

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
E. Allison Ivey Cox, County Attorney

AGENDA
FAYETTE COUNTY PLANNING COMMISSION MEETING
140 STONEWALL AVENUE WEST
October 5, 2023
7:00 pm

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

NEW BUSINESS

1. Call to Order.
2. Pledge of Allegiance.
3. Approval of Agenda.
4. Consideration of the Minutes of the meeting held on September 7, 2023.
5. Consideration of a Minor Final Plat of CG & PH, LLC. This property will consist of two (2) lots zoned A-R, Agriculture-Residential. It is located in Land Lot 224 of the 13th District and fronts on Gadson Drive.

PUBLIC HEARING

6. Consideration of Petition No. 1333-23, Wen Lin and Jie Lin, Owner, request to rezone 6.63 acres from A-R to R-72. This property is located in Land Lot 5 of the 5th District, and fronts on Harp Road and Highway 85 South.
7. Consideration of the Fayette County Planning Commission 2024 Calendar.

Meeting Minutes 9/7/23

THE FAYETTE COUNTY PLANNING COMMISSION met on September 7th, 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

MEMBERS ABSENT: Arnold Martin

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

NEW BUSINESS

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

Chairman Oliver noted the need to add item 7A, Discussion of the Draft Meeting Calendar for 2024. Danny England made a motion approve the agenda with the inclusion of item 7A. John Culbreth, Sr. seconded the motion. The motion passed 4-0.

4. Consideration of the Minutes of the meeting held on August 3, 2023.

John Culbreth, Sr. made a motion to approve the Minutes of the meeting held on August 3, 2023. Danny England seconded the motion. The motion passed 4-0.

5. Consideration of a Minor Final Plat of A1 – Mart. The property will consist of one (1) lot, zoned C-C, is located in Land Lots 216 of the 5th District and fronts on Georgia Highway 85 North.

Debbie Bell stated both parcels are zoned the same, it is just a combination of the two (2) existing parcels to create one coherent commercial project. They are developing this as a convenience store gas station. There are no zoning issues. The plat has been reviewed and approved by staff.

Danny England asked if this was the site of the old US Station.

Debbie Bell responded this is the old Harris property.

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 A1-Mart. John Culbreth seconded the motion. The motion passed 4-0.

6. Consideration of a Minor Final Plat of the Panter/Glaze Estates. The property will consist of three (3) lots, zoned A-R, is located in Land Lots 35 and 62 of the 4th District and fronts on Price Rd.

Debbie Bell stated the parcels are on two (2) different pages just because of the way they fit into the plat framework. This plat has been approved by staff.

Randy Boyd, agent for the petitioner, stated these lots were large. The entire tract is 42 acres. The parcel to the east is the existing parcel. The parcels to the left and the strips are the new parcels.

Chairman Oliver asked if it was for family.

Randy Boyd stated they already had purchasers. That is why it is called the Panter/Glaze Estates.

Chairman Oliver asked if the Board had any questions or comments, there were none.

Chairman Oliver asked if anyone in the audience wished to speak, there were none.

Danny England made a motion to approve the Minor Final Plat of Panter/Glaze Estates. John Culbreth Sr. seconded the motion. The motion passed 4-0.

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.

Debbie Bell stated it has been reviewed and approved by staff.

Randy Boyd, representative for the petitioner. He did the surveying and prepared the plat. There will probably be two (2) or three (3) more lots and they will be large lots also.

Chairman Oliver asked if anyone in the audience wished to speak, there were none.

John Kruzan made a motion to approve the Minor Final Plat for The William Mercer Massengale Disclaimer By-Pass Trust. Danny England seconded the motion. The motion passed 4-0.

- 7A. Discussion of the 2024 Schedule.

Debbie Bell stated we just wanted to take a quick look at the 2024 Schedule. There were individual discussions that only the first monthly meeting would be published. If a special called meeting was needed for the second meeting of the month, that could be done. Also, the first Thursday in July was the 4th of July. Staff recommends only one (1) regular meeting in July and to set that meeting for July 18th. If the proposals are agreeable, staff will prepare the calendar and formally present it at the next monthly meeting for approval.

Chairman Oliver stated he looked good to him.

John Culbreth stated he liked how we track the Planning Commission, Board of Commissioners,

Zoning Board of Appeals, and the Planning Commission application process. This is very good.

Debbie Bell stated this is our draft on keeping track of the meetings ,when advertisements were due, and the submittal deadlines. Staff will write this up in a little bit more coherent fashion. This is our cheat sheet.

Danny England stated the first week in July is kind of always a bust. Always have multiple people out.

Debbie Bell stated staff will prepare the official calendar for approval at the next meeting.

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.

Debbie Bell stated as this is low-density residential as defined in the Comprehensive Plan and the request for A-R zoning is appropriate. Staff recommends approval of the request. This was previously rezoned to R-40 from A-R and the owner desires to rezone it back to A-R. It is on the east side of Ebenezer Rd. Most of the surrounding property is still zoned A-R. Staff has reviewed the proposal and there are no recommended conditions.

Therol Brown and Judy Brown, owners. They also have adjoining land already zoned A-R. Mr. Brown was in the planning process of building a shop/storage building when a discrepancy was discovered in the deeds and the boundaries. He had it resurveyed and A-R is the proper zoning and complies with the Land Use Plan.

Chairman Oliver asked if anyone in the audience wished to speak, there were none.

Chairman Oliver asked if the Board had any questions, there were none.

John Culbreth made a motion to recommend approval of petition 1331-23 to rezone 5.2 acres from R-40 to A-R. Danny England seconded the motion. The motion passed 4-0.

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 36 and 36 of the 7th District, and fronts on Ebenezer Road, Ebenezer Bypass, and Ebenezer Church Road.

Debbie Bell stated this is designated as low density residential per the Comprehensive Plan, so A-R zoning is appropriate. However, there is an outstanding right-of-way dedication issue. Staff is recommending denial of the rezoning request until that issue is addressed.

On January 13, 2022, the Board of Commissioners approved petition 1314-21 to rezone the property from A-R to C-S for the purpose of developing a conservation subdivision. There are traffic and sight distance issues in this area. The county worked with the developer and the

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September 7, 2023
PC Meeting

developer agreed to dedicate right-of-way. The county has constructed a new one (1) way paved road to remediate the traffic and sight distance issues on a construction easement in anticipation of right-of-way dedication. The right-of-way has not been dedicated and staff is recommending denial of the rezoning request until the right-of-way dedication is made.

Rod Wright, petitioner, is requesting approval for his rezoning application. The road just opened last month. There are still four (4) things that must be completed before the right-of-way may be donated.

1. Metes and bounds must be approved by staff.
2. The bank that loaned the funds to purchase the property must release. The bank is ready to sign the release.
3. Mr. Wright is happy to donate the land, but of course he would like the tax write-off. An appraiser has been engaged for the appraisal of the property.
4. The County must sign off on the appraisal for the IRS to approve the deduction.

Mr. Wright and Fayette County had a one (1) year agreement. Additional time was needed to complete road construction, so the agreement was extended six (6) months. Mr. Wright is agreeable to dedicate the property, but there are a few items that must be accomplished before that can happen. He would like to move forward with the rezoning and not be made to wait another thirty (30) or sixty (60) days for the right-of-way dedication. He hopes to have the right-of-way dedicated prior to the September 28th Board of Commissioners meeting.

Chairman Oliver explained the Planning Commission is only a recommending body, but if this petition is denied by the Board of Commissioners, Mr. Wright will have to wait six (6) months before applying to rezone the property.

Mr. Wright stated he understood. He doesn't want to be penalized more. He has been waiting eighteen (18) months and paying interest. He will dedicate the land as soon as it is ready to dedicate. He wants to proceed with the hearing.

Attorney Cox, stated it was her understanding the waiting period for dedication was to allow Mr. Wright to have the tax deduction, not Fayette County's request. In order to get the tax right-off, the land had to be held by Mr. Wright for a certain period of time. Instead of insisting on right-of-way dedication eighteen (18) months ago, the county chose to construct the road with a permanent easement. That was done for Mr. Wright's benefit, not for Fayette County.

Mr. Wright stated he was looking for the tax write-off for donating the land to the county.

Attorney Cox stated the waiting period was not at the county's request.

Mr. Wright stated he remembered that. He guesses he could have dedicated the land months ago.

Mrs. Cox stated there was no requirement for the road to be completed for the right-of-way dedication.

Chairman Oliver inquired as to whether the petition could be withdrawn prior to the Board of Commissioners hearing. The county attorney stated yes. If he chooses to withdraw prior to the calling of the item, then it would be withdrawn.

Mr. Wright stated he is not withdrawing the item. He is moving forward with the hearing and will donate the property. He doesn't want to keep paying interest and being held up.

John Culbreth asked staff to elaborate on the conditions if the request was approved.

Debbie Bell the recommendations were provided by Public Works and principally about right-of-way dedication. The six (6) recommended conditions are:

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.

Debbie Bell explained that fourth condition regarded traffic safety. A-R properties are not typically restricted on the number of driveways. In other zoning districts, they are only allowed two (2) driveways. Condition #4 has to do with traffic safety.

John Culbreth asked the petitioner about hardship. He understood there was a development loan.

Mr. Wright stated he obtained a loan when he purchased the property. The bank is ready to sign a release, but that document has to be given to them before they can sign.

Mr. Wright objects to condition #5. He plans on selling that portion of the property to an adjoining landowner to incorporate into an existing property. One day it will become part of the other lot which will be a buildable lot. In the future, it will probably tie into the other property.

John Culbreth stated he was unclear if Mr. Wright had a development loan on the property.

Mr. Wright stated he did not have an A & D Loan on the property. The loan is only on the land

purchase.

Debbie Bell elaborated on Condition #5. There is a remnant parcel. As it currently sits, it is an unbuildable parcel because it doesn't meet acreage, frontage, and width requirement. If approved, staff would like to remove the last part of the condition designating it as "common area". It needs to be labeled as an unbuildable parcel as it sits. If it is added to some other existing residential lot, then the non-buildable designation would go away.

Danny England asked if that was something in the future.

Debbie Bell stated that would be done as a revision to a minor final plat process.

Mr. Wright stated he was willing to complete the minor final plat process.

Danny England asked Attorney Allison Cox what was the benefit of denial versus approval with conditions.

Attorney Cox stated now was the best time to obtain right-of-way because we currently have leverage. The original conditions to rezone in 1314-21 have not yet been met.

