

BOARD MEMBERS

John Kruzan, Chairman
Danny England, Vice-Chairman
John H. Culbreth, Sr
Jim Oliver
Boris Thomas

STAFF

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

**AGENDA
FAYETTE COUNTY PLANNING COMMISSION MEETING
140 STONEWALL AVENUE WEST
May 1, 2025
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 April 3, 2025
5. Plats
 - a. Minor Subdivision Plat of Dogwood Farms
 - b. Minor Final Plat of The Estate of Adine L. Mask & Webb W. Mask, Jr. (North)
 - c. Minor Final Plat of The Estate of Adine L. Mask & Webb W. Mask, Jr. (South)

PUBLIC HEARING

6. Consideration of Petition 1363-25, Applicant proposes to rezone 2.79 acres from R-40 (Single-Family Residential) to R-70 (Single-Family Residential) for the purposes of developing residential lots. Property is located in Land Lots 77 of the 7th District and fronts Sandy Creek Road.

Meeting Minutes 04/03/2025

THE FAYETTE COUNTY PLANNING COMMISSION met on April 3rd, 2025, at 7:00 P.M. in the Fayette County Administrative Complex, 140 Stonewall Avenue West, Fayetteville, Georgia.

MEMBERS PRESENT: John Kruzan, Chairman
Danny England, Vice-Chairman
John H. Culbreth Sr
Jim Oliver
Boris Thomas

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

NEW BUSINESS

1. Call to Order. *Chairman John Kruzan called the April 3, 2025, meeting to order at 7:00 pm.*
2. Pledge of Allegiance. *Chairman John Kruzan offered the invocation and led the audience in the Pledge of Allegiance.*
3. Approval of Agenda. *Danny England made a motion to approve the agenda. John Culbreth, Sr., seconded the motion. The motion carried 5-0.*
4. Consideration of the Minutes of the meeting held on March 6, 2025. *Danny England made a motion to approve the minutes of the meeting held on March 6, 2025. John Culbreth, Sr., seconded the motion. The motion carried 5-0.*
5. Plats

a. Preliminary Plat for Eva Gardens (fronts on Old Senoia Road).

Ms. Debbie Bell presented the revised preliminary plat for Eva Gardens, which includes two lots added after acquiring additional property and rezoning. The plat has been reviewed and approved by staff, meeting all standards.

Chairman John Kruzan asked if anyone had any questions, hearing none; he asked for a motion.

Danny England made a motion to approve the Preliminary Plat for Eva Gardens. John Culbreth, Sr., seconded the motion. The motion passed 5-0.

b. Preliminary Plat for Grandover (fronts on Antioch Road).

Ms. Bell confirmed that the preliminary plat for Grandover, a property on Antioch Road below McBride Road, has been reviewed and approved by staff to comply with regulations, as previously shown on maps.

Chairman John Kruzan asked if anyone had any questions, hearing none; he asked for a motion.

Danny England made a motion to approve the Preliminary Plat Grandover. John Culbreth Sr. seconded the motion. The motion passed 5-0.

PUBLIC HEARING

6. **Consideration of Petition 1362-25**, Applicant proposes to rezone 16.1 acres from R-70 (Single-Family Residential) to A-R (Agricultural-Residential) for the purposes of developing small farming activities. Property is located in Land Lots 18 of the 9th District and fronts Jewel Bluff Road.

Ms. Bell explained that the lot is a legal lot of record that meets or exceeds the A-R zoning district requirements. The Future Land Use Map designates it as Rural Residential-2, with a 2-acre minimum parcel size. The request to rezone to the A-R zoning district is appropriate and consistent with the Future Land Use Map and Comprehensive Plan. Staff recommends conditional approval. They had spoken to the applicant earlier stating they would be present, but they were not, but they were not staff objections to the rezoning either.

Chairman John Kruzan asked for clarification for the petition and agenda number to be 1362-24 or 25?

Ms. Bell responded is 1362-25.

Chairman John Kruzan asked if the applicant wasn't present, asked if anyone in the audience would like to speak in favor or opposition of the petition.? Hearing none, he brought the item back to the board for questions. Hearing none, he asked for a motion.

Danny England made the motion to recommend CONDITIONAL APPROVAL of Petition 1362-25. John Culbreth Sr. seconded the motion. The motion carried 5-0.

CONDITIONS:

1. *The owner/developer shall dedicate land to Fayette County as needed to provide a minimum 30-ft of right of way as measured from the existing centerline of Jewel Bluff for the full width of the parcel. Submittal of all warranty deed(s) and legal descriptions for said right-of-way dedication(s) shall be provided to the County within 90 days of the approval of the rezoning request or prior to the final plat approval, whichever comes first.*
2. *The Watershed Protection Ordinance shall apply to this property upon rezoning.*

Danny England moved to adjourn the April 3, 2025, Planning Commission meeting. Jim Oliver seconded. The motion passed 5-0.

The meeting adjourned at 7:12 pm.

ATTEST:

PLANNING COMMISSION
OF
FAYETTE COUNTY

JOHN KRUZAN, CHAIRMAN

DEBORAH BELL
DIRECTOR, PLANNING & ZONING

PETITION No. 1363-25

REQUESTED ACTION: Rezone 2.79 acres from R-40 to R-70

PARCEL NUMBER: A portion of Parcel #0723 028; this portion is to be combined with Parcel #0723 017.

EXISTING ZONING: R-40

PROPOSED ZONING: R-70

EXISTING USE: Single-Family Residential

PROPOSED USE: Single-Family Residential

LOCATION: 1062 Sandy Creek Road

LOT SIZE: 7.94 Acres, total. The remainder of Parcel #0723 028 will be 5.15. acres, which still meets the requirements for the R-40 zoning district.

DISTRICT/LAND LOT(S): 7th District, Land Lot(s) 77

OWNER(S): Primitivo P. Diaz

APPLICANT(S): Damon M. Free

AGENT(S): Damon M. Free

PLANNING COMMISSION PUBLIC HEARING: May 1, 2025, at 7:00 PM

BOARD OF COMMISSIONERS PUBLIC HEARING: May 22, 2025, at 5:00 PM

REQUEST

The applicant is requesting to rezone the property from R-40 to R-70 for the purpose of combining with his existing property, Parcel #0723 017.

