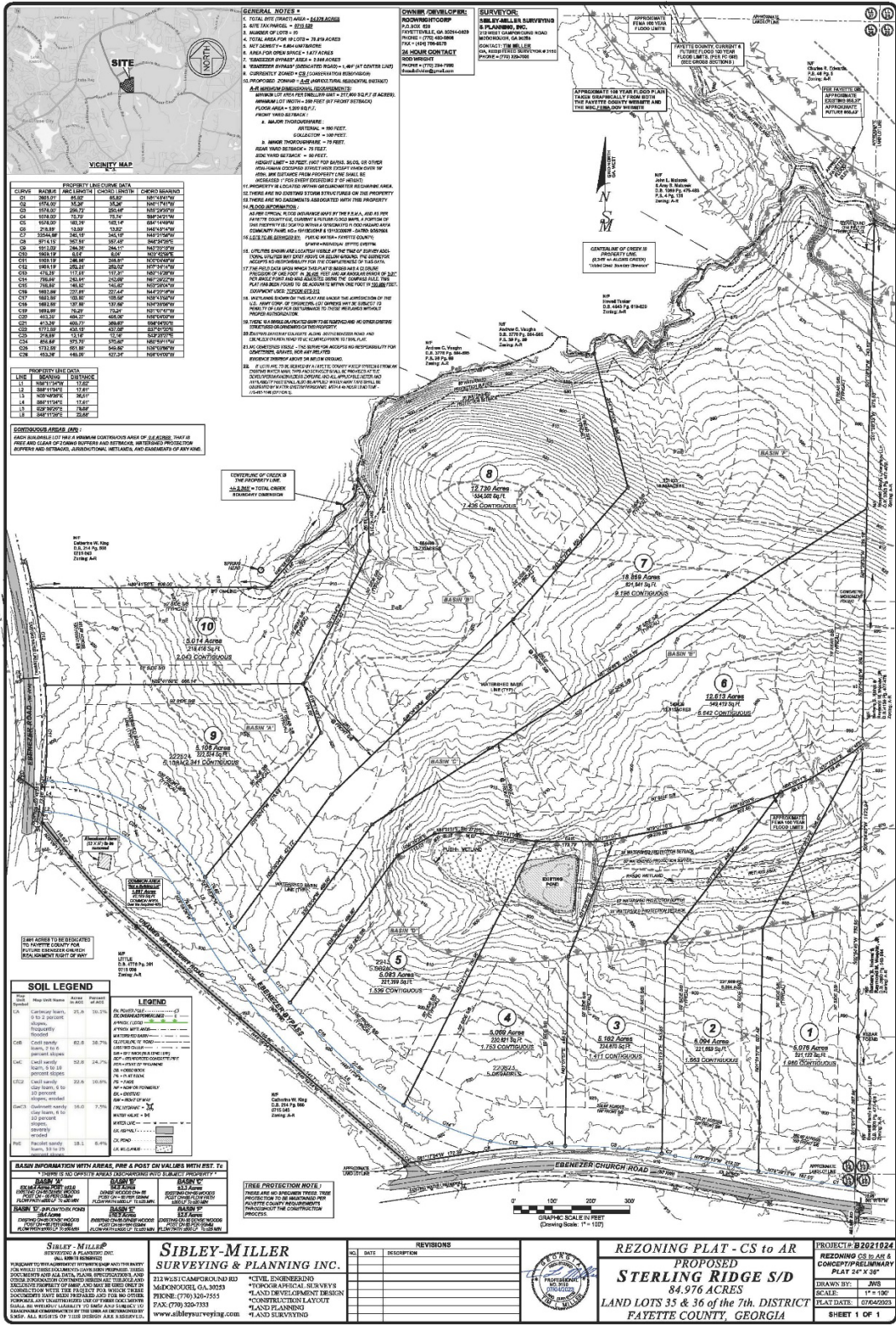












**GENERAL NOTES**

- TOTAL SITE FRACTURE AREA - 84.976 ACRES
- AREA TO BE REZONED - 84.976 ACRES
- NUMBER OF LOTS - 10
- TOTAL AREA FOR LOTS - 78.429 ACRES
- AREA FOR OPEN SPACE - 4.477 ACRES
- AREA FOR OPEN SPACE - 4.477 ACRES
- TRANSFERRED PROPERTY AREA - 2.888 ACRES
- TRANSFERRED PROPERTY AREA - 2.888 ACRES
- CURRENTLY ZONED - CS (COMMERCIAL SERVICE)
- TRANSFERRED PROPERTY AREA - 2.888 ACRES

**MINIMUM PROFESSIONAL REQUIREMENTS**

MINIMUM LOT WIDTH - 100 FEET BY FRONT SETBACK  
 FRONT YARD SETBACK - 10 FEET  
 MINIMUM FRONT SETBACK - 10 FEET  
 MINIMUM SIDE SETBACK - 10 FEET  
 MINIMUM REAR SETBACK - 10 FEET  
 MINIMUM CORNER SETBACK - 10 FEET  
 MINIMUM CORNER SETBACK - 10 FEET  
 MINIMUM CORNER SETBACK - 10 FEET

**DEVELOPER**  
 ROOMS/STREET CORP  
 1000 10TH ST  
 FAYETTEVILLE GA 30208  
 PHONE: (770) 846-1000  
 FAX: (770) 846-1000  
**SALES CONTACT**  
 SALES CONTACT  
 SALES CONTACT  
 SALES CONTACT  
 PHONE: (770) 846-1000  
 Email: info@roomsstreet.com

