

**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

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**AGENDA**  
**FAYETTE COUNTY PLANNING COMMISSION MEETING**  
**140 STONEWALL AVENUE WEST**  
**August 7, 2025**  
**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 July 17, 2025
5. Plats
  - a. Minor Final Plat for Morris Estates

**PUBLIC HEARING**

6. Consideration of Petition 1364-25-A, Applicant is requesting to rezone Parcel No. 1306 011 (45.412 acres) from R-40 (Single-Family Residential) to A-R (Agricultural-Residential). Property is located in Land Lot 219 of the 13th District and fronts Highway 314.
7. Consideration of Petition 1364-25-B, To rezone Parcel No. 1306 117, proposed to rezone 4.738 acres from R-40 (Single-Family Residential) to A-R Agricultural-Residential (Single-Family). Property is located in Land lot 219 of the 13th District and fronts Highway 314.

8. Consideration of Petition 1365-25, Applicant propose to rezone 53.81 acres from R-70 (Single-Family Residential) to A-R Agricultural-Residential (Single-Family). Property is located in Land Lots 80 & 81 of the 7th District and fronts Coastline Road.
9. Consideration of Petition 1366-25, Applicant is requesting to rezone 31.144 acres from R-45 (Single-Family Residential) to A-R Agricultural-Residential (Single-Family). Property is located in Land Lots 73 and 88 of the 5th District and fronts South Jeff Davis Drive and Dixon Circle.



# Meeting Minutes 07/17/2025

**THE FAYETTE COUNTY PLANNING COMMISSION** met on July 17<sup>th</sup>, 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

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## **NEW BUSINESS**

1. Call to Order. *Chairman John Kruzan called the July 17, 2025, meeting to order at 7:00 pm.*
2. Pledge of Allegiance. *Chairman John Kruzan led the Pledge of Allegiance.*
3. Approval of Agenda. *Danny England made a motion to approve the agenda. Jim Oliver seconded the motion. The motion carried 5-0.*
4. Consideration of the Minutes of the meeting held on June 5, 2025. *Danny England made a motion to approve the minutes of the meeting held on June 5, 2025. John Culbreth, Sr., seconded the motion. The motion carried 5-0.*
5. Plats

Ms. Bell stated that the plats presented were reviewed and approved by the appropriate County departments.

- a. Major Final Plat of Eva Gardens. *Jim Oliver made a motion to approve the Major Final Plat of Eva Gardens. John Culbreth, Sr., seconded the motion. The motion passed 5-0.*
- b. Minor Final Plat of 260 Sandy Lake Circle. *Jim Oliver made a motion to approve the Minor Final Plat of 260 Sandy Lake Circle. Danny England seconded the motion. The motion passed 5-0.*

- c. Major Final Plat of Bernhard Farms. *John Culbreth, Sr., made a motion to approve the Major Final Plat of Bernhard Farms. Danny England seconded the motion. The motion carried 5-0.*
- d. Major Final Plat of the Manor at Stonecrest Preserve. *Jim Oliver made a motion to approve the Major Final Plat of the Manor at Stonecrest Preserve. John Culbreth, Sr., seconded the motion. The motion passed 5-0.*
- e. Minor Final Plat of the Tower Tract at the Manor Stonecrest Preserve. *Danny England made a motion to approve the Minor Final Plat of the Tower Tract at the Manor Stonecrest Preserve. John Culbreth, Sr., seconded the motion. The motion passed 5-0.*
- f. Minor Final Plat of Bowers Farm. *Jim Oliver made a motion to approve the Minor Final Plat of Bowers Farm. John Culbreth, Sr., seconded the motion. The motion passed 5-0.*

**PUBLIC HEARING**

*None*

*John Culbreth Sr. moved to adjourn the July 17, 2025, Planning Commission meeting. Danny England seconded. The motion passed 5-0.*

*The meeting adjourned at 7:10 pm.*

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**ATTEST:**

**PLANNING COMMISSION  
OF  
FAYETTE COUNTY**

**DEBORAH BELL  
DIRECTOR, PLANNING & ZONING**

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**JOHN KRUZAN, CHAIRMAN**

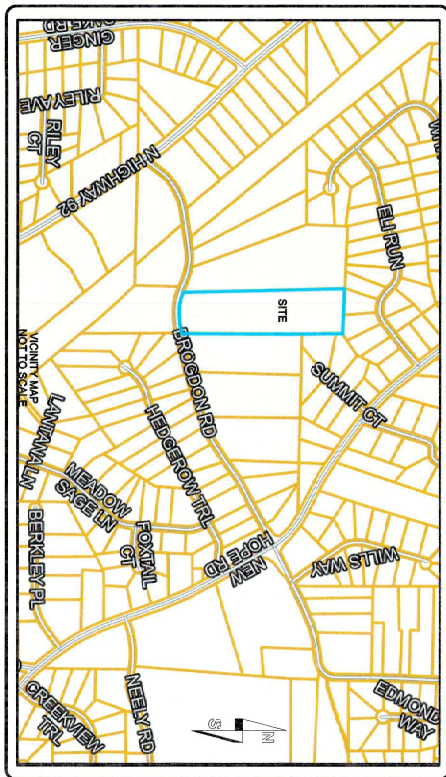
MINOR FINAL PLAT FOR  
MORRIS ESTATES

THIS BLOCK RESERVED FOR THE CLERK  
OF THE SUPERIOR COURT.

FINAL PLAT APPROVAL CERTIFICATION

APPROVED BY FAYETTE COUNTY ENVIRONMENTAL HEALTH DEPARTMENT  
DATE 3/21/25 SIGNED [Signature] SPECIAL INTERESTED PARTY  
APPROVED BY FAYETTE COUNTY ENVIRONMENTAL MANAGEMENT DEPARTMENT  
DATE 3/21/25 SIGNED [Signature] ENVIRONMENTAL MANAGEMENT DIRECTOR  
APPROVED BY FAYETTE COUNTY ENGINEER  
DATE 7-16-25 SIGNED P. Maller COUNTY ENGINEER DESIGNEE  
APPROVED BY THE FAYETTE COUNTY PLANNING COMMISSION  
DATE [Blank] SIGNED [Blank] SECRETARY/DESIGNEE  
APPROVED BY FAYETTE COUNTY ZONING ADMINISTRATOR  
DATE 5/29/2025 SIGNED [Signature] ZONING ADMINISTRATOR DESIGNEE  
APPROVED BY FAYETTE COUNTY FIRE MARSHAL  
DATE 7/19/25 SIGNED [Signature] FIRE MARSHAL DESIGNEE

SHEET INDEX	
SHEET NO.	DESCRIPTION
1	COVER
2	FINAL PLAT



OWNERS CERTIFICATION

WE, THE UNDERSIGNED OWNERS OF MORRIS ESTATES SUBDIVISION, HEREBY OFFER TO CERTIFICATE, REDEVELOP AND RESERVE FOR PUBLIC USE THE RIGHTS-OF-WAY, EASEMENTS AND OTHER INTERESTS SHOWN HEREON, AND TO BE CONVEYED 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 RECEIPT OF THE FINAL PLAT WITH THE FAYETTE COUNTY CLERK OF SUPERIOR COURT.

OWNER [Signature] DATE 7/19/25  
OWNER [Signature] DATE 7/19/25  
OWNER [Signature] DATE 7/19/25  
OWNER [Signature] DATE 7/19/25

SURVEYORS CERTIFICATION

AS REQUIRED BY SUBSECTION (c) OF O.C.G.A. SECTION 19-4-40, THE REGISTERED LAND SURVEYOR HAS REVIEWED THE PLAT AND THE RECORDING APPLICATION AND HAS 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 SURVEYORS CERTIFICATE

IT IS HEREBY CERTIFIED THAT THIS PLAT IS TRUE AND CORRECT AND WAS PREPARED BY THE SURVEYOR OR UNDER HIS CLOSE PERSONAL SUPERVISION AND THAT THE SURVEYOR HAS REVIEWED THE PLAT AND THE RECORDING APPLICATION AND HAS 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.

BY: SWINSON A. GASKINS, Sr. GEORGIA REGISTERED LAND SURVEYOR NO. 1820  
DATE 04/18/25

GENERAL NOTES

1. OWNER/DEVELOPER:  
BRIAN ROSSELL  
LATANIA MORRIS-ROSSELL  
FAYETTEVILLE, GA 30214  
404-984-1480  
lataniamorris@gmail.com
2. SURVEYOR:  
S.A. GASKINS & ASSOCIATES, LLC  
P.O. BOX 321  
BROOKS, GA 30205  
678-571-3504  
csaskins@gaskinsllc.com
3. TOTAL NUMBER OF LOTS: 3
4. TOTAL ACRES: 13.538 ACRES (890,831 sq ft)
5. MINIMUM DIMENSIONAL ZONING REQUIREMENTS:  
PARCEL NO. 0024 007 PA-007-25 DATED 4/22/2025  
ZONING DISTRICT: R-40  
(1) The area shown on this plat is a central sanitary sewerage or central water distribution system or a central water distribution system. Where neither a central sanitary sewerage nor a central water distribution system is provided, 0.5, 340 square feet (1/2 acre).
6. MINIMUM LOT AREA: 65,340 S.F.
7. MINIMUM LOT SIZE: 1 Acre
8. MINIMUM LOT AREA: 1,500 SF
9. MINIMUM FLOOR AREA: 1,500 SF
10. FRONT YARD SETBACK: 40' (MINOR)
11. SIDE YARD SETBACK: 60' (COLLECTOR)
12. REAR YARD SETBACK: 60' (INTERVAL)
13. REAR YARD SETBACK: 30'
14. SEWER PROVIDED BY AN ON-SITE SEWAGE DISPOSAL SYSTEMS
15. WATER PROVIDED BY THE FAYETTE COUNTY WATER DEPARTMENT AND AN EXISTING WELL.
16. "Access to the Fayette County Water System at this location is only available by line extension at the owner's expense."
17. 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.
18. THIS SURVEY IS SUBJECT TO ALL EASEMENTS, RIGHTS-OF-WAY, RESTRICTIONS SHOWN OR NOT SHOWN, RECORDED OR NOT RECORDED.
19. A PORTION OF THIS PROPERTY LIES WITHIN A GROUNDWATER RECHARGE AREA.
20. 1/2" REINFORCING ROOS SHALL BE SET AT ALL LOT CORNERS UNLESS NOTED OTHERWISE.
21. ACCORDING TO FEMA FLOOD INSURANCE RATE MAP NUMBER 131520101E DATED SEPTEMBER 26, 2008, THIS PROPERTY DOES NOT LIE WITHIN A SPECIAL FLOOD HAZARD AREA.
22. EXISTING LOT LIES A CONTIGUOUS AREA OF MORE THAN 0.3 ACRES THAT IS NOT SHOWN ON THIS PLAT. THE SURVEYOR HAS REVIEWED THE PHOTOGRAPHIC EVIDENCE AND SETBACKS, JURISDICTIONAL, AND EASEMENTS OF ANY KIND.
23. THERE ARE NO VISIBLE CEMETERIES OR BURIAL GROUNDS ON THIS PROPERTY.
24. THERE ARE NO STATE WATERS ON THIS PROPERTY.
25. PER THE NATIONAL WETLANDS INVENTORY, THE SITE DOES NOT CONTAIN WETLANDS. THE SURVEYOR HAS REVIEWED THE PHOTOGRAPHIC EVIDENCE UNDER THE JURISDICTION OF THE U.S. ARMY CORPS OF ENGINEERS. FURTHER, ANY OWNERS MAY BE SUBJECT TO PENALTY BY LAW FOR DISTURBANCE TO THESE JURISDICTIONAL WETLAND AREAS WITHOUT PROPER AUTHORIZATION.
26. THERE WERE NO RECORDED EASEMENTS FOUND FOR THIS PROPERTY.



Prepared For:

BRIAN ROSSELL  
LATANIA MORRIS-ROSSELL

Property Location  
Land Lots 195 & 222 of The 5th Land District  
Fayette County, Georgia

S.A. GASKINS &  
ASSOCIATES, LLC  
surveyors, planners, development consultants  
981 Camp Ground Road Griffin, Ga. 30223  
678-618-5067  
sagaskins55@gmail.com

Job No. SA25-018A	Reviewed By:
Drawn By:	E.A.G.
Issue Date: 04/18/25	
F.W.P.D.: 02/15/25	
Revising:	Date:
County Comments: 06/27/25	



# MINOR FINAL PLAT FOR MORRIS ESTATES



THIS BLOCK RESERVED FOR THE CLERK  
OF THE SUPERIOR COURT.

## LEGEND

B/L=BUILDING LINE  
C/L=CENTERLINE  
CTP=CRIMP TOP PIPE  
D.B.=DEED BOOK  
D.E.=DRAINAGE EASEMENT  
ESMT.=EASEMENT  
EP=EDGE OF PAVEMENT  
F.W.P.D.=FIELD WORK PERFORMED DATE  
L.L.=LAND LOT  
L.L.L.=LAND LOT LINE  
N/F=NOW OR FORMERLY  
P.B.=PLAT BOOK  
P.G.=PAGE  
P.O.B.=POINT OF BEGINNING  
F/H=FIRE HYDRANT  
RBF=REBAR FOUND  
RBS=REBAR SET  
R/W=RIGHT OF WAY  
U/P=UTILITY POLE  
O/H UTIL=OVERHEAD UTILITY LINES

THIS SURVEY DOES NOT  
CONSTITUTE A TITLE SEARCH BY  
SURVEYOR. ALL INFORMATION  
REGARDING RECORD  
EASEMENTS, ADJOINERS AND  
OTHER DOCUMENTS THAT  
MIGHT AFFECT THE QUALITY OF  
TITLE TO TRACT SHOWN WERE  
NOT SUPPLIED TO THIS OFFICE.

CLOSURE STATEMENT  
THE FIELD DATA UPON WHICH THIS SURVEY  
WAS PERFORMED IS BASED UPON GPS  
OBSERVATIONS WHICH WERE ESTABLISHED  
USING CHC NAV 189 AND CHC NAV IBASE  
MULTI-FREQUENCY RECEIVERS USING REAL  
TIME KINEMATIC OBSERVATIONS. THE  
RELATIVE POSITIONAL ACCURACY ACHIEVED IS  
BETTER THAN 0.07 FEET PER OBSERVATION  
POINT.

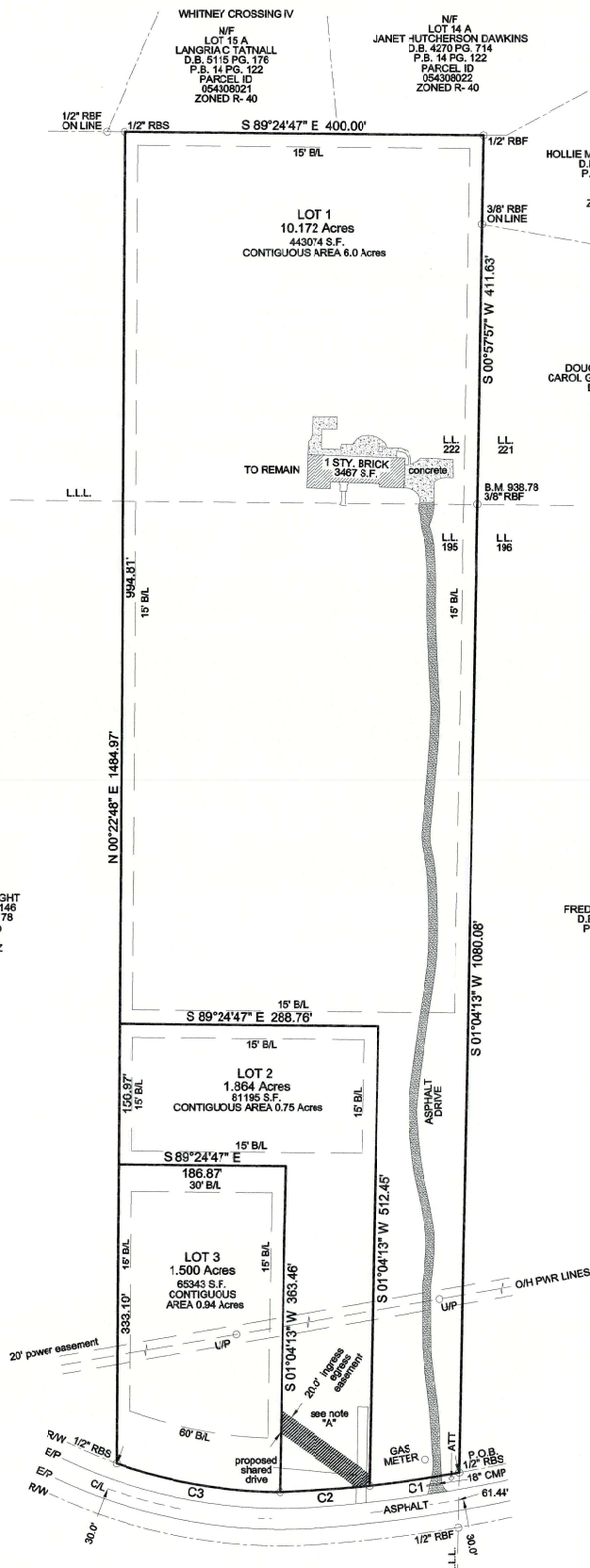
THIS SURVEY BASIS FOR DIRECTIONS SHOWN  
HEREON ARE GRID NORTH AS DEFINED BY NAD  
83 AND NAD 83, WEST GEORGIA ZONE AND  
DETERMINED THROUGH RTK-GPS METHODS  
UTILIZING EGPS SOLUTIONS VRS NETWORK.

FIELD CLOSURE = N/A  
ANGLE POINT ERROR = N/A  
EQUIPMENT USED = CHC NAV 189 AND OR CHC  
NAV IBASE  
ADJUSTMENT METHOD = N/A  
PLAT CLOSURE = 1" IN 100,000 +

N/F  
TRACT 7  
LARRY N. KNIGHT  
D.B. 165 PG. 146  
P.B. 10 PG. 178  
PARCEL ID  
0543038  
ZONED S-2

N/F  
FREDERICK ALLEN, JR.  
D.B. 5765 PG. 732  
P.B. 14 PG. 184  
PARCEL ID  
0543036  
ZONED S-2

CURVE	ARC LENGTH	RADIUS	CHORD LENGTH	CHORD BEARING
C1	101.36'	1559.55'	101.34'	S 81°45'00" W
C2	100.41'	1559.55'	100.39'	S 86°01'31" W
C3	186.00'	541.85'	185.09'	N 80°00'10" W



NOTE "A"  
Article III Section 104-55(c)(8)  
Driveways must be 12' paved surface  
with a 20' ingress egress easement  
This is needed due to site distance.

PARENT TRACT 6  
D.B. 5761 PG. 473  
P.B. 10 PG. 178

Job No. SA25-018A

Drawn By: R.D.G.  
Reviewed By: S.A.G.  
Issue Date: 04/18/25  
F.W.P.D.: 02/15/25  
Revisions  
County Comments 06/27/25



Prepared For:

BRIAN ROSSELL  
LATANIA MORRISS-ROSSELL

## Property Location

Land Lots 195 & 222 Of The 5th Land District  
Fayette County, Georgia

S.A. GASKINS &  
ASSOCIATES, LLC

surveyors planners development consultants  
981 Cam Ground Road Griffin Ga. 30223  
378-618-5067  
sagaskins55@gmail.com

**PETITION NO: 1364-25-A-B**

**REQUESTED ACTION:**     **A.** Rezone Parcel No.1306-011 (45.412 acres) from R-40 (Single-Family Residential) to A-R (Agriculture-Residential); this parcel is labelled as Tract I in the attached survey.

**B.** Rezone Parcel No.1306-117 (4.738 acres) from R-40 (Single-Family Residential) to A-R (Agriculture-Residential); this parcel is labelled as Tract II in the attached survey.

**PROPOSED USE:** Single-Family Residential and A-R Wedding/Event Facility

**EXISTING USE:** Single-Family Residential and Agricultural

**LOCATION:** Hwy 314 N

**DISTRICT/LAND LOT(S):** 13<sup>th</sup> District, Land Lot 219

**ACREAGE:** 50.15 acres, total

**OWNER(S):** 1246 Hwy 314 Fayette Co LLC

**APPLICANT(S):** 1246 Hwy 314 Fayette Co LLC

**AGENT(S):** Xavier Hill

**PLANNING COMMISSION PUBLIC HEARING:** August 7, 2025, 7:00 PM

**BOARD OF COMMISSIONERS PUBLIC HEARING:** August 28, 2025, 5:00 PM

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**APPLICANT'S INTENT**

The applicant proposes to rezone two parcels, with a total of 50.15 acres, from R-40 (Single-Family Residential) to A-R (Agricultural-Residential) for the purposes of use as a single-family residence and for operating an A-R Wedding/Event Venue.