Danny England understood that there were too many things going on at once.

Mr. Wright stated the county could come get it at that point. He did not want to be punished any more.

Chairman Oliver asked if anyone in the audience would like to speak on the petition. There were none.

Chairman Oliver stated the county has a problem and Mr. Wright has a problem too. He understood the original rezoning was technically incomplete because the right-of-way had not been dedicated. He was surprised it reached this point.

John Culbreth asked if this was because the county did not do its due diligence.

Attorney Cox stated this was at the request of the petitioner to retain the property to obtain the tax benefits. The county drafted a temporary construction easement to accommodate the request. It took eighteen (18) months to build the road, but it was done at the petitioner's request instead of insisting on the dedication a year ago.

Debbie Bell clarified, in the interim, construction drawings for development of the C-S subdivision had been submitted. Tonight's proposal was first submitted with the rezoning request only a couple of months ago. Prior reviews were as development of the C-S subdivision as depicted in Rezoning Petition 1314-21.

John Kruzan made a motion to recommend denial of Petition No. 1332-23 request to rezone 84.746 acres from C-S to A-R. Jim Oliver and Danny England seconded the motion. The motion carried 4-0.

ADJOURNMENT:

John Culbreth moved to adjourn the meeting. Danny England seconded. The motion passed 4-0.

The meeting adjourned at 7:34 p.m.

**PLANNING COMMISSION
OF
FAYETTE COUNTY**

JIM OLIVER, CHAIRMAN

ATTEST:

PC SECRETARY

To: Fayette County Planning Commission
From: Deborah Bell, Planning and Zoning Director
Date: September 25, 2023
Subject: Minor Subdivision Plat to be considered on October 5, 2023

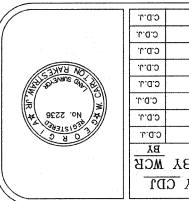
MINOR FINAL PLAT

Minor Subdivision Plat of
CG & PH LLC

OWNER/APPLICANT

John K Pell

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

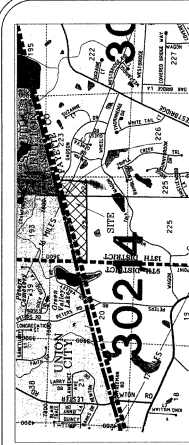


DATE	DESCRIPTION	BY
04/05/23	SHOW SWAMP TRACTS	C.D.L.
04/13/23	SHOW COMMUNITY TRACTS	C.D.L.
04/20/23	REMOVE TRACT	C.D.L.
06/22/23	REMOVE TRACTS	C.D.L.
06/28/23	REMOVE TRACTS	C.D.L.
08/17/23	ADD BUILDING SETBACK LINES	C.D.L.
08/23/23	REMOVE TRACTS	C.D.L.

CARLTON RAKESTRAW & ASSOCIATES
 REGISTERED LAND SURVEYORS
 2208 CHARLES HARDY PARKWAY
 DALLAS, GEORGIA 30187
 770 - 443 - 2200
 FAX - 770-443-2300

CG & PH, LLC
 MINOR DIVISION SURVEY FOR
 LOCATED IN
 FAYETTE COUNTY, GEORGIA
 LAND LOT 224, 13TH DISTRICT

PROJECT NO.
 04-073
 PILOT FILE - 04-0730394C



OWNER OF RECORD:
 NAME: CG & PH, LLC
 ADDRESS: 373 WESTBRIDGE ROAD
 FAYETTEVILLE, GA 30214
 770-964-7835

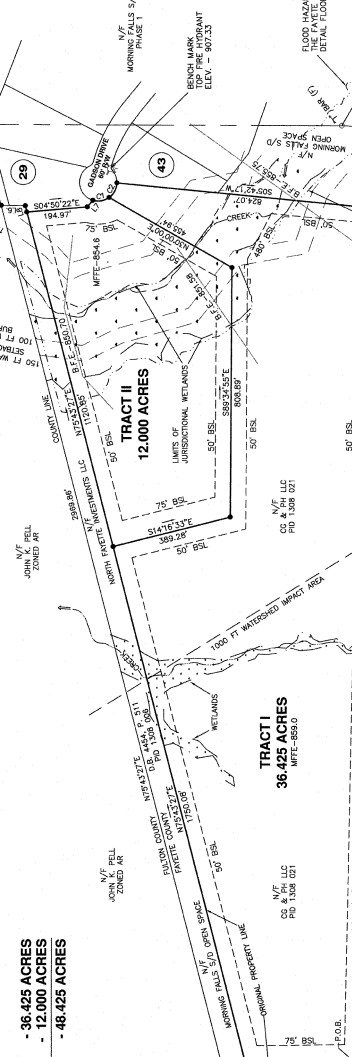
OWNER	DATE
OWNER	DATE

ZONING NOTES:
 SUBJECT PROPERTY WAS REZONED A-R AT THE AUG. 24, 2023 BOARD OF COMMISSIONERS MEETING
 MINIMUM BUILDING SETBACKS
 PROTECTION (THE REAR YARD SETBACK ON TRACT II IS WATERFLOOD PROTECTION)
 MINIMUM LOT WIDTH AT BUILDING LINE - 250'
 MINIMUM COUNTRYSIDE BUILDABLE AREA
 TRACT I - 161 ACRES
 TRACT II - 0.612 ACRES
 REZONING PETITION NUMBER - 1329-23
 TECHNICAL DATA
 TRAVELER PERMSSION - 1/25/04F
 TRAVELER ADJUSTMENT - COMPASS
 EQUIPMENT - SOKKIA SET 2-2-00
 SURVEY METHOD - TRANSIT
 LAST DATE OF FIELD WORK - APRIL, 2008

LEGEND
 PS - 1/2" RE. ROD SET
 O/P - OPEN TOP PIPE
 FENCE FOUND
 ISLAND BUILDING SET BACK LINE
 MFE - MINIMUM FINISHED FLOOR ELEVATION
 MFE - BASE FLOOD ELEVATION

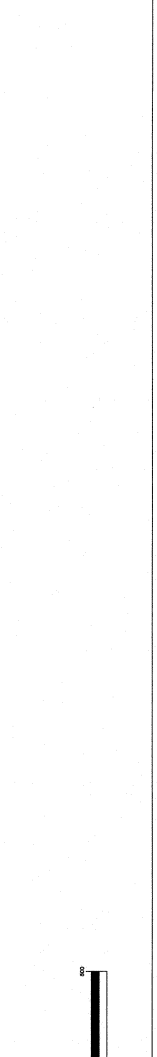
LINE	LENGTH	BEARING	CHORD
C1	55.51	S81.13 S87.92 2.02	53.56
C2	55.51	S81.13 S87.92 0.34	53.58

CURVE	LENGTH	BEARING	CHORD
C1	55.51	S81.13 S87.92 2.02	53.56
C2	55.51	S81.13 S87.92 0.34	53.58



TRACT I - 36.425 ACRES
TRACT II - 12.000 ACRES
TOTAL - 48.425 ACRES

NOTE: SUBJECT PROPERTY LIES WITHIN AN AREA DESIGNATED AS ZONE "Y" ON THE FAYETTE COUNTY 2013 LIMITED DETAIL FLOOD STUDY. RATE MAPS FOR FAYETTE COUNTY, PREPARED BY P.E.A., DATED SEP. 26, 2008.



AS REQUIRED BY SUBSECTION (D) OF O.C.G.A. SECTION 15-6-57, THIS PLAT HAS BEEN PREPARED BY A LAND SURVEYOR AND APPROVED BY ALL NECESSARY STATE AND LOCAL OFFICIALS. APPROVAL CERTIFICATES, SIGNATURES, STAMPS, OR STATEMENTS HEREON ARE NECESSARY TO COMPLETE THIS PLAT. THE SIGNATURES OF THE SURVEYOR AND THE COUNTY CLERK ARE NECESSARY TO COMPLETE THIS PLAT. THE SIGNATURES OF THE COUNTY CLERK AND THE COUNTY ENGINEER ARE NECESSARY TO COMPLETE THIS PLAT. THE SIGNATURES OF THE COUNTY ENGINEER AND THE COUNTY ENGINEER ARE NECESSARY TO COMPLETE THIS PLAT.

NAME	DATE
NAME	DATE
ENVIRONMENTAL HEALTH	DATE
ENVIRONMENTAL MANAGEMENT	DATE
ZONING ADMINISTRATOR	DATE

DATE 05/08/11 DRAWN BY C.D.L.
 SCALE 1" = 200' CHECKED BY WCR
 REVISIONS

DATE 05/08/11 DRAWN BY C.D.L.
 SCALE 1" = 200' CHECKED BY WCR
 REVISIONS

DATE 05/08/11 DRAWN BY C.D.L.
 SCALE 1" = 200' CHECKED BY WCR
 REVISIONS

PETITION NO: 1333-23

REQUESTED ACTION: Rezone from A-R to R-72

PARCEL NUMBER: 0503 012

PROPOSED USE: Single-Family Residential

EXISTING USE: Single-Family Residential

LOCATION: 1451 Hwy. 85 S

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

OWNERS: Wen Lin & Jie Lin

AGENT: N/A

PLANNING COMMISSION PUBLIC HEARING: October 5, 2023

BOARD OF COMMISSIONERS PUBLIC HEARING: October 26, 2023

APPLICANT'S INTENT

Applicant proposes to rezone 6.63 acres from A-R to R-72 for the purposes of developing single-family lots.

STAFF RECOMMENDATION

As defined in the Fayette County Comprehensive Plan, Rural Residential-2 (1 Unit/2 Acres) is designated for this area, so the request for R-72 zoning is appropriate. Based on the Investigation and Staff Analysis, Staff recommends **CONDITIONAL APPROVAL** of the request for a zoning of R-72, Single-Family Residential District, subject to the following condition(s):

1. Harp Road is a Minor Arterial per the Fayette County Thoroughfare Plan. The owner/developer shall dedicate right-of-way, as needed, to provide 50 feet as measured from the existing centerline of Harp Road prior to Final Plat approval. **Dedication documents to include Warranty or Quitclaim Deed and full written legal description exhibit of right of way.*

INVESTIGATION

A. GENERAL PROPERTY INFORMATION

The property is a legal lot of record. This property is located in the General State Route Overlay Zone.

B. REZONING HISTORY:

This property has historically been zoned A-R and has not been rezoned to any other district.