**SURVEYOR**  
 SIBBLEY-MILLER SURVEYING & PLANNING, INC.  
 111 WEST CAMPBELL ROAD  
 MARIETTA, GA 30067  
 CONTACT: TIM WELLS  
 SALES CONTACT: SALES CONTACT  
 PHONE: (770) 846-1000  
 Email: tim@sm-survey.com

**PROPERTY LINE CORNER DATA**

CURVE	BEARING	PLACED	CHORD	CHORD BEARING
C1	266.10'	1.10'	1.10'	181.10°W
C2	474.07'	34.37'	34.37'	181.10°W
C3	133.10'	30.67'	30.67'	181.10°W
C4	474.07'	34.37'	34.37'	181.10°W
C5	474.07'	34.37'	34.37'	181.10°W
C6	474.07'	34.37'	34.37'	181.10°W
C7	474.07'	34.37'	34.37'	181.10°W
C8	474.07'	34.37'	34.37'	181.10°W
C9	474.07'	34.37'	34.37'	181.10°W
C10	474.07'	34.37'	34.37'	181.10°W
C11	474.07'	34.37'	34.37'	181.10°W
C12	474.07'	34.37'	34.37'	181.10°W
C13	474.07'	34.37'	34.37'	181.10°W
C14	474.07'	34.37'	34.37'	181.10°W
C15	474.07'	34.37'	34.37'	181.10°W
C16	474.07'	34.37'	34.37'	181.10°W
C17	474.07'	34.37'	34.37'	181.10°W
C18	474.07'	34.37'	34.37'	181.10°W
C19	474.07'	34.37'	34.37'	181.10°W
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C49	474.07'	34.37'	34.37'	181.10°W
C50	474.07'	34.37'	34.37'	181.10°W

**CONTIGUOUS AREAS AND**

EACH SHOWN AS A MINIMUM CONTIGUOUS AREA OF 2.5 ACRES. THERE IS NO ASSUMPTION OF BOUNDARY OR SETBACKS. THESE ARE FOR INFORMATION ONLY AND DO NOT CONSTITUTE A WARRANTY OF ANY KIND.

**SOIL LEGEND**

SOIL	DESCRIPTION	PERCENT
CA	Clayey sand, 20 to 35 percent clay	35.00%
CB	Clayey sand, 35 to 50 percent clay	35.00%
CC	Clayey sand, 50 to 60 percent clay	35.00%
CD	Clayey sand, 60 to 70 percent clay	35.00%
CE	Clayey sand, 70 to 80 percent clay	35.00%
CF	Clayey sand, 80 to 90 percent clay	35.00%
CG	Clayey sand, 90 to 100 percent clay	35.00%
CH	Clayey sand, 10 to 20 percent clay	35.00%
CI	Clayey sand, 20 to 30 percent clay	35.00%
CJ	Clayey sand, 30 to 40 percent clay	35.00%
CK	Clayey sand, 40 to 50 percent clay	35.00%
CL	Clayey sand, 50 to 60 percent clay	35.00%
CM	Clayey sand, 60 to 70 percent clay	35.00%
CN	Clayey sand, 70 to 80 percent clay	35.00%
CO	Clayey sand, 80 to 90 percent clay	35.00%
CP	Clayey sand, 90 to 100 percent clay	35.00%
CQ	Clayey sand, 10 to 20 percent clay	35.00%
CR	Clayey sand, 20 to 30 percent clay	35.00%
CS	Clayey sand, 30 to 40 percent clay	35.00%
CT	Clayey sand, 40 to 50 percent clay	35.00%
CU	Clayey sand, 50 to 60 percent clay	35.00%
CV	Clayey sand, 60 to 70 percent clay	35.00%
CW	Clayey sand, 70 to 80 percent clay	35.00%
CX	Clayey sand, 80 to 90 percent clay	35.00%
CY	Clayey sand, 90 to 100 percent clay	35.00%
CZ	Clayey sand, 10 to 20 percent clay	35.00%
CA	Clayey sand, 20 to 30 percent clay	35.00%
CB	Clayey sand, 30 to 40 percent clay	35.00%
CC	Clayey sand, 40 to 50 percent clay	35.00%
CD	Clayey sand, 50 to 60 percent clay	35.00%
CE	Clayey sand, 60 to 70 percent clay	35.00%
CF	Clayey sand, 70 to 80 percent clay	35.00%
CG	Clayey sand, 80 to 90 percent clay	35.00%
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CP	Clayey sand, 80 to 90 percent clay	35.00%
CQ	Clayey sand, 90 to 100 percent clay	35.00%
CR	Clayey sand, 10 to 20 percent clay	35.00%
CS	Clayey sand, 20 to 30 percent clay	35.00%
CT	Clayey sand, 30 to 40 percent clay	35.00%
CU	Clayey sand, 40 to 50 percent clay	35.00%
CV	Clayey sand, 50 to 60 percent clay	35.00%
CW	Clayey sand, 60 to 70 percent clay	35.00%
CX	Clayey sand, 70 to 80 percent clay	35.00%
CY	Clayey sand, 80 to 90 percent clay	35.00%
CZ	Clayey sand, 90 to 100 percent clay	35.00%

**BASIN INFORMATION WITH AREAS, PRE & POST VALUES WITH EST. T<sub>10</sub>**

THIS IS NOT AN OFFICIAL RECORDING AND SHOULD NOT BE USED FOR ANY PURPOSES OTHER THAN INFORMATIONAL.