**Petition 1364-25-A** is a request to rezone Parcel No. 1306-011, 45.412 acres, from R-40 to A-R.

**Petition 1364-25-B** is a request to rezone Parcel No. 1306-117, 4.738 acres from R-40 to A-R.

## **STAFF RECOMMENDATION**

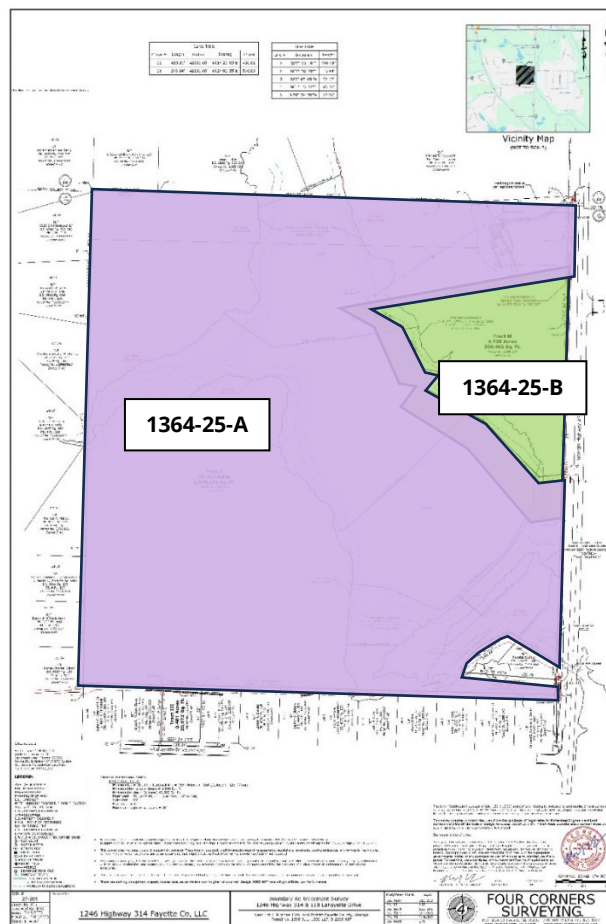
As defined in the Fayette County Comprehensive Plan's Future Land Use Plan, Low Density Residential is designated for this area, so the request for A-R zoning, which is a lower density district, is appropriate. Parcel 1306-117 does not meet the minimum lot size for the A-R zoning. Therefore, a condition is recommended to ensure it is combined with the larger parcel, which will resolve this issue. Based on the Investigation and Staff Analysis, Planning & Zoning Staff recommends **CONDITIONAL APPROVAL** of the request for a zoning of A-R, Agricultural-Residential, subject to the following:

### **1364-25-A:**

1. All parcels that are the subject of this petition shall be combined by a recorded final plat within 180 days of the approval of the petition or prior to the submittal of a site development plan, whichever comes first.

### **1364-25-B:**

1. All parcels that are the subject of this petition shall be combined by a recorded final plat within 180 days of the approval of the petition or prior to the submittal of a site development plan, whichever comes first.



## **INVESTIGATION**

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

**Petition No. 1364-25-A** - Parcel 1306 011 is a legal lot. The parcel and the existing house meet or exceed the requirements of the A-R zoning district.

**Petition No. 1364-25-B** - Parcel 1306 117 is a legal lot in the R-40 zoning district. It does not contain the required minimum acreage for the A-R zoning district (5.0 acres). Therefore, staff has added the condition that it be combined with Parcel 1306 011, which will make the project fully compliant with A-R zoning criteria. Staff has reviewed this condition with the applicant, and they agree to it.

The property has 1 single-family home and is otherwise used for agricultural purposes.

GDOT will review and approve access engineering & construction plans within their jurisdiction if the site is developed further. GDOT is in charge of all driveways on the State Route.

### **B. ZONING & DEVELOPMENT HISTORY:**

The R-40 zoning was part of a blanket zoning approved in 1971.

This property is located in the General State Route Overlay Zone. All developments are required to meet the Overlay criteria. One requirement under this Overlay is that all access points for a development shall be on the State Route. The Overlay Zone also provides architectural, parking, enhanced landscaping requirements and increased building setbacks.

### **C. SURROUNDING ZONING AND USES**

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

<b>Direction</b>	<b>Acreage</b>	<b>Zoning</b>	<b>Use</b>	<b>Comprehensive Plan/Future Land Use Map</b>
North	85; 60	G-B; R-40	Undeveloped; Single-Family Residential	General Business; Low Density residential
East (across Hwy 314)	100+	R-40	Single-Family Residential	Low Density Residential
West	100+	R-40	Single-Family Residential	Low Density Residential
South	100+	R-40	Single-Family Residential	Low Density Residential

## D. COMPREHENSIVE PLAN

**Future Land Use Plan:** The subject property lies within an area designated for Low Density Residential uses on the Future Land Use Plan map. This request **DOES** conform to the Fayette County Future Land Use Plan, in that the proposed zoning is a less intense use.

## E. DEPARTMENTAL COMMENTS

- ☐ **Water System** – FCWS has no objections to the rezoning.
- ☐ **Public Works**
  - **Road Frontage Right of Way Dedication** – State Route 314 right of way governed by GDOT.
  - **Traffic Data** -- In 2023 GDOT reports State Route 314 had 10,400 vehicles per day north the intersection of Hwy 279.
  - **Sight Distance and access** -- GDOT will issue all driveway permits.
- ☐ **Environmental Management**
  - **Floodplain Management** -- The property **DOES NOT** contain floodplain per FEMA FIRM panel 13113C0019E dated September 26, 2008. The property **DOES** contain additional floodplain delineated in the Fayette County 2013 Limited Dewberry Flood Study.
  - **Wetlands** -- The property **DOES NOT** contain wetlands per the U.S. Department of the Interior, Fish and Wildlife Service 1994 National Wetland Inventory Map.
  - **Watershed Protection** -- There **ARE** state waters located on the subject property, and it **WILL BE** subject to the Fayette County Article VII Watershed Protection Ordinance. The owner should reference the various sections of the document prior to any development within buffered areas.
  - **Groundwater** -- The property **IS NOT** within a groundwater recharge area.
  - **Post Construction Stormwater Management** -- This development **WILL BE** subject to the Post-Development Stormwater Management Ordinance if re-zoned and developed with more than 5,000 square feet of impervious surface, or as applicable if developed as an A-R Wedding/Event venue.
  - **Dams and Impoundment** -- Dickson Lake Dam located on the property requesting to be rezoned has been assessed by Georgia Department of Natural Resources EPD Safe Dams Program to be a Class 1, high hazard dam. Property owner(s) are required to meet all safe dam requirements by EPD Safe Dams Program.
  - **Landscape and Tree Replacement Plan** -- This development **WILL BE** subject to the landscaping requirements of the conditional use permit if developed as an A-R Wedding/Event Venue.
- ☐ **Environmental Health Department** – This office has no objection to the proposed rezoning. This does not constitute approval of any future use or proposals for these properties.



- **Fire** – The Fire Marshals Office approves of this rezoning under the condition that the proposed Bed and Breakfast meets the requirements of Fayette County Ordinances Chapter 12, Article VI stating that such occupancies shall be protected by an automatic fire sprinkler system that provides coverage as per NFPA 13R throughout the entire structure.

## **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 Residential Uses. This request does conform to the Fayette County Comprehensive Plan in terms of the Land Use Plan as A-R is a less intense use than the Low Density residential defined on the Future Land Use Plan.
2. The area around the subject property is an area that already has various residential uses. It is staff's opinion that the zoning proposal is not likely to have an adverse impact on nearby residential uses.
3. It is staff's opinion that an agricultural-residential use would not generate a greater number of daily vehicle trips than would a single-family residential use situated on this same parcel. Staff does not think this development will have an adverse impact on utilities or schools.
4. The proposal is consistent in character and use with the immediate surrounding uses, as these are medium to large lot residential uses, with a trend toward rural character.

## **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) Building height.
  - 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)

## **Sec. 110-169. - Conditional use approval.**

### **(2) Conditional uses allowed.**

*g. A-R wedding/event facility.* The facility shall be utilized for private and public weddings and events by a third party who provides some form of consideration to the owner or his/her agent. The facility shall not be utilized for concerts, sporting events, or vehicle racing. A horse show, rodeo, carnival, community fair, and/or religious tent meeting shall also be allowed as regulated in this article and this section and the most restrictive conditions shall apply. A business office and/or structures utilized for event preparation and sanitation shall be allowed in conjunction with the A-R wedding and event facility. Allowed in the A-R zoning district.

1. Minimum lot size: fifteen acres.
2. These facilities shall not be permitted on a lot which accesses a road designated as an internal local road by the county thoroughfare plan and/or the county engineer.
3. Facilities which access an unpaved county-maintained road are limited to 12 weddings/events per calendar year. A wedding/event permit from the planning and zoning department is required prior to holding the wedding/event.
4. A minimum 100 foot setback shall separate all buildings and areas utilized for weddings and events from any abutting residential zoning district. Otherwise all buildings and areas utilized for weddings and events shall meet the minimum A-R setbacks.
5. Adequate off-street parking shall be required and a 50-foot setback shall separate parking areas from any abutting residential zoning district. A prepared surface is not required for the parking areas. However, any parking area with a prepared surface shall comply with article VIII. Off-street parking and service requirements of the development regulations and must be depicted on a sketch, drawn to scale on a survey of the lot. Grassed and gravel parking areas shall be exempt from nonresidential development landscape requirements of the county development regulations. The following is required for gravel parking areas:
  - (i) Exterior and interior parking aisles shall be terminated at both ends by a landscape island.

(ii) Landscape islands shall be provided for each 150 feet of continuous parking length.

(iii) One canopy tree, six feet high at planting, is required per landscape island.

Paved parking areas shall meet Article V, pertaining to "Non-residential development landscape requirements," of the county development regulations.

6. Hours of operation for weddings and events shall be between the hours of 9:00 a.m. and 10:00 p.m. on weekdays and 9:00 a.m. and 11:00 p.m. on weekends. These hours of operation shall not limit the setup and cleanup time before and after the wedding or event.

7. All structures utilized in association with weddings and events shall meet all applicable building and fire codes.

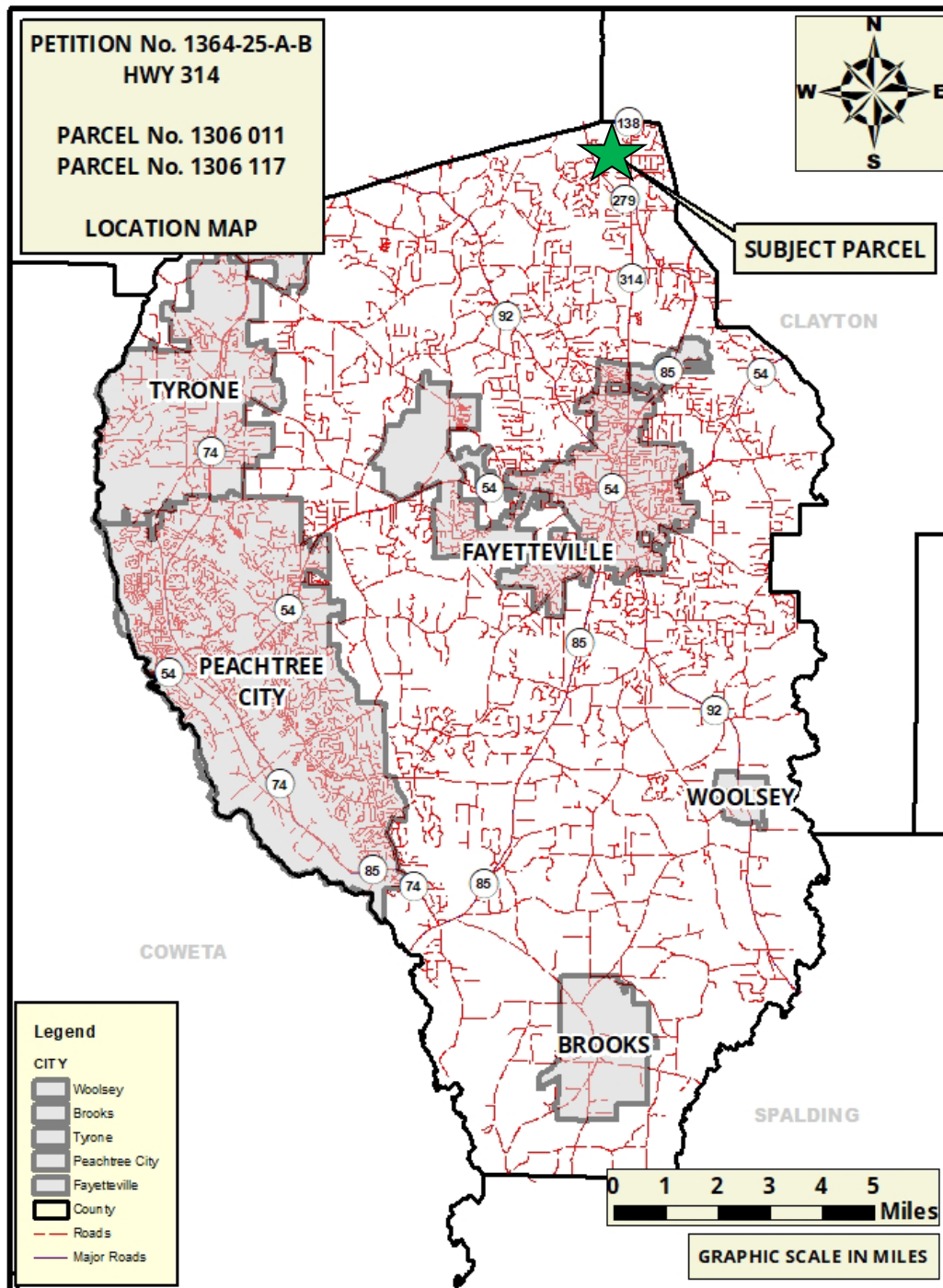
8. Sanitation facilities shall be approved by the environmental health department.

9. Food service shall meet all state and local requirements.

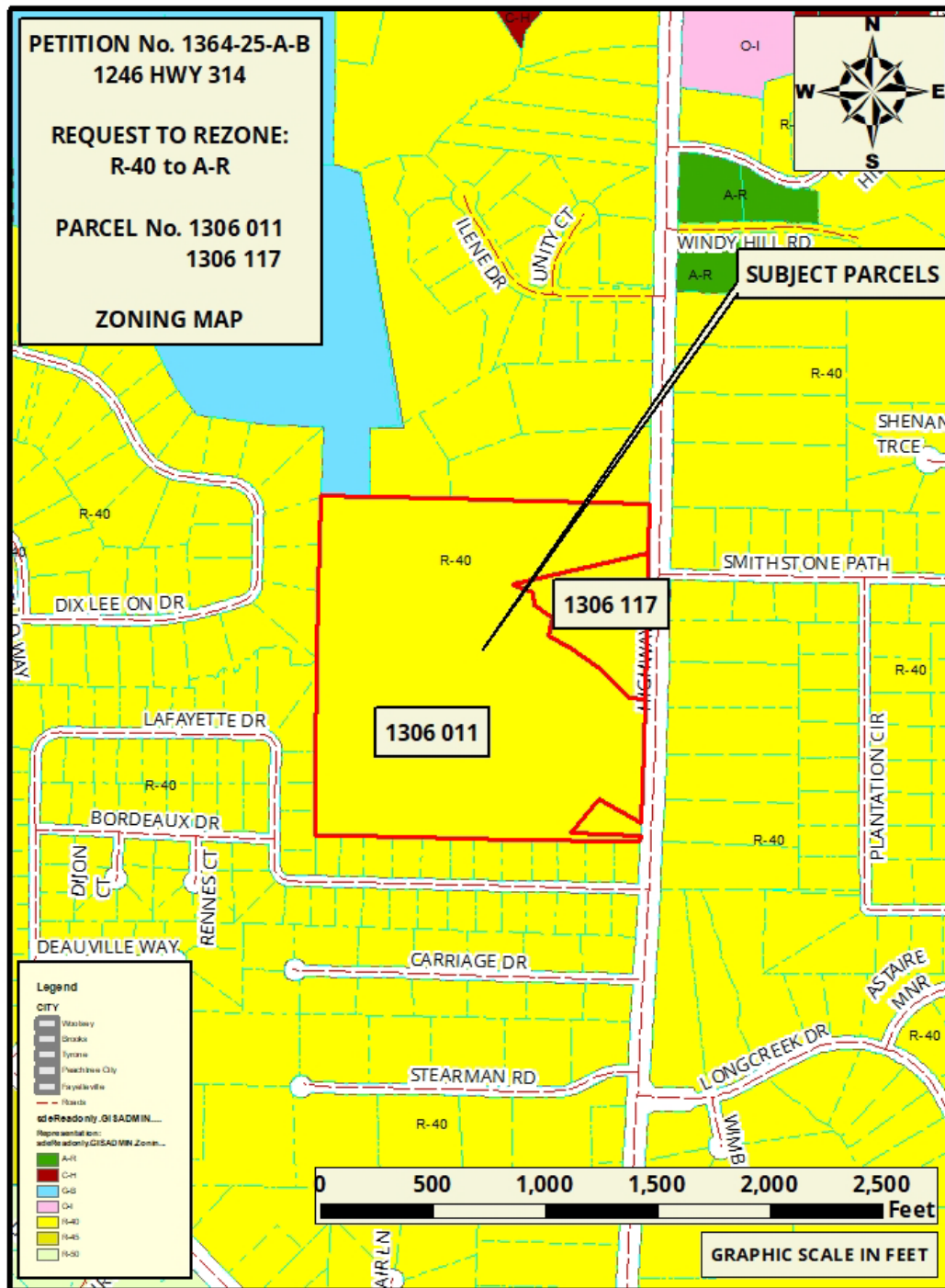
10. Tourist accommodations shall not be allowed in conjunction with an A-R wedding and event facility with exception of an A-R Bed and Breakfast Inn that is compliant with [section 110-169](#) and Article VI, pertaining to "Tourist Accommodations," of [Chapter 8](#) of the County Code.

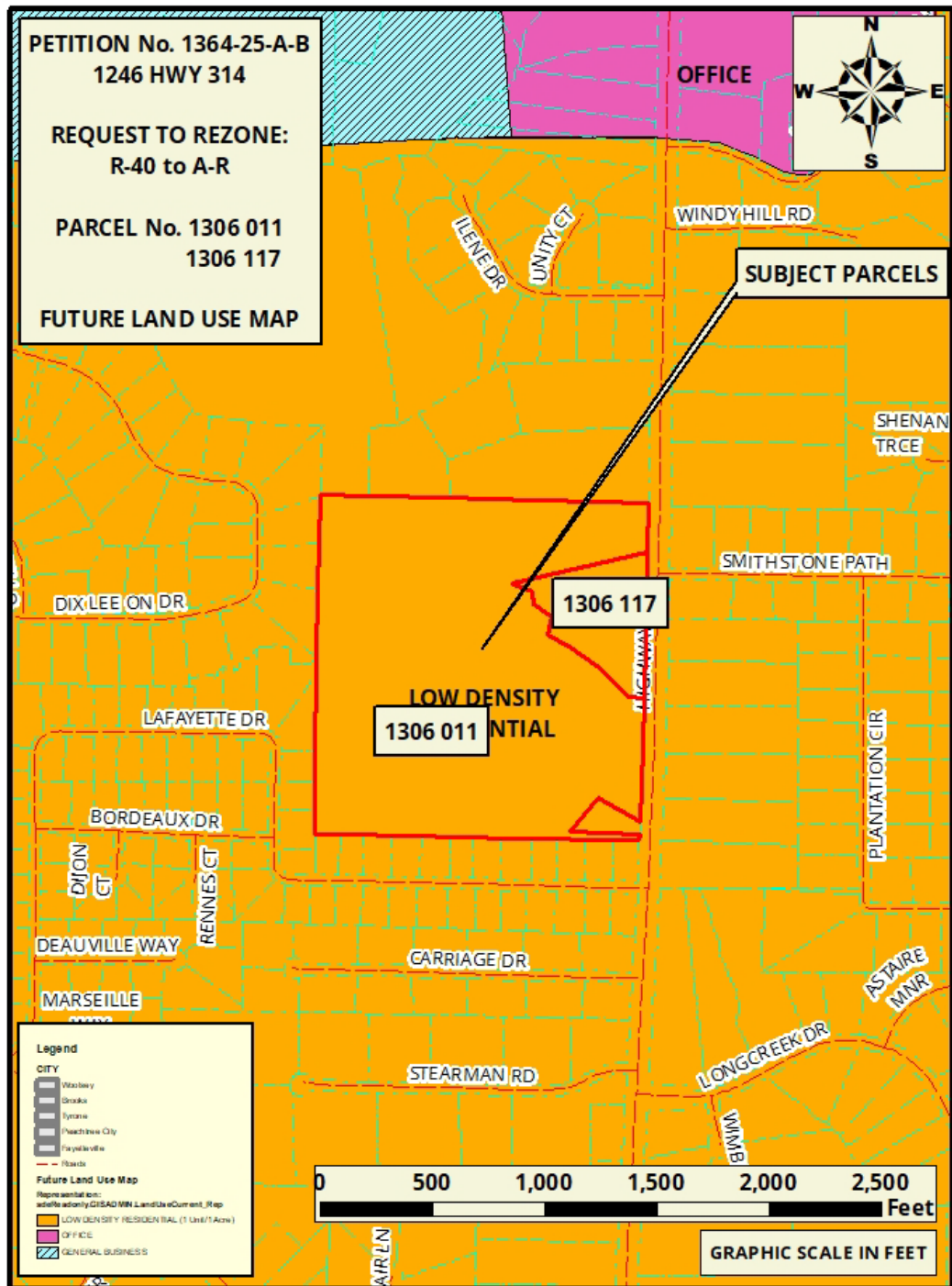
11. Tents shall require county fire marshal approval, as applicable.