C. CURRENT DEVELOPMENT HISTORY:

The property currently has 1 single-family home.

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 (across Harp Road)	4.04	A-R	Undeveloped	Rural Residential – 2 (1 Unit/2 Acres)
South	4.5	A-R	Single-family Residential	Rural Residential – 2 (1 Unit/2 Acres)
East (across SR 85)	3.13 2.70	R-40 A-R	Single-family Residential Single-family Residential	Rural Residential – 2 (1 Unit/2 Acres)
West	5.7	R-45	Single-family Residential	Rural Residential – 2 (1 Unit/2 Acres)

C. COMPREHENSIVE PLAN

The subject property lies within an area designated for Rural Residential – 2 (1 Unit/2 Acres). It is also in the General State Route Overlay Zone, although that does not impose any restrictions upon residential development.

D. ZONING/REGULATORY REVIEW

Access & Right-of Way: The property has existing access to Harp Road and State Route 85.

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

E. DEPARTMENTAL COMMENTS

- Water System** - FCWS has no objection to the proposed rezoning.
- Public Works**
 - **County Road Frontage and Right of Way Dedication**
 - GA Hwy 85 is a **Major Arterial** roadway and the GADOT controls all entrances, exits, and right of ways within the state route. Any proposed modifications to the site entrances, exits, and right of way dedication will be permitted through GADOT.
 - Harp Road is a **Minor Arterial** roadway and Fayette County Environmental Management will issue driveway permits. There is no right of way dedication required at this time. **Article III, Section 104-55 requires driveways to be installed on the lower roadway classifications – lot 1 access via Harp Road.*
 - **Traffic Data**
 - According to the GDOT on-line traffic data in 2022, the annual average daily traffic for State Route 85 (approximately one (1) mile from the site) is **10,700 vehicles per day**. The County does not have any current traffic counts on Harp Road. The owner has not submitted traffic data for the proposed subdivision.
 - If the existing tract is rezoned and development into four residential tracts County staff anticipates that this would have negligible effect on existing traffic patterns to Hwy 85 and Harp Road.
 - **Sight Distance**
 - Minimum sight distances will have to be satisfied for any proposed new driveway on County roads and GDOT will review sight distances and driveway permits on SR 85.
- Environmental Management -**
 - **Floodplain Management** - The subject property **DOES NOT** contain floodplain per FEMA FIRM panel 13113C0113E dated September 26, 2008.
 - **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. The project will be subject to the Post-Development Stormwater Management Ordinance.
- Environmental Health Department** – This office has no objections to the proposed rezoning.
- Fire** – No objections to the requested rezoning.
- GDOT** – GDOT has provided requirements for new driveway locations. No building permits will be issued without GDOT approval of the driveway cuts.

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

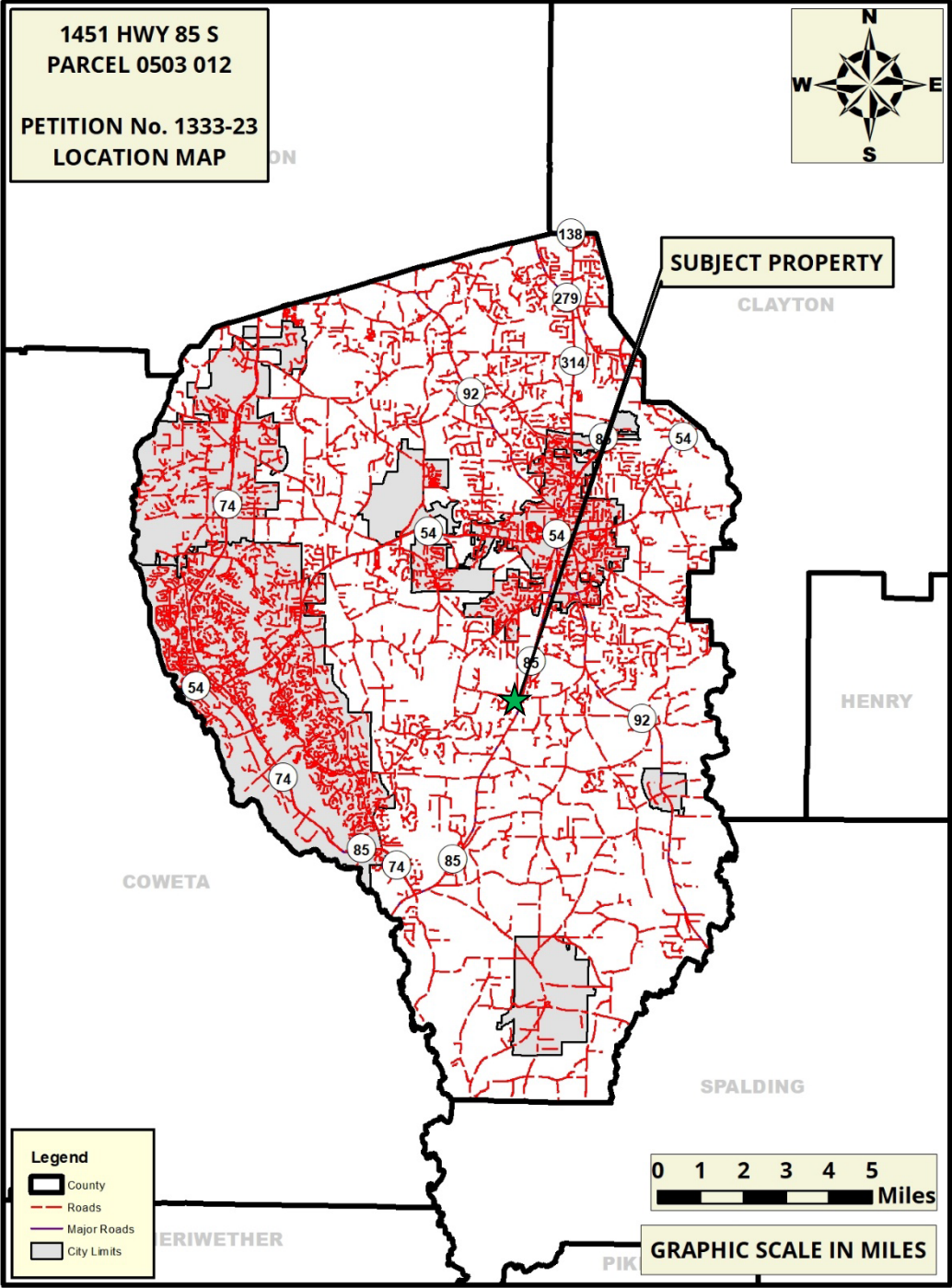
1. The subject property lies within an area designated for Rural Residential-2 Uses. This request does conform to the Fayette County Comprehensive Plan in terms of the use and proposed lot size.
2. The area around the subject property is an area that already has various residential and agricultural uses. 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.