**SIBBLEY-MILLER SURVEYING & PLANNING, INC.**  
 111 WEST CAMPBELL ROAD  
 MARIETTA, GA 30067  
 PHONE: (770) 846-1000  
 FAX: (770) 846-1000  
 WWW.SIBBLEY-MILLER.COM

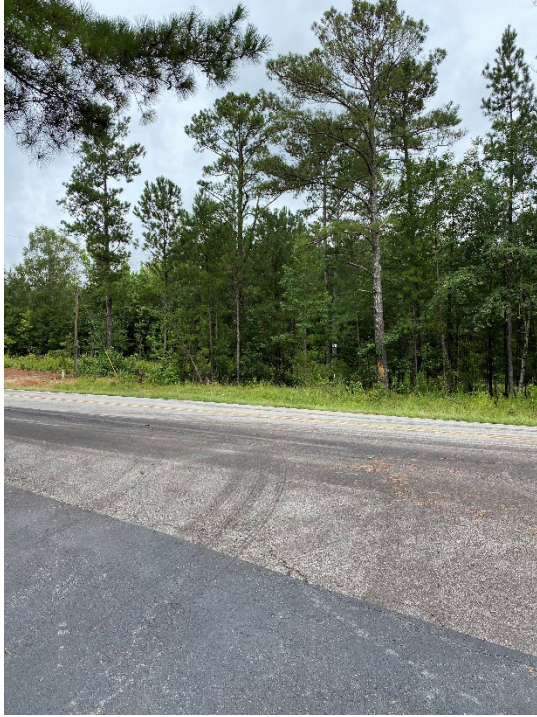
**REVISIONS**

NO.	DATE	DESCRIPTION
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**REZONE PLAT - CS to AR**  
**PROPOSED**  
**STERLING RIDGE S/D**  
 84.976 ACRES  
 LAND LOTS 35 & 36 OF THE 7th. DISTRICT  
 FAYETTE COUNTY, GEORGIA

**PROJECT # B2021024**  
 REZONING CS to AR &  
 CONCEPT/PRELIMINARY  
 PLAT 24' x 30"  
 DRAWN BY: JWS  
 SCALE: 1" = 100'  
 PLAT DATE: 07/20/2024  
 SHEET 1 OF 1

**SURVEY**



1332-23 – Parcel # 0715 029 Ebenezer Rd



1332-23 – Parcel # 0715 029 Ebenezer Bypass Road





1332-23 – Parcel # 0715 029 Ebenezer Church Rd



1332-23 – Parcel # 0715 029 Ebenezer Church Rd



1332-23 – Parcel # 0715 029 Ebenezer Road



1332-23 – Parcel # 0715 029 Ebenezer Bypass Road





1332-23 – Parcel # 0715 029 Ebenezer Church Road



1332-23 – Parcel # 0715 029 Ebenezer Church Road

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

PROPERTY INFORMATION:

Parcel No. 0715 029 Acreage: 86

Land Lot: 36 Land District: 7th

Address: 622 Ebenezer Road, Fayetteville, Georgia, 30215

Existing Zoning: C-5 Requested Zoning: A-R

Zoning of Surrounding Properties: A-R, R-40, R-72, R-70, PUD

Existing Use: Undeveloped Proposed Use: single family residential housing

Total Number of Acres Requested to be Rezoned: 86

Land Use Plan Designation: Rural Residential - 3 (1 Unit/3 Acres)

Name and Type of Access Road: Ebenzer Road, Ebenzer Bypass, Ebenezer Church Road

Location of Nearest Water Line: Ebenezer Road & Ebenezer Church Road

PROPERTY OWNDER INFORMATION

Name Wright Chancey Ebenezer Bypass, LLC

Email thesubdivider@gmail.com

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

Phone (770) 294-7990

AGENT/DEVELOPER INFORMATION

(If not owner)  
Name RODWRIGHTCORP c/o Steven L. Jones,  
Taylor English Duma LLP

Email sjones@taylorenghish.com

Address 1600 Parkwood Circle, STE 200, Atlanta GA 30339

Phone (404) 218-2756

(THIS AREA TO BE COMPLETED BY STAFF): PETITION NUMBER: 1332-23

[ ] Application Insufficient due to lack of: \_\_\_\_\_

by Staff: \_\_\_\_\_ Date: \_\_\_\_\_

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

by Staff: Debra M. Sims Date: 7/10/2023

DATE OF PLANNING COMMISSION HEARING: September 7, 2023

DATE OF COUNTY COMMISSIONERS HEARING: September 28, 2023

Received from Rodwright Corp. a check in the amount of \$ 450 ~~550.00~~ for application filing fee, and \$ 100.00 for deposit on frame for public hearing sign(s).

Date Paid: 7/10/23 Receipt Number: 018544



**PROPERTY OWNER CONSENT AND AGENT AUTHORIZATION FORM**  
*(Applications require authorization by ALL property owners of subject property).*

Name(s) of All Property Owners of Record found on the latest recorded deed for the subject property:

Wright Chancey Ebenezer Bypass, LLC

Please Print Names

Property Tax Identification Number(s) of Subject Property: 0715 029

(I am) (we are) the sole owner(s) of the above-referenced property requested to be rezoned. Subject property is located in Land Lot(s) 36 of the 7th District, and (if applicable to more than one land district) Land Lot(s) \_\_\_\_\_ of the \_\_\_\_\_ District, and said property consists of a total of 86 acres (legal description corresponding to most recent recorded plat for the subject property is attached herewith).

(I) (We) hereby delegate authority to RODWRIGHTCORP c/o Steven L. Jones, Taylor English Duma LLP to act as (my) (our) Agent in this rezoning. As Agent, they have the authority to agree to any and all conditions of zoning which may be imposed by the Board.

(I) (We) certify that all of the information filed with this application including written statements or showings made in any paper or plans submitted herewith are true and correct to the best of (my) (our) knowledge and belief. Further, (I) (We) understand that this application, attachments and fees become part of the official records of the Fayette County Zoning Department and may not be refundable. (I) (We) understand that any knowingly false information given herein by me/us will result in the denial, revocation or administrative withdrawal of the application or permit. (I) (We) further acknowledge that additional information may be required by Fayette County in order to process this application.