12. A site plan meeting the full requirements of the county development regulations is not required. A sketch, drawn to scale on a survey of the lot depicting all existing buildings and specific areas utilized for weddings and events shall be required. The survey shall also depict FEMA and MNGWPD floodplain and elevations, and watershed protection buffers and setbacks as applicable. In the event that 5,000 or more square feet of impervious surface is added in conjunction with a wedding and event facility, a site plan compliant with stormwater requirements of the county development regulations shall be required. The site will be exempt from the nonresidential development landscape requirements and tree retention, protection, and replacement of the county development regulations. A site located on a state route shall comply with the applicable transportation corridor overlay zone ([Sec. 110-173](#)) with the exception of the architectural standards.

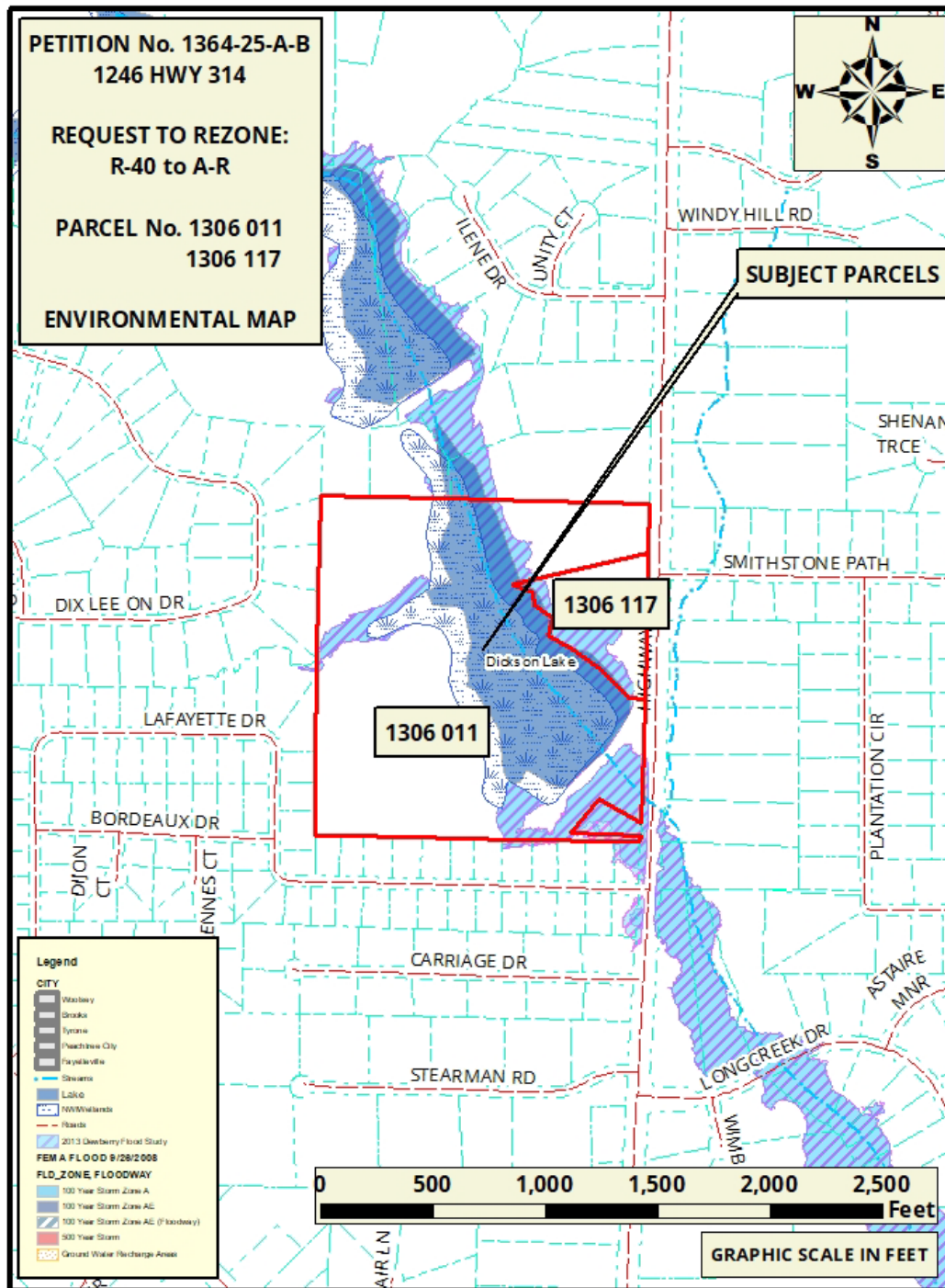


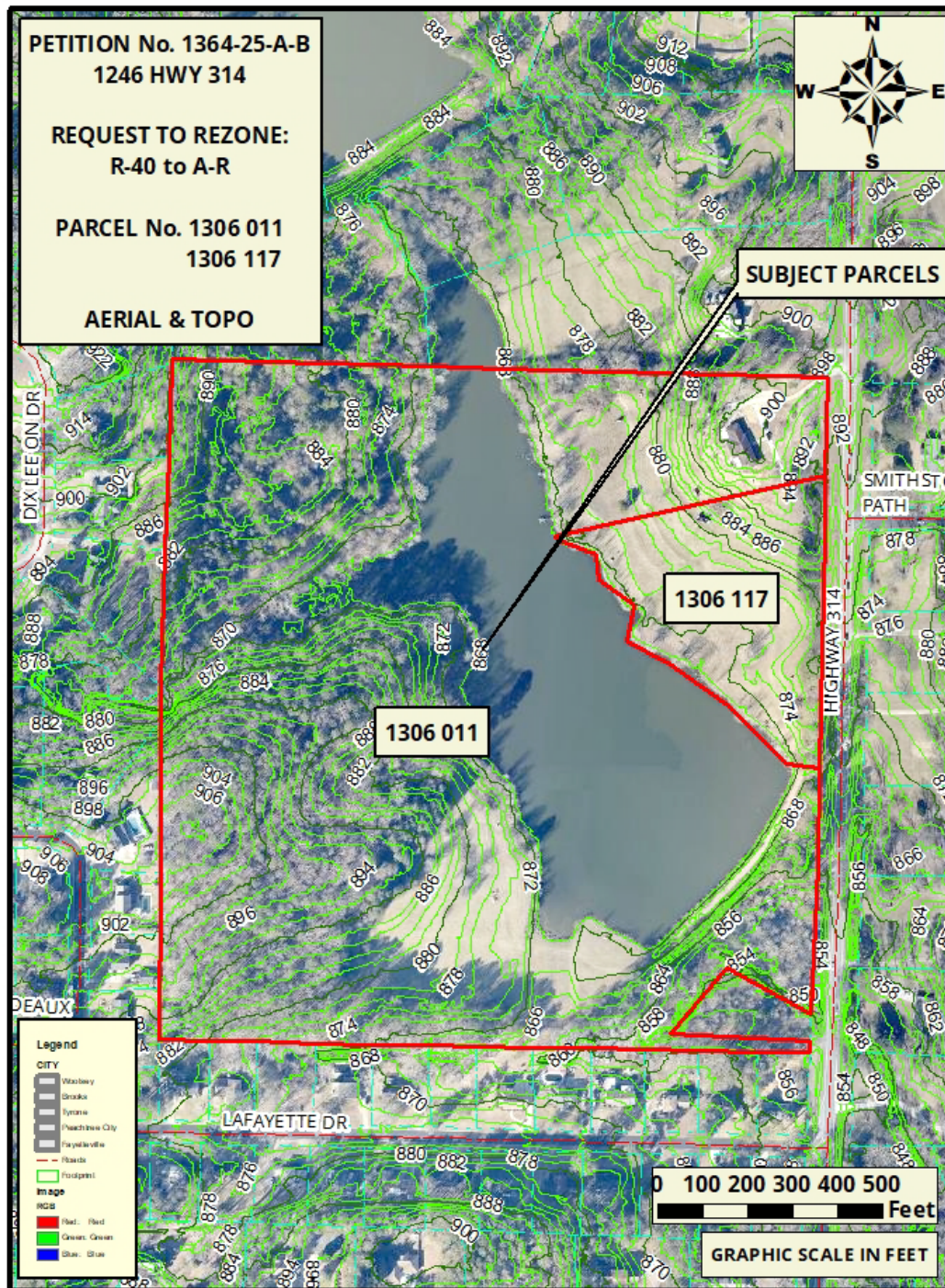




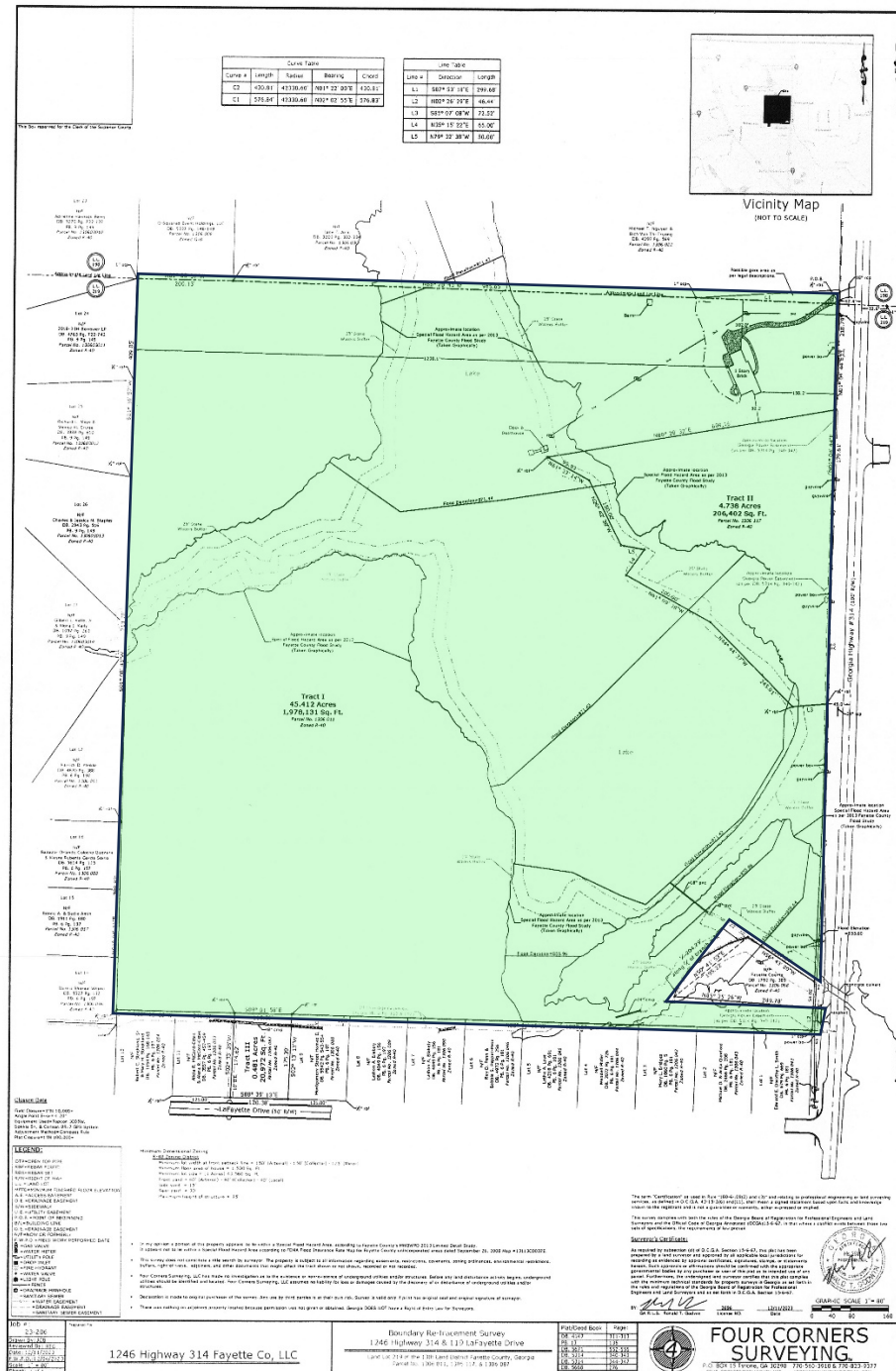












# SURVEY

NOTE: Tract III is NOT part of this petition.

PETITION No (s): 1364-25 A  
STAFF USE ONLY 1364-25 B

SAGES REFERENCE No.: REZONE-04-25-089289

**APPLICANT INFORMATION**

Name 1246 Hwy 314 Fayette 10 LLC  
Address 1246 Hwy 314  
City Fayetteville  
State GA Zip 30214  
Email [REDACTED]  
Phone [REDACTED]

**PROPERTY OWNER INFORMATION**

Name 1246 Hwy 314 Fayette 10 LLC  
Address 1246 Hwy 314  
City Fayetteville  
State GA Zip 30214  
Email [REDACTED]  
Phone [REDACTED]

**AGENT(S) (if applicable)**

Name \_\_\_\_\_  
Address \_\_\_\_\_  
City \_\_\_\_\_  
State \_\_\_\_\_ Zip \_\_\_\_\_  
Email \_\_\_\_\_  
Phone \_\_\_\_\_

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: Debra M. Smith Date: 4/28/25 Changed Per Client

DATE OF PLANNING COMMISSION HEARING: July 17, 2025 August 7, 2025

DATE OF COUNTY COMMISSIONERS HEARING: August 28, 2025

Received from Xavier Hill a check in the amount of \$ 700.00 for application filing fee, and \$ 40.00 for deposit on frame for public hearing sign(s).

Date Paid: 4/28/2025 Receipt Number: 23893

PETITION No.: 1364-25 A Fees Due: \$450.00 Sign Deposit Due: \$20.00

STAFF USE ONLY

**PROPERTY INFORMATION** (please provide information for each parcel)

Parcel # (Tax ID): 1306-011 Acreage: 45.3  
Land District(s): 13 Land Lot(s): 219  
Road Name/Frontage L.F.: Hwy 314 265.23 Road Classification: arterial  
Existing Use: single family residence Proposed Use: A-R Bed + Breakfast + Fishing  
Structure(s): SFD Type: \_\_\_\_\_ Size in SF: ~3,400  
Existing Zoning: R40 Proposed Zoning: A-R  
Existing Land Use: vacant land Proposed Land Use: single  
Water Availability: yes Distance to Water Line: \_\_\_\_\_ Distance to Hydrant: \_\_\_\_\_

PETITION No.: 1364-25 B Fees Due: \$250.00 Sign Deposit Due: \$20.00

STAFF USE ONLY

**PROPERTY INFORMATION** (please provide information for each parcel)

Parcel # (Tax ID): 1306-117 Acreage: 4.7  
Land District(s): 13 Land Lot(s): 219  
Road Name/Frontage L.F.: Hwy 314/1231.51 Road Classification: ARTERIAL  
Existing Use: VACANT/RES. Proposed Use: \_\_\_\_\_  
Structure(s): NONE Type: \_\_\_\_\_ Size in SF: \_\_\_\_\_  
Existing Zoning: R40 Proposed Zoning: A-R  
Existing Land Use: \_\_\_\_\_ Proposed Land Use: \_\_\_\_\_  
Water Availability: YES 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:

1246 Hwy 314 Fayette Co LLC

(Please Print)

**Property Tax Identification Number(s) of Subject Property:** 1306-011 / 1386-17

(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) 219 of the 13 District, and (if applicable to more than one land district) Land Lot(s) \_\_\_\_\_ of the \_\_\_\_\_ District, and said property consists of a total of 50 acres (legal description corresponding to most recent recorded plat for the subject property is attached herewith).

(I) (We) hereby delegate authority to Xavier Hill 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) Xavier Hill

Signature of Property Owner 1

1246 Hwy 314

Address

Fayetteville, GA 3024

Signature of Property Owner 2

Address

Signature of Property Owner 3

Address

Signature of Authorized Agent

Address

[Signature]

Signature of Notary Public

20 APR 2025

Date

Signature of Notary Public

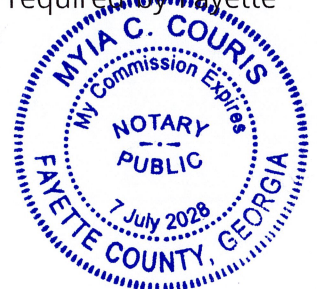
Date

Signature of Notary Public

Date

Signature of Notary Public

Date



PETITION No.: 1364-25

OWNER'S AFFIDAVIT

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

NAME: 1246 Hwy 314 Fayetteville Co LLC

ADDRESS: 1246 Hwy 314 Fayetteville Ga 30214

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

1246 Hwy 314 Fayetteville Co LLC 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 AR.

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 July 17, 2025 at 7:00 P.M.

PUBLIC HEARING to be held by the Board of Commissioners of Fayette County on the day of August 28, 2025 at 7:00 P.M.

SWORN TO AND SUBSCRIBED BEFORE ME THIS 23 DAY OF APRIL, 2025

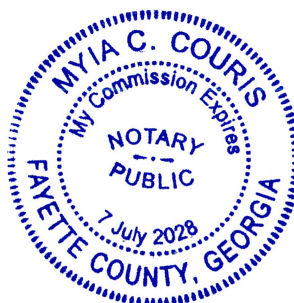
Xavier L. L...

SIGNATURE OF PROPERTY OWNER

SIGNATURE OF PROPERTY OWNER

Myia C. Couris

NOTARY PUBLIC



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

I/We, 1246 Hwy 314 Fayette Co LLC, 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 Highway 314 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)

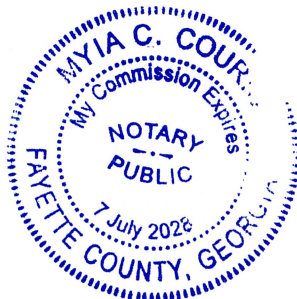
Sworn to and subscribed before me this 10<sup>th</sup> day of April, 2025.

Xenia Hill

SIGNATURE OF PROPERTY OWNER

SIGNATURE OF PROPERTY OWNER

[Signature]  
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/](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 April, 2025.

Karin Juel

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.



## CHECKLIST OF ITEMS REQUIRED FOR REZONING REQUEST

*(All applications/documentation must be complete at the time of application submittal or the application will not be accepted)*

- ☒ Application form and all required attachments completed, signed, and notarized, as applicable.
- ☒ Copy of latest recorded deed, including legal description of the boundaries of the subject property to be rezoned.
- ☒ Boundary Survey (Separate from Conceptual Plan; 1 paper copy and 1 electronic copy in .pdf format), drawn to scale, showing north arrow, land lot and district, dimensions, and street location of the property, prepared (signed & sealed) by a land surveyor.
- ☒ Legal Description (must have metes and bounds) – 1 paper copy and 1 electronic copy in Microsoft Word .docx format
- ☐ Conceptual Plan (1 paper copy and 1 electronic file in .pdf format). The Conceptual Plan is not required to be signed and sealed by a registered surveyor, engineer or architect. The Conceptual Plan may be prepared on the boundary line survey; however it is required to be drawn to scale, and include all applicable items below:
  - \_\_\_\_\_ a. The total area of the subject property to be rezoned (to the nearest one-hundredth of an acre), the existing zoning district(s) of the subject property, and the area within each zoning district if more than one district.
  - \_\_\_\_\_ b. Approximate location and size of proposed structures, use areas and improvements (parking spaces, and aisles, drives, etc.) on the subject property for non-residential rezoning requests, including labeling the proposed use of each proposed structure/use area.
  - \_\_\_\_\_ c. General layout of a proposed subdivision (residential or non-residential) including the delineation of streets and lots. The items of b. above are not required in this instance but may be included if known.
  - \_\_\_\_\_ d. Approximate location and size of existing structures and improvements on the parcel, if such are to remain. Structures to be removed must be indicated and labeled as such.
  - \_\_\_\_\_ e. Minimum zoning setbacks and buffers, as applicable.
  - \_\_\_\_\_ f. Location of all existing and proposed easements and streets on or adjacent to the subject property, indicating type and width of existing and proposed easements and centerline of streets including width of right-of-way.
  - \_\_\_\_\_ g. Location and dimensions of exits/entrances to the subject property.
  - \_\_\_\_\_ h. Approximate location and elevation of the 100-year flood plain and Watershed Protection Ordinance requirements, as applicable.
  - \_\_\_\_\_ i. Approximate location of proposed on-site stormwater facilities, including detention or retention facilities.
- ☐ A letter of intent for a non-residential rezoning request, including the proposed use(s).