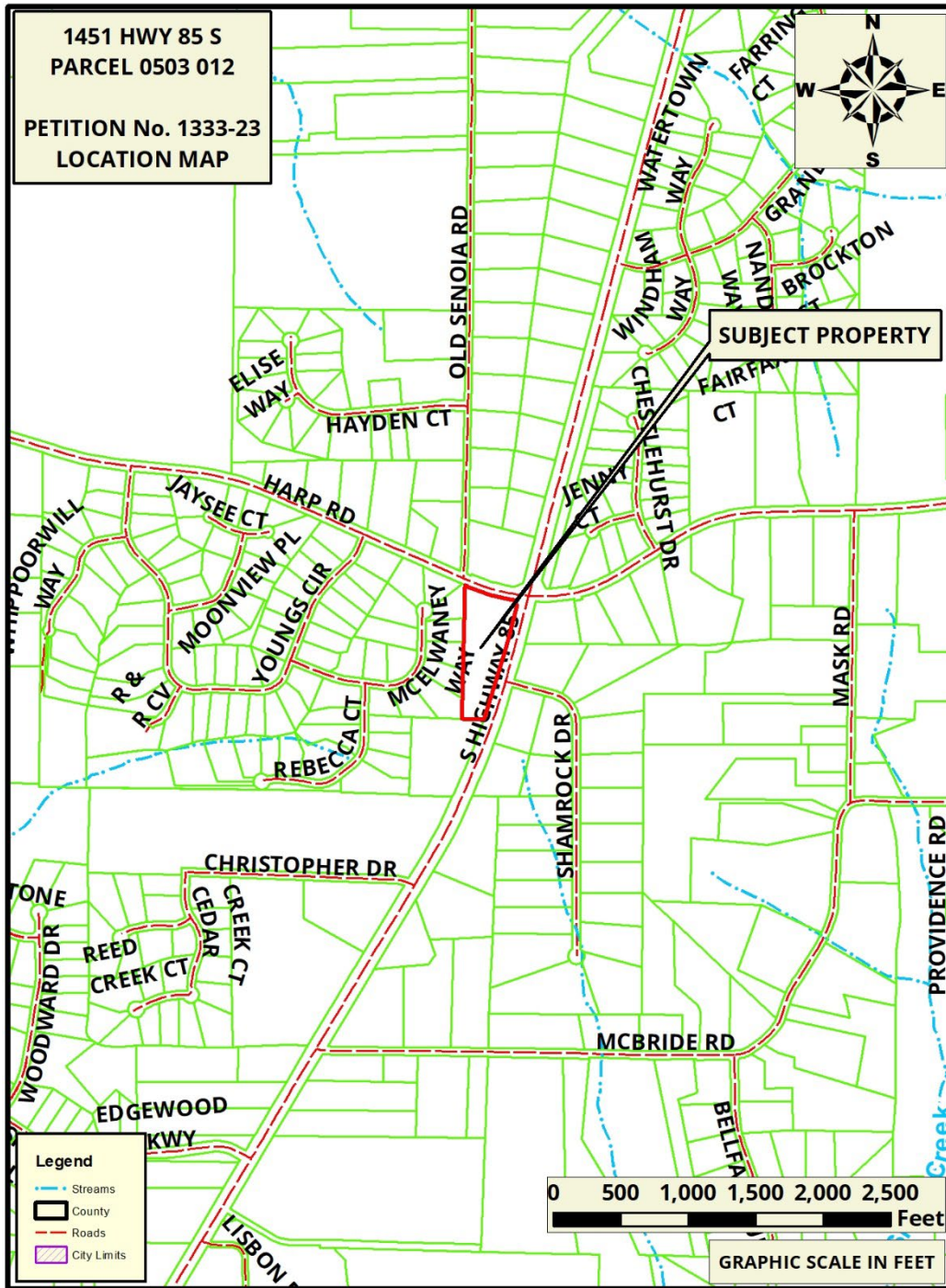
ZONING DISTRICT STANDARDS

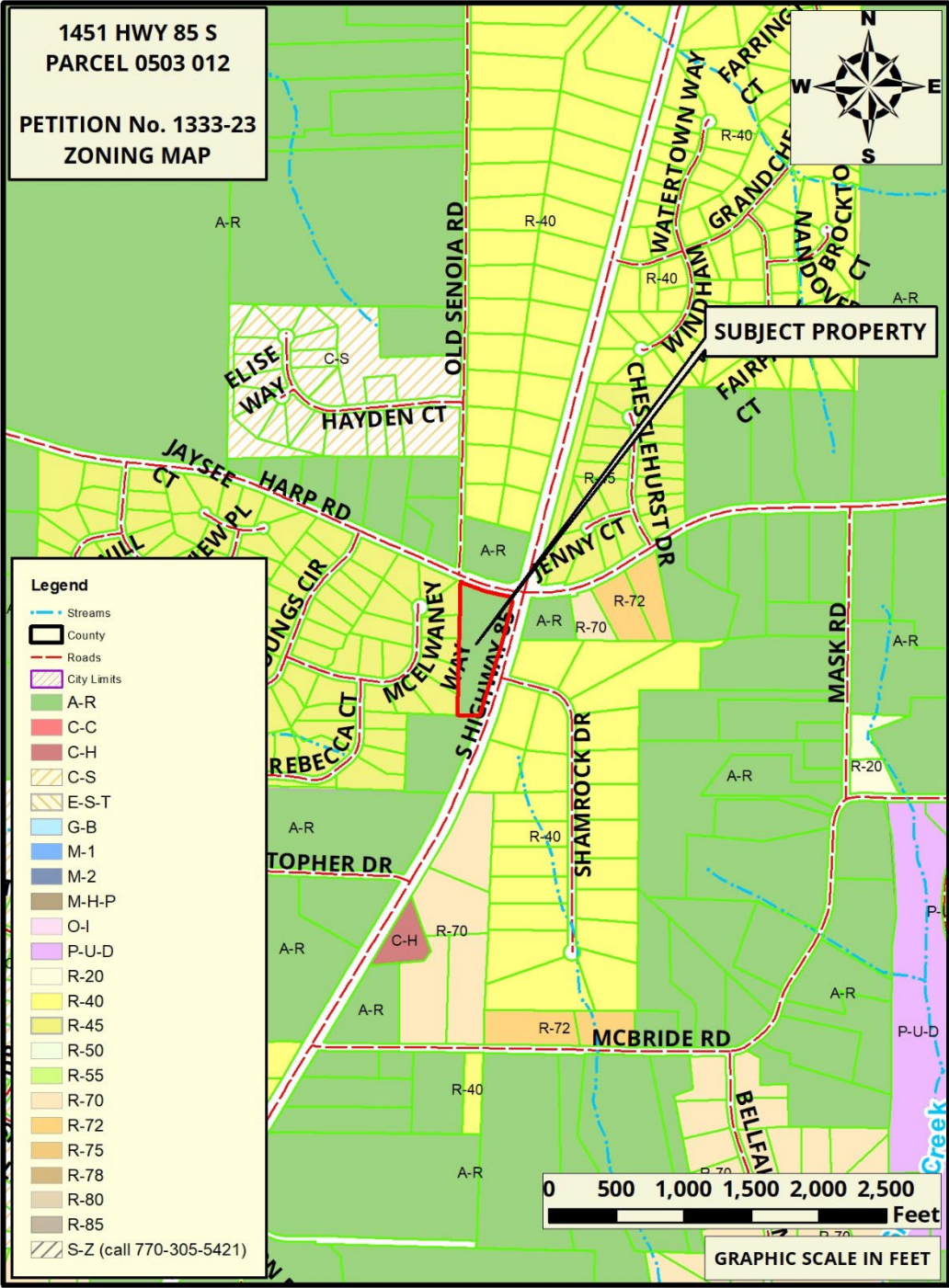
Sec. 110-132. R-72, Single-Family Residential District.

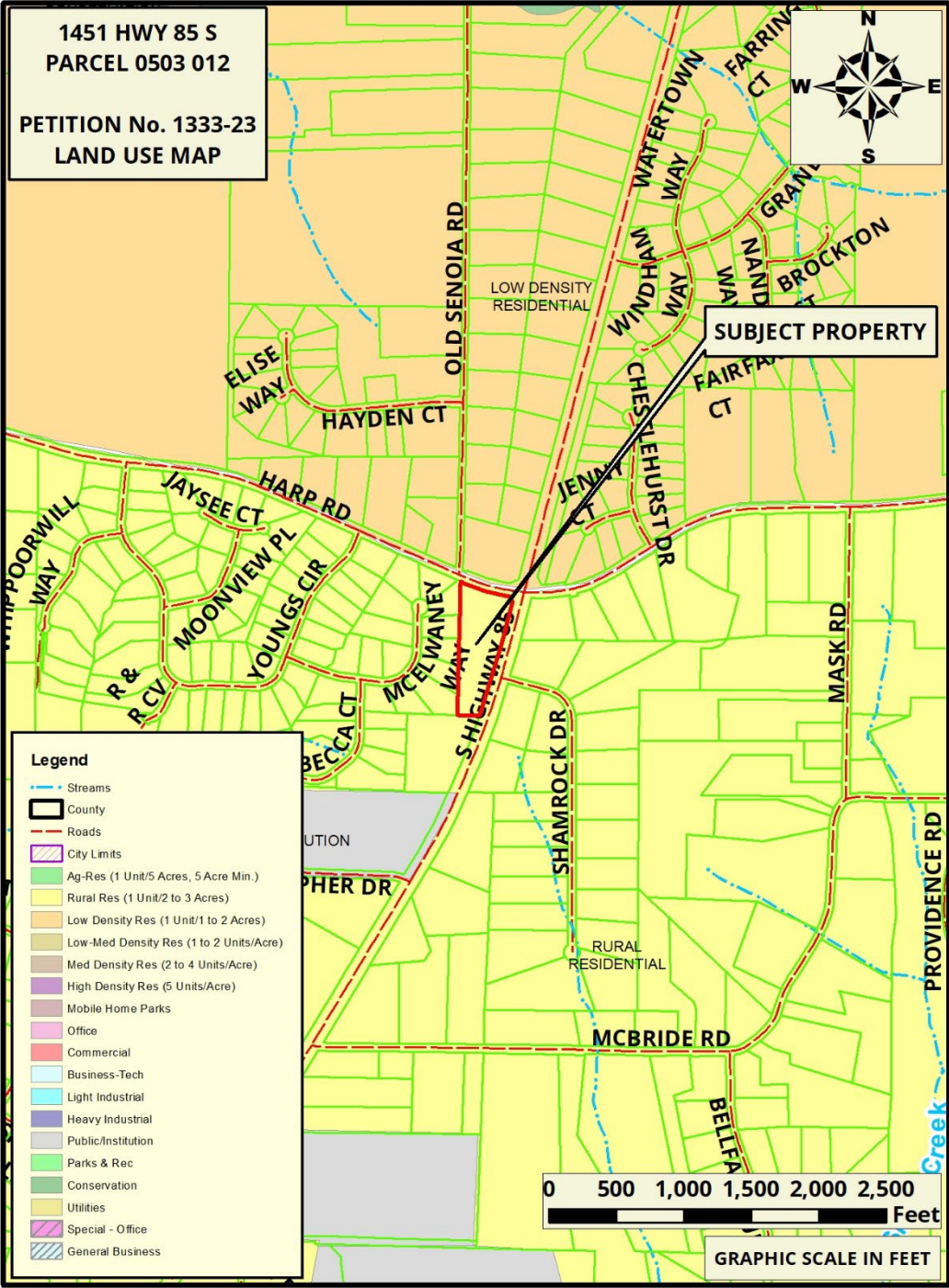
- (a) *Description of district.* This district is composed of certain lands and structures having a low density single-family residential character and designed to protect against the depreciating effects of small lot development and those uses incompatible with such a residential environment.
- (b) *Permitted uses.* The following permitted uses shall be allowed in the R-72 zoning district:
- (1) Single-family dwelling;
 - (2) Residential accessory structures and uses (see article III of this chapter); and
 - (3) Growing crops, gardens.
- (c) *Conditional uses.* The following conditional uses shall be allowed in the R-72 zoning district provided that all conditions specified in article V of this chapter are met:
- (1) Church and/or other place of worship;
 - (2) Developed residential recreational/amenity areas;
 - (3) Home occupation;
 - (4) Horse quarters; and
 - (5) Private school, including, but not limited to: classrooms, administration, playground, housing, athletic fields, gymnasium, and stadium.
- (d) *Dimensional requirements.* The minimum dimensional requirements in the R-72 zoning district shall be as follows:
- (1) Lot area per dwelling unit: 87,120 square feet (two acres).
 - (2) Lot width:
 - a. Major thoroughfare:
 1. Arterial: 175 feet.
 2. Collector: 175 feet.
 - b. Minor thoroughfare: 150 feet.
 - (3) Floor area: 2,100 square feet.
 - (4) Front yard setback:
 - a. Major thoroughfare:
 1. Arterial: 75 feet.
 2. Collector: 75 feet.
 - b. Minor thoroughfare: 50 feet.
 - (5) Rear yard setback: 50 feet.
 - (6) Side yard setback: 25 feet.
 - (7) Height limit: 35 feet.