*Rod Wright, president, RODWRIGHTCORP*  
*MANAGER, Wright Chancey Ebenezer Bypass*  
Signature of Property Owner 1 \_\_\_\_\_ Signature of Notary Public Debra M Sims  
P.O. Box 629, Fayetteville \_\_\_\_\_  
Address 30214 Date 7/10/23

Signature of Property Owner 2 \_\_\_\_\_

Address \_\_\_\_\_

Signature of Property Owner 3 \_\_\_\_\_

Address \_\_\_\_\_

Signature of Authorized Agent \_\_\_\_\_

Address \_\_\_\_\_

Deborah M Sims  
Signature of Notary Public **NOTARY PUBLIC**  
**Coweta County, GEORGIA**  
**My Commission Expires 01/05/2027**  
Date \_\_\_\_\_

Signature of Notary Public \_\_\_\_\_

Date \_\_\_\_\_

Signature of Notary Public \_\_\_\_\_

Date \_\_\_\_\_

**OWNER'S AFFIDAVIT**

NAME: Wright Chancey Ebenezer Bypass LLC PETITION NUMBER: \_\_\_\_\_

ADDRESS: 622 Ebenezer Road, Fayetteville, Georgia, 30215

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

The above-named owners of the property \_\_\_\_\_ affirms that he is the owner or the specifically authorized agent of the property described below. Said property is located in a(n) R-80 Zoning District. He/She respectfully petitions the County to rezone the property from its present classification and tenders herewith the sum of \$ 600 to cover all expenses of public hearing. He/She petitions the above named to change its classification to A-R.

This property includes: (check one of the following)

See attached legal description on recorded deed for subject property or

Legal description for subject property is as follows:

PUBLIC HEARING to be held by the Planning Commission of Fayette County on the 7th day of September, 20 23 at 7:00 P.M.

PUBLIC HEARING to be held by the Board of Commissioners of Fayette County on the 28th day of September, 20 23 at 7:00 P.M.

SWORN TO AND SUBSCRIBED BEFORE ME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20 \_\_\_\_\_,

*Rod Wright, president ROD WRIGHT CO LTD*  
*MANAGER WRIGHT CHANCEY EBENEZER BYPASS*  
\_\_\_\_\_  
SIGNATURE OF PROPERTY OWNER

\_\_\_\_\_  
SIGNATURE OF PROPERTY OWNER

*Deborah M Sims*  
\_\_\_\_\_  
NOTARY PUBLIC

Deborah M Sims  
NOTARY PUBLIC  
Coweta County, GEORGIA  
My Commission Expires 01/05/2027



**AGREEMENT TO DEDICATE PROPERTY FOR FUTURE RIGHT-OF-WAY**

I/We, Wright Chancey Ebenezer Bypass LLC, said property owner(s) of subject property requested to be rezoned, hereby agree to dedicate, at no cost to Fayette County, 100, 80, and N/A feet of right-of-way along Ebenzer Road, Ebenezer Church Road, and Ebenzer Bypass, respectfully as measured from the centerline of the road.

Based on the Future Thoroughfare Plan Map streets have one of the following designations and the Fayette County Development Regulations require a minimum street width as specified below:

- Local Street (Minor Thoroughfare)                      60-foot right-of-way (30' measured from each side of road centerline)
- Collector Street (Major Thoroughfare)                80-foot right-of-way (40' measured from each side of road centerline)
- Arterial Street (Major Thoroughfare)                 100-foot right-of-way (50' measured from each side of road centerline)

Sworn to and subscribed before me this 10<sup>th</sup> day of July, 20 23.

*Rod Washt president, ROD WASHT COFF  
manager, WRIGHT CHANCEY, EBENEZER BYPASS.*

\_\_\_\_\_  
SIGNATURE OF PROPERTY OWNER

\_\_\_\_\_  
SIGNATURE OF PROPERTY OWNER

*Deborah M Sims*  
\_\_\_\_\_  
NOTARY PUBLIC

**Deborah M Sims  
NOTARY PUBLIC  
Coweta County, GEORGIA  
My Commission Expires 01/05/2027**

## DEVELOPMENTS OF REGIONAL IMPACT (DRI)

### Rezoning Applicant:

- A. Please review the attached "Developments of Regional Impact Tiers and Development Thresholds" established by the Georgia Department of Community Affairs (DCA) to determine if the proposed project meets or exceeds these thresholds. If the proposed project does not meet the established thresholds (is less than those listed) then skip to section C. below and complete.
- B. If the project does meet or exceed the established thresholds for the type of development proposed, the Georgia Department of Community Affairs (DCA) "Developments of Regional Impact: Request for Review Form" is available online at the following website address: [www.dca.state.ga.us/DRI/](http://www.dca.state.ga.us/DRI/).
- C. I have reviewed and understand the attached "Thresholds: Developments of Regional Impact".
- [  ] The proposed project related to this rezoning request DOES NOT meet or exceed the established DRI thresholds .
- [  ] The proposed project related to this rezoning request DOES meet or exceed the established DRI thresholds and documentation regarding the required DRI Request for Review Form is attached.

Signed this 10<sup>th</sup> day of July, 2023.