Return to:

John R. Grimes, Esq  
Lefkoff, Duncan, Grimes, McSwain, Hass & Hanley, P.C.  
3715 Northside Parkway NW Bldg 300, Ste 600  
Atlanta, GA 30327

**Tax Parcel Nos 1306 011 and 1306 117**

**WARRANTY DEED**

THIS INDENTURE, made this 1<sup>st</sup> day of November, 2023 between **WILLIAM F. JOHNSTON, III** ("Grantor"), and **1246 HIGHWAY 314 FAYETTE CO, LLC** ("Grantee") (the terms Grantor and Grantee to include their respective heirs, successors and assigns where the context hereof requires or permits).

**WITNESSETH:**

That Grantor, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00), and other valuable consideration, in hand paid at the delivery of these presents, the receipt of which is hereby acknowledged by Grantor, has granted, bargained, sold and conveyed, and by these presents does hereby grant, bargain, sell and convey unto Grantee, the following described real property, to-wit:

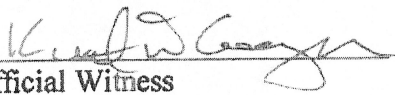
ALL THAT TRACT OR PARCEL OF LAND laying and being in Land Lot 219 of Fayette Co, GA being the tax parcels noted above and being known as 1246 Highway 314, Fayetteville, Fayette Co, GA according to the present system of number properties in said count and being more particularly and fully described in **Exhibit "A"** attached hereto and incorporated herein by reference.


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 Grantee, in FEE SIMPLE.

AND, SUBJECT TO the title matters expressly set forth in **Exhibit "B"** attached hereto, Grantor will warrant and forever defend the right and title to the above-described property unto Grantee against the lawful claims of all persons owning, holding or claiming by, through or under Grantor.

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

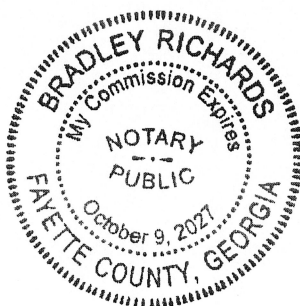
Signed, sealed and delivered  
in the presence of:

  
Unofficial Witness

  
WILLIAM F. JOHNSTON, III (SEAL)

  
Notary Public

(NOTARY SEAL)



## **EXHIBIT "A"**

All that tract or parcel of land containing fifty (50) acres, more or less, in the northeast corner of Land Lot 219, and bounded as follows: On the North by lands of J. B. Travis; on the East by a public road leading from near Friendship Church to Riverdale; on the South by lands of S. B. Lewis; and on the West by lands of S. B. Lewis and the Eliza Scott place; being the same property described in the Executor's Deed from Trust Company Bank, as Executor under the Will of William Chester Dickson, to Louise Dickson (also known as Louise Edna Dickson), recorded at Deed Book 144, Page 210, Fayette County, Georgia, Records; and being the same property described in the Warranty Deed from: Louise Dickson (a/k/a Louise Edna Dickson) to Trust Company Bank, Trustee under agreement dated April 24, 1972 as amended, recorded at Deed, Book 152, Page 177, Fayette County, Georgia;

### **LESS AND EXCEPT:**

ALL THAT TRACT OR PARCEL OF LAND lying and being in Land Lot 219 of the 13<sup>th</sup> District of Fayette County, Georgia and being more particularly described as follows:  
BEGINNING at an Iron pin on the West right-of-way of Georgia State Highway No. 314 (said highway having a right-of-way 100 feet in width) 1,406 feet South, as measured along the West right-of-way line of said highway from the intersection formed by the West right-of-way line of said highway with the North line of Land Lot 219; running thence South, along the West right-of-way line of said highway, 54 feet to an Iron pin; running thence in a westerly direction 306 feet to an Iron pin located in a branch as shown on the hereinafter described plat of survey; running thence in a northeasterly direction, along said branch, 204.3 feet to an iron pin located in another branch which runs in a northwesterly-southeasterly direction; running thence in a southeasterly direction, along the latter mentioned branch 182 feet to the West right-of-way line of Georgia State Highway No. 314 at the POINT OF BEGINNING, all as shown on a plat of survey dated April 11, 1970 as prepared by Lee Engineering Company.

# STATE OF GEORGIA

## Secretary of State

Corporations Division

313 West Tower

2 Martin Luther King, Jr. Dr.

Atlanta, Georgia 30334-1530

### CERTIFICATE OF ORGANIZATION

I, **Brad Raffensperger**, the Secretary of State and the Corporation Commissioner of the State of Georgia, hereby certify under the seal of my office that

**1246 HIGHWAY 314 FAYETTE CO LLC**

a Domestic Limited Liability Company

has been duly organized under the laws of the State of Georgia on **09/15/2023** by the filing of articles of organization in the Office of the Secretary of State and by the paying of fees as provided by Title 14 of the Official Code of Georgia Annotated.

WITNESS my hand and official seal in the City of Atlanta  
and the State of Georgia on **09/25/2023**.



*Brad Raffensperger*

Brad Raffensperger  
Secretary of State



ARTICLES OF ORGANIZATION

\*Electronically Filed\*  
Secretary of State  
Filing Date: 9/15/2023 5:45:20 PM

BUSINESS INFORMATION

CONTROL NUMBER 23202425  
BUSINESS NAME 1246 HIGHWAY 314 FAYETTE CO LLC  
BUSINESS TYPE Domestic Limited Liability Company  
EFFECTIVE DATE 09/15/2023

PRINCIPAL OFFICE ADDRESS

ADDRESS 4584 MORELAND AVE, CONLEY, GA, 30288, USA

REGISTERED AGENT

NAME	ADDRESS	COUNTY
XAVIER HILL	4584 MORELAND AVE, CONLEY, GA, 30288, USA	Clayton

ORGANIZER(S)

NAME	TITLE	ADDRESS
XAVIER HILL	ORGANIZER	4584 MORELAND AVE, CONLEY, GA, 30288, USA

OPTIONAL PROVISIONS

N/A

AUTHORIZER INFORMATION

AUTHORIZER SIGNATURE XAVIER HILL  
AUTHORIZER TITLE Member





**Fayette County Board of Commissioners**  
140 Stonewall Avenue West  
Fayetteville, GA 30214

**Subject: Urgent Request to Deny Rezoning Request from R-40 to A-R**

Dear Mr. Charles Oddo,

As a resident of Fayette County and a deeply invested member of this community, I am writing to respectfully but strongly urge you to **deny the proposed zoning change from R-40 (Single-Family Residential) to A-R (Agricultural-Residential)** for the property located at **1246 Highway 314, Fayetteville, GA 30214**

This proposed rezoning threatens to disrupt the very fabric of our neighborhood, and I implore you to consider the following concerns:

**1. Incompatibility with Established Community Character**

The current R-40 zoning reflects the careful planning and vision that have made this area a peaceful, family-centered residential community. Allowing a shift to A-R undermines the uniformity and stability residents rely on—and may open the door for uses wholly inconsistent with the character of our neighborhood.

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**2. Threat to Property Values and Residential Integrity**

Rezoning to A-R allows for broader, less-restrictive land uses that may include non-residential activities such as events or agricultural operations. These uses are not only out of place in our quiet residential environment but have the real potential to reduce the value of surrounding homes. Many of us have invested our life savings into our homes with the expectation that zoning laws would protect our neighborhood from incompatible development.

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**3. Increased Traffic, Safety Risks, and Infrastructure Burden**

Non-residential or agricultural uses typically involve heavier traffic—including service vehicles, delivery trucks, and unfamiliar drivers—on roads not designed to accommodate them. This poses serious safety concerns for children, pedestrians, and drivers. Already narrow or busy roads could become even more hazardous, and residents may find it increasingly difficult to safely access their own homes. There is also a real and growing concern over strangers using residential driveways or lawns to turn around—something that has already been happening in anticipation of potential development.

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**4. Quality of Life and Environmental Impact**

The peace and tranquility of this neighborhood are among its greatest assets. Introducing uses permitted under A-R zoning could bring increased noise, light pollution, and activity levels incompatible with the quiet enjoyment of our homes. For families who moved here seeking a calm and stable environment, this rezoning could irreversibly diminish their quality of life.

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We do not oppose thoughtful growth—but we do ask that growth be managed in a way that respects the existing character and expectations of current residents. This proposed rezoning is not in keeping with those values.

On behalf of myself and many neighbors who share these concerns, I respectfully urge you to protect the integrity of our community by **denying the request to rezone from R-40 to A-R**.

Thank you for your time, consideration, and commitment to preserving what makes Fayette County a truly special place to live.

Sincerely,

Rick and Gail Raby  
1223 Highway 314  
Fayetteville, GA 30217  
deanraby54@gmail.com

## FAYETTE COUNTY

PETITION FOR REZONING  
CERTAIN PROPERTIES IN  
UNINCORPORATED AREAS OF  
FAYETTE COUNTY, GEORGIA  
PUBLIC HEARING to be held before the Fayette County Planning Commission on Thursday, August 7, 2025, at 7:00 P.M. and before the Fayette County Board of Commissioners on Thursday, August 28, 2025, at 5:00 P.M. in the Fayette County Administrative Complex, 140 Stonewall Avenue West, Public Meeting Room, First Floor, Fayetteville, Georgia.

Petition No: 1364-25-A-B

Parcel No: 1306 011 & 1306 117

Owner: 1246 Highway 314 Fayette Co, LLC

Agent(s): Xavier Hill

Zoning District: R-40

Area of Property: 50.15 +/- acres

Land Lot(s)/District: Land Lot 219 of the 13th District

Fronts on: Highway 314

Proposed: Applicant proposes the following:

A) Parcel No. 1306 011; to rezone 45.412 acres from R-40 (Single-Family Residential) to A-R (Agricultural-Residential).

B) Parcel No. 1306 117; to rezone 4.738 acres from R-40 (Single-Family Residential) to A-R (Agricultural-Residential).

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

EXHIBIT "A"

All that tract or parcel of land containing fifty (50) acres, more or less, in the northeast corner of Land Lot 219, and bounded as follows; On the North by lands of J. B. Travis; on the East by a public road leading from near Friendship Church to Riverdale; on the South by lands of S. B. Lewis; and on the West by lands of S. B. Lewis and the Eliza Scott place; being the same property described in the Executor's Deed from Trust Company Bank, as Executor under the Will of William Chester Dickson, to Louise Dickson (also known as Louise Edna Dickson), recorded at Deed Book 144, Page 210, Fayette County, Georgia, Records; and being the same property described in the warranty Deed from: Louise Dickson (a/k/a Louise Edna Dickson)

**Wednesday, July 16, 2025**

to Trust Company Bank, Trustee under agreement dated April 24, 1972 as amended, recorded at Deed, Book 152, Page 177, Fayette County, Georgia.

LESS AND EXCEPT.

ALL THAT TRACT OR PARCEL OF LAND lying and being in Land Lot 219 of the 13<sup>th</sup> District of Fayette County, Georgia and being more particularly described as follows: BEGINNING at an Iron pin on the West right-of-way of Georgia State Highway No. 314 (said highway having a right-of-way 100 feet in width) 1,406 feet South, as measured along the West right-of-way line of said highway from the Intersection formed by the West right-of-way line of said highway with the North line of Land Lot 219; running thence South, along the West right-of-way line of said highway, 54 feet to an Iron pin; running thence in a westerly direction 306 feet to an Iron pin located in a branch as shown on the hereinafter described plat of survey; running thence in a northeasterly direction, along said branch, 204.3 feet to an Iron pin located in another branch which runs in a northwesterly-southeasterly direction; running thence in a southeasterly direction, along the latter mentioned branch 182 feet to the West right-of-way line of Georgia State Highway No. 314 at the POINT OF BEGINNING, all as shown on a plat of survey dated April 11, 1970 as prepared by Lee Engineering Company.

07/16

**PETITION NO: 1365-25**

**REQUEST:** Rezone Parcel No. 0724 002 (53.81 acres) from R-70 (Single-Family Residential) to A-R (Agriculture-Residential).

**EXISTING USE:** Undeveloped, Single-Family Residential Property

**PROPOSED USE:** Agricultural-Residential Uses

**EXISTING ZONING:** R-70, Single-Family Residential

**PROPOSED ZONING:** A-R, Agricultural-Residential

**LOCATION:** Coastline Road

**DISTRICT/LAND LOT(S):** 7<sup>th</sup> District, Land Lot 80 & 81

**ACREAGE:** 53.81 acres, total

**OWNER(S):** Piper Nichole Victoria Hill & Edward Gene Gibbons, Jr.

**APPLICANT(S):** Piper Nichole Victoria Hill & Edward Gene Gibbons, Jr.

**AGENT(S):** N/A

**PLANNING COMMISSION PUBLIC HEARING:** August 7, 2025, 7:00 PM

**BOARD OF COMMISSIONERS PUBLIC HEARING:** August 28, 2025, 5:00 PM

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**APPLICANT'S INTENT**

The applicant proposes to rezone one parcel, with a total of 53.81 acres, from R-70 (Single-Family Residential) to A-R (Agricultural-Residential) for the purposes of uses under the A-R zoning district. The applicant's long-range plan is to apply for a PUD-PRL zoning for the purposes of developing a retreat and training center for veterans and their service dogs.

**STAFF RECOMMENDATION**

As defined in the Fayette County Comprehensive Plan's Future Land Use Plan, Rural Residential-2 (1 unit per 2 acres) is designated for this area, so the request for A-R zoning, which is a lower density district, is appropriate. The property also contains areas designated as Environmentally Sensitive Areas. This is primarily floodplain and will not be developed. Based on the analysis, Staff recommends **APPROVAL** of the request for a zoning of A-R, Agricultural-Residential.

## **INVESTIGATION**

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

Parcel 0724 002 is a legal lot. The parcel meets or exceeds the requirements of the A-R zoning district.

### **B. ZONING & DEVELOPMENT HISTORY:**

The R-70 zoning was part of a blanket zoning approved in 1973.

3.78 acres of this property was part of the Town of Tyrone. This portion was de-annexed in 2021.

### **C. SURROUNDING ZONING AND USES**

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

<b>Direction</b>	<b>Acreage</b>	<b>Zoning</b>	<b>Use</b>	<b>Comprehensive Plan/Future Land Use Map</b>
North	129	R-45	Single-Family Residential	Rural Residential-2
East	20+	R-70	Single-Family Residential	Rural Residential-2
West	100+	Tyrone	Single-Family Residential	Town of Tyrone
South	16	R-70	Single-Family Residential	Rural Residential-2



## D. COMPREHENSIVE PLAN

**Future Land Use Plan:** The subject property lies within an area designated for Rural Residential-2, 1 unit per 2 acres, on the Future Land Use Plan map. This request **DOES** conform to the Fayette County Future Land Use Plan, in that the proposed zoning is a less intense use than Rural Residential-2.

## E. DEPARTMENTAL COMMENTS

- ☐ **Water System** – FCWS has no objections to the rezoning.
- ☐ **Public Works/Environmental Management**
  - **Road Frontage Right of Way Dedication** – Per the documents submitted the property survey shows that the applicant has the required 40 feet from centerline along Coastline Road to meet the Fayette County Thorough Fare Plan.
  - **Traffic Data** -- In 2023 GDOT reports Coastline Road approximately ¼ mile from Lees Lake had 60 vehicles per day in 2023.
  - **Sight Distance and access** – Fayette County Public Works will approve any new driveways or modifications if necessary. Sight distances will be reviewed for any new development.
  - **Floodplain Management** -- The property **DOES** contain floodplain per FEMA FIRM panel 13113C001E dated September 26, 2008. The property **DOES** contain additional floodplain delineated in the Fayette County 2013 Limited Dewberry Flood Study.
  - **Wetlands** -- The property **DOES** contain wetlands per the U.S. Department of the Interior, Fish and Wildlife Service 1994 National Wetland Inventory Map.
  - **Watershed Protection** -- There **ARE** state waters located on the subject property, and it **WILL BE** subject to the Fayette County Article VII Watershed Protection Ordinance. The owner should reference the various sections of the document prior to any development within buffered areas.
  - **Groundwater** -- The property **IS NOT** within a groundwater recharge area.
  - **Post Construction Stormwater Management** -- This development **WILL BE** subject to the Post-Development Stormwater Management Ordinance if re-zoned and developed with more than 5,000 square feet of impervious surface.
  - **Dams and Impoundment** – There are no existing dams or impoundments.
  - **Landscape and Tree Replacement Plan** -- This development **WILL BE** subject to the landscaping requirements under Article V Nonresidential Development Landscape Requirements and Article VI Tree Retention Protection and Replacement where applicable.

- ☐ **Environmental Health Department** – This office has no objection to the proposed rezoning. This does not constitute approval of any future use or proposals for these properties.
- ☐ **Fire** – The Fire Marshals Office has no objection to the rezoning.

## **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 Residential Uses. This request does conform to the Fayette County Comprehensive Plan in terms of the Land Use Plan as A-R is a less intense use than the Rural Residential-2 defined on the Future Land Use Plan.
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 is not likely to have an adverse impact on nearby residential uses.
3. It is staff's opinion that an agricultural-residential use would not generate a greater number of daily vehicle trips than would a single-family residential use situated on this same parcel. Staff does not anticipate that this development will have an adverse impact on utilities or schools.
4. The proposal is consistent in character and use with the immediate surrounding uses, as these are medium to large lot residential uses, with a trend toward rural character.

## **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;

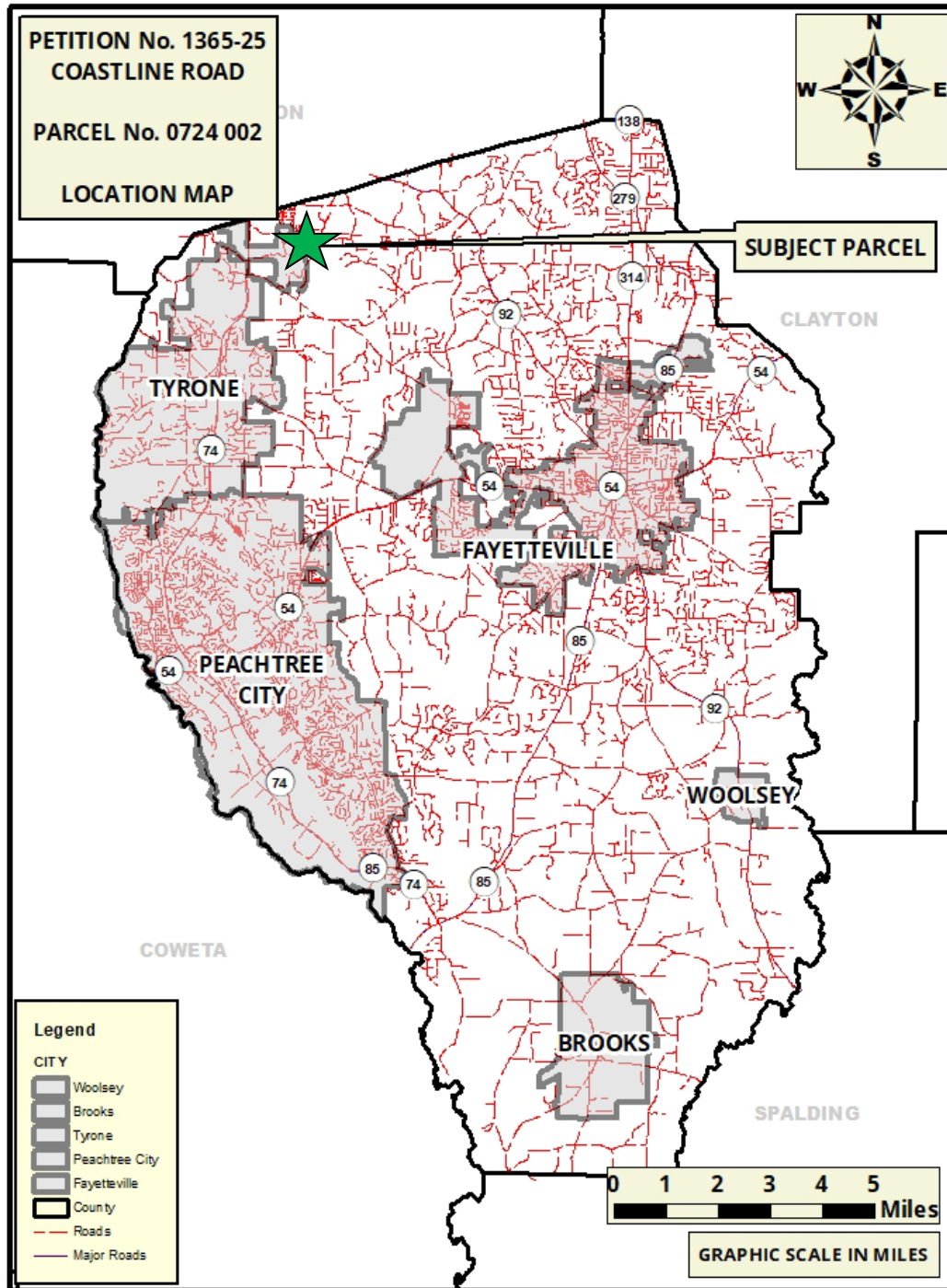
- (16) Hospital;
- (17) Kennel (see animal hospital, kennel, and/or veterinary clinic);
- (18) Private school, including, but not limited to: classrooms, administration, playground, housing, athletic fields, gymnasium, and stadium;
- (19) Processing, packaging, or handling of perishable agricultural 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.