STAFF ASSESSMENT & RECOMMENDATION

The lot is a legal lot of record and, even after the 2.79 acre piece is rezoned and sold, will meet or exceed all the requirements of the R-40 zoning district. The Future Land Use Map designates this area as Rural Residential-2, which has a 2-acre minimum parcel size. Since R-70 is the same density

zoning, the request to rezone to the R-70 zoning district is appropriate and is consistent with the Future Land Use Map and the Comprehensive Plan. Staff recommends **CONDITIONAL APPROVAL** of the request to rezone to R-70, subject to the following:

1. Within 90 days of approval of the rezoning, the rezoned portion of Parcel #0723 028 shall be combined into a single parcel with Parcel #0723 017 with an approved recorded plat.

INVESTIGATION

A. GENERAL PROPERTY INFORMATION

The subject property is currently zoned R-40. It was rezoned from R-70 to R-40 on June 25, 1987. The property is currently part of a single-family residential lot.

B. ADJACENT ZONING AND FUTURE LAND USE

Most of the parcels surrounding the subject property are zoned R-70, having been part of the blanket rezoning in 1973. The Future Land Use Map for this property and all the surrounding properties is Rural Residential-2, 1 Unit/2 Acres. See the attached Zoning Map and Future Land Use Map.

Direction	Acreage	Zoning	Use	Future Land Use Plan
North	20+; 5	R-70; R-40	Single Family Residential	Rural Residential-2 (1 unit /2 acres)
East	20+	R-70	Single Family Residential	Rural Residential-2 (1 unit /2 acres)
South	20+	R-70	Single Family Residential	Rural Residential-2 (1 unit /2 acres)
West	20+	R-70	Single Family Residential	Rural Residential-2 (1 unit /2 acres)

C. DEPARTMENTAL COMMENTS

- ☐ **Water System** – No objections.
- ☐ **Public Works/Environmental Management** – No objections.
- ☐ **Fire** – No comments.
- ☐ **Environmental Health** - This office has no objection to the proposed rezoning.
- ☐ **GDOT** – Not applicable, not on State Route.

ZONING DISTRICT STANDARDS

Sec. 110-133. R-70, 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 excessive densities and development and those uses incompatible with such a residential environment.

(b) *Permitted uses.* The following permitted uses shall be allowed in the R-70 zoning district:

- (1) Single-family dwelling;
- (2) Residential accessory structures and uses (see article III of this chapter); and
- (3) Growing crops, gardens.

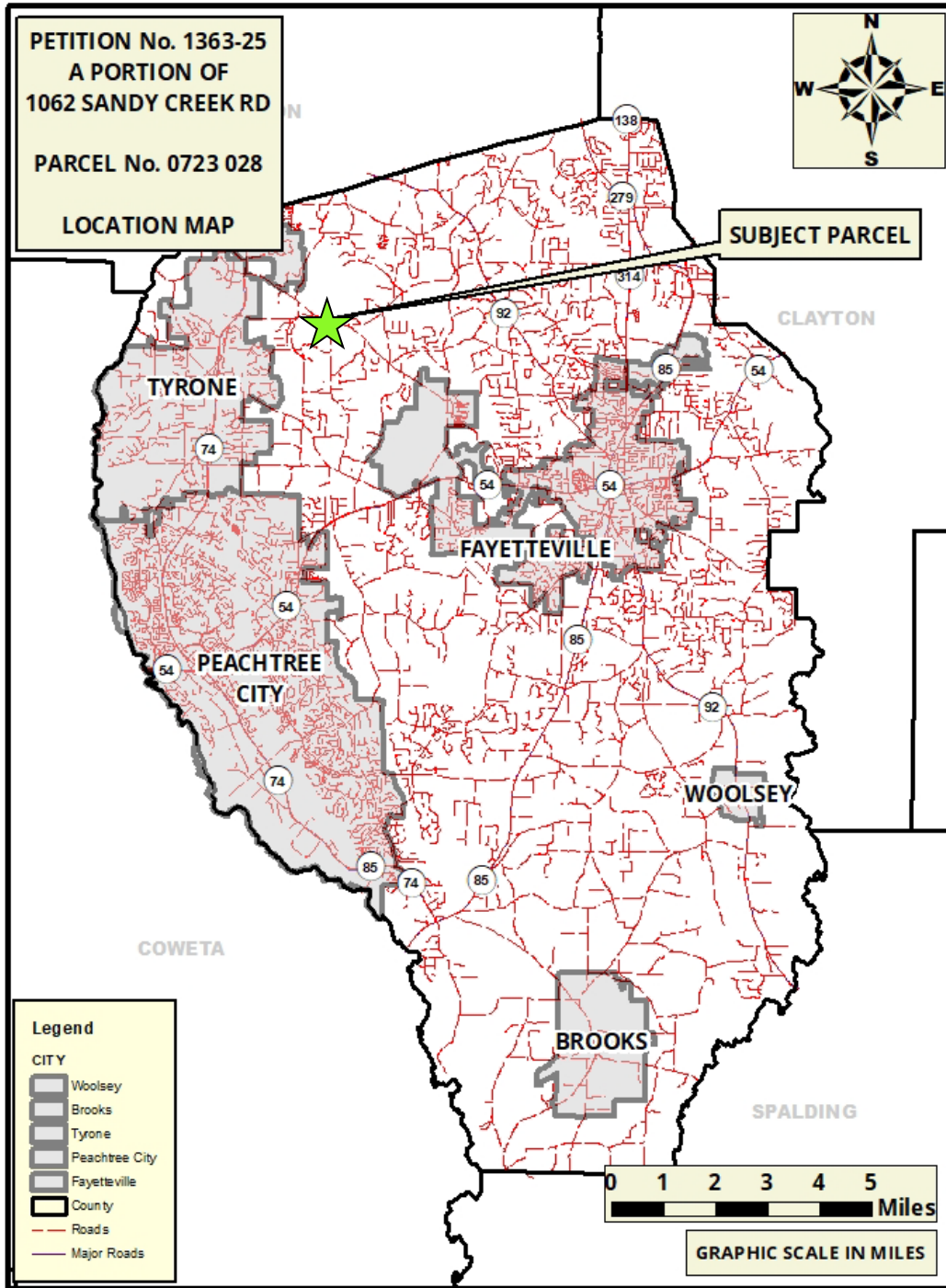
(c) *Conditional uses.* The following conditional uses shall be allowed in the R-70 zoning district provided that all conditions specified in article V of this chapter are met:

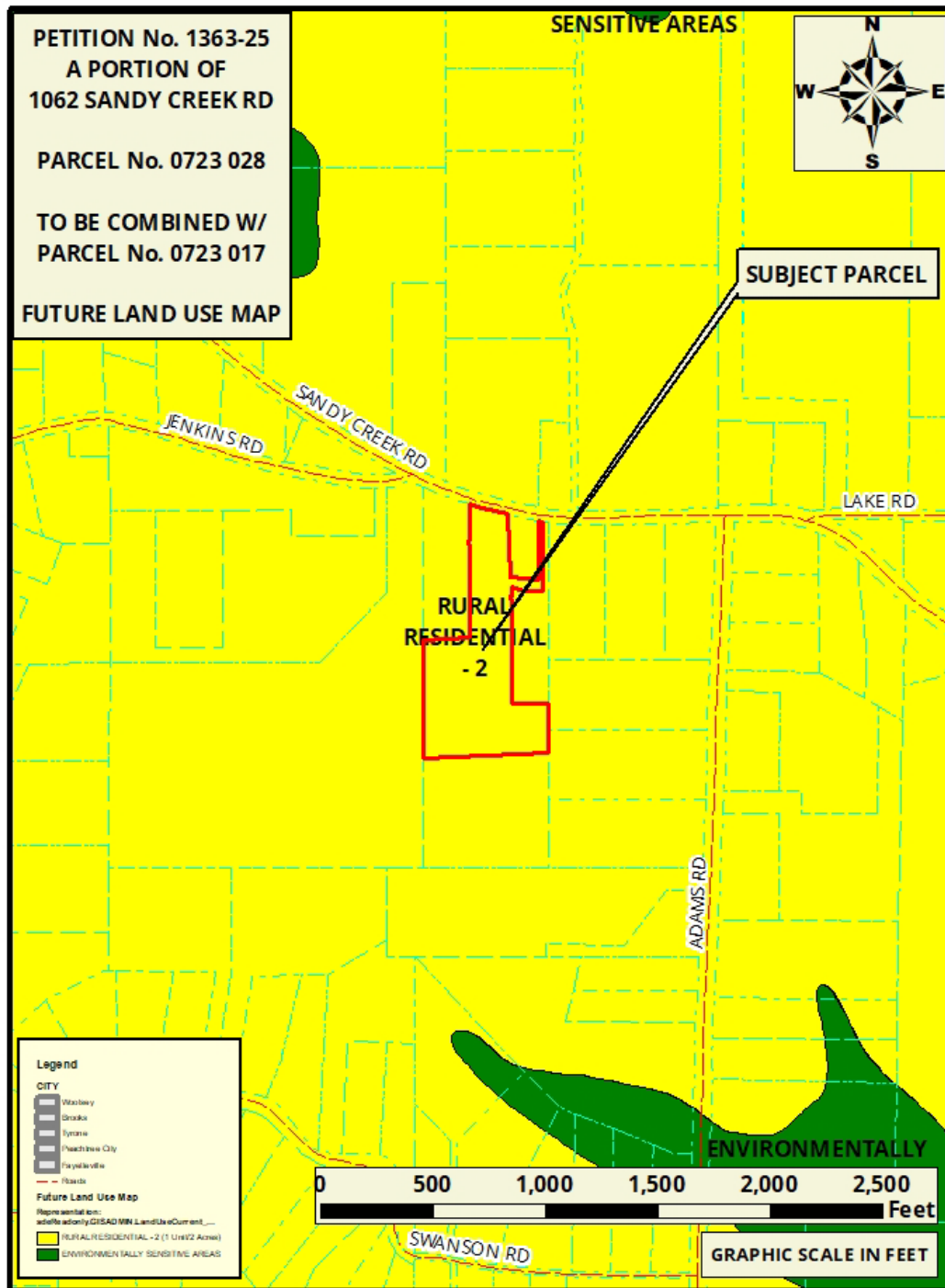
- (1) Church and/or other place of worship;
- (2) Developed residential recreational/amenity areas;
- (3) Home occupation;
- (4) Horse quarters; and
- (5) Private school, including, but not limited to: classrooms, administration, playground, housing, athletic fields, gymnasium, and stadium.

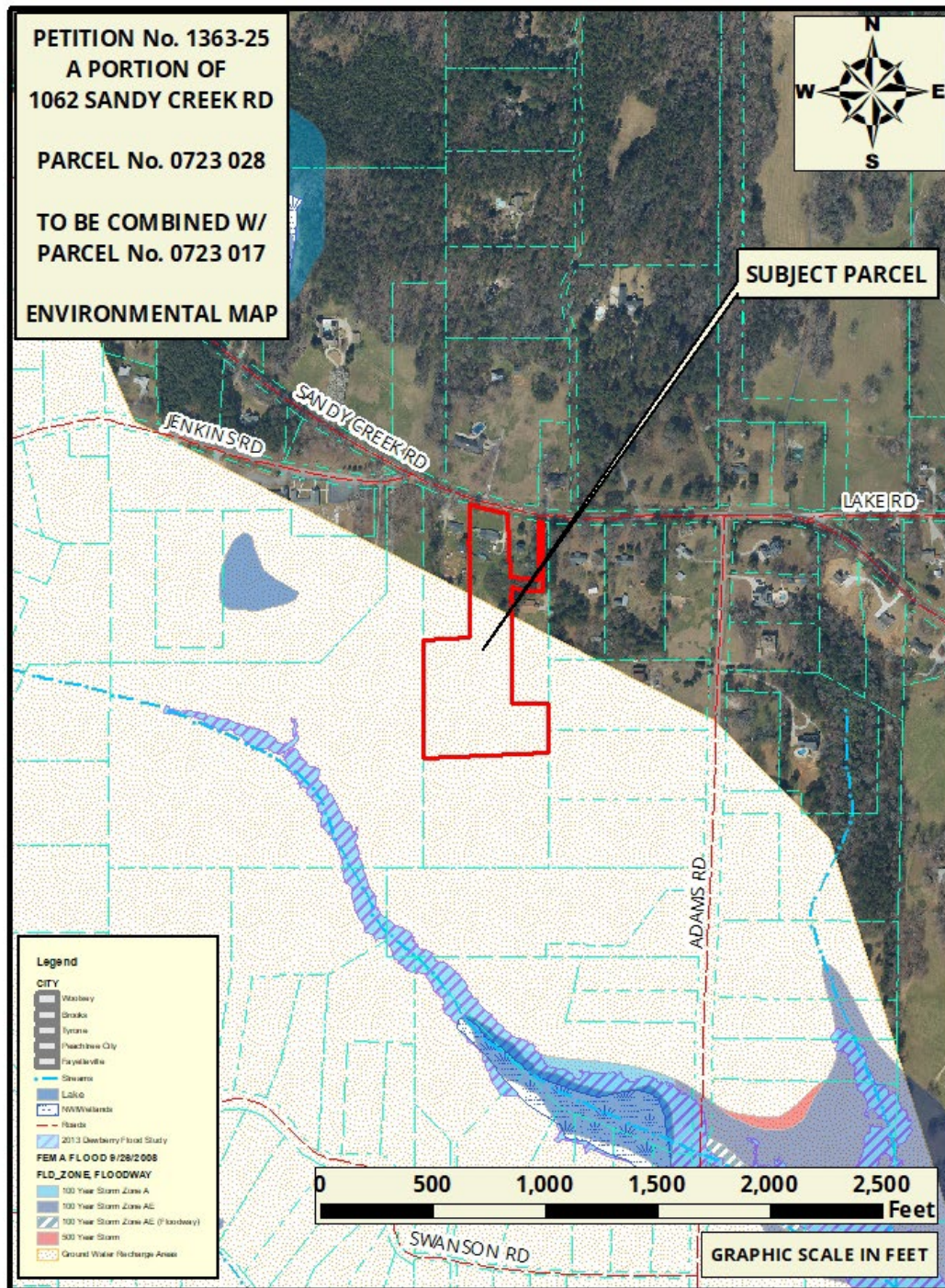
(d) *Dimensional requirements.* The minimum dimensional requirements in the R-70 zoning district shall be as follows:

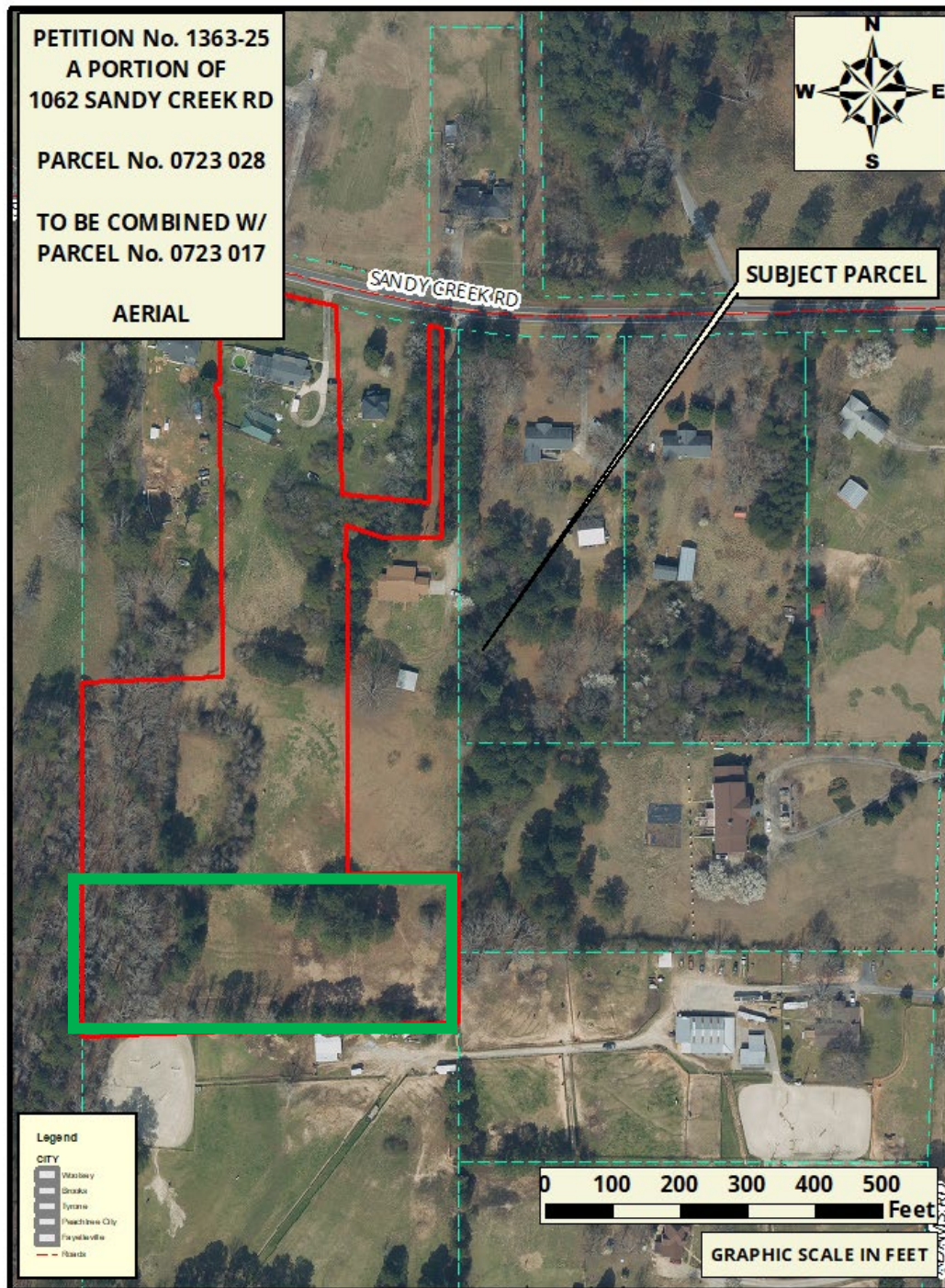
- (1) Lot area per dwelling unit: 87,120 square feet (two acres).
- (2) Lot width:
 - a. Major thoroughfare:
 1. Arterial: 175 feet.
 2. Collector: 175 feet.
 - b. Minor thoroughfare: 150 feet.
- (3) Floor area: 1,500 square feet.
- (4) Front yard setback:
 - a. Major thoroughfare:
 1. Arterial: 75 feet.
 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.