 Rod Wright, president, RODWRIGHTCOOP.  
APPLICANT'S SIGNATURE

Type: QCD  
Recorded: 6/15/2021 11:23:00 AM  
Fee Amt: \$25.00 Page 1 of 13  
Transfer Tax: \$0.00  
Fayette, Ga. Clerk Superior Court  
Sheila Studdard Clerk of Court

Please return to:  
Lawson, Beck & Sandlin, LLC  
1125 Commerce Drive, Suite 300  
Peachtree City, GA 30269  
File # 21-LAW-1324

Participant ID: 1138094925

**BK 5303 PG 706 - 718**

STATE OF GEORGIA  
COUNTY OF FAYETTE



**QUIT CLAIM DEED**

THIS INDENTURE made this 11th day of June, 2021 between

**Thomas Jesse Busey, Jr and Joan Carlton Busey**

as party or parties of the first part, hereinafter called Grantor, and

**Wright Chancey Ebenezer Bypass, LLC**

as party or parties of the second part, hereinafter called Grantee (the words "Grantor" and "Grantee" to include their respective heirs, successors and assigns where the context requires or permits).

WITNESSETH that: Grantor, for and in consideration of the sum of TEN DOLLARS and other good and valuable consideration (\$10.00) in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, has granted, bargained, sold, aliened, conveyed and confirmed, and by these presents does grant, bargain, sell, alien, convey and confirm unto the said Grantee, the following described property:

All that tract or parcel of land lying and being in Land Lot No. 36 of the 7th Land District, Fayette County, Georgia, and being more particularly described as follows:

Beginning at an iron pin on the Northerly right-of-way line of an improved Public Road known as Willow Pond Road at its point of intersection with the East land lot line of said Land Lot No. 36, and from said point of beginning running thence Westerly along the Northerly right-of-way line of said Willow Pond Road a distance of 1,154 feet to the center of an unnamed and unimproved Public Road; running thence North 49 degrees 24 minutes West along the center of said road a distance of 1,115 feet; continuing thence North 37 degrees 24 minutes West along the center of said Public Road a distance of 200 feet to the Easterly right-of-way line of an improved Public Road known as Ebenezer Road; running thence Northerly along the Easterly right-of-way line of said Ebenezer Road a distance of 594 feet to an iron pin; running thence North 89 degrees 30 minutes East a distance of 609.5 feet to an iron pin; running thence North 40 degrees East a distance of 159 feet to a stream or branch; running thence in a Northeasterly and Easterly direction along the center of said stream or branch and following the meanderings thereof a distance of 1,820 feet, more or less, to its point of intersection with another stream or branch, which is the dividing line between the lands herein described and the Lands of L.V. Fincher; running thence Southeasterly along the center of said stream or branch and the line of said Fincher lands a distance of 233 feet, more or less, to the point of its intersection with the East land lot line of said Land Lot No. 36; running thence South 0 degrees 25 minutes East along said land lot line a distance of 2,524 feet to the point of beginning, and containing 86 acres of land, more or less, according to plat of survey by C.E. Lee, Surveyor, dated March 26, 1868.

Said lands bounded as follows: North by lands of Whitlock, by Davis Lands, and Lands of L.V. Fincher; East by Fincher Lands, Lands of Redwine, and Lands of H.H. Nelms; South by Willow Pont Road and other Lands of Floyd Landrum; West by other Lands of Floyd Landrum and Ebenezer Road.

Less and Except:



That certain tract or parcel of land conveyed from T. J. Busey to Fayette County by virtue of that certain Right-of-Way Deed recorded at Deed Book 103, Page 356, Fayette County, Georgia Records.

Subject to restrictive covenants and easements of record.

**The purpose of this quitclaim deed is to release the above-described property from the Grantors Life Estate**

TO HAVE AND TO HOLD the said described premises to grantee, so that neither grantor nor any person or persons claiming under grantor shall at any time, by any means or ways, have, claim or demand any right or title to said premises or appurtenances, or any rights thereof.

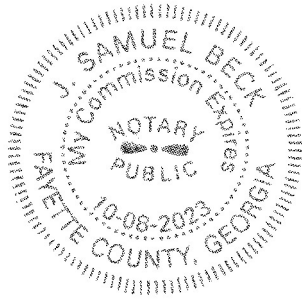
IN WITNESS WHEREOF, Grantor has signed and sealed this deed, the day and year first above written

Signed, Sealed and delivered in the presence of:

\_\_\_\_\_  
Unofficial Witness

\_\_\_\_\_  
Notary Public

*Thomas Jesse Busey Jr. by*  
*Thomas Jesse Busey, III as Attorney*  
Thomas Jesse Busey, Jr by Thomas Jesse Busey, III as *in Fact*  
Attorney in Fact  
*Jean Carlton Busey by*  
*Thomas Jesse Busey, III as Attorney*  
Joan Carlton Busey by Thomas Jesse Busey, III as Attorney *in Fact*  
in Fact



**EXHIBIT "A"**  
**LEGAL DESCRIPTION**

All that tract or parcel of land lying and being in Land Lot No. 36 of the 7th Land District, Fayette County, Georgia, and being more particularly described as follows:

Beginning at an iron pin on the Northerly right-of-way line of an improved Public Road known as Willow Pond Road at its point of intersection with the East land lot line of said Land Lot No. 36, and from said point of beginning running thence Westerly along the Northerly right-of-way line of said Willow Pond Road a distance of 1,154 feet to the center of an unnamed and unimproved Public Road; running thence North 49 degrees 24 minutes West along the center of said road a distance of 1,115 feet; continuing thence North 37 degrees 24 minutes West along the center of said Public Road a distance of 200 feet to the Easterly right-of-way line of an improved Public Road known as Ebenezer Road; running thence Northerly along the Easterly right-of-way line of said Ebenezer Road a distance of 594 feet to an iron pin; running thence North 89 degrees 30 minutes East a distance of 609.5 feet to an iron pin; running thence North 40 degrees East a distance of 159 feet to a stream or branch; running thence in a Northeasterly and Easterly direction along the center of said stream or branch and following the meanderings thereof a distance of 1,820 feet, more or less, to its point of intersection with another stream or branch, which is the dividing line between the lands herein described and the Lands of L.V. Fincher; running thence Southeasterly along the center of said stream or branch and the line of said Fincher lands a distance of 233 feet, more or less, to the point of its intersection with the East land lot line of said Land Lot No. 36; running thence South 0 degrees 25 minutes East along said land lot line a distance of 2,524 feet to the point of beginning, and containing 86 acres of land, more or less, according to plat of survey by C.E. Lee, Surveyor, dated March 26, 1868.