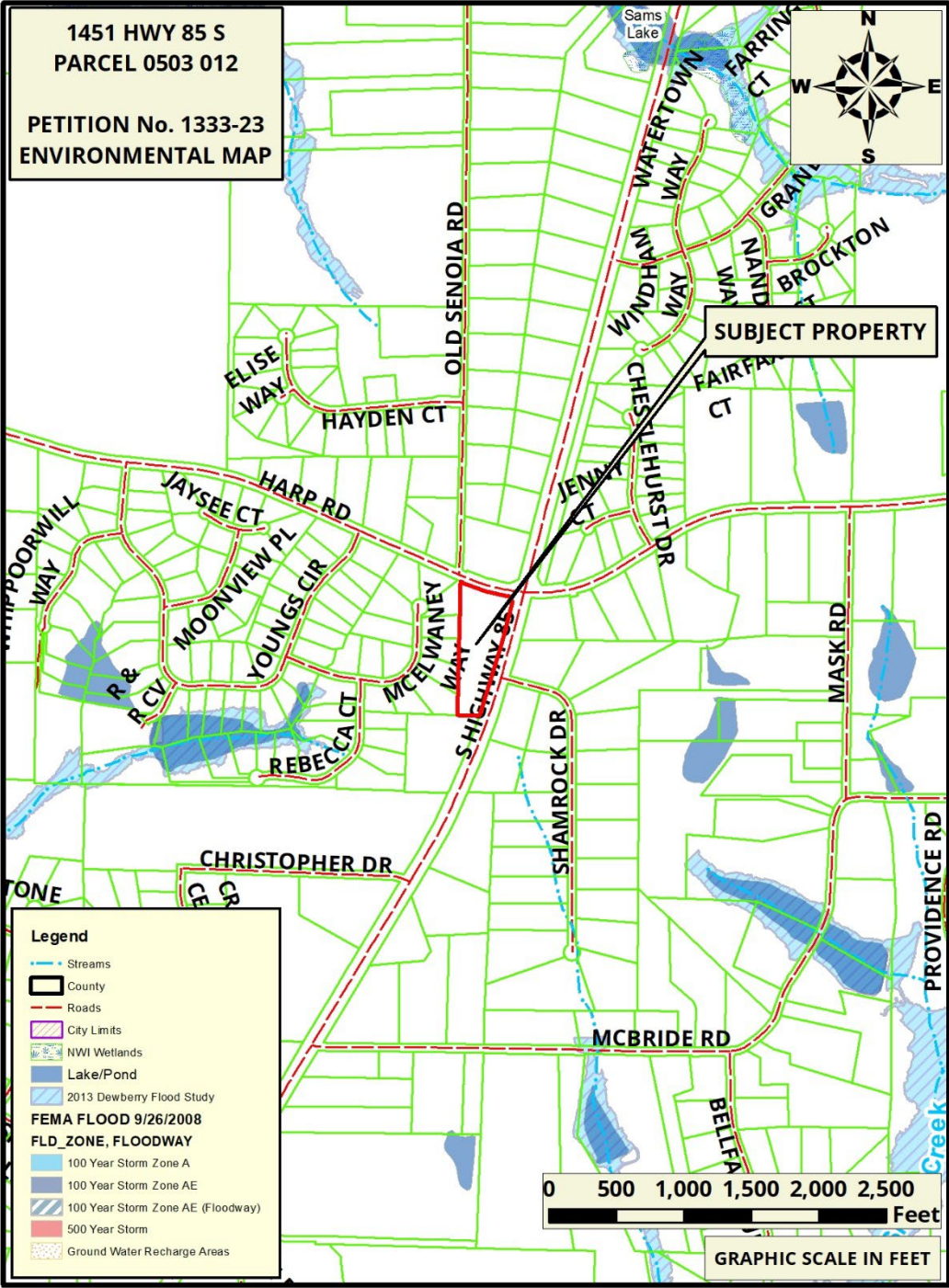
(Code 1992, § 20-6-8; Ord. No. 2012-09, § 4, 5-24-2012; Ord. No. 2018-03, § 13, 9-22-2018)

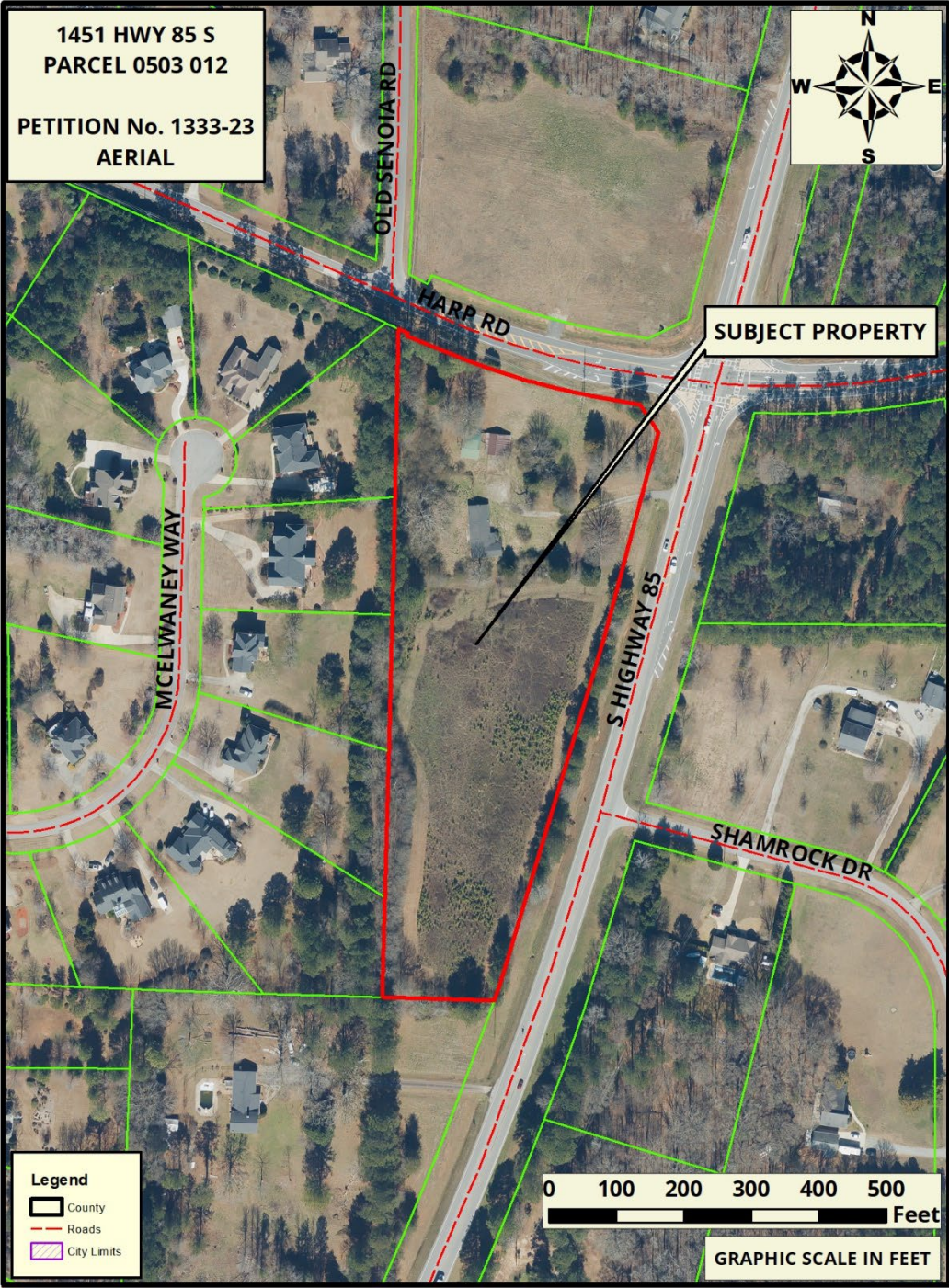












**CONCEPT PLAN FOR
REZONING
NOT TO BE USED FOR
ANY OTHER PURPOSE**

REPLACEMENT INFORMATION TAKEN FROM SURVEY
BY FIELD ENGINEER LARRY J. GRAY, P.E. 06/26/2023

TOTAL AREA: 6.61 ± ACRES
TOTAL NUMBER OF PROPOSED LOTS: 3

**EXISTING ZONING: A-8
PROPOSED ZONING: R-72
SINGLE-FAMILY RESIDENTIAL
SINGLE-FAMILY**

FRONT: 75' (LATERAL AND COLLECTOR)
SIDE: 50'
REAR: 50'
LOT SIZE: 2 ACRES
HOUSE SIZE: 3,000 SQUARE FEET
REARYARD SETBACK: 15 FEET
HEIGHT: 35 FEET

SOIL DATA SCALED FROM MAP PROVIDED BY CLIENT PREPARED BY
MCKENZIE ENGINEERING, INC.

Lot	Area	Soil Type	Soil Description
1	2.14 ± ACRES	CECL	CLAYEY SAND
2	2.14 ± ACRES	CECL	CLAYEY SAND
3	2.33 ± ACRES	CECL	CLAYEY SAND

This information is based on the data provided to the engineer. The engineer is not responsible for the accuracy of the data provided.

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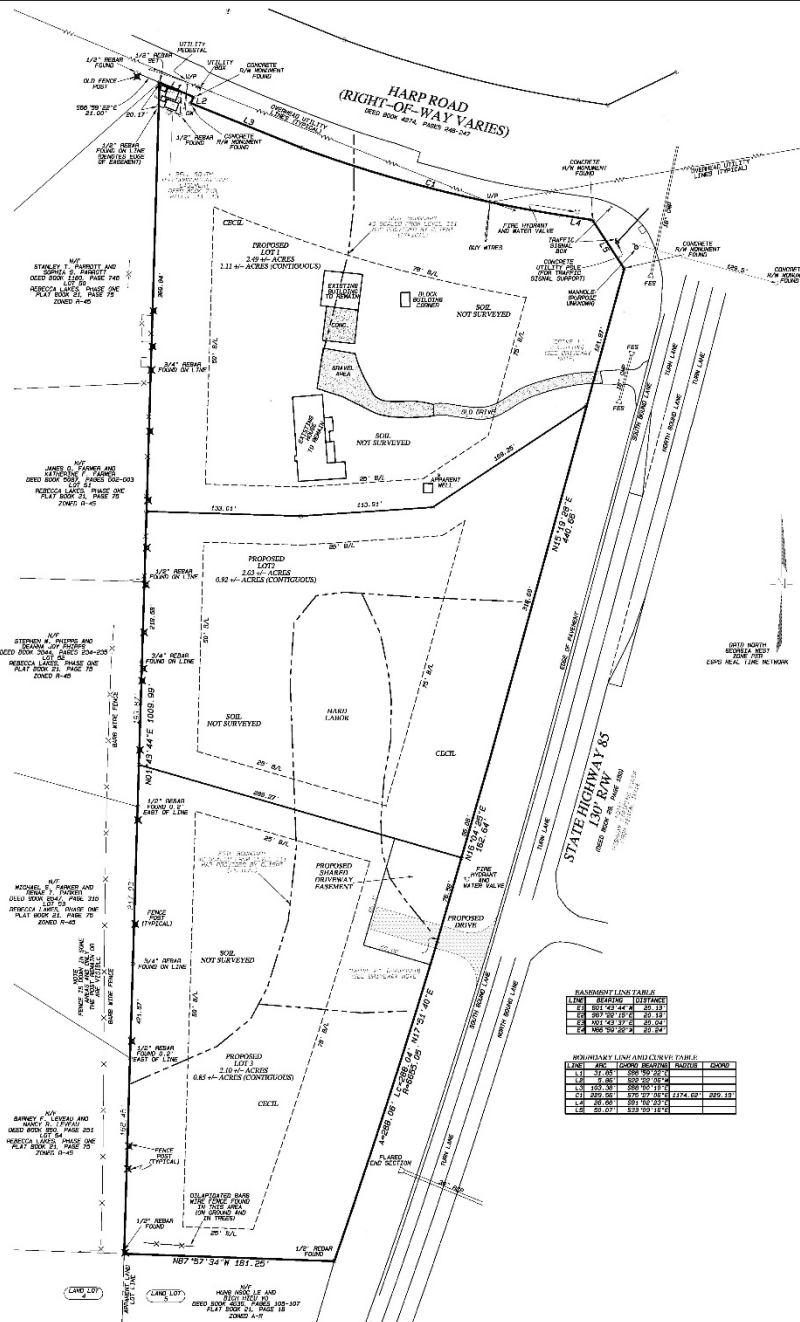
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RASHPMENT LIST TABLE