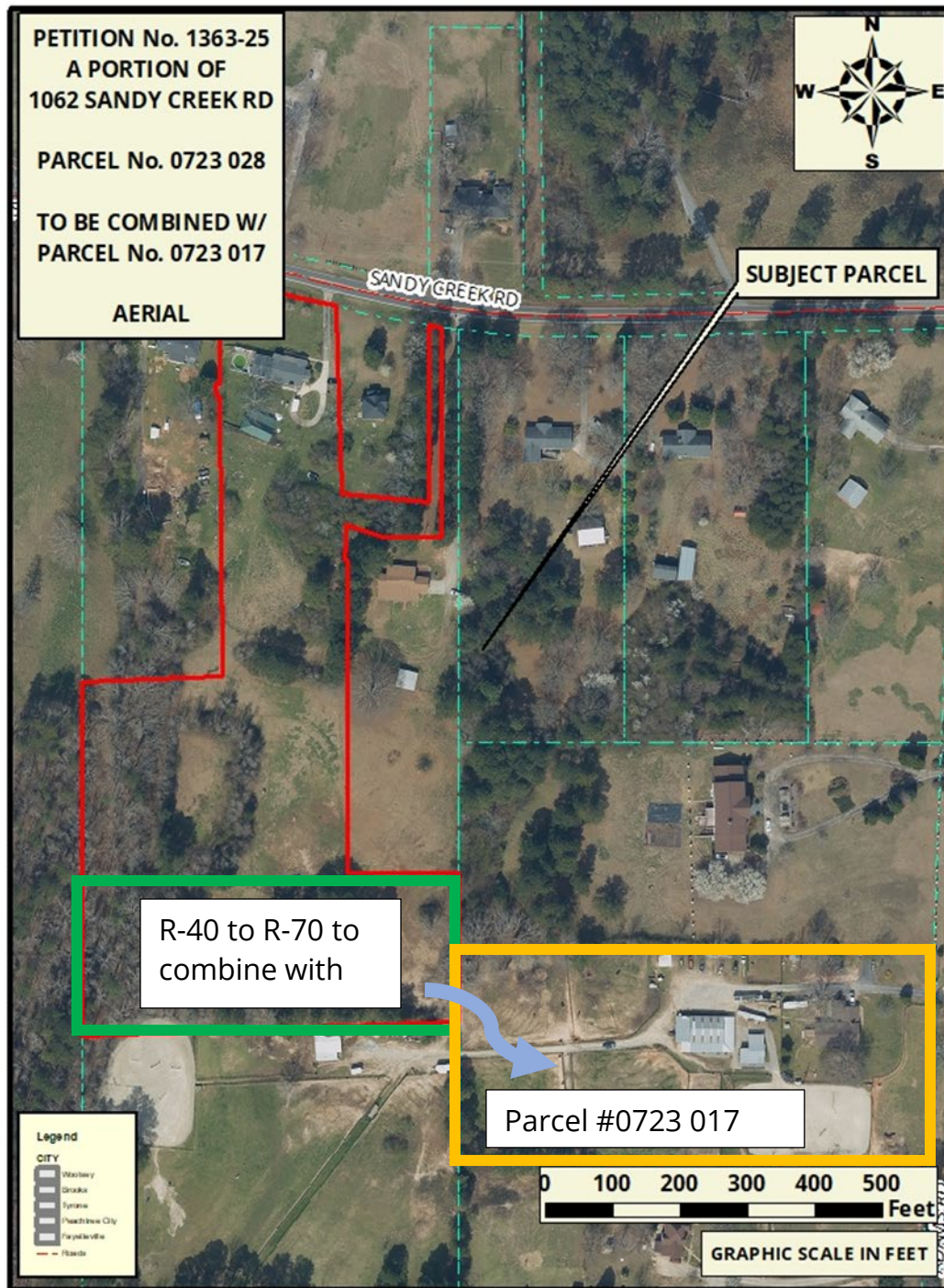
(Code 1992, § 20-6-9; Ord. No. 2012-09, § 4, 5-24-2012; Ord. No. 2018-03, § 13, 9-22-2018)











RECOMBINATION PROPOSAL IF REZONED

PETITION No (s): 1363-25

STAFF USE ONLY

SAGES REFERENCE No.: _____

APPLICANT INFORMATION

Name Damon M. Free

Address [REDACTED]

City Fayetteville,

State Ga Zip 30214

Email [REDACTED]

Phone [REDACTED] com

PROPERTY OWNER INFORMATION

Name PRIMITIVO P DIAZ

Address 1062 Sandy Creek Rd

City Fayetteville GA 3

State GA Zip 30214

Email [REDACTED]

Phone [REDACTED]

AGENT(S) (if applicable)

Name Damon Free

Address [REDACTED]

City Fayetteville

State GA Zip 30214

Email DFreeConstruction@gmail.com

Phone [REDACTED]

Name _____

Address _____

City _____

State _____ Zip _____

Email _____

Phone _____

(THIS AREA TO BE COMPLETED BY STAFF)

[] Application Insufficient due to lack of:

Staff: _____ Date: _____

☒ Application and all required supporting documentation is Sufficient and Complete

Staff: Maria Bins Date: 02/18/2025

DATE OF PLANNING COMMISSION HEARING: PC May 1, 2025

DATE OF COUNTY COMMISSIONERS HEARING: BOC May 22, 2025

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

Date Paid: 02/20/2025 Receipt Number: 023262

PETITION No.: 1363-25 Fees Due: _____ Sign Deposit Due: _____

STAFF USE ONLY

PROPERTY INFORMATION (please provide information for each parcel)

Parcel # (Tax ID): 0723028 Acreage: 2.79
Land District(s): 7 Land Lot(s): 77
Road Name/Frontage L.F.: SANDY CREEK Road Classification: _____
Existing Use: RAW land Proposed Use: Raw land
Structure(s): _____ Type: _____ Size in SF: _____
Existing Zoning: R 40 Proposed Zoning: R 70
Existing Land Use: RAW land Proposed Land Use: RAW land
Water Availability: N/A Distance to Water Line: _____ Distance to Hydrant: _____

PETITION No.: _____ Fees Due: _____ Sign Deposit Due: _____

STAFF USE ONLY

PROPERTY INFORMATION (please provide information for each parcel)

Parcel # (Tax ID): _____ Acreage: _____
Land District(s): _____ Land Lot(s): _____
Road Name/Frontage L.F.: _____ Road Classification: _____
Existing Use: _____ Proposed Use: _____
Structure(s): _____ Type: _____ Size in SF: _____
Existing Zoning: _____ Proposed Zoning: _____
Existing Land Use: _____ Proposed Land Use: _____
Water Availability: _____ Distance to Water Line: _____ Distance to Hydrant: _____

PETITION No.: _____ Fees Due: _____ Sign Deposit Due: _____

STAFF USE ONLY

PROPERTY INFORMATION (please provide information for each parcel)

Parcel # (Tax ID): _____ Acreage: _____
Land District(s): _____ Land Lot(s): _____
Road Name/Frontage L.F.: _____ Road Classification: _____
Existing Use: _____ Proposed Use: _____
Structure(s): _____ Type: _____ Size in SF: _____
Existing Zoning: _____ Proposed Zoning: _____
Existing Land Use: _____ Proposed Land Use: _____
Water Availability: _____ Distance to Water Line: _____ Distance to Hydrant: _____

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:

PRIMITIVO P DIAZ

(Please Print)

Property Tax Identification Number(s) of Subject Property: 0723-028

(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) _____ of the _____ District, and (if applicable to more than one land district) Land Lot(s) _____ of the _____ District, and said property consists of a total of 2.79 acres (legal description corresponding to most recent recorded plat for the subject property is attached herewith).