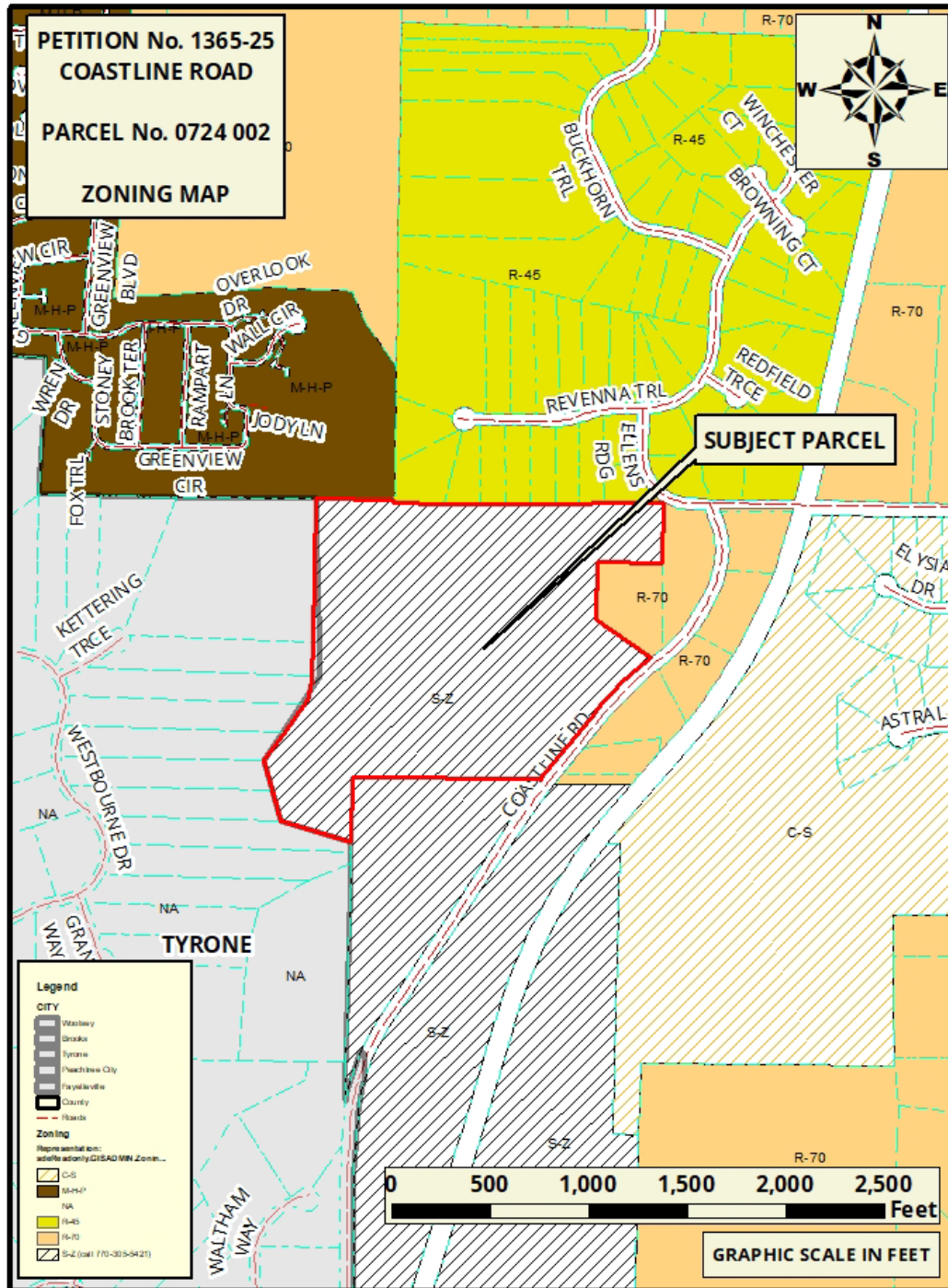
(d) *Dimensional requirements.* The minimum dimensional requirements in the A-R zoning district shall be as follows:

- (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) Building height.
  - 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.

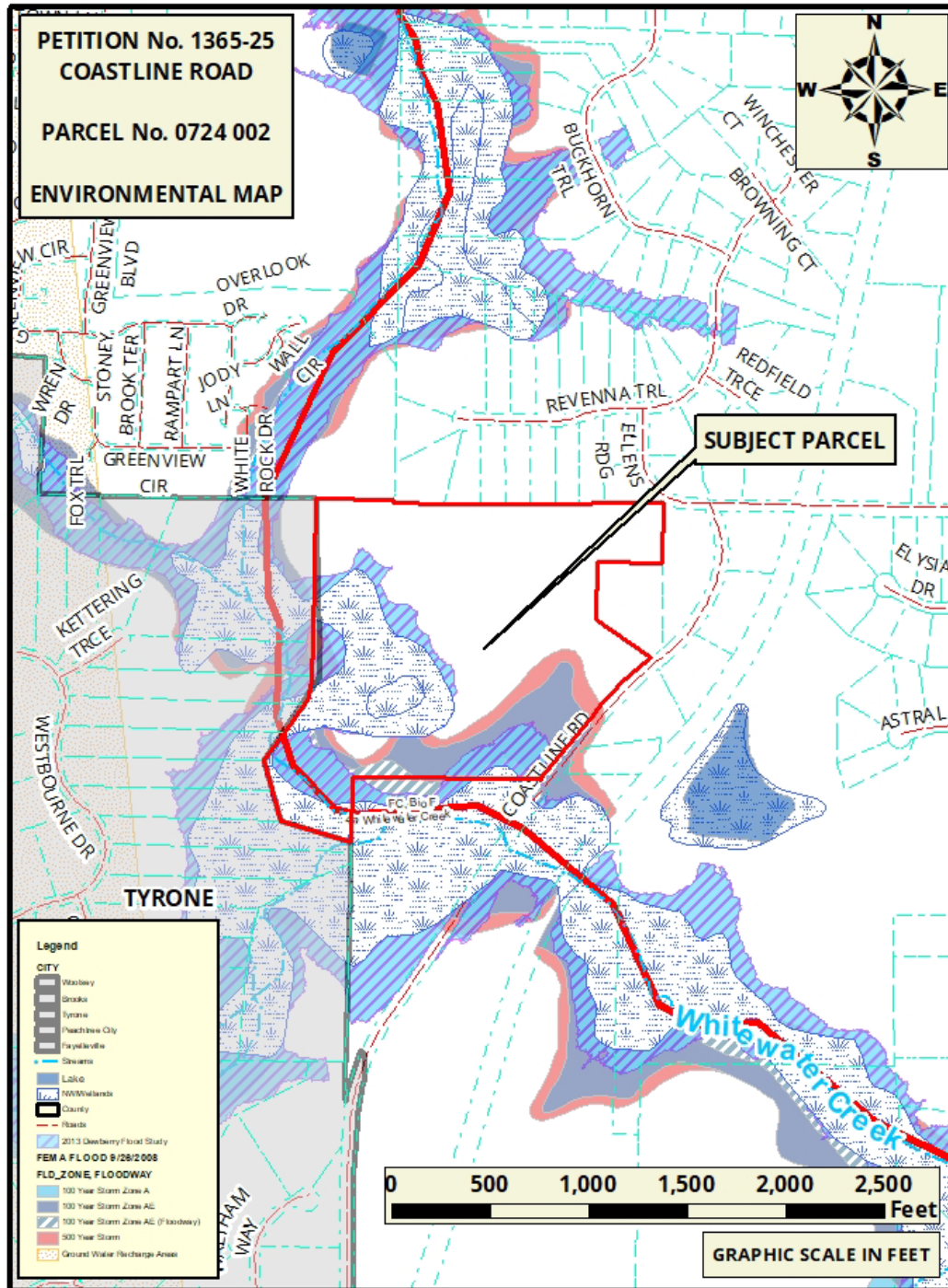




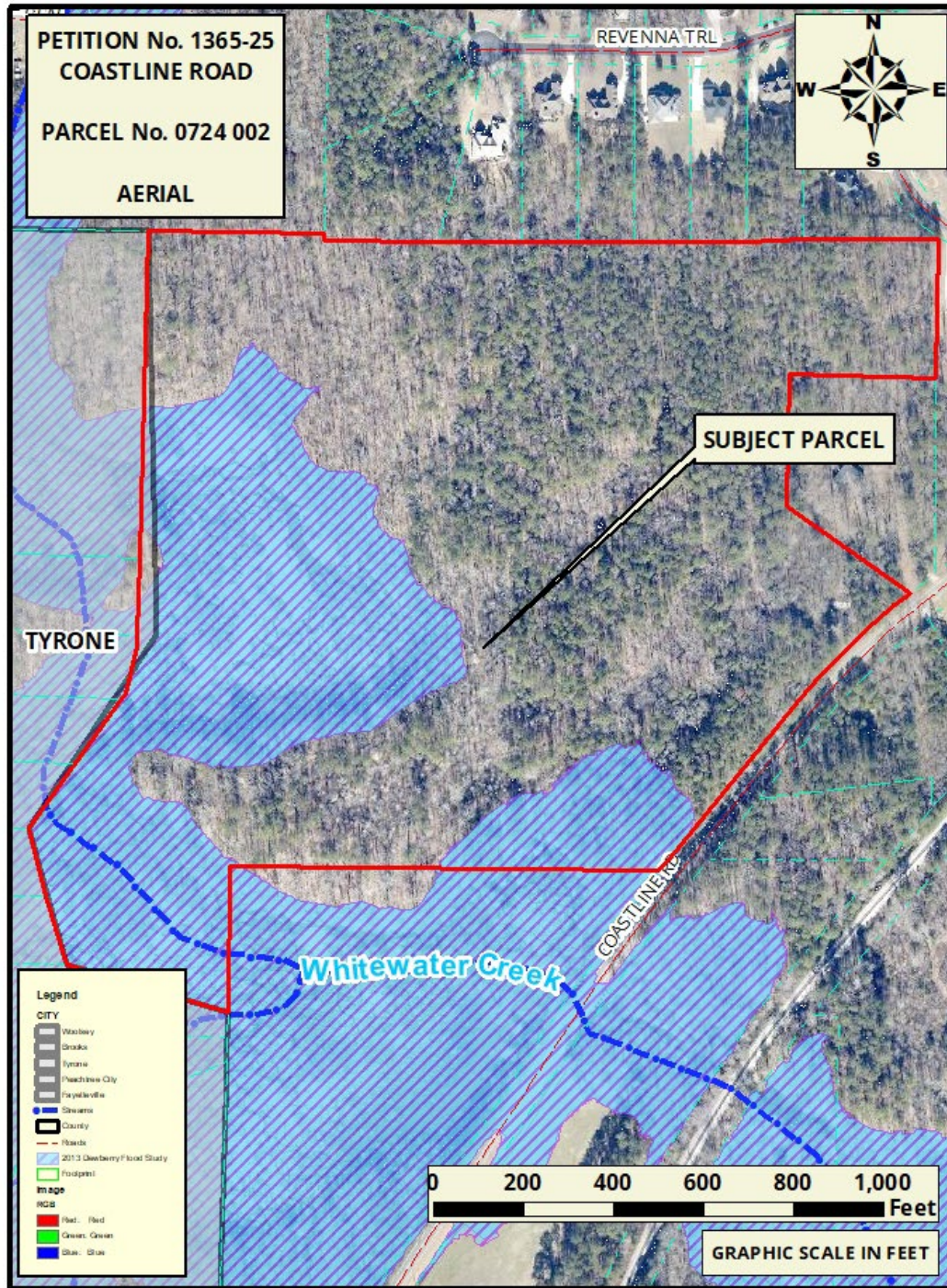




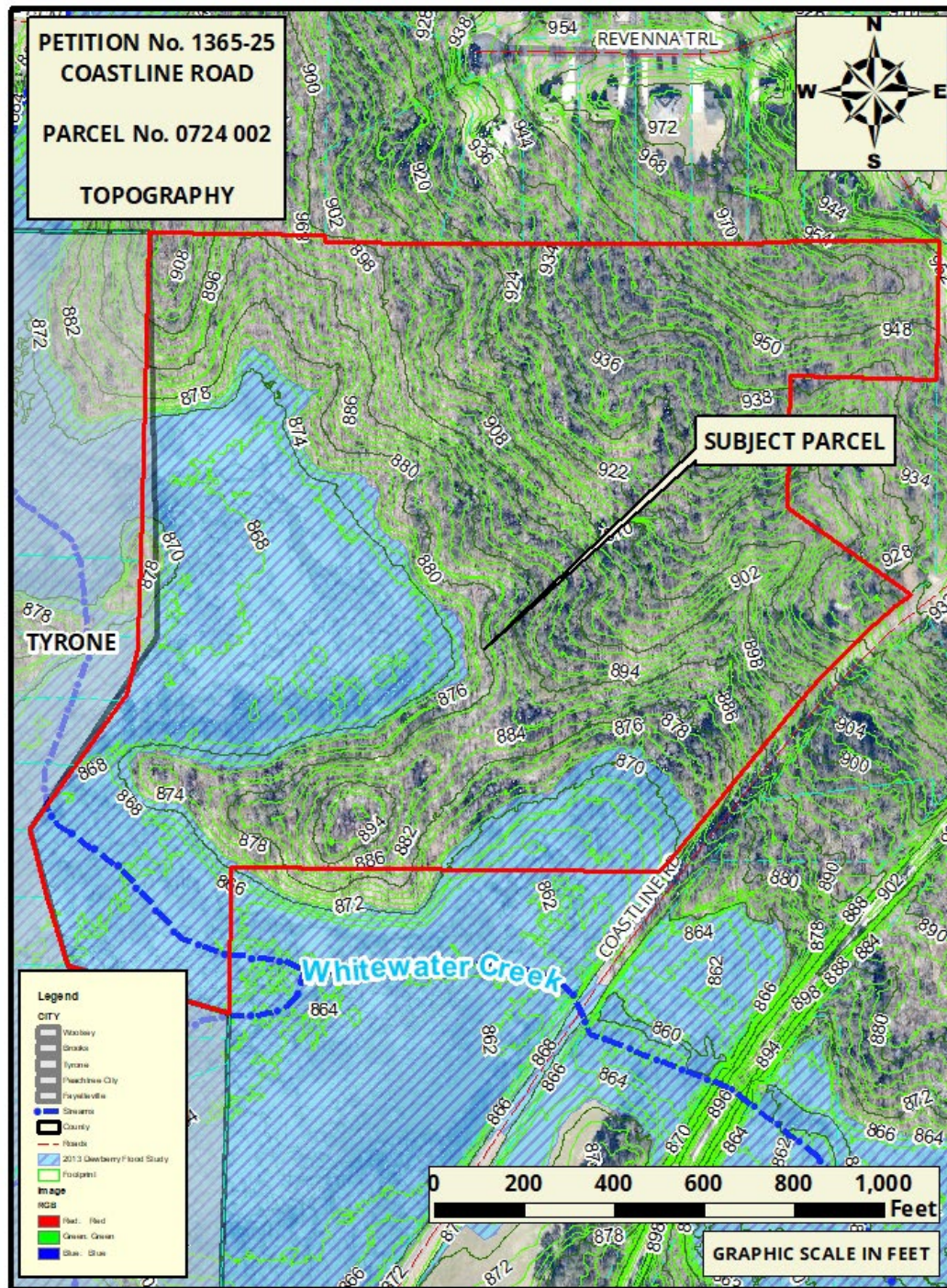
















PETITION No (s): 1365-25  
STAFF USE ONLY

SAGES REFERENCE No.: \_\_\_\_\_

**APPLICANT INFORMATION**

Name Piper Hill  
Address [REDACTED]  
City [REDACTED]  
State GA Zip [REDACTED]  
Email [REDACTED]@healing4heroes.org  
Phone [REDACTED]

**PROPERTY OWNER INFORMATION**

Name Piper Hill  
Address Coastline Road  
City Fayetteville  
State GA Zip 30214  
Email [REDACTED]@healing4heroes.org  
Phone [REDACTED]

**AGENT(S) (if applicable)**

Name \_\_\_\_\_  
Address \_\_\_\_\_  
City \_\_\_\_\_  
State \_\_\_\_\_ Zip \_\_\_\_\_  
Email \_\_\_\_\_  
Phone \_\_\_\_\_

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: Debbie Bell Date: 06/09/2025

DATE OF PLANNING COMMISSION HEARING: Aug. 7, 2025

DATE OF COUNTY COMMISSIONERS HEARING: Aug. 28, 2025

Received from Piper Hill a check in the amount of \$ 450.00 for  
application filing fee, and \$ 20.00 for deposit on frame for public hearing sign(s). \$470.00  
Date Paid: 06/09/2025 Receipt Number: 024272



PETITION No.: 1365-25 Fees Due: ✓ Sign Deposit Due: ✓

STAFF USE ONLY

**PROPERTY INFORMATION** (please provide information for each parcel)

Parcel # (Tax ID): 0724002 Acreage: 53.79  
Land District(s): \_\_\_\_\_ Land Lot(s): \_\_\_\_\_  
Road Name/Frontage L.F.: Coastline Road Road Classification: \_\_\_\_\_  
Existing Use: \_\_\_\_\_ Proposed Use: AR  
Structure(s): \_\_\_\_\_ Type: \_\_\_\_\_ Size in SF: \_\_\_\_\_  
Existing Zoning: \_\_\_\_\_ Proposed Zoning: AR  
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: \_\_\_\_\_

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:

Piper Hill & Edward Gibbons

(Please Print)

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

Cashmere Rd parcel 07-24-002

(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 53.6 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.

(II)

Signature of Property Owner 1

Address

Signature of Property Owner 2

Address

Signature of Property Owner

Address

Signature of Authorized Agent

Address

Signature of Notary Public

Date

Signature of Notary Public

Date

Signature of Notary Public

Date

Signature of Notary Public

Date



**Deborah M Sims**  
**NOTARY PUBLIC**

**Coweta County, GEORGIA**  
**My Commission Expires 01/05/2027**

PETITION No.: \_\_\_\_\_

**OWNER'S AFFIDAVIT**

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

NAME: Piper Hill & Edward Gibbons Jr

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

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

ny 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 \$ 450<sup>00</sup> per to cover all expenses of public hearing. He/She petitions the above named to change its classification to AR.

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 Aug 7, 20 25 at 7:00 P.M.

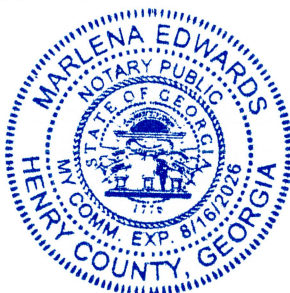
PUBLIC HEARING to be held by the Board of Commissioners of Fayette County on the day of Aug 28, 20 25 at 7:00 P.M.

SWORN TO AND SUBSCRIBED BEFORE ME THIS \_\_\_\_\_ DAY OF June, 20 25

SIGNATURE OF PROPERTY OWNER

SIGNATURE OF PROPERTY OWNER

NOTARY PUBLIC 06-09-2025





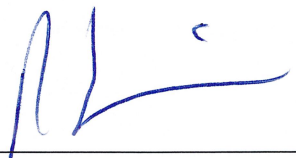
**AGREEMENT TO DEDICATE PROPERTY FOR FUTURE RIGHT-OF-WAY**

I/We, Spencer Hill & Edward Gibbons, 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 Coastline Road Fayetteville 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 9th day of June, 2025.



SIGNATURE OF PROPERTY OWNER

  
SIGNATURE OF PROPERTY OWNER

  
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 3rd day of June, 2025  
\_\_\_\_\_  
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.

## CHECKLIST OF ITEMS REQUIRED FOR REZONING REQUEST

*(All applications/documentation must be complete at the time of application submittal or the application will not be accepted)*

- ☐ Application form and all required attachments completed, signed, and notarized, as applicable.
- ☐ Copy of latest recorded deed, including legal description of the boundaries of the subject property to be rezoned.
- ☐ Boundary Survey (Separate from Conceptual Plan; 1 paper copy and 1 electronic copy in .pdf format), drawn to scale, showing north arrow, land lot and district, dimensions, and street location of the property, prepared (signed & sealed) by a land surveyor.
- ☐ Legal Description (must have metes and bounds) – 1 paper copy and 1 electronic copy in Microsoft Word .docx format
- ☐ Conceptual Plan (1 paper copy and 1 electronic file in .pdf format). The Conceptual Plan is not required to be signed and sealed by a registered surveyor, engineer or architect. The Conceptual Plan may be prepared on the boundary line survey; however it is required to be drawn to scale, and include all applicable items below:
  - \_\_\_\_\_ a. The total area of the subject property to be rezoned (to the nearest one-hundredth of an acre), the existing zoning district(s) of the subject property, and the area within each zoning district if more than one district.
  - N/A b. Approximate location and size of proposed structures, use areas and improvements (parking spaces, and aisles, drives, etc.) on the subject property for non-residential rezoning requests, including labeling the proposed use of each proposed structure/use area.
  - N/A c. General layout of a proposed subdivision (residential or non-residential) including the delineation of streets and lots. The items of b. above are not required in this instance but may be included if known.
  - \_\_\_\_\_ d. Approximate location and size of existing structures and improvements on the parcel, if such are to remain. Structures to be removed must be indicated and labeled as such.
  - \_\_\_\_\_ e. Minimum zoning setbacks and buffers, as applicable.
  - \_\_\_\_\_ f. Location of all existing and proposed easements and streets on or adjacent to the subject property, indicating type and width of existing and proposed easements and centerline of streets including width of right-of-way.
  - \_\_\_\_\_ g. Location and dimensions of exits/entrances to the subject property.
  - \_\_\_\_\_ h. Approximate location and elevation of the 100-year flood plain and Watershed Protection Ordinance requirements, as applicable.
  - \_\_\_\_\_ i. Approximate location of proposed on-site stormwater facilities, including detention or retention facilities.
- ☐ A letter of intent for a non-residential rezoning request, including the proposed use(s).