Said lands bounded as follows: North by lands of Whitlock, by Davis Lands, and Lands of L.V. Fincher; East by Fincher Lands, Lands of Redwine, and Lands of H.H. Nelms; South by Willow Pont Road and other Lands of Floyd Landrum; West by other Lands of Floyd Landrum and Ebenezer Road.

Less and Except:

That certain tract or parcel of land conveyed from T. J. Busey to Fayette County by virtue of that certain Right-of-Way Deed recorded at Deed Book 103, Page 356, Fayette County, Georgia Records.

1 State of Georgia

2 County of Fayette

3 DURABLE POWER OF ATTORNEY

4 Know all men by these presents that I, **Joan Carlton Busey**, of Fayette County, Georgia, do  
5 hereby name, constitute and appoint **Thomas Jesse Busey, III** as my true and lawful attorney-in-fact  
6 (hereinafter referred to as my "Agent"), to act for me, and in my name, place and stead in any way  
7 which I, myself, could act if I were personally present, to do any and all of the following acts or  
8 things on my behalf, at any time, and from time to time so long as this power of attorney continues.

9 In the event that my said Agent shall be unable or fail to act or continue as my Agent, I hereby  
10 constitute and appoint **Ann Marie Busey** to act for me, and in my name, place and stead in any way  
11 which I, myself, could act if I were personally present, to do any and all of the following acts or  
12 things on my behalf, at any time, and from time to time so long as this power of attorney continues.

13 In the event that **Ann Marie Busey** shall also be unable or fail to act or continue as my Agent, I  
14 hereby constitute and appoint **Michael Lee Thomas** to act for me, and in my name, place and stead  
15 in any way which I, myself, could act if I were personally present, to do any and all of the following  
16 acts or things on my behalf, at any time, and from time to time so long as this power of attorney  
17 continues.

18  
19 **1. Bank and Credit Union Transactions:** To make, receive, sign, endorse, execute,  
20 acknowledge, deliver, and possess checks, drafts, bills of exchange, letters of credit, notes, stock  
21 certificates, withdrawal receipts and deposit instruments relating to accounts or deposits in, or  
22 certificates of deposit of banks, savings and loans, credit unions, or other institutions or associations.

23  
24 **2. Payment Transactions:** To pay all sums of money, at any time or times, that may  
25 hereafter be owing by me upon any account, bill or exchange, check, draft, purchase, contract, note,  
26 or trade acceptance made, executed, endorsed, accepted, and delivered by me or for me in my name,  
27 by my Agent.

28  
Initials: JCB TD & TR



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**3. Real Property Transactions:** To lease, sell, gift, mortgage, purchase, exchange, and acquire, and to agree, bargain, and contract for the lease, sale, purchase, exchange, and acquisition of, and to accept, take, receive, and possess any interest in real property whatsoever, on such terms and conditions, and under such covenants, as my Agent shall deem proper; and to maintain, repair, tear down, alter, rebuild, improve, manage, insure, move, rent, lease, sell, convey, subject to liens, mortgages, and security deeds, and in any way or manner deal with all or any part of any interest in real property whatsoever, including specifically, but without limitation, real property lying and being situate in the State of Georgia, under such terms and conditions, and under such covenants, as my Agent shall deem proper and may for all deferred payments accept purchase money notes payable to me and secured by mortgages or deeds to secure debt, and may from time to time collect and cancel any of said notes, mortgages, security interests, or deeds to secure debt.

**4. Personal Property Transactions:** To lease, sell, gift, mortgage, purchase, exchange, and acquire, and to agree, bargain, and contract for the lease, sale, purchase, exchange, and acquisition of, and to accept, take, receive, and possess any personal property whatsoever, tangible or intangible, or interest thereto, on such terms and conditions, and under such covenants, as my Agent shall deem proper; and to maintain, repair, improve, manage, insure, rent, lease, sell, convey, subject to liens or mortgages, or to take any other security interests in said property which are recognized under the Uniform Commercial Code as adopted at that time under the laws of Georgia or any applicable state, or otherwise hypothecate, and in any way or manner deal with all or any part of any real or personal property whatsoever, tangible or intangible, or any interest therein, that I own at the time of execution or may thereafter acquire, under such terms and conditions, and under such covenants, as my Agent shall deem proper.

**5. Stock and Bond Transactions:** To purchase, sell, exchange, gift, surrender, assign, redeem, vote at any meeting, or otherwise transfer any and all shares of stock, bonds, or other securities in any business, association, corporation, partnership, or other legal entity, whether private or public, now or hereafter belonging to me.

Initials: JCB PD sk

1           **6. Safe Deposits:** To have free access at any time or times to any safe deposit box or vault  
2 to which I might have access.

3  
4           **7. Borrowing:** To borrow from time to time such sums of money as my Agent may deem  
5 proper and execute promissory notes, security deeds or agreements, financing statements, or other  
6 security instruments in such form as the lender may request and renew said notes and security  
7 instruments from time to time in whole or in part.

8  
9           **8. Business Operating Transactions:** To conduct, engage in, and otherwise transact the  
10 affairs of any and all lawful business ventures of whatever nature or kind that I may now or hereafter  
11 be involved in.