(I) (We) hereby delegate authority to Damon Free 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.

(II) [Signature]
Signature of Property Owner 1
1062 SANDY CREEK RD
Address

Signature of Property Owner 2

Address

Signature of Property Owner 3

Address

[Signature]
Signature of Authorized Agent
710 ADAMS RD
Address

[Signature]
Signature of Notary Public
2-17-2025
Date

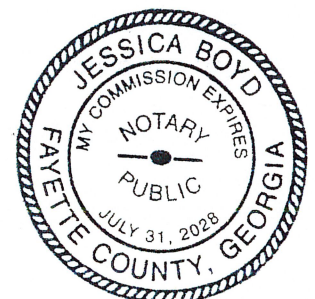
Signature of Notary Public

Date

Signature of Notary Public

Date

[Signature]
Signature of Notary Public
2-17-2025
Date



PETITION No.: _____

OWNER'S AFFIDAVIT

(Please complete an affidavit for each parcel being rezoned; ALL property owners must sign.)

NAME: Primitivo P Diaz

ADDRESS: 1062 Sandy Creek Rd

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

PRimitivo P DIAZ affirms that he is the owner or the specifically authorized agent of the property described below. Said property is located in a(n) _____ Zoning District. He/She respectfully petitions the County to rezone the property from its present classification and tenders herewith the sum of \$ _____ to cover all expenses of public hearing. He/She petitions the above named to change its classification to R70.

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 day of _____, 20____ at 7:00 P.M.

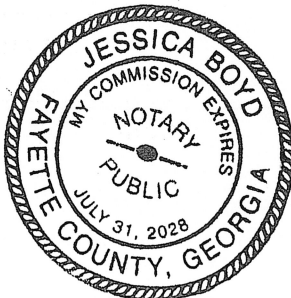
PUBLIC HEARING to be held by the Board of Commissioners of Fayette County on the day of _____, 20____ at 7:00 P.M.

SWORN TO AND SUBSCRIBED BEFORE ME THIS 17th DAY OF February, 2025

SIGNATURE OF PROPERTY OWNER

SIGNATURE OF PROPERTY OWNER

NOTARY PUBLIC



AGREEMENT TO DEDICATE PROPERTY FOR FUTURE RIGHT-OF-WAY

I/We, PRIMITIVO P DIAZ, 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 n/a Debe & Bell 02/18/2025 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:

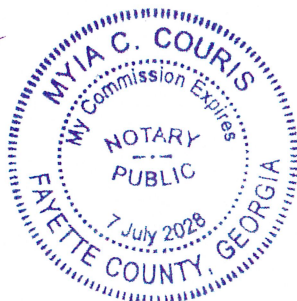
- Local Street (Minor Thoroughfare) 60-foot right-of-way (30' measured from each side of road centerline)
- Collector Street (Major Thoroughfare) 80-foot right-of-way (40' measured from each side of road centerline)
- Arterial Street (Major Thoroughfare) 100-foot right-of-way (50' measured from each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

Sworn to and subscribed before me this 18 day of FEBRUARY, 2025.

Primitivo P Diaz
SIGNATURE OF PROPERTY OWNER

SIGNATURE OF PROPERTY OWNER

Myia C. Couris
NOTARY PUBLIC

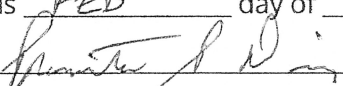


DEVELOPMENTS OF REGIONAL IMPACT (DRI)

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 FEB day of 18, 2025.



APPLICANT'S SIGNATURE



AFTER RECORDING RETURN TO:

SLEPIAN & SCHWARTZ, LLC
42 EASTBROOK BEND
PEACHTREE CITY, GA 30269

Doc ID: 007565490002 Type: GLR
Filed: 07/31/2007 at 08:30:00 AM
Fee Amt: \$12.00 Page 1 of 2
Transfer Tax: \$0.00
Fayette, Ga. Clerk Superior Court
Sheila Studdard Clerk of Court
BK **3273** PG **145-146**

**DRAW DEED ONLY
WARRANTY DEED**

STATE OF GEORGIA

COUNTY OF FAYETTE

THIS INDENTURE, made this 11th day of July, 2007, between DAMON FREE, as party or parties of the first part, hereinafter called Grantor, and DAMON M. FREE AND LYDIA S. FREE, AS JOINT TENANTS WITH RIGHT OF SURVIVORSHIP and not as tenants in common as parties of the second part, hereinafter called Grantees (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 and 00/100 Dollars (\$10.00) and other good and valuable considerations in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, has granted, bargained, sold, aliened, transferred, conveyed and confirmed, and by these presents does grant, bargain, sell, alien, transfer, convey and confirm unto the said Grantees, as joint tenants with right of survivorship and not as tenants in common, for and during their joint lives, and upon the death of either of them, then to the survivor of them, in Fee Simple, together with every contingent remainder and right of reversion, and to the heirs and assigns of said survivor, the following described property:

**ALL THAT TRACT OR PARCEL OF LAND LYNG AND BEING IN LAND LOT 77,
7TH DISTRICT, FAYETTE COUNTY, GEORGIA BEING LOT 2, PLAT OF SURVEY
BY DAVID SOPER, AND BEING MORE PARTICULARLY DESCRIBED IN EXHIBIT
"A" ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE.**

THIS CONVEYANCE is made subject to all zoning ordinances, easements and restrictions of record affecting said bargained premises.

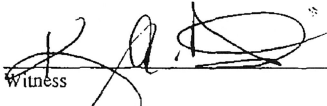
TO HAVE AND TO HOLD the said tract or parcel of land, with all and singular the rights, members and appurtenances thereof, to the same being, belonging, or in anywise appertaining, to the only proper use, benefit and behoof of the said Grantees, as joint tenants with right of survivorship and not as tenants in common, for and during their joint lives, and upon the death of either of them, then to the survivor of them in FEE SIMPLE, together with every contingent remainder and right of reversion, and to the heirs and assigns of said survivor.


THIS CONVEYANCE is made pursuant to Official Code of Georgia Section 44-6-190, and it is the intention of the parties hereto to hereby create in Grantees a joint tenancy estate with right of survivorship and not a tenancy in common.