Doc ID: 010904310002 Type: WD  
 Recorded: 05/26/2020 at 10:00:00 AM  
 Fee Amt: \$325.00 Page 1 of 2  
 Transfer Tax: \$300.00  
 Fayette, Ga. Clerk Superior Court  
 Sheila Studdard Clerk of Court  
 BK **5045** PG **1-2**

*Prepared by*

Reserved for recording information

After Recording Return to: **Phillip E. Brooks, Attorney**  
**430 Prime Point, Suite 105**  
**Peachtree City, Georgia 30269**

## WARRANTY DEED

**STATE OF GEORGIA**  
**COUNTY OF FAYETTE**

This indenture made this 30th day of April, in the year Two Thousand Twenty between Findo Homes & Communities, Inc. of the county of Fayette as party or parties of the first part, hereunder called Grantor, and as as party or parties of the second part, hereafter called Grantee (the words "Grantor" and Piper Nichole Victoria Hill & Edward Gene Gibbons, Jr. "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's (10.00) DOLLARS and other good and valuable consideration 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, by these presents does grant, bargain, sell, alien, convey and confirm unto the said Grantee,

Exhibit "A"

This deed is executed and delivered subject to easements and restrictions of record applicable to the above described property.

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

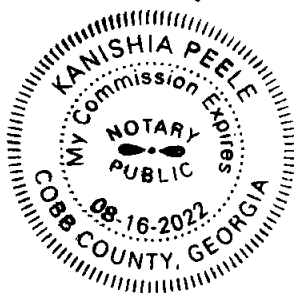
AND THE SAID Grantor will warrant and forever defend the right and title to the above described property unto the said Grantee against all claims of all persons whomsoever.

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

Signed, sealed and delivered:

*[Signature]*  
 Witness  
*[Signature]*  
 Notary Public

*[Signature]* (SEAL)  
 Findo Homes & Communities, Inc.  
 By Funmi Abiodun It's *[Signature]* (SEAL)  
 Title **PRESIDENT**





## EXHIBIT "A"

All that tract or parcel of land lying and being in Land Lot 80 and Land Lot 81 of the 7<sup>th</sup> District, Fayette County, Georgia, being more particularly described as follows:

Beginning at an iron pin (a 3/4" rod with eyelet) located on the northerly line of Land Lot 80 at the point said Land Lot intersects the land lot line common to Land Lots 5 and 6 of the 9<sup>th</sup> District and running thence South 89 degrees 08 minutes 00 seconds East a distance of 1410.31 feet to an iron pin set; running thence South 02 degrees 17 minutes 30 seconds West a distance of 308.20 feet to an 1/2" rebar found (bent); running thence North 87 degrees 35 minutes 10 seconds West a distance of 232.55 feet to a point; running thence South 02 degrees 29 minutes 51 seconds West a distance of 308.00 feet to an iron pin set; running thence South 57 degrees 02 minutes 51 seconds East a distance of 250.30 feet to a 5/8" rebar found; running thence North 32 degrees 19 minutes 55 seconds East a distance of 35.02 to a 1/2" rebar found (bent); running thence South 02 degrees 13 minutes 53 seconds West a distance of 36.56 feet to a 5/8" rebar found (bent) on the north right-of-way line of Coastline Line Road (a 80 ft. right-of-way); running thence South 50 degrees 57 minutes 23 seconds West a distance of 61.05 feet to a point; running thence South 51 degrees 23 minutes 53 seconds West a distance of 21.17 feet to a point; running thence South 48 degrees 53 minutes 53 seconds West a distance of 106.67 feet to a point; running thence South 45 degrees 11 minutes 53 seconds West a distance of 105.21 feet to a point; running thence South 41 degrees 59 minutes 23 seconds West a distance of 104.67 feet to a point; running thence South 40 degrees 01 minutes 39 seconds West a distance of 105.80 feet to a point; running thence South 39 degrees 10 minutes 03 seconds West a distance of 265.37 feet to a point; running thence South 39 degrees 01 minutes 23 seconds West a distance of 78.07 feet to a point; running thence South 37 degrees 07 minutes 16 seconds West a distance of 38.81 feet to a 5/8" rebar found; thence leaving said right-of-way, North 89 degrees 41 minutes 39 seconds West a distance of 940.68 feet to a 1/2" rebar found on the land lot line between Land Lots 80 and 81; running thence South 01 degrees 26 minutes 59 seconds West a distance of 332.35 feet to an iron pin set; running thence North 73 degrees 11 minutes 10 seconds West a distance of 374.49 feet to an iron pin set; running thence North 16 degrees 22 minutes 07 seconds West a distance of 314.44 feet to an iron pin set; running thence North 36 degrees 16 minutes 36 seconds East a distance of 181.55 feet to an iron pin set; running thence North 35 degrees 42 minutes 28 seconds East a distance of 180.34 feet to an iron pin set; running thence North 15 degrees 01 minutes 32 seconds East a distance of 112.03 feet to an iron pin set; running thence North 01 degrees 28 minutes 38 seconds East a distance of 941.90 feet to an iron pin set on the north land lot line of Land Lot 81; running thence along said north land lot line South 89 degrees 30 minutes 09 seconds East to the Point of Beginning. Said parcel containing 53.81 acres, as shown on that plat of survey prepared for Pulte Home Corporation by Falcon Design, Kevin M. Brown, GRLS No. 2960, dated March 27, 2019, which said plat is incorporated herein and made a part hereof by this reference.

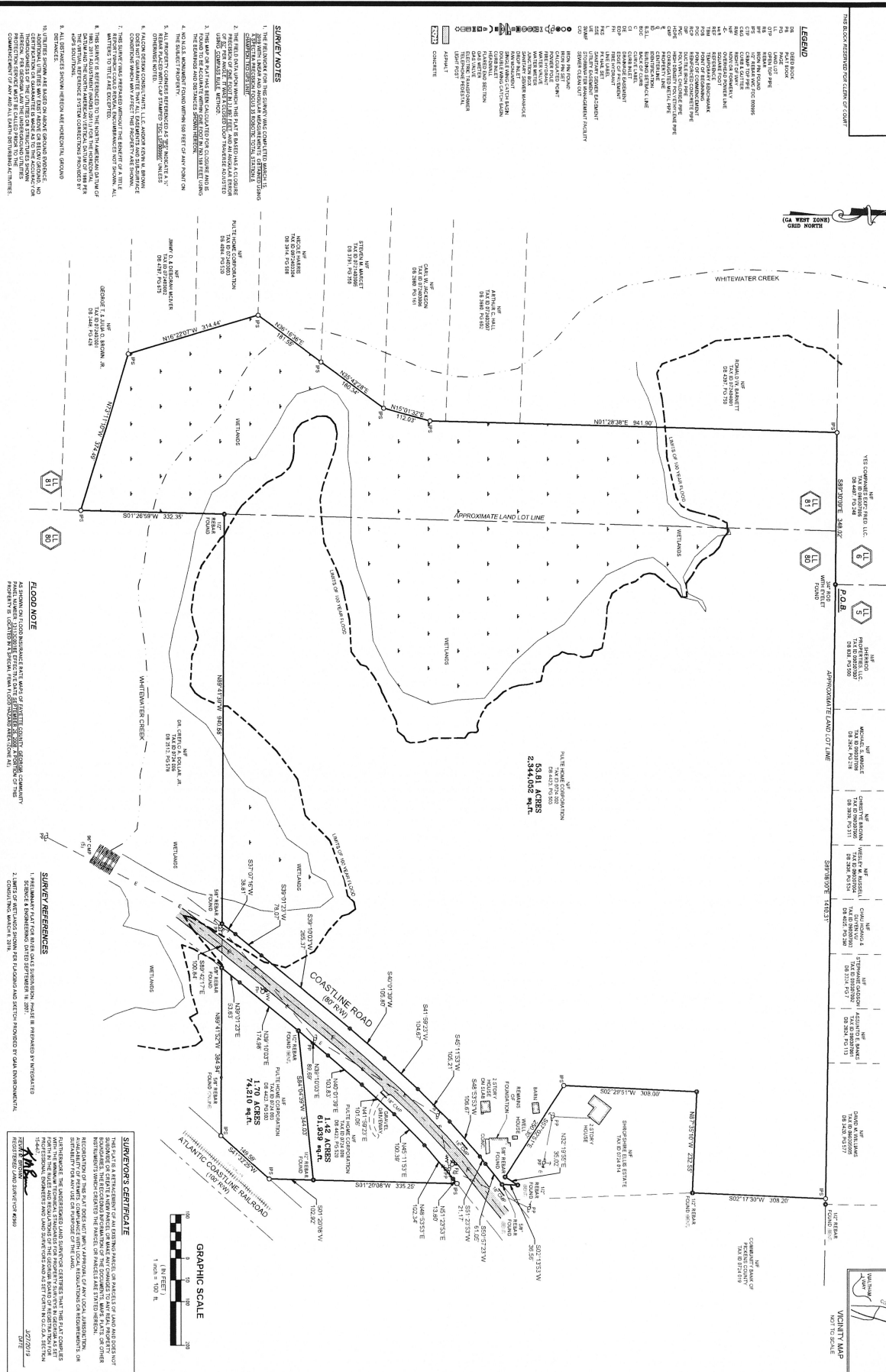




# BOUNDARY SURVEY FOR: PULTE HOME CORPORATION LAND LOTS 80 & 81, 7TH DISTRICT FAYETTE COUNTY, GEORGIA

THIS BLOCK RESERVED FOR CLERK OF COURT

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**SURVEY NOTES**

1. THIS SURVEY WAS CONDUCTED IN ACCORDANCE WITH THE STANDARDS AND PRACTICES OF THE PROFESSION OF SURVEYING AS SET FORTH IN THE GEORGIA SURVEYING ACT, CHAPTER 103, OF THE GEORGIA CODE ANNOTATED.
2. THE FIELD DATA WHICH THIS PLAT IS BASED UPON WAS OBTAINED BY MEANS OF A TOTAL STATION, A GPS RECEIVER, AND A LEVEL.
3. THE SURVEY WAS CONDUCTED IN ACCORDANCE WITH THE STANDARDS AND PRACTICES OF THE PROFESSION OF SURVEYING AS SET FORTH IN THE GEORGIA SURVEYING ACT, CHAPTER 103, OF THE GEORGIA CODE ANNOTATED.
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9. THE SURVEY WAS CONDUCTED IN ACCORDANCE WITH THE STANDARDS AND PRACTICES OF THE PROFESSION OF SURVEYING AS SET FORTH IN THE GEORGIA SURVEYING ACT, CHAPTER 103, OF THE GEORGIA CODE ANNOTATED.
10. THE SURVEY WAS CONDUCTED IN ACCORDANCE WITH THE STANDARDS AND PRACTICES OF THE PROFESSION OF SURVEYING AS SET FORTH IN THE GEORGIA SURVEYING ACT, CHAPTER 103, OF THE GEORGIA CODE ANNOTATED.

**FLOOD NOTE**

THE SURVEYED AREA IS LOCATED WITHIN A FLOOD HAZARD ZONE AS SHOWN ON THE FLOOD INSURANCE RATE MAP (FIRM) NO. 12040-0000-0000, DATED 01/12/00, WHICH IS AVAILABLE FOR REVIEW AT THE FAYETTE COUNTY ENGINEERING DEPARTMENT.

**SURVEY REFERENCES**

1. THE SURVEY WAS CONDUCTED IN ACCORDANCE WITH THE STANDARDS AND PRACTICES OF THE PROFESSION OF SURVEYING AS SET FORTH IN THE GEORGIA SURVEYING ACT, CHAPTER 103, OF THE GEORGIA CODE ANNOTATED.

**SURVEYOR'S CERTIFICATE**

I, the undersigned, being a duly licensed Professional Engineer in the State of Georgia, do hereby certify that the foregoing is a true and correct copy of the original survey as conducted by me or under my direct supervision and in accordance with the standards and practices of the profession of surveying as set forth in the Georgia Surveying Act, Chapter 103, of the Georgia Code Annotated.

**DATE:** 07/27/19

1 of 1

SHEET NUMBER

REVISIONS

NO.	DATE	DESCRIPTION
1	07-27-2019	INITIAL SURVEY

BOUNDARY SURVEY FOR:  
PULTE HOME CORPORATION  
RIVER OAKS SUBDIVISION, PHASE 3

LAND LOTS 80 & 81, 7TH DISTRICT  
FAYETTE COUNTY, GEORGIA

**FALCON DESIGN**

ENGINEERING

1111 N. GUNN RD., SUITE 100  
FAYETTE, GA 30204  
770.244.1111  
www.falcon-design.com

Continued from page B5

**PETITION FOR REZONING CERTAIN PROPERTIES IN UNINCORPORATED AREAS OF FAYETTE COUNTY, GEORGIA**  
PUBLIC HEARING to be held before the Fayette County Planning Commission on Thursday, August 7, 2025, at 7:00 P.M. and before the Fayette County Board of Commissioners on Thursday, August 28, 2025, at 5:00 P.M. in the Fayette County Administrative Complex, 140 Stonewall Avenue West, Public Meeting Room, First Floor, Fayetteville, Georgia.

Petition No.: 1365-25

Parcel No: 0724 002

Owner(s): Piper Nichole Victoria Hill and Edward Gene Gibbons, Jr.

Zoning District: R-70

Area of Property: 53.81 acres

Land Lot(s)/District: Land Lots 80 and 81 of the 7th District

Fronts on: Coastline Road

Proposed: Applicant proposes the following: To rezone 53.81 acres from R-70 (Single-Family Residential) to A-R Agricultural-Residential (Single-Family).

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

**EXHIBIT "A"**

All that tract or parcel of land lying and being in Land Lot 80 and Land Lot 81 of the 7th District, Fayette County, Georgia being more particularly described as follows: Beginning at an iron pin (a 3/4" rod with eyelet) located on the northerly line of Land Lot 80 at the point said Land Lot intersects the land lot line common to Land Lots 5 and 6 of the 9th District and running thence South 89 degrees 08 minutes 00 seconds East a distance of 1410.31 feet to an iron pin set; running thence South 02 degrees 17 minutes 30 seconds West a distance of 308.20 feet to an 1/2" rebar found (bent); running thence North 87 degrees 35 minutes 10 seconds West a distance of 232.55 feet to a point; running thence South 57 degrees 29 minutes 51 seconds West a distance of 308.00 feet to

an iron pin set; running thence South 57 degrees 02 minutes 51 seconds East a distance of 250.30 feet to a 5/8" rebar found; running thence North 32 degrees 19 minutes 55 seconds East a distance of 35.02 to a 1/2" rebar found (bent); running thence South 02 degrees 13 minutes 53 seconds West a distance of 36.56 feet to a 5/8" rebar found (bent) on the north right-of-way line of Coastline Line Rd (a 80 ft. right-of-way); running thence South 50 degrees 57 minutes 23 seconds West a distance of 61.05 feet to a point; running thence South 51 degrees 23 minutes 53 seconds West a distance of 21.17 feet to a point; running thence South 48 degrees 53 minutes 53 seconds West a distance of 106.67 feet to a point; running thence South 45 degrees 11 minutes 53 seconds West a distance of 105.21 feet to a point; running thence South 41 degrees 59 minutes 23 seconds West a distance of 104.67 feet to a point; running thence South 40 degrees 01 minutes 39 seconds West a distance of 105.80 feet to a point; running thence South 39 degrees 10 minutes 03 seconds West a distance of 265.37 feet to a point; running thence South 39 degrees 01 minutes 23 seconds West a distance of 78.07 feet to a point; running thence South 37 degrees 07 minutes 16 seconds West a distance of 38.81 feet to a 5/8" rebar found; thence leaving said right-of way, North 89 degrees 41 minutes 39 seconds West a distance of 940.68 feet to a 1/2" rebar found on the land lot line between Land Lots 80 and 81; running thence South 01 degrees 26 minutes 59 seconds West a distance of 332.35 feet to an iron pin set; running thence North 73 degrees 11 minutes 10 seconds West a distance of 374.49 feet to an iron pin set; running thence North 16 degrees 22 minutes 07 seconds West a distance of 314.44 feet to an iron pin set; running thence North 36 degrees 16 minutes 36 seconds East a distance of 181.55 feet to an iron pin set; running thence North 35 degrees 42 minutes 28 seconds East a distance of 180.34 feet to an iron pin set; running thence North 15 degrees 01 minutes 32 seconds East a distance of 112.03 feet to an

Wednesday, July 16, 2025

iron pin set; running thence North 01 degrees 28 minutes 38 seconds East a distance of 941.90 feet to an iron pin set on the north land lot line of Land Lot 81; running thence along said north land lot line South 89 degrees 30 minutes 09 seconds East to the Point of Beginning. Said parcel containing 53.81 acres, as shown on that plat of survey prepared for Pulte Home Corporation by Falcon Design, Kevin M. Brown, GRLS No. 2960, dated March 27, 2019, which said plat is incorporated herein and made a part hereof by this reference.

07/16

Legals continued page B7

**PETITION No. 1366-25**

**REQUESTED ACTION:** Rezone 31.144 acres from R-45 Conditional to A-R

**PARCEL NUMBER:** 0519 002

**EXISTING ZONING:** R-45 Conditional

**PROPOSED ZONING:** A-R

**EXISTING USE:** Residential

**PROPOSED USE:** Agricultural-Residential

**LOCATION:** 865 S Jeff Davis Drive and Dixon Circle

**LOT SIZE:** 31.144 Acres

**DISTRICT/LAND LOT(S):** 5<sup>th</sup> District, Land Lots 88, 73

**OWNER(S):** Jerry M. Gable

**AGENTS:** Christine Flanigan

**PLANNING COMMISSION PUBLIC HEARING:** August 7, 2025, at 7:00 PM

**BOARD OF COMMISSIONERS PUBLIC HEARING:** August 28, 2025, at 5:00 PM

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**REQUEST**

The applicant is requesting to rezone the property from R-45 Conditional to A-R.

**STAFF ASSESSMENT & RECOMMENDATION**

The lot is a legal lot of record and meets or exceeds all the requirements of the A-R zoning district. The Future Land Use Map designates this area as Low-Density Residential, which has a 1-acre minimum parcel size. A-R has a 5-acre minimum parcel size so it will be a less intensive zoning than R-45. Therefore, staff recommends **CONDITIONAL APPROVAL** of the request to rezone from R-45, Conditional to A-R, subject to the following conditions:

1. The existing house on the parcel does not meet the building setback requirements for A-R and shall be demolished within 180 days of approval of the rezoning or prior to application

for any future rezonings or minor final plats, whichever comes first.

2. The owner/developer shall dedicate land to Fayette County as needed to provide a minimum 50-ft of right of way as measured from the existing centerline of South Jeff Davis Road for the full width of the parcel. This dedication shall be completed within 180 days of approval, or prior to the submittal of a final plat, whichever comes first.
3. No new parcels may be created unless and until a paved road, constructed to County Standards and with a 60' dedicated right-of-way, is constructed at the present end of Dixon Circle as shown on the survey provided with the application.

Staff has discussed these conditions with the applicant's agent, and they accept these conditions.

## **INVESTIGATION**

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

The subject property was rezoned from A-R to R-45, Conditional, on April 23, 1987.

The conditions of zoning for Petition No. 619-87 were as follows:

1. To the owner's agreement to the following site development considerations:
  - a. To limit the exit/entrance on Jeff Davis Drive to no more than two (2) which will be separated by at least 700 feet.
  - b. That no lot shall have direct (driveway) access to Jeff Davis Drive.
  - c. That Dixon Circle shall not tie-in to Jeff Davis Drive or any proposed street that will tie-in to Jeff Davis Drive.
  - d. That the zoning shall be upgraded to R-45.

Staff notes regarding the relationship of the original conditions, the property configuration, and the current rezoning request:

- Regarding the number of curb cuts that could be developed on this property, the property has 800' of road frontage on South Jeff Davis. If it is zoned A-R, due to the shape of the property no more than 2 lots can be developed with frontage on South Jeff Davis. At the narrowest portion of the lot, about halfway between the north and south edges, the property is only 60' wide; a new parcel must have 100' of width all the way to the buildable portion of the lot. Therefore, no new 'flag lot' leading to the south portion of the property could be created here since it is less than 100'.