12  
13           **9. Insurance Transactions:** To exercise or perform any act, power, duty, right, or obligation,  
14 in regard to any contract of life, accident, health, disability, liability, or other type of insurance or any  
15 combination of insurance; and to procure new or additional contracts of insurance for me and to  
16 designate the beneficiary of same; provided, however, that my Agent cannot designate himself or  
17 herself as beneficiary of any such insurance contracts.

18  
19           **10. Disputes and Proceedings:** To commence, prosecute, discontinue, or defend all actions  
20 or other legal proceedings touching my property, real or personal, or any part thereof, or touching  
21 any matter in which I or my property, real or personal, may be in any way concerned. To defend,  
22 settle, adjust, make allowances, compound, submit to arbitration, and compromise all accounts  
23 reckonings, claims, and demands whatsoever that now are, or hereafter shall be, pending between  
24 me and any person, firm, corporation, or other legal entity, in such manner and in all respects as my  
25 Agent shall deem proper.

26  
27           **11. Hiring Representatives:** To hire accountants, attorneys at law, consultants, clerks,  
28 physicians, nurses; agents, servants, workmen, and others and to remove them, and to appoint others

Initials: J.C.B. BO     J. AB

1 in their place, and to pay and allow the persons so employed such salaries, wages, or other  
2 remunerations, as my Agent shall deem proper.

3  
4 **12. Tax, Social Security, and Unemployment:** To prepare, to make elections, to execute  
5 and to file all tax, social security, unemployment insurance, and informational returns required by  
6 the laws of the United States, or of any state or subdivision thereof, or of any foreign government;  
7 to prepare, to execute, and to file all other papers and instruments which the Agent shall think to be  
8 desirable or necessary for safeguarding of me against excess or illegal taxation or against penalties  
9 imposed for claimed violation of any law or other governmental regulation; and to pay, to  
10 compromise, or to contest or to apply for refunds in connection with any taxes or assessments for  
11 which I am or may be liable.

12  
13 **13. Broad Powers:** Without, in any way, limiting the foregoing, generally to do, execute, and  
14 perform any other act, deed, matter, or thing whatsoever, that should be done, executed, or  
15 performed, including, but not limited to, powers conferred by Code Sections 53-12-261 and 53-12-  
16 263 of the Official Code of Georgia Annotated, or that in the opinion of my Agent, should be done,  
17 executed, or performed, for my benefit or the benefit of my property, real or personal, and in my  
18 name of every nature and kind whatsoever, as fully and effectually as I could do if personally present.

19  
20 **14. Effective Date:** This General Power of Attorney shall be effective immediately upon its  
21 execution.

22  
23 It is my desire and intention that this power of attorney shall not be nullified by my  
24 subsequent disability, incapacity, or mental incompetence.

25  
26 I may, at any time, revoke this power of attorney, but it shall be deemed to be in full force  
27 and effect as to all persons, institutions, and organizations which shall act in reliance thereon prior  
28

Initials: J. E. B. BO J-ASB



1 to the receipt of written revocation thereof signed by me and prior to receipt of actual notice of my  
2 death.

3  
4 I do hereby ratify and confirm all acts whatsoever which my Agent shall do, or cause to be  
5 done, in or about the premises, by virtue of this power of attorney.

6  
7 All parties dealing in good faith with my Agent may fully rely upon the power of and  
8 authority of my Agent to act for me on my behalf and in my name, and may accept and rely on  
9 agreements and other instruments entered into or executed by the agent pursuant to this power of  
10 attorney. This instrument shall remain effective until revocation by me or my death, whichever  
11 occurs first.

12  
13 IN WITNESS WHEREOF, I have hereunto set my hand and seal on this 26th day of March, 2015.

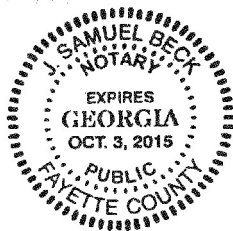
14  
15 Joan Carlton Busey (SEAL)  
Joan Carlton Busey

16 Signed, sealed and delivered  
17 in the presence of:

18 Berardi Oose  
Witness

19 Sherry Stull  
Witness

20 [Signature]  
21 Notary Public



1 State of Georgia  
2 County of Fayette

3 **DURABLE POWER OF ATTORNEY**

4 Know all men by these presents that I, **Thomas Jesse Busey, Jr.**, of Fayette County, Georgia,  
5 do hereby name, constitute and appoint **Thomas Jesse Busey, III** as my true and lawful attorney-in-  
6 fact (hereinafter referred to as my "Agent"), to act for me, and in my name, place and stead in any  
7 way which I, myself, could act if I were personally present, to do any and all of the following acts  
8 or things on my behalf, at any time, and from time to time so long as this power of attorney  
9 continues. In the event that my said Agent shall be unable or fail to act or continue as my Agent, I  
10 hereby constitute and appoint **Ann Marie Busey** to act for me, and in my name, place and stead in  
11 any way which I, myself, could act if I were personally present, to do any and all of the following  
12 acts or things on my behalf, at any time, and from time to time so long as this power of attorney  
13 continues. In the event that **Ann Marie Busey** shall also be unable or fail to act or continue as my  
14 Agent, I hereby constitute and appoint **Michael Lee Thomas** to act for me, and in my name, place  
15 and stead in any way which I, myself, could act if I were personally present, to do any and all of the  
16 following acts or things on my behalf, at any time, and from time to time so long as this power of  
17 attorney continues.

18  
19 **1. Bank and Credit Union Transactions:** To make, receive, sign, endorse, execute,  
20 acknowledge, deliver, and possess checks, drafts, bills of exchange, letters of credit, notes, stock  
21 certificates, withdrawal receipts and deposit instruments relating to accounts or deposits in, or  
22 certificates of deposit of banks, savings and loans, credit unions, or other institutions or associations.