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 whomsoever.

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

Signed, sealed and delivered in the presence of:


Witness


Damon Free

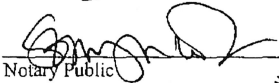

Notary Public
My commission expires:



Exhibit "A"

ALL THAT TRACT OR PARCEL OF LAND lying and being in Land Lot 77, 7th District, Fayette County, Georgia, being Lot 2, Plat of Survey by David Soper, and being more particularly described as follows:

Beginning at an iron pin on the Westerly side of Adams Road (formerly Head Road) 914 feet Southerly from the corner formed by the intersection of the Westerly side of Adams Road with the Southerly side of Sandy Creek Road; run thence Southerly along the Westerly side of Adams Road a distance of 310 feet to an iron pin; run thence West and forming an interior angle of 91 degrees 27 minutes with the preceding course along the North line of property now or formerly owned by Ralph S. Moore & Mary Ann Moore, a distance of 699.32 feet to a post; run thence North and forming an interior angle of 89 degrees 47 minutes with the preceding course a distance of 310 feet to an iron pin; run thence South 89 degrees 45 minutes 45 seconds East and forming an interior angle of 90 minutes 13 seconds with the preceding course a distance of 705.95 feet to an iron pin on the Westerly side of Adams Road and the Point of Beginning; being improved property with a split level brick and frame house located thereon being known as No. 710 Adams Road, according to the present system of numbering houses in Fayette County, Georgia.

Legal Description

All that Tract or Parcel of land lying and being in Land Lot 77 of the 7th District of Fayette County, Georgia, and being more particularly described as follows; To find the True Point of Beginning, **Commence** at a magnail set at the approximate centerline intersection of Adams Road and Sandy Creek Road; thence South 04 degrees 37 minutes 30 seconds West a distance of 959.92 feet to a ½" rebar set on the Westerly Right-of-Way of Adams Road, having an 80 foot Right-of-Way; Thence leaving said Right-of-Way North 89 degrees 27 minutes 38 seconds West a distance of 702.78 feet to a 1/2" rebar found, and the **True Point of Beginning**;

Thence South 00 degrees 52 minutes 18 seconds West a distance of 104.40 feet to a ½" rebar found; Thence North 89 degrees 26 minutes 02 seconds West a distance of 524.89 feet to a ½" rebar found; Thence North 01 degrees 41 minutes 37 seconds East a distance of 234.01 feet to a point; Thence South 88 degrees 59 minutes 31 seconds East a distance of 355.68 feet to a ½" rebar found; Thence North 89 degrees 35 minutes 59 seconds East a distance of 165.05 feet to a 3/8" rebar found; Thence South 00 degrees 30 minutes 05 seconds West a distance of 129.60 feet to a ½" rebar found, and the **True Point of Beginning**; said Tract containing 2.79 acres, more or less, and being shown on a rezoning exhibit prepared for Damon M. Free and Lydia S. Free by W.D. Gray and Associates, dated 01-28-2025, said exhibit by this reference hereby incorporated herein and made a part hereof.

CONCEPT PLAN FOR REZONING NOT TO BE USED FOR ANY OTHER PURPOSE BOUNDARY DATA TAKEN FROM A SURVEY PREVIOUSLY PERFORMED BY THIS OFFICE

CURRENT ZONING
 SINGLE FAMILY RESIDENTIAL
 MINIMUM LOT AREA - 1/2 ACRE
 MINIMUM LOT DEPTH - 125 FEET
 MINIMUM FRONT YARD SETBACK - 25 FEET
 MINIMUM SIDE YARD SETBACK - 5 FEET
 MINIMUM REAR YARD SETBACK - 10 FEET
 MINIMUM LOT COVER - 15%
 MINIMUM LOT AREA - 1/2 ACRE
 MINIMUM LOT DEPTH - 125 FEET
 MINIMUM FRONT YARD SETBACK - 25 FEET
 MINIMUM SIDE YARD SETBACK - 5 FEET
 MINIMUM REAR YARD SETBACK - 10 FEET
 MINIMUM LOT COVER - 15%

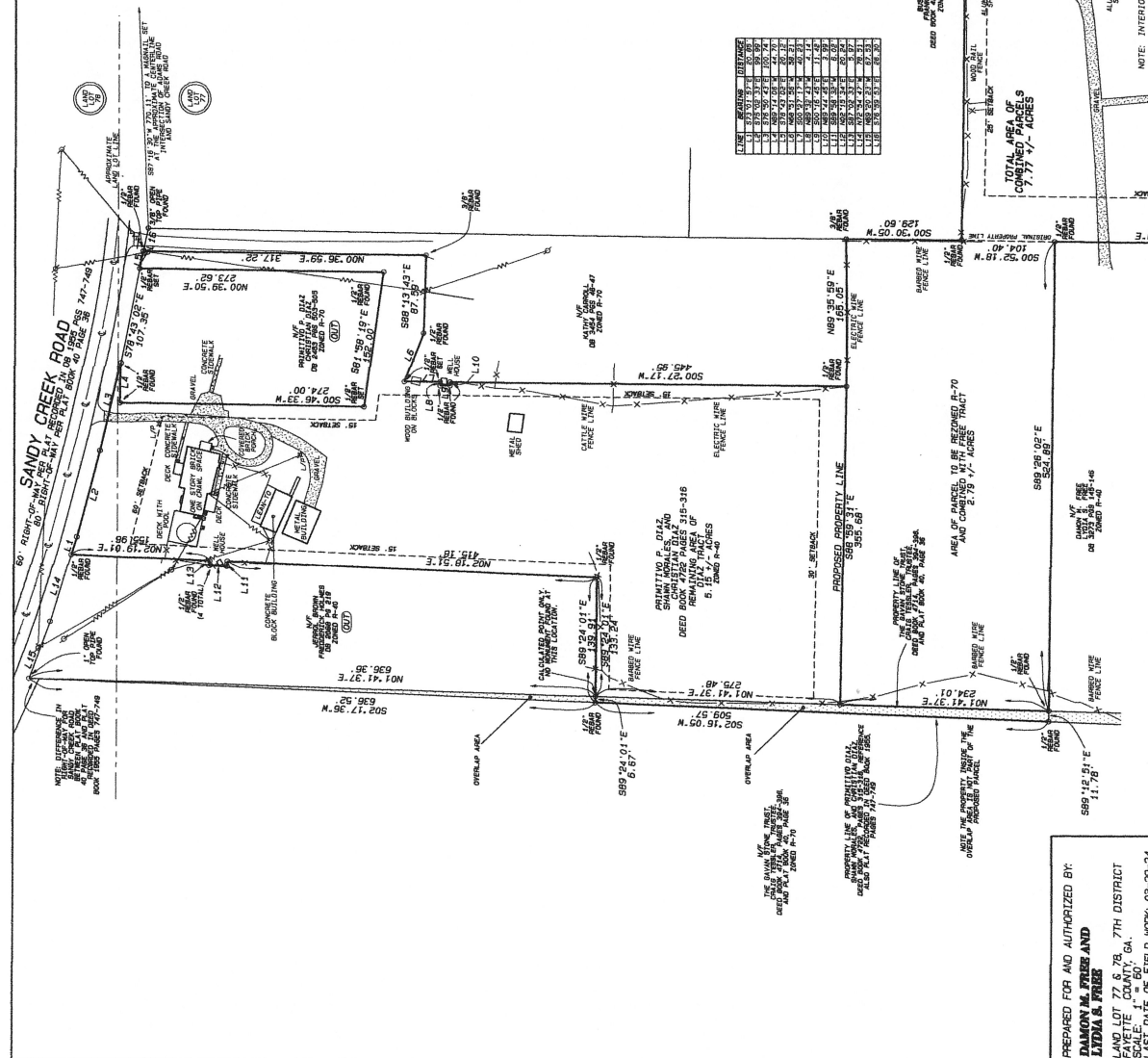
PROPOSED ZONING OF PARCELS BEING AMOUNTED BY FREE FROM 0.42
 1. PARCELS 1-10: SINGLE FAMILY RESIDENTIAL
 2. PARCELS 11-20: SINGLE FAMILY RESIDENTIAL
 3. PARCELS 21-30: SINGLE FAMILY RESIDENTIAL
 4. PARCELS 31-40: SINGLE FAMILY RESIDENTIAL
 5. PARCELS 41-50: SINGLE FAMILY RESIDENTIAL
 6. PARCELS 51-60: SINGLE FAMILY RESIDENTIAL
 7. PARCELS 61-70: SINGLE FAMILY RESIDENTIAL
 8. PARCELS 71-80: SINGLE FAMILY RESIDENTIAL
 9. PARCELS 81-90: SINGLE FAMILY RESIDENTIAL
 10. PARCELS 91-100: SINGLE FAMILY RESIDENTIAL