LINE	BEARING	DISTANCE
L1	S 87° 42' 44" W	22.73
L2	S 87° 42' 44" W	22.73
L3	S 87° 42' 44" W	22.73
L4	N 82° 52' 52" E	22.24

BOUNDARY LINE AND CORNER TABLE

LINE	BEARING	DISTANCE	MARKER	MARK
L1	S 87° 42' 44" W	22.73	CONCRETE	1
L2	S 87° 42' 44" W	22.73	CONCRETE	2
L3	S 87° 42' 44" W	22.73	CONCRETE	3
L4	N 82° 52' 52" E	22.24	CONCRETE	4
L5	S 87° 42' 44" W	22.73	CONCRETE	5
L6	S 87° 42' 44" W	22.73	CONCRETE	6

DRIVEWAY NOTE:

NOTICE: SHOWN HEREIN AND THE CALCULATED BEYOND ADJUSTMENTS
ALSO APPLICABLE TO THE PROPOSED DRIVEWAY ADJUSTMENTS.
BEFORE PROCEEDING WITH CONSTRUCTION OF THE DRIVEWAY,
THE PROPOSED DRIVEWAY TO ADJUSTMENT # 1 IS NOT AN EXISTING DRIVEWAY.
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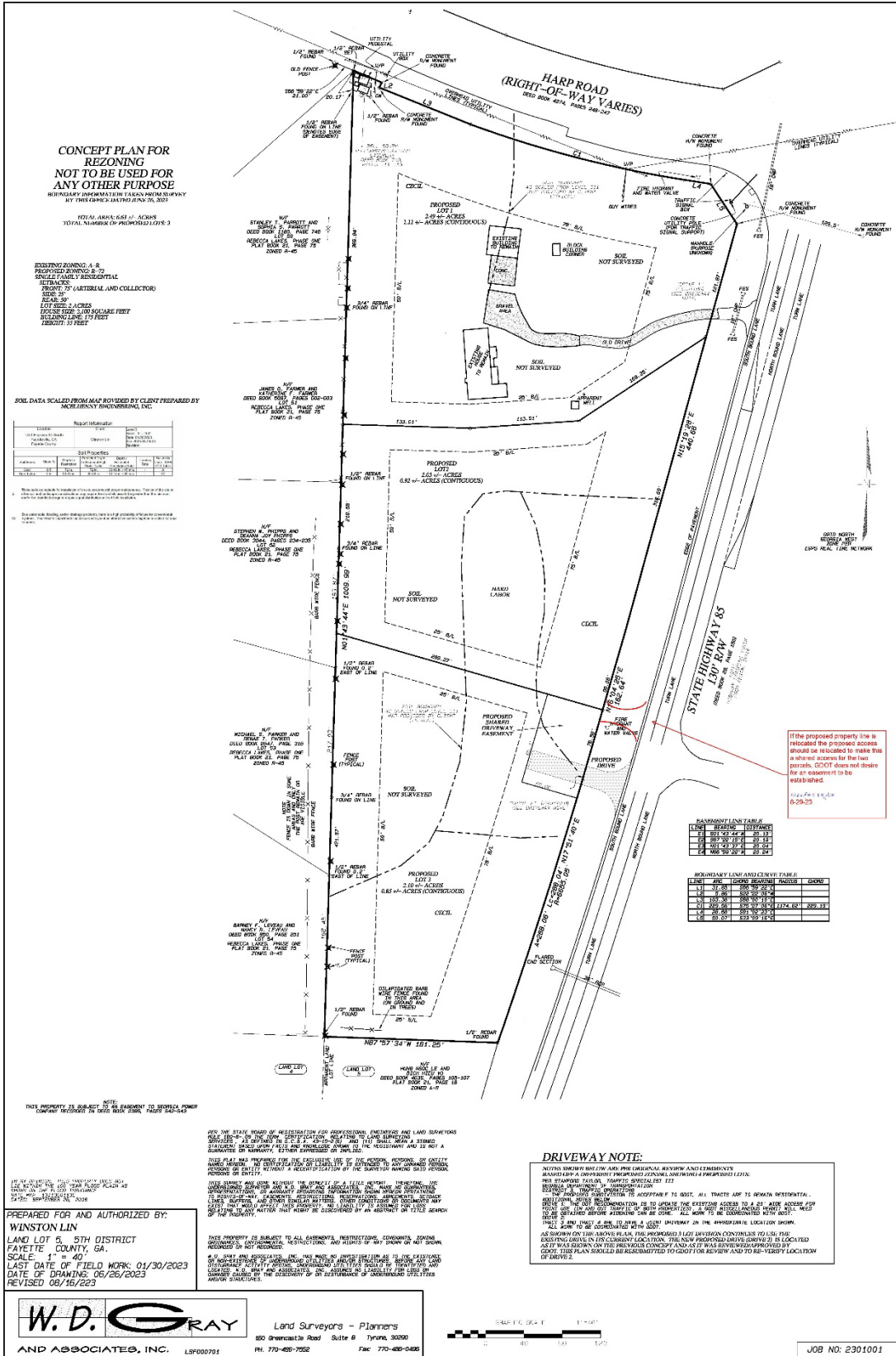
PREPARED FOR AND AUTHORIZED BY:
WINSTON LIN
LAND LOT 5, 5TH DISTRICT
FAYETTE COUNTY, GA.
SCALE: 1" = 40'
LAST DATE OF FIELD WORK: 01/30/2023
DATE OF DRAWING: 06/26/2023
REVISED: 06/16/2023

W. D. GRAY Land Surveyors - Planners
480 Overlook Rd, Suite B Fayette, GA 30209
PH: 770-489-7522 FAX: 770-489-0499



JOB NO: 2301001

CONCEPT PLAN FOR R-72 ZONING



GDOT COMMENTS REGARDING NEW DRIVEWAY LOCATION

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

PROPERTY INFORMATION:

Parcel No. 0503012 Acreage: 6.63
Land Lot: 4:5 Land District: 5
Address: 1451 HIGHWAY 85 SOUTH
Existing Zoning: AR Requested Zoning: ~~R-45~~ R-72
Zoning of Surrounding Properties: R-45 AND AR
Existing Use: RESIDENTIAL Proposed Use: RESIDENTIAL
Total Number of Acres Requested to be Rezoned: 6.63 +/- ACRES
Land Use Plan Designation: RURAL RESIDENTIAL 2
Name and Type of Access Road: STATE ROUTE 85 (MAJOR ARTERIAL) + HARP ROAD (MINOR ARTERIAL)
Location of Nearest Water Line: WITHIN S.R. 85 RIGHT-OF-WAY

PROPERTY OWNER INFORMATION

AGENT/DEVELOPER INFORMATION
(If not owner)

Name WEN LIN
Email WINSTONLIN888@GMAIL.COM
Address 11644 WATERBURY LN.
ALPHARETTA GA 30022
Phone (678-899-5231)

Name _____
Email _____
Address _____
Phone _____

(THIS AREA TO BE COMPLETED BY STAFF): PETITION NUMBER: 1333-23

[] Application Insufficient due to lack of: _____

by Staff: _____ Date: _____

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

by Staff: Chelsea Baynton Date: 8-7-23

DATE OF PLANNING COMMISSION HEARING: October 5, 2023

DATE OF COUNTY COMMISSIONERS HEARING: October 26, 2023

Received from Wen Lin a check in the amount of \$ 350.00 ~~450.00~~ for application filing fee, and \$ 100.00 for deposit on frame for public hearing sign(s).

Date Paid: 8/7/23 Receipt Number: 018757

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:

WEN LIN AND JIE LIN

Please Print Names

Property Tax Identification Number(s) of Subject Property: 0503012

(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) 4, 5 of the 5 District, and (if applicable to more than one land district) Land Lot(s) _____ of the _____ District, and said property consists of a total of 6.63 +/- acres (legal description corresponding to most recent recorded plat for the subject property is attached herewith).

(I) (We) hereby delegate authority to _____ to act as (my) (our) Agent in this rezoning. As Agent, they have the authority to agree to any and all conditions of zoning which may be imposed by the Board.

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

[Signature] _____
 Signature of Property Owner 1

[Signature] _____
 Signature of Notary Public

11644 Waterbury Ln _____
 Address

July 25, 2023 _____
 Date

[Signature] _____
 Signature of Property Owner 2

[Signature] _____
 Signature of Notary Public

175 Newhaven Dr Fayetteville GA _____
 Address

July 25, 2023 _____
 Date

 Signature of Property Owner 3

 Signature of Notary Public

 Address

 Date

 Signature of Authorized Agent

 Signature of Notary Public

 Address

 Date

OWNER'S AFFIDAVIT

NAME: WEN LIN PETITION NUMBER: 1333-23

ADDRESS: 11644 WATERBURY LANE, ALPHARETTA GA 30022

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

WEN LIN affirms that he is the owner or the specifically authorized agent of the property described below. Said property is located in a(n) AE Zoning District. He/She respectfully petitions the County to rezone the property from its present classification and tenders herewith the sum of \$ 350 to cover all expenses of public hearing. He/She petitions the above named to change its classification to R-45.