*The area between this narrow point and South Jeff Davis contains about 11 acres, which would yield only 2 lots with frontage and access on South Jeff Davis. The net result will be fewer vehicle trips per day than there would have been if this area were developed according to the original Woodlands Preliminary Plat, which would have allowed 4 lots in addition to the Tract F parcel, which also had a house.*

- Regarding the frontage on Dixon Circle, the applicant is aware that all required road frontages must be satisfied before the parcel can be subdivided. This includes providing the required frontage on Dixon Circle, as specified in Sec. 110-67. – Street frontage for access. No subdivision of property can take place unless proper road frontage is available for all parcels that might be created here. This will require the construction of a road meeting County standards, and the dedication of a full-width right-of-way for said road.

*This southern portion of the property is approximately 20 acres, which will allow at most 4 lots if additional road frontage is provided. The net result will be fewer vehicle trips per day than there would have been if this area were developed according to the original Woodlands Preliminary Plat, which would have allowed 13 lots in this area. Please refer to the Master Plan on page 14 of this report for an illustration of the area.*



## B. ADJACENT ZONING AND FUTURE LAND USE

Most parcels surrounding the subject property are zoned A-R; a few are R-40 and R-70. 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 (across S. Jeff Davis Rd.)	5.0; 3.5	A-R; R-45	Single-Family Residential	Low Density Residential (1 unit /1 acre)
East	100+	R-45	Single Family Residential	Low Density Residential (1 unit /1 acre)
South	100+	R-45	Single Family Residential & Agricultural	Low Density Residential (1 unit /1 acre)
West	15; 43	R-45; A-R	Single Family Residential & Agricultural	Low Density Residential (1 unit /1 acre)

## C. DEPARTMENTAL COMMENTS

- ☐ **Water System** – No objections.
- ☐ **Public Works/Environmental Management**
  - **Access Management**
    - S. Jeff Davis Drive is a Minor Arterial, 40 and 50-foot from CL right of way. Traffic data shows ADT of 10,300 vehicles one mile (+/-) to the west and ADT 7,910 vehicles 2/3 of a mile (+/-) to the east of the site.
    - Dixon Circle (access to Tract B) in an Internal Local road with varying right of way widths (15ft, 30 ft. and 40 ft from centerline).
  - **Site Distance**
    - The speed limit on S. Jeff Davis Road is 45 MPH, requiring 500 ft. of sight distance. 1987 Rezoning prohibited direct (driveway) access to S. Jeff Davis Rd.
    - The speed limit on Dixon Circle is a 25 MPH, requiring 280 ft. of sight distance.
  - **Floodplain Management**
    - The property **DOES** contain additional floodplain delineated in the FC 2013 Future Conditions Flood Study. The property **DOES NOT** contain floodplain per FEMA FIRM panel 13113C0116E dated September 26, 2008.
    - Any improvements on the site must meet all regulations, including but not limited to MFFE (Minimum Finished Floor Elevations).
  - **Wetlands** - The property **DOES** contain wetlands per the U.S. Department of

the Interior, Fish and Wildlife Service 1994 National Wetland Inventory Map. The owner or developer will be responsible for submitting proper documentation during the development process as to the existence or non-existence of wetlands.

- **Watershed Protection** - There **ARE** state waters located on the subject property and the site **WILL BE** subject to the Fayette County Watershed Protection Ordinance upon subdivision.
  - **Groundwater** - The property **IS NOT** within a groundwater recharge area.
  - **Post Construction Stormwater Management** - This development **WILL BE** subject to the Post-Development Stormwater Management Ordinance if rezoned and developed with more than 5,000 square feet of impervious surfaces for a major subdivision.
- ☐ **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. 110-125. 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) Building height.

a. 35 feet as defined in article III of this chapter.

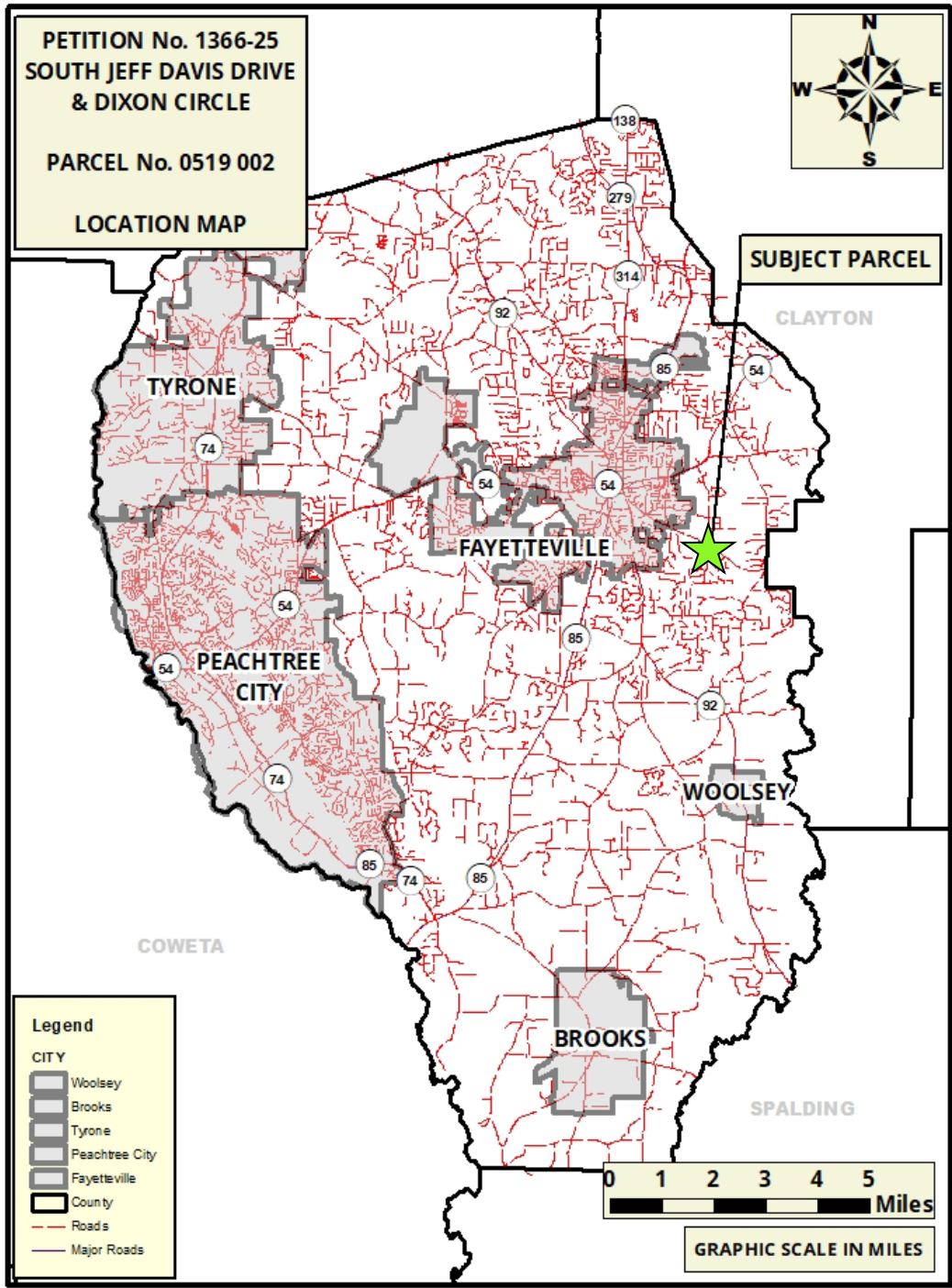
b. The limitation on height shall not apply to agricultural structures such as storage barns, silos, or other types of structure not normally designed for human occupation except that when an agricultural structure exceeds the maximum building height the minimum distance from property lines to any building shall be increased one foot for every two feet or part thereof of building height over 35 feet.

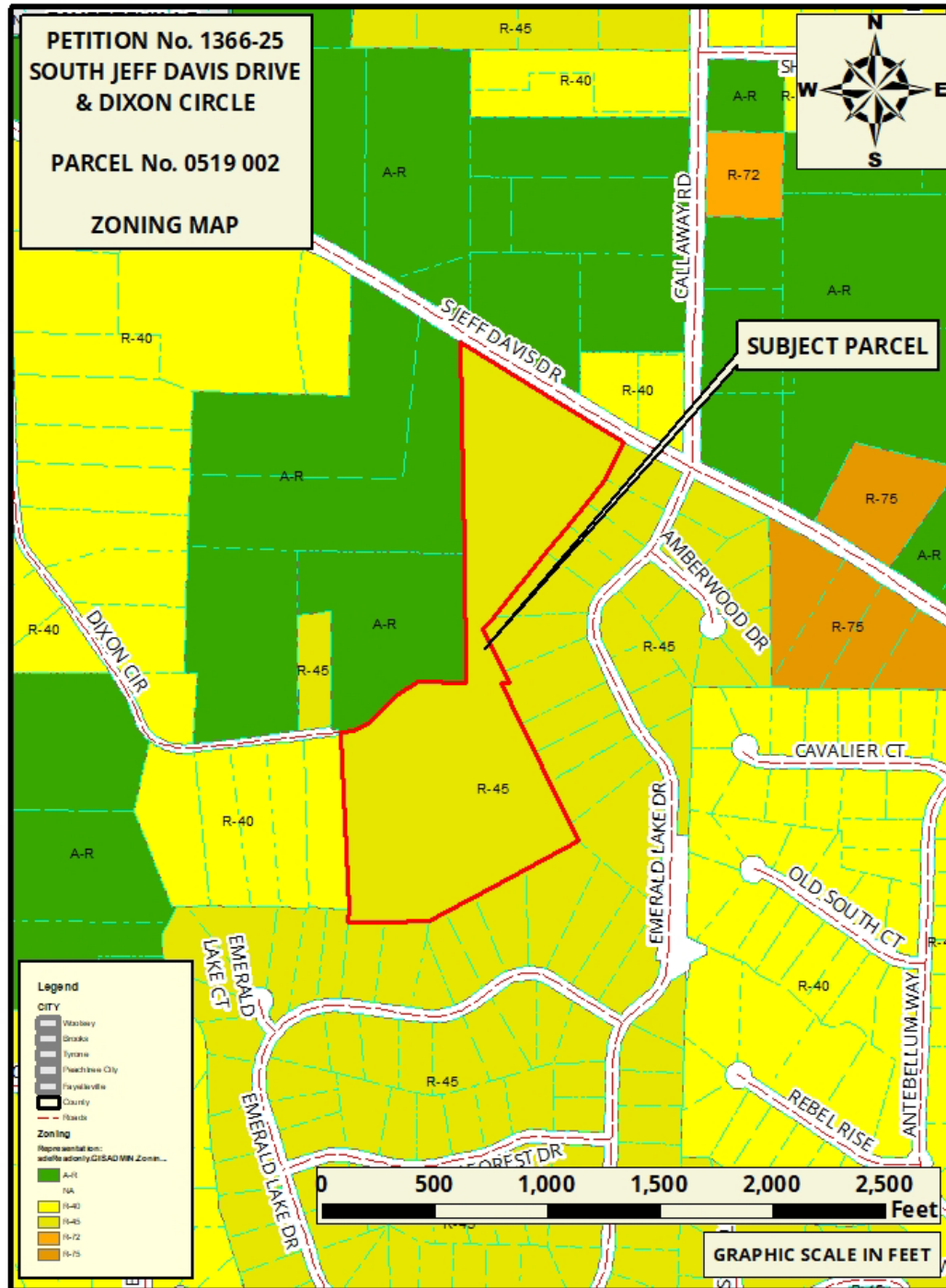
(e) *Special regulations.* Prior to the issuance of development and/or building permits, a site plan, as applicable, shall be submitted to the zoning administrator and approved by the appropriate county officials. This requirement shall apply to all permitted uses and conditional uses allowed in the AR zoning district except single-family dwellings; residential

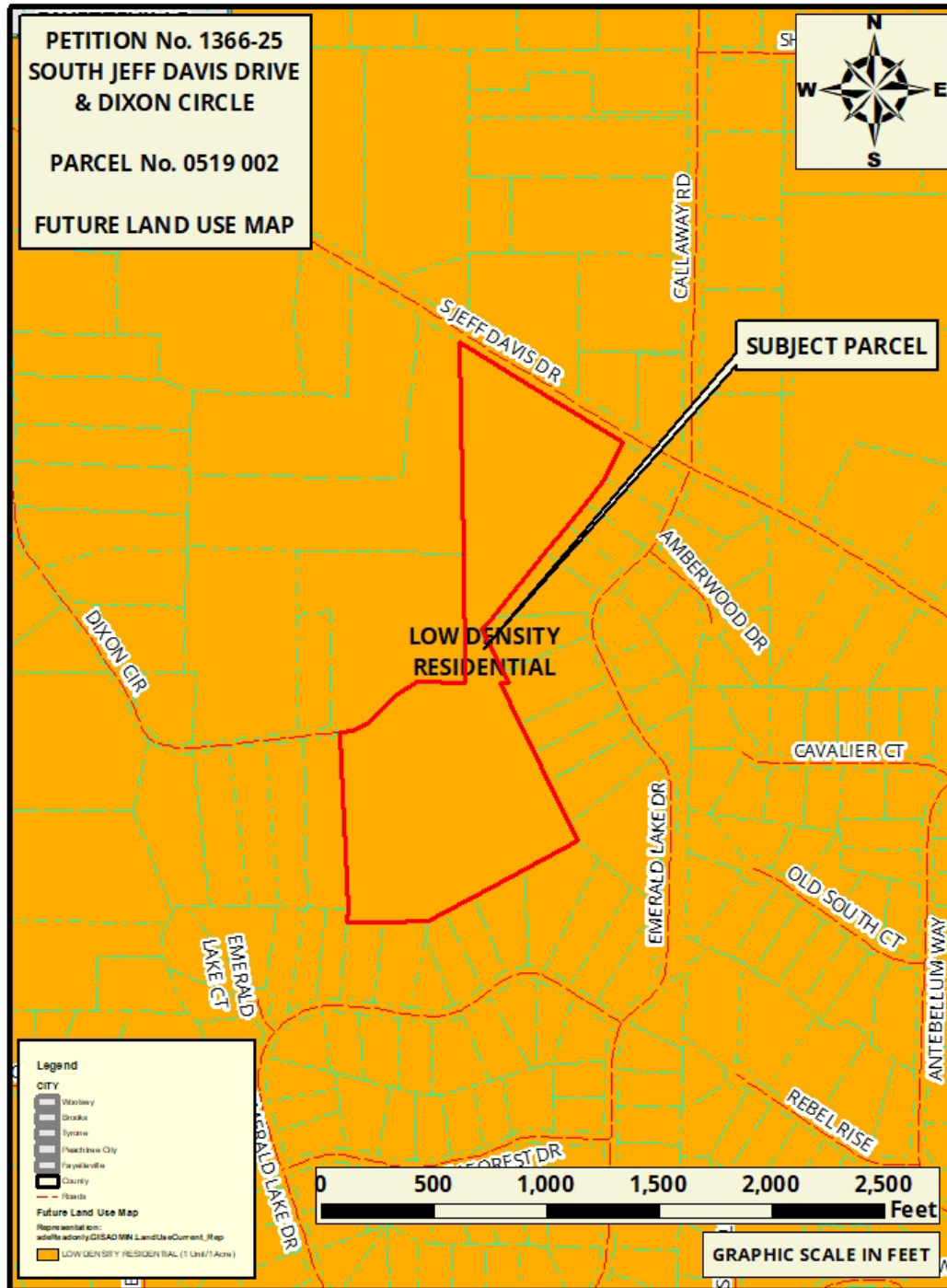


accessory structures; growing crops and the on-premises sale of produce at agricultural stands of 100 square feet or less of floor area; growing and seasonal sale of Christmas trees; plant nursery, landscape tree farm, or greenhouse operations existing prior to the effective date of June 26, 2003; and the raising and/or selling of livestock.

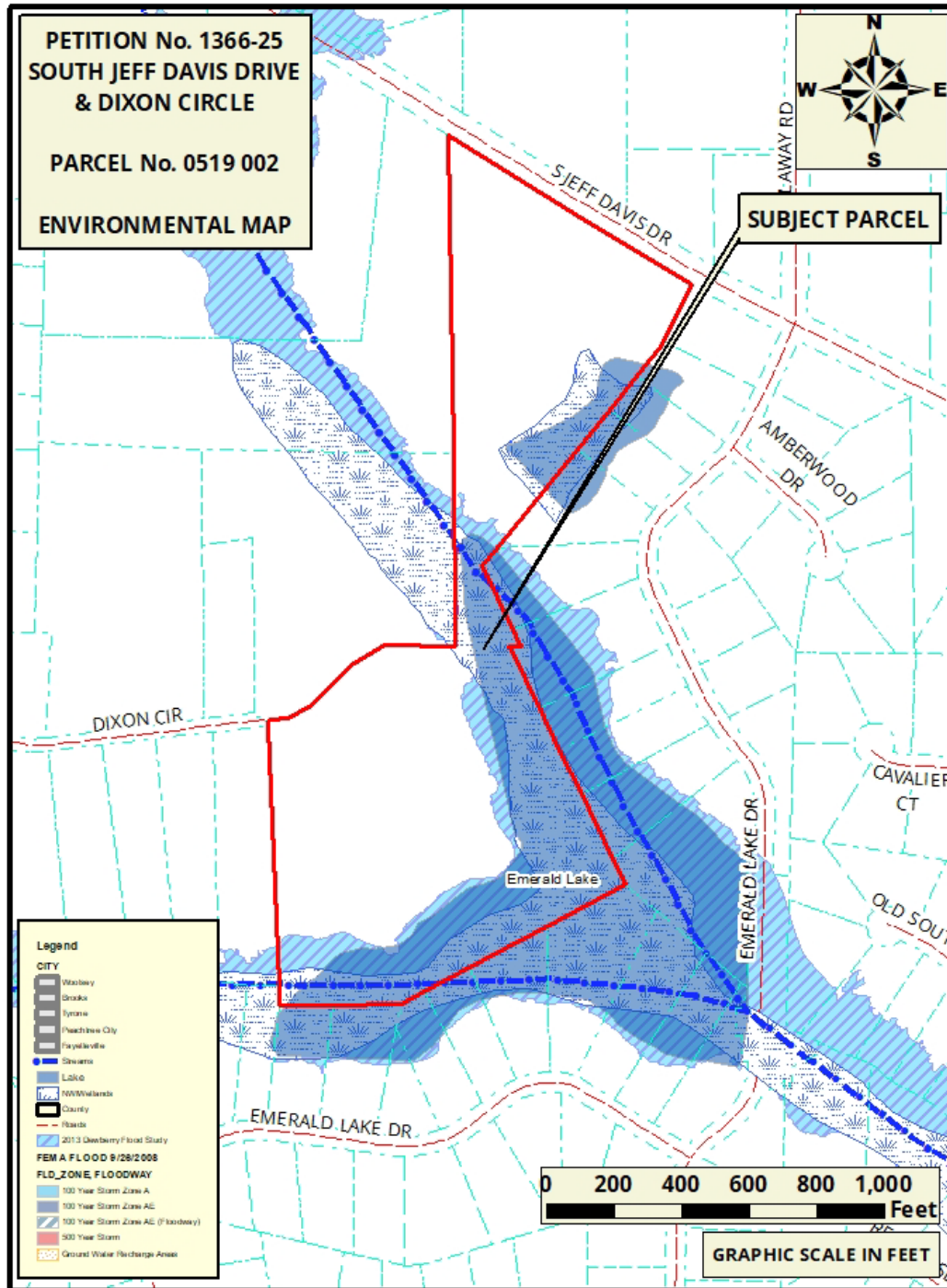
(Code 1992, § 20-6-1; Ord. of 7-28-2011; Ord. No. 2012-09, § 4, 5-24-2012; Ord. No. 2012-13, § 4, 12-13-2012; Ord. No. 2012-14, § 3, 12-13-2012; Ord. No. 2014-19, § 6,7, 12-11-2014; Ord. No. 2015-05, § 2, 3-26-2015; Ord. No. 2016-12, § 3, 7-28-2016; Ord. No. 2017-04, § 2, 3-23-2017; Ord. No. 2018-03,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