FOR THE STATE BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS
 THE FOLLOWING IS A SUMMARY OF THE SURVEY DATA TAKEN FROM A SURVEY PREVIOUSLY PERFORMED BY THIS OFFICE
 THE SURVEY WAS CONDUCTED ON 03-23-24
 THE SURVEY WAS CONDUCTED BY W.D. RAY
 THE SURVEY WAS CONDUCTED IN THE PRESENCE OF THE FOLLOWING PERSONS:
 1. W.D. RAY
 2. J. RAY
 3. J. RAY
 4. J. RAY
 5. J. RAY
 6. J. RAY
 7. J. RAY
 8. J. RAY
 9. J. RAY
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 9. J. RAY
 10. J. RAY

GRAPHIC SCALE
 0 50 100 150
 1" = 50'

IN THE OPINION OF THE SURVEYOR, THIS SURVEY DOES NOT
 CONFLICT WITH ANY OTHER SURVEY OF THE SAME TRACT
 DATED HEREIN OR PRIOR
 DATED: 03-23-24



W.D. RAY
 AND ASSOCIATES, INC.
 LSF000701
 PREPARED FOR AND AUTHORIZED BY:
 DAMON M. FREE AND
 LYDIA S. FREE
 LAND LOT 72 & 73, 7TH DISTRICT
 FAYETTE COUNTY, GA.
 LAST DATE OF FIELD WORK: 03-23-24
 DATE OF DRAWING: 01-28-2025

Wednesday, April 9, 2025

Continued from page B4

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, May 1,
2025, at 7:00 P.M., and before
the Fayette County Board of Com-
missioners on Thursday, May 22,
2025, at 5:00 P.M., in the Fayette
County Administrative Complex,
140 Stonewall Avenue West, Public
Meeting Room, First Floor, Fay-
etteville, Georgia.

Petition No.: 1363-25

Parcel No: 0723 028

Owner: Primitivo P. Diaz &
Christian Morales Shawn

Agent(s): Damon M. Free &
Lydia S. Free

Zoning District: R-40

Area of Property: 2.79 +/- acres

Fayette County News B5

Land Lot(s)/District: Land Lot 77 of
the 7th District

Fronts on: Sandy Creek Road

Proposed: Applicant proposes to
rezone 2.79 acres from R-40 (Sin-
gle-Family Residential) to R-70
(Single-Family Residential) for the
purposes of developing residential
lots.

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.

Legal Description

All that Tract or Parcel of land ly-
ing and being in Land Lot 77 of
the 7th District of Fayette County,
Georgia, and being more particu-
larly described as follows; To find
the True Point of Beginning, Com-
mence at a magnail set at the ap-
proximate centerline intersection
of Adams Road and Sandy Creek
Road; thence South 04 degrees 37
minutes 30 seconds West a dis-
tance of 959.92 feet to a 1/2" rebar
set on the Westerly Right-of-Way
of Adams Road, having an 80 foot
Right-of-Way; Thence leaving said
Right-of-Way North 89 degrees 27
minutes 38 seconds West a dis-
tance of 702.78 feet to a 1/2" rebar
found, and the True Point of Be-
ginning; Thence South 00 degrees
52 minutes 18 seconds West a dis-
tance of 104.40 feet to a 1/2" rebar
found; Thence North 89 degrees
26 minutes 02 seconds West a dis-
tance of 524.89 feet to a 1/2" rebar
found; Thence North 01 degrees 41
minutes 37 seconds East a distance
of 234.01 feet to a point; Thence
South 88 degrees 59 minutes 31
seconds East a distance of 355.68
feet to a 1/2" rebar found; Thence
North 89 degrees 35 minutes 59
seconds East a distance of 165.05
feet to a 3/8" rebar found; Thence
South 00 degrees 30 minutes 05
seconds West a distance of 129.60
feet to a 1/2" rebar found, and the
True Point of Beginning; said Tract
containing 2.79 acres, more or less,
and being shown on a rezoning ex-
hibit prepared for Damon M. Free
and Lydia S. Free by W.D. Gray and
Associates, dated 01-28-2025, said
exhibit by this reference hereby in-
corporated herein and made a part
hereof.

04/09