R-7a

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: SEE ATTACHED

PUBLIC HEARING to be held by the Planning Commission of Fayette County on the 5 day of OCTOBER, 20 23 at 7:00 P.M.

PUBLIC HEARING to be held by the Board of Commissioners of Fayette County on the 26 day of OCTOBER, 20 23 at 7:00 P.M.

SWORN TO AND SUBSCRIBED BEFORE ME THIS 25th DAY OF July, 2023.

[Signature]

SIGNATURE OF PROPERTY OWNER

[Signature]

SIGNATURE OF PROPERTY OWNER

Georgina Leigh
NOTARY PUBLIC



AGREEMENT TO DEDICATE PROPERTY FOR FUTURE RIGHT-OF-WAY

I/We, WEN LIN AND JIE LIN, said property owner(s) of subject property requested to be rezoned, hereby agree to dedicate, at no cost to Fayette County, 0 feet of right-of-way along HARP ROAD AND S.R. 85 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 25th day of July, 2023.

[Signature]
SIGNATURE OF PROPERTY OWNER

[Signature]
SIGNATURE OF PROPERTY OWNER

Georgina Leigh
NOTARY PUBLIC



DEVELOPMENTS OF REGIONAL IMPACT (DRI)

Rezoning Applicant:

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

Signed this 25th day of July, 2023.



APPLICANT'S SIGNATURE

**Developments of Regional Impact
Tiers and Development Thresholds**

Type of Development	Metropolitan Regions	Non-metropolitan Regions
(1) Office	Greater than 400,000 gross square feet	Greater than 125,000 gross square feet
(2) Commercial	Greater than 300 000 gross square feet	Greater than 175,000 gross square feet
(3) Wholesale & Distribution	Greater than 500 000 gross square feet	Greater than 175,000 gross square feet
(4) Hospitals and Health Care Facilities	Greater than 300 new beds; or generating more than 375 peak hour vehicle trips per day	Greater than 200 new beds; or generating more than 250 peak hour vehicle trips per day
(5) Housing	Greater than 400 new lots or units	Greater than 125 new lots or units
(6) Industrial	Greater than 500,000 gross square feet; or employing more than 1, 600 workers; or covering more than 400 acres	Greater than 175,000 gross square feet; or employing more than 500 workers; or covering more than 125 acres
(7) Hotels	Greater than 400 rooms	Greater than 250 rooms
(8) Mixed Use	Gross square feet greater than 400,000 (with residential units calculated at 1800 square feet per unit toward the total gross square footage); or covering more than 120 acres; or if any of the individual uses meets or exceeds a threshold as identified herein	Gross square feet greater than 125,000 (with residential units calculated at 1800 square feet per unit toward the total gross square footage); or covering more than 40 acres; or if any of the individual uses meets or exceeds a threshold as identified herein
(9) Airports	All new airports runways and runway extensions	Any new airport with a paved runway; or runway additions of more than 25% of existing runway length
(10) Attractions & Recreational Facilities	Greater than 1, 500 parking spaces or a seating capacity of more than 6, 000	Greater than 1, 500 parking spaces or a seating capacity of more than 6, 000
(11) Post-Secondary School	New school with a capacity of more than 2,400 students or expansion by at least 25 percent of capacity	New school with a capacity of more than 750 students or expansion by at least 25 percent of capacity
(12) Waste Handling Facilities	New facility or expansion of use of an existing facility by 50 percent or more	New facility or expansion of use of an existing facility by 50 percent or more
(13) Quarries, Asphalt &. Cement Plants	New facility or expansion of existing facility by more than 50 percent	New facility or expansion of existing facility by more than 50 percent
(14) Wastewater Treatment Facilities	New facility or expansion of existing facility by more than 50 percent	New facility or expansion of existing facility by more than 50 percent
(15) Petroleum Storage Facilities	Storage greater than 50, 000 barrels if within 1, 000 feet of any water supply; otherwise storage capacity greater than 200, 000 barrels	Storage greater than 50, 000 barrels if within 1, 000 feet of any water supply; otherwise storage capacity greater than 200, 000 barrels
(16) Water Supply, Intakes/Reservoirs	New Facilities	New Facilities
(17) Intermodal Terminals	New Facilities	New Facilities
(18) Truck Stops	A new facility with more than three diesel fuel pumps; or spaces.	A new facility with more than three diesel fuel pumps; or containing a half acre of truck parking or 10 truck parking spaces.
(19) Any other development types not identified above (includes parking facilities)	1000 parking spaces	1000 parking spaces

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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.

Chelsie Boynton

From: Matt Langley <wdgmattl@gmail.com>
Sent: Wednesday, August 9, 2023 1:44 PM
To: Deborah L Bell; Chelsie Boynton; winstonlin888@gmail.com
Cc: 'Warren Gray'; Deborah Sims
Subject: RE: 1451 Hwy 85 S. Rezoning Request
Attachments: LEGAL.docx; 2301001 BOUNDARY SURVEY 1.pdf; LEGAL.pdf

External Email Be cautious of sender, content, and links

Good afternoon.

Our client would like to change the request from R-45 to R-72.

I have attached the legal and a PDF of the boundary survey. Let me know if anything else is needed at this time.

The concept plan we submitted shows 4 lots less than 2 acres. How quickly do you need a revised concept plan? We don't want to push the meeting date off any further.

Thank you,

Matt Langley, PLS
W.D. Gray and Associates, Inc.
160 Greencastle Road, Suite B
Tyrone, GA 30290
770-486-7552 Ex:205

Please note my new email address – wdgmattl@gmail.com

From: Deborah L Bell <dbell@fayettecountyga.gov>
Sent: Wednesday, August 9, 2023 9:55 AM
To: Matt Langley <wdgmattl@gmail.com>; Chelsie Boynton <cboynton@fayettecountyga.gov>; winstonlin888@gmail.com
Cc: Warren Gray <wdgraywarren@gmail.com>; Deborah Sims <dsims@fayettecountyga.gov>
Subject: RE: 1451 Hwy 85 S. Rezoning Request

Matt,

You can continue with the R-45 request. My official staff recommendation is going to be that R-45 be denied because it is inconsistent with the LUP – I just wanted you and your client to be aware of that. I will recommend R-72 or some other 2-acre or 3-acre zoning district. The Planning Commission will make their recommendation and the BOC will make the final decision.

I know the adjacent subdivision is R-45, but that was done 30+ years ago and the Land Use Plan has changed.

Alternatively, we haven't run the advertisement yet so it can be amended before we present it. The applicant needs to send an email or letter requesting the change and we can note it on the application.

Thank you,

Debbie

Deborah L. Bell, RLA
DIRECTOR, PLANNING & ZONING
FAYETTE COUNTY BOARD OF COMMISSIONERS
Office: 770-305-5160
Cell: 470-606-0660
140 Stonewall Avenue West, Suite 202
Fayetteville, GA 30214
www.fayettecountyga.gov

Upcoming training: August 10, 2023; August 25, 2023

Vacation scheduled:

Holiday scheduled closing: September 4, 2023

From: Matt Langley <wdgmattl@gmail.com>
Sent: Wednesday, August 9, 2023 9:31 AM
To: Chelsie Boynton <cboynton@fayettecountyga.gov>; winstonlin888@gmail.com
Cc: Deborah L Bell <dbell@fayettecountyga.gov>; Warren Gray <wdgraywarren@gmail.com>
Subject: RE: 1451 Hwy 85 S. Rezoning Request

***External Email* Be cautious of sender, content, and links**

Good morning.

If the Board does not accept the R-45 zoning can the request be amended to a different zoning district at that meeting, or would the entire rezoning process start over?

Thank you,

Matt Langley, PLS
W.D. Gray and Associates, Inc.
160 Greencastle Road, Suite B
Tyrone, GA 30290
770-486-7552 Ex:205
Please note my new email address – wdgmattl@gmail.com

From: Chelsie Boynton <cboynton@fayettecountyga.gov>
Sent: Wednesday, August 9, 2023 9:18 AM
To: winstonlin888@gmail.com; wdgmattl@gmail.com
Cc: Deborah L Bell <dbell@fayettecountyga.gov>
Subject: 1451 Hwy 85 S. Rezoning Request

Good morning,

Planning and Zoning has received the application for the rezoning of 1451 Hwy 85 S. We wanted to make you aware that the requested R-45 zoning (1 acre lots) is not consistent with the Fayette County Land Use Plan. The Land Use Plan shows this area as being planned for 2 acre lots. You are still able to apply for the rezoning, but staff will not recommend approval. Planning Commission will make their own

recommendation and the Board of Commissioners will have the final decision. Please feel free to contact us if you have any questions.