23  
24 **2. Payment Transactions:** To pay all sums of money, at any time or times, that may  
25 hereafter be owing by me upon any account, bill or exchange, check, draft, purchase, contract, note,  
26 or trade acceptance made, executed, endorsed, accepted, and delivered by me or for me in my name,  
27 by my Agent.

28  
Initials:  

1           **3. Real Property Transactions:** To lease, sell, gift, mortgage, purchase, exchange, and  
 2 acquire, and to agree, bargain, and contract for the lease, sale, purchase, exchange, and acquisition  
 3 of, and to accept, take, receive, and possess any interest in real property whatsoever, on such terms  
 4 and conditions, and under such covenants, as my Agent shall deem proper; and to maintain, repair,  
 5 tear down, alter, rebuild, improve, manage, insure, move, rent, lease, sell, convey, subject to liens,  
 6 mortgages, and security deeds, and in any way or manner deal with all or any part of any interest in  
 7 real property whatsoever, including specifically, but without limitation, real property lying and being  
 8 situate in the State of Georgia, under such terms and conditions, and under such covenants, as my  
 9 Agent shall deem proper and may for all deferred payments accept purchase money notes payable  
 10 to me and secured by mortgages or deeds to secure debt, and may from time to time collect and  
 11 cancel any of said notes, mortgages, security interests, or deeds to secure debt.

12  
 13           **4. Personal Property Transactions:** To lease, sell, gift, mortgage, purchase, exchange, and  
 14 acquire, and to agree, bargain, and contract for the lease, sale, purchase, exchange, and acquisition  
 15 of, and to accept, take, receive, and possess any personal property whatsoever, tangible or intangible,  
 16 or interest thereto, on such terms and conditions, and under such covenants, as my Agent shall deem  
 17 proper; and to maintain, repair, improve, manage, insure, rent, lease, sell, convey, subject to liens  
 18 or mortgages, or to take any other security interests in said property which are recognized under the  
 19 Uniform Commercial Code as adopted at that time under the laws of Georgia or any applicable state,  
 20 or otherwise hypothecate, and in any way or manner deal with all or any part of any real or personal  
 21 property whatsoever, tangible or intangible, or any interest therein, that I own at the time of  
 22 execution or may thereafter acquire, under such terms and conditions, and under such covenants, as  
 23 my Agent shall deem proper.

24           **5. Stock and Bond Transactions:** To purchase, sell, exchange, gift, surrender, assign,  
 25 redeem, vote at any meeting, or otherwise transfer any and all shares of stock, bonds, or other  
 26 securities in any business, association, corporation, partnership, or other legal entity, whether private  
 27 or public, now or hereafter belonging to me.

Initials:

Handwritten initials and signature, including a large stylized signature and a date '8-20-74'.





1 in their place, and to pay and allow the persons so employed such salaries, wages, or other  
2 remunerations, as my Agent shall deem proper.

3  
4 **12. Tax, Social Security, and Unemployment:** To prepare, to make elections, to execute  
5 and to file all tax, social security, unemployment insurance, and informational returns required by  
6 the laws of the United States, or of any state or subdivision thereof, or of any foreign government;  
7 to prepare, to execute, and to file all other papers and instruments which the Agent shall think to be  
8 desirable or necessary for safeguarding of me against excess or illegal taxation or against penalties  
9 imposed for claimed violation of any law or other governmental regulation; and to pay, to  
10 compromise, or to contest or to apply for refunds in connection with any taxes or assessments for  
11 which I am or may be liable.

12  
13 **13. Broad Powers:** Without, in any way, limiting the foregoing, generally to do, execute, and  
14 perform any other act, deed, matter, or thing whatsoever, that should be done, executed, or  
15 performed, including, but not limited to, powers conferred by Code Sections 53-12-261 and 53-12-  
16 263 of the Official Code of Georgia Annotated, or that in the opinion of my Agent, should be done,  
17 executed, or performed, for my benefit or the benefit of my property, real or personal, and in my  
18 name of every nature and kind whatsoever, as fully and effectually as I could do if personally present.

19  
20 **14. Effective Date:** This General Power of Attorney shall be effective immediately upon its  
21 execution.

22  
23 It is my desire and intention that this power of attorney shall not be nullified by my  
24 subsequent disability, incapacity, or mental incompetence.

25  
26 I may, at any time, revoke this power of attorney, but it shall be deemed to be in full force  
27 and effect as to all persons, institutions, and organizations which shall act in reliance thereon prior  
28

Initials:  sh BO 

1 to the receipt of written revocation thereof signed by me and prior to receipt of actual notice of my  
2 death.

3  
4 I do hereby ratify and confirm all acts whatsoever which my Agent shall do, or cause to be  
5 done, in or about the premises, by virtue of this power of attorney.

6  
7 All parties dealing in good faith with my Agent may fully rely upon the power of and  
8 authority of my Agent to act for me on my behalf and in my name, and may accept and rely on  
9 agreements and other instruments entered into or executed by the agent pursuant to this power of  
10 attorney. This instrument shall remain effective until revocation by me or my death, whichever  
11 occurs first.

12  
13 IN WITNESS WHEREOF, I have hereunto set my hand and seal on this 26th day of March, 2015.

14  
15 *Thomas J. Busey, Jr.* (SEAL)  
Thomas Jesse Busey, Jr.

16 Signed, sealed and delivered  
17 in the presence of:

18 *Sherry Houder*  
Witness

19 *Brandi Osse*  
Witness

20 *[Signature]*  
21 Notary Public