Thank you,

Chelsie Boynton

Planning and Zoning Coordinator

Zoning Board of Appeals & Planning Commission Secretary

Fayette County Planning and Zoning

cboynton@fayettecountyga.gov

770-305-5421

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 5 OF THE 5TH LAND DISTRICT, FAYETTE COUNTY, GEORGIA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A CONCRETE RIGHT-OF-WAY MONUMENT FOUND AT THE SOUTHEASTERLY CORNER OF THE MITERED RIGHT-OF-WAY INTERSECTION OF HARP ROAD (RIGHT-OF-WAY VARIES) AND STATE HIGHWAY 85 (130' RIGHT-OF-WAY); THENCE ALONG THE RIGHT-OF-WAY OF STATE HIGHWAY 85 SOUTH 15°19'28" WEST A DISTANCE OF 440.66 FEET TO A POINT; THENCE CONTINUE ALONG SAID RIGHT-OF-WAY SOUTH 16°04'25" WEST A DISTANCE OF 162.64 FEET TO A POINT; THENCE CONTINUE ALONG SAID RIGHT-OF-WAY FOLLOWING A CURVE TO THE RIGHT HAVING A RADIUS OF 6655.05 FEET, AN ARC LENGTH OF 288.06, A CHORD WHICH BEARS SOUTH 17°51'40" WEST A DISTANCE OF 288.04 FEET TO A 1/2" REBAR FOUND; THENCE LEAVING SAID RIGHT-OF-WAY NORTH 87°57'34" WEST A DISTANCE OF 181.25 FEET TO A 1/2" REBAR FOUND ON THE APPARENT WEST LAND LOT LINE OF LAND LOT 5; THENCE ALONG SAID LAND LOT LINE NORTH 01°43'44" EAST A DISTANCE OF 1009.99 FEET TO A 1/2" REBAR SET ON THE SOUTHERLY RIGHT OF WAY OF HARP ROAD (RIGHT-OF-WAY VARIES); THENCE LEAVING SAID LAND LOT LINE AND FOLLOWING THE RIGHT-OF-WAY OF HARP ROAD THE FOLLOWING COURSES AND DISTANCES:

THENCE SOUTH 66°59'22" EAST A DISTANCE OF 31.85 FEET TO A CONCRETE RIGHT-OF-WAY MONUMENT FOUND;

THENCE SOUTH 22°22'06" WEST A DISTANCE OF 5.86 FEET TO A CONCRETE RIGHT-OF-WAY MONUMENT FOUND;

THENCE SOUTH 68°00'10" EAST A DISTANCE OF 103.38 FEET TO A POINT;

THENCE ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 1174.62 FEET, AN ARC LENGTH OF 229.56 FEET, A CHORD WHICH BEARS SOUTH 75°27'06" EAST, AND A CHORD LENGTH OF 229.19 FEET TO A POINT;

THENCE SOUTH 81°02'23" EAST A DISTANCE OF 28.68 FEET TO A CONCRETE RIGHT-OF-WAY MONUMENT AT THE NORTHWESTERLY CORNER OF THE MITERED RIGHT-OF-WAY INTERSECTION OF HARP ROAD AND STATE HIGHWAY 85;

THENCE SOUTH 33°09'16" EAST A DISTANCE OF 50.07 FEET TO A CONCRETE RIGHT-OF-WAY MONUMENT FOUND AND THE **POINT OF BEGINNING**; SAID TRACT CONTAINING 6.63 ACRES MORE OR LESS AND BEING SHOWN ON A RETRACEMENT SURVEY BY W.D. GRAY AND ASSOCIATES, INC. FOR WINSTON LIN DATED 06/26/2023.

POSTING OF PROPERTY

PETITION NO.: 1333-23

APPLICANT: Wen Lin
11644 Waterbury Lane
Alpharetta, GA 30022

LOCATION OF PROPERTY: Land Lot(s) 5 of the 5th District and fronts on Harp Road and Highway 85 South.

I hereby certify that signage was posted for the above-referenced application in conformance with the Fayette County Zoning Ordinance.



OFFICIAL

SEP. 6, 2023

DATE

Sworn to and subscribed before me this

6TH day of SEP., 2023.

Deborah M Sims

NOTARY

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

Number of signs posted 2.

Date sign(s) posted SEP 6, 2023

1333-23
Resub Date
20 Sep 2023

PETITION FOR REZONING
CERTAIN PROPERTIES IN
UNINCORPORATED AREAS OF
FAYETTE COUNTY, GEORGIA
PUBLIC HEARING to be held be-
fore the Fayette County Planning
Commission on Thursday, October
5, 2023, at 7:00 P.M., and before
the Fayette County Board of Com-
missioners on Thursday, October
26, 2023, at 5:00 P.M., in the Fay-
ette County Administrative Com-
plex, 140 Stonewall Avenue West,
Public Meeting Room, First Floor,
Fayetteville, Georgia.

Petition No.: 1333-23

Owner/Agent:

Owners: Wen Lin and Jie Lin

Existing Zoning District:

A-R

Proposed Zoning District:

R-72

Parcel Number: 0503 012

Area of Property: 6.63 acres

Proposed Use: Single Family Res-
idential

Land Lot(s)/District: Land Lots 4
& 5 of the 5th District

Fronts on: Harp Road and Highway
85 South

Legal Description:

ALL THAT TRACT OR PARCEL
OF LAND LYING AND BEING IN

LAND LOT 5 OF THE 5TH LAND
Legals continued page B3

DISTRICT, FAYETTE COUNTY,
GEORGIA AND BEING MORE
PARTICULARLY DESCRIBED AS
FOLLOWS:

BEGINNING AT A CONCRETE
RIGHT-OF-WAY MONUMENT
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TION OF HARP ROAD (RIGHT-
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HIGHWAY 85 (130' RIGHT-OF-
WAY); THENCE ALONG THE
RIGHT-OF-WAY OF STATE
HIGHWAY 85 SOUTH 15°19'28"
WEST A DISTANCE OF 440.66
FEET TO A POINT; THENCE
CONTINUE ALONG SAID RIGHT-
OF-WAY SOUTH 16°04'25" WEST
A DISTANCE OF 162.64 FEET TO
A POINT; THENCE CONTINUE
ALONG SAID RIGHT-OF-WAY
FOLLOWING A CURVE TO THE
RIGHT HAVING A RADIUS OF
6655.05 FEET, AN ARC LENGTH
OF 288.06, A CHORD WHICH
BEARS SOUTH 17°51'40" WEST
A DISTANCE OF 288.04 FEET TO
A 1/2" REBAR FOUND; THENCE
LEAVING SAID RIGHT-OF-WAY
NORTH 87°57'34" WEST A DIS-
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A 1/2" REBAR SET ON THE
SOUTHERLY RIGHT OF WAY OF
HARP ROAD (RIGHT-OF-WAY
VARIES); THENCE LEAVING
SAID LAND LOT LINE AND FOL-
LOWING THE RIGHT-OF-WAY
OF HARP ROAD THE FOLLO-
WING COURSES AND DISTANC-
ES: THENCE SOUTH 66°59'22"
EAST A DISTANCE OF 31.85
FEET TO A CONCRETE RIGHT-
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A DISTANCE OF 103.38 FEET
TO A POINT; THENCE ALONG A
CURVE TO THE LEFT HAVING
A RADIUS OF 1174.62 FEET, AN
ARC LENGTH OF 229.56 FEET, A
CHORD WHICH BEARS SOUTH
75°27'06" EAST, AND A CHORD
LENGTH OF 229.19 FEET TO
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81°02'23" EAST A DISTANCE OF
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33°09'16" EAST A DISTANCE OF
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TAINING 6.63 ACRES MORE OR
LESS AND BEING SHOWN ON
A RETRACEMENT SURVEY BY
W.D. GRAY AND ASSOCIATES,
INC. FOR WINSTON LIN DATED
06/26/2023.

09/20



2024 PLANNING COMMISSION MEETING DATES FAYETTE COUNTY, GA

(Dates are subject to change with notice. If a hearing falls on a holiday, a different hearing date will be scheduled.)

The public hearing is held at the Fayette County Administrative Complex at 140 Stonewall Ave. W., Fayetteville, GA 30214 (located at the southwest corner of SR 54 and SR 85 in downtown Fayetteville), on the first floor in the Public Meeting Room (near the fountain) and hearings begin at 7:00 p.m.

PUBLIC HEARING

January 4, 2024

February 1, 2024

March 7, 2024

April 4, 2024

May 2, 2024

June 6, 2024

July 18, 2024 *(The first Thursday in July is July 4, a Federal Holiday)*

August 1, 2024

September 5, 2024

October 3, 2024

November 7, 2024

December 5, 2024

*Meetings may be cancelled if there are no agenda items. Special called meetings may be added if necessary. These will be advertised and posted, as required.

PLANNING COMMISSION RECOMMENDATION

DATE: October 5, 2023

TO: Fayette County Commissioners

The Fayette County Planning Commission recommends that the Planning Commission
2024 Calendar, be:

_____ Approved _____ Withdrawn _____ Denied

_____ Tabled until _____

_____ Approved with Conditions _____

This is forwarded to you for final action.

JIM OLIVER, CHAIRMAN

JOHN H. CULBRETH, SR., VICE-CHAIRMAN

ARNOLD L. MARTIN III

DANNY ENGLAND

JOHN J. KRUZAN

Remarks:

**STATE OF GEORGIA
COUNTY OF FAYETTE**

R E S O L U T I O N

Planning Commission 2024 Calendar

WHEREAS, Deborah Bell, Planning and Zoning Director, having come before the Fayette County Planning Commission on October 5, 2023, requests a schedule for the upcoming year pursuant to "The Zoning Ordinance of Fayette County, Georgia, 2010"; and

WHEREAS, said request being as follows: Planning Commission 2024 Calendar; and

WHEREAS, the Fayette County Planning Commission having duly convened, and considered said request;

BE IT RESOLVED that the decision of the Fayette County Planning Commission, that said request be **APPROVED**.

This decision is based on the following reasons:

Meeting schedule would provide good representation for the citizens within unincorporated Fayette County.

**PLANNING COMMISSION
OF
FAYETTE COUNTY**

ATTEST:

JIM OLIVER, CHAIRMAN

PC SECRETARY

STATE OF GEORGIA

COUNTY OF FAYETTE

R E S O L U T I O N

Planning Commission 2024 Calendar

WHEREAS, Deborah Bell, Planning and Zoning Director, having come before the Fayette County Planning Commission on October 5, 2023, requests a schedule for the upcoming year pursuant to "The Zoning Ordinance of Fayette County, Georgia, 2010"; and

WHEREAS, said request being as follows: Planning Commission 2024 Calendar; and

WHEREAS, the Fayette County Planning Commission having duly convened, and considered said request;

BE IT RESOLVED that the decision of the Fayette County Planning Commission, that said request be **APPROVED**.

This decision is based on the following reasons:

Meeting schedule would not provide good representation for the citizens within unincorporated Fayette County.

**PLANNING COMMISSION
OF
FAYETTE COUNTY**

ATTEST:

JIM OLIVER, CHAIRMAN

PC SECRETARY

PC. 2024
CALENDAR
RJD Date
20 SEP 2023

NOTICE OF PUBLIC HEARING
FOR THE FAYETTE COUNTY
PLANNING COMMISSION 2024
CALENDAR

PUBLIC HEARING to be held before the Fayette County Planning Commission on October 5, 2023 at 7:00 P.M., and in the Fayette County Administrative Complex, 140 Stonewall Avenue West, Public Meeting Room, First Floor, Fayetteville, Georgia.

Consideration of the Fayette County Planning Commission 2024 Calendar.

A copy of the above is available in the office of the Fayette County Planning and Zoning Department, 140 Stonewall Avenue West, Suite 202, Fayetteville, Georgia.

This 20th day of September, 2023.

Deborah L. Bell, RLA
Planning & Zoning Director

09/20