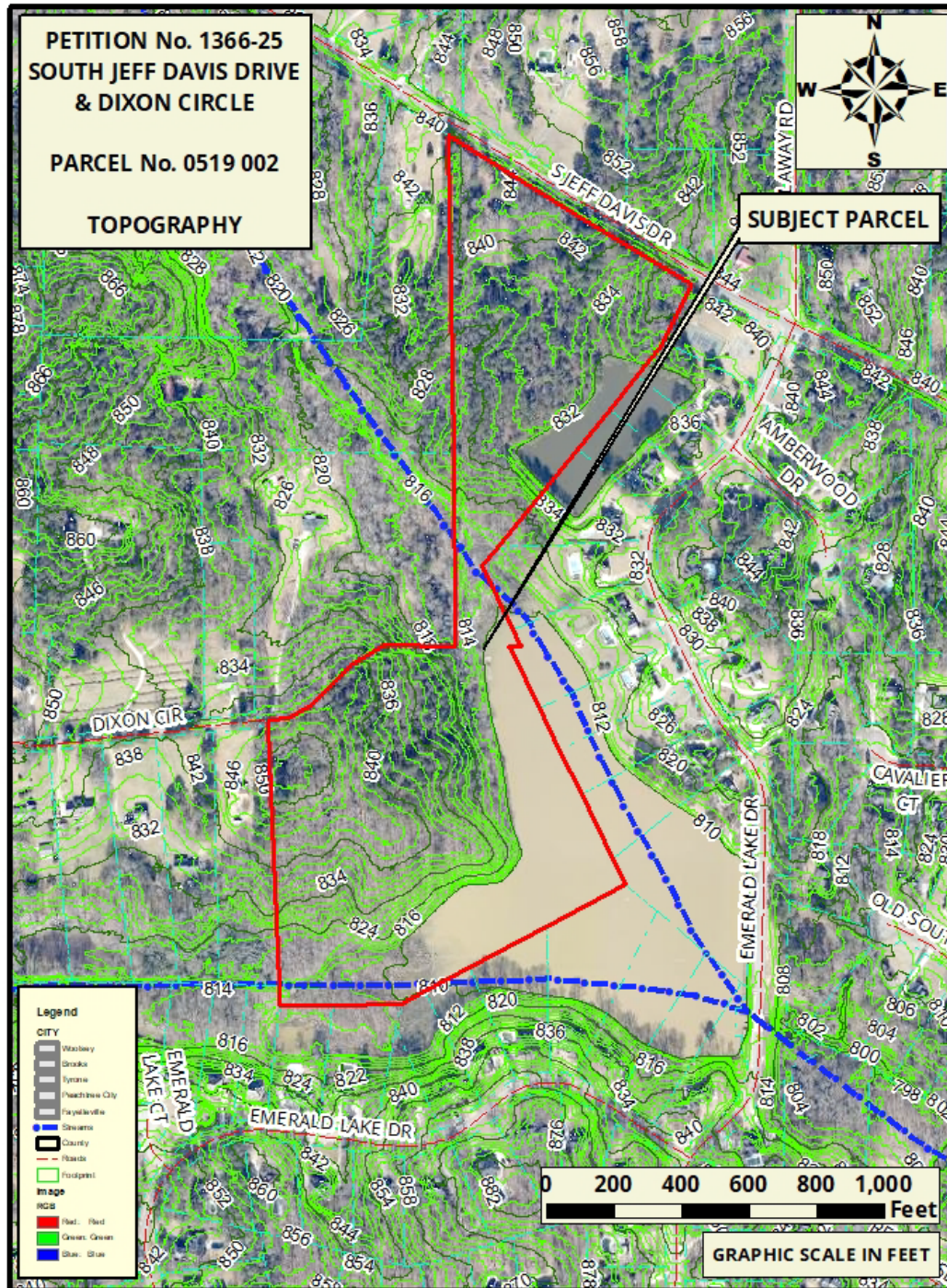




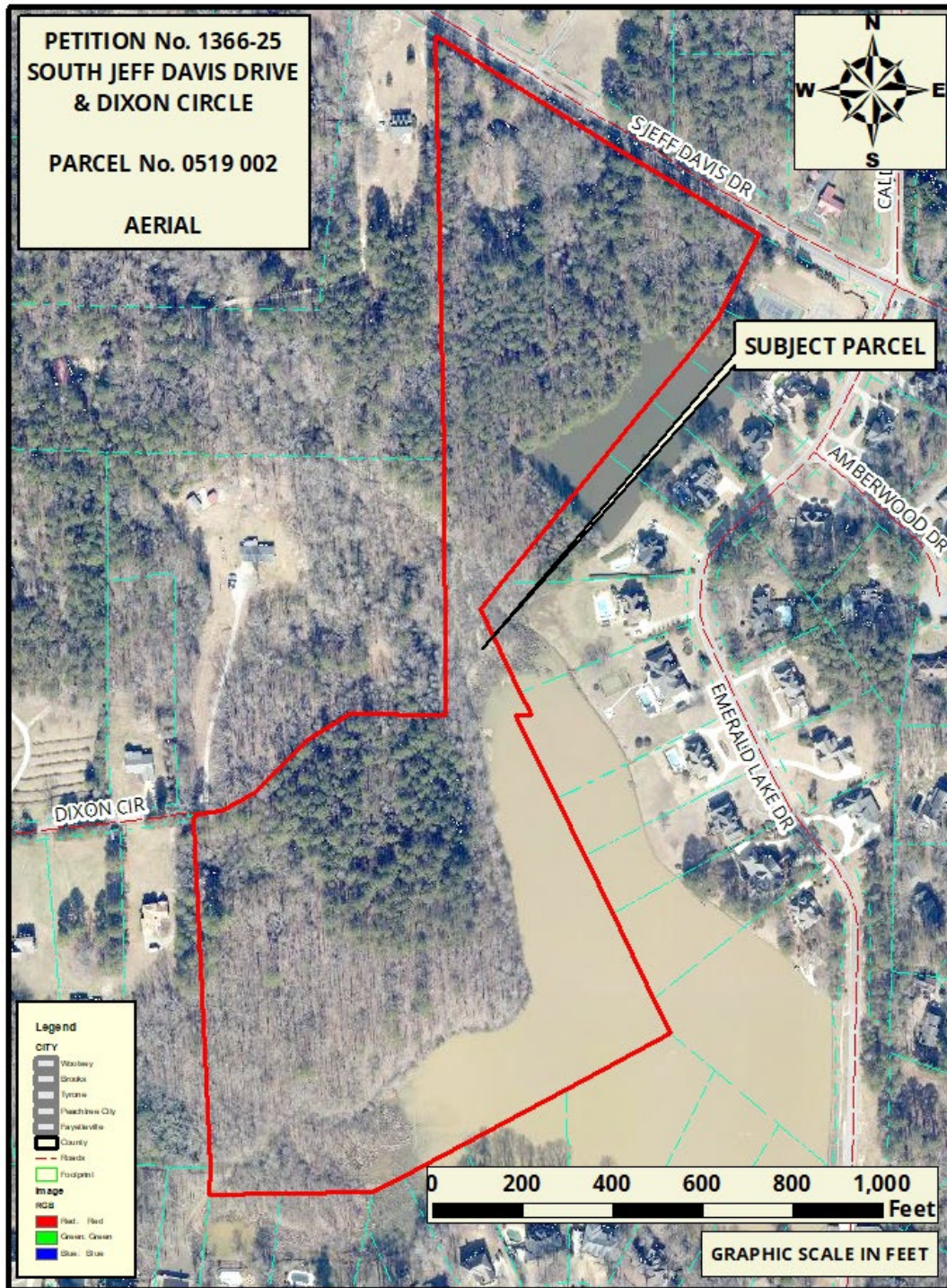


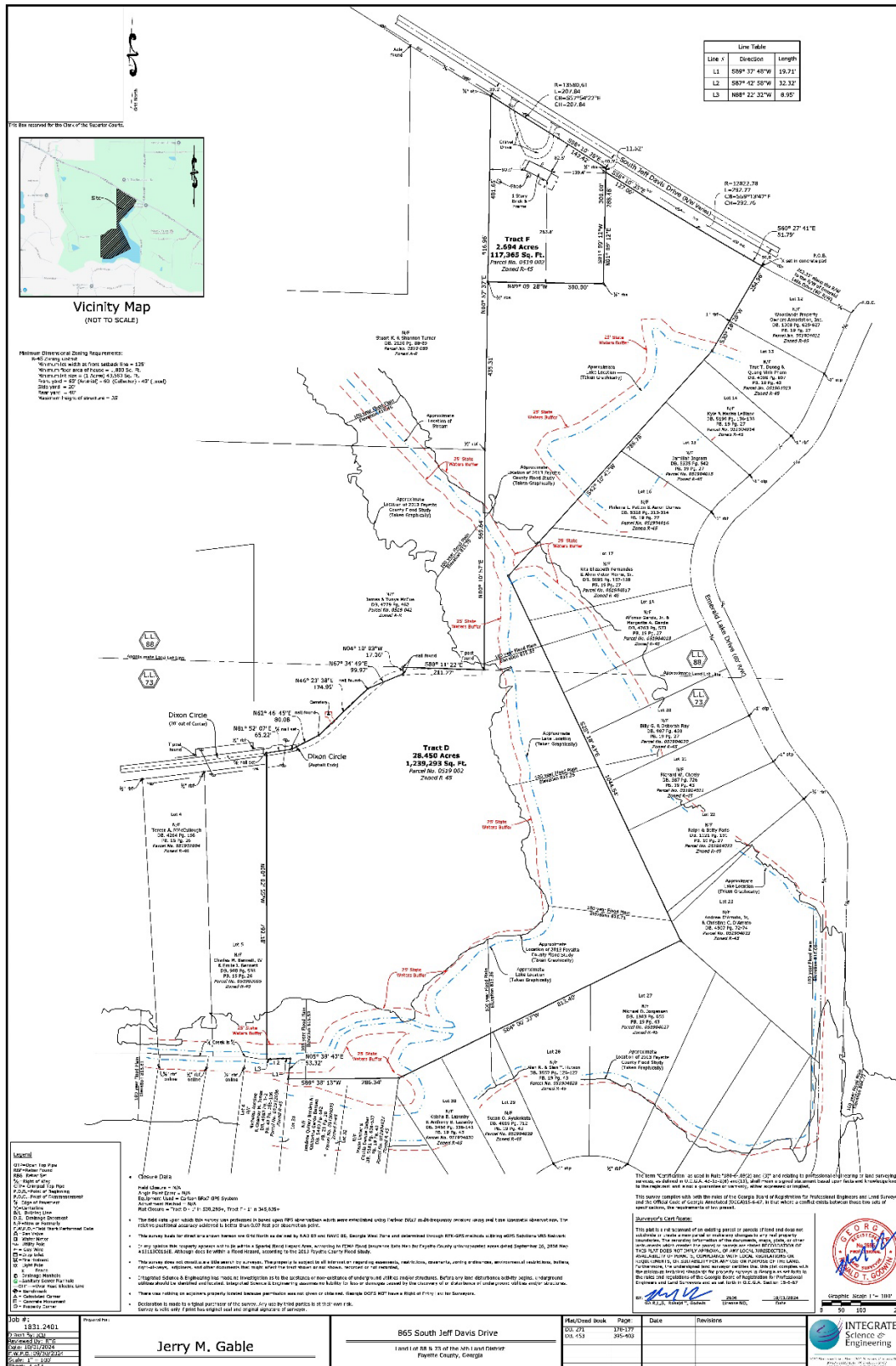












# SURVEY



**PETITION No (s):** 1366-25

STAFF USE ONLY

**APPLICANT INFORMATION**

Name Jerry M. Gable

Address [REDACTED]

City [REDACTED]

State GA Zip [REDACTED]

Email [REDACTED]

Phone [REDACTED]

**PROPERTY OWNER INFORMATION**

Name Jerry M. Gable

Address [REDACTED]

City [REDACTED]

State GA Zip [REDACTED]

Email [REDACTED]

Phone [REDACTED]

**AGENT(S) (if applicable)**

Name Christine Flanigan

Address [REDACTED]

City [REDACTED]

State GA Zip [REDACTED]

Email chrisflanigan@ansleyre.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: \_\_\_\_\_ Date: \_\_\_\_\_

DATE OF PLANNING COMMISSION HEARING: August 7, 2025

DATE OF COUNTY COMMISSIONERS HEARING: August 28, 2025

Received from Chris Flanigan a check in the amount of \$ \$450 for application filing fee, and \$ 40.00 for deposit on frame for public hearing sign(s).

Date Paid: June 10, 2025

Receipt Number: 024293 & 024294

PETITION No.: 1366-25 Fees Due: \$450.00 Sign Deposit Due: \$40.00  
STAFF USE ONLY

**PROPERTY INFORMATION** (please provide information for each parcel)

Parcel # (Tax ID): 0519 002 Acreage: 20.85  
Land District(s): 5 Land Lot(s): 73 & 88  
Road Name/Frontage L.F.: S Jeff Davis/Dixon Rd Road Classification: Arterial/Local  
Existing Use: Vacant Land Proposed Use: Single Family Residential Home  
Structure(s): 1 Type: House Size in SF: 2826  
Existing Zoning: R-45 Conditional Proposed Zoning: A-R  
Existing Land Use: \_\_\_\_\_ Proposed Land Use: Agriculture-Residential  
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: \_\_\_\_\_

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:

Jerry M. Gable

(Please Print)

**Property Tax Identification Number(s) of Subject Property:** 0519 002

(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) 73 of the 5th District, and (if applicable to more than one land district) Land Lot(s) \_\_\_\_\_ of the \_\_\_\_\_ District, and said property consists of a total of \_\_\_\_\_ acres (legal description corresponding to most recent recorded plat for the subject property is attached herewith).

(I) (We) hereby delegate authority to Christine Flanigan 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) <u>Jerry M. Gable</u> Signature of Property Owner 1 [REDACTED]	<u>[Signature]</u> Signature of Notary Public <u>6/11/2025</u>
_____ Address	_____ Date
_____ Signature of Property Owner 2	_____ Signature of Notary Public
_____ Address	_____ Date
_____ Signature of Property Owner 3	_____ Signature of Notary Public
_____ Address	_____ Date
_____ Signature of Authorized Agent	_____ Signature of Notary Public
_____ Address	_____ Date



PETITION No.: 1366-25

**OWNER'S AFFIDAVIT**

*(Please complete an affidavit for each parcel being rezoned)*

NAME: Jerry M. Gable

ADDRESS: [REDACTED]

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

Jerry M. Gable 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 \$ 450.00 to cover all expenses of public hearing. He/She petitions the above named to change its classification to Rezone.

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 \_\_\_\_\_, 8/7, 20 25 at 7:00 P.M.

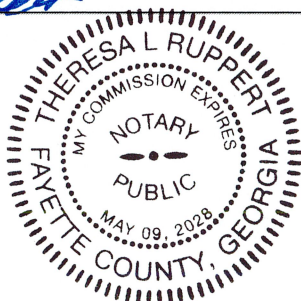
PUBLIC HEARING to be held by the Board of Commissioners of Fayette County on the day of \_\_\_\_\_, 8/28, 20 25 at 7:00 P.M.

SWORN TO AND SUBSCRIBED BEFORE ME THIS 210<sup>th</sup> DAY OF June, 2025.

Jerry Gable  
SIGNATURE OF PROPERTY OWNER

SIGNATURE OF PROPERTY OWNER

[Signature]  
NOTARY PUBLIC





## 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.

FILED & RECORDED  
FAYETTE COUNTY, GA.

'01 MAY 8 PM 12 26

SHEILA STUDDARD, CLERK

## WARRANTY DEED

STATE OF GEORGIA

COUNTY OF FAYETTE

B. D. Murphy, III, P.C.  
370 West Stonewall Ave  
Fayetteville, GA 30214  
(770) 461-4226

This Indenture made this **26th** day of **April**, in the year **2001**, between **JERRY M. GABLE**, of the County of FAYETTE, State of Georgia, as party or parties of the first part, hereinafter called Grantor, and **CHARLES D. DEWBERRY** 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 AND 00/100'S (\$10.00) Dollars** 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, conveyed and confirmed, and by these presents does grant, bargain, sell, alien, convey and confirm unto the said Grantee,

**FOR A FULL AND COMPLETE LEGAL DESCRIPTION OF THE PROPERTY HEREIN CONVEYED, SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE.**

This Deed is given subject to all easements and restrictions of record, if any.

FAYETTE COUNTY, GEORGIA  
REAL ESTATE TRANSFER TAX  
PAID 350.00  
DATE 5-8-01  
*Sheila Studdard*  
CLERK OF SUPERIOR COURT

**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 whomsoever.

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

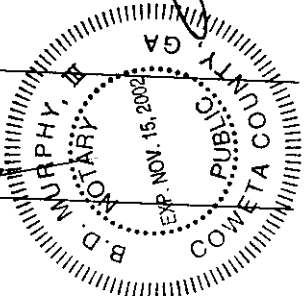
Signed, sealed and delivered in the presence of:

Witness *[Signature]*

*[Signature]* (Seal)  
JERRY M. GABLE

BOOK **1629** PAGE **729** (Seal)

(Seal)



BOOK 1629 PAGE 730

Exhibit "A"

All that tract or parcel of land lying and being in Land Lot 73 of the 5th District of Fayette County, Georgia, and being The Woodlands Subdivision, Phase VII, and being more particularly described as follows:

**BEGINNING AT A POINT** located on the northwesterly right-of-way of Emerald Lake Drive (60 foot right-of-way) said point being located at the northeasterly corner of Lot 74, The Woodlands, Phase IV, as shown on a plat recorded in Plat Book 21, page 31, in the office of the Clerk of the Superior Court of Fayette County, Georgia, said plat being made a part hereof by reference. From said **POINT OF BEGINNING** running thence north 80 degrees 31 minutes 19 seconds west a distance of 205.01 feet to a point; running thence north 08 degrees 16 minutes 03 seconds west a distance of 111.54 feet to a point; running thence north 31 degrees 23 minutes 49 seconds west a distance of 52.37 feet to a point; running thence north 40 degrees 56 minutes 39 seconds west a distance of 82.32 feet to a point; running thence north 34 degrees 50 minutes 02 seconds west a distance of 43.19 feet to a point; running thence north 21 degrees 21 minutes 19 seconds west a distance of 234.26 feet to a point; running thence north 03 degrees 49 minutes 22 seconds east a distance of 76.77 feet to a point; running thence north 26 degrees 44 minutes 35 seconds east a distance of 127.23 feet to a point; running thence south 89 degrees 56 minutes 00 seconds east a distance of 318.96 feet to a point; running thence south 83 degrees 31 minutes 45 seconds east a distance of 119.19 feet to a point; running thence north 89 degrees 57 minutes 32 seconds east a distance of 336.62 feet to a point; running thence south 83 degrees 43 minutes 46 seconds east a distance of 7.93 feet; running thence south 05 degrees 18 minutes 17 seconds west a distance of 390.52 feet to a point, which point is located on the northerly right-of-way of Emerald Lake Drive; running thence in a westerly and southwesterly direction, and following along the right-of-way of Emerald Lake Drive a distance of 396.31 feet to a point and the **POINT OF BEGINNING**.

## Legal Description Tract D

ALL THAT TRACT OR PARCEL OF LAND lying and being in Land Lots 73 & 88, 5th District, Fayette County, Georgia, and being Parcel No. 0519 002, Tract D containing 28.450 acres more or less, as per plat of survey prepared by Ronald T. Godwin, Registered Land Surveyor, dated 10/01/2024 and being more particularly described as follows:

Beginning at a X scribed in concrete pad, on the right-of-way of South Jeff Davis Drive, 262.21 feet from the intersection of the Western right-of-way of Emerald Lake Drive (60' R/W) with the Southern right-of-way of South Jeff Davis Drive (R/W Varies) and being the **TRUE POINT OF BEGINNING**;

Thence leaving said right-of-way, South 30° 18' 26" West for a distance of 254.96 feet to a point; Thence South 42° 10' 42" West for a distance of 786.78 feet to a point; Thence South 25° 18' 43" East for a distance of 1044.54 feet to a point; Thence South 64° 00' 33" West for a distance of 813.40 feet to a point; Thence South 89° 38' 13" West for a distance of 286.34 feet to a point; Thence North 05° 39' 40" East for a distance of 53.32 feet to a point in the center of a creek; Thence continuing along the center of said creek, South 89° 37' 48" West for a distance of 19.71 feet to a point; Thence South 87° 42' 58" for a distance of 32.32 feet to a point; Thence North 88° 22' 32" West for a distance of 8.95 feet to a point; Thence leaving the center of said creek, North 00° 02' 55" West for a distance of 792.18 feet to a  $\frac{P}{K}$  nail set, in the centerline of an abandoned road known as old Dixon Circle; Thence continuing along the centerline of said road North 81° 52' 07" East for a distance of 65.22 feet to a  $\frac{P}{K}$  nail set; Thence continuing along the centerline of said road North 62° 46' 45" East for a distance 80.08 feet to a nail found; Thence continuing along the centerline of said road North 46° 23' 38" East for a distance 174.95 feet to a nail found; Thence continuing along the centerline of said road North 67° 34' 49" East for a distance 99.97 feet to a nail found; Thence leaving said centerline, North 04° 10' 03" East for a distance 17.06 feet to a nail found on southern line of Land Lot 88; Thence continuing along said Land Lot Line, South 88° 11' 22" East for a distance of 211.27 feet to a t-post found; Thence leaving said Land Lot Line, North 00° 10' 57" East for a distance of 569.64 feet to a  $\frac{1}{2}$ " re-bar found; Thence North 00° 57' 37" East for a distance of 435.31 feet to a  $\frac{1}{2}$ " re-bar set; Thence North 89° 09' 28" West for a distance of 300.00 feet to a  $\frac{1}{2}$ " re-bar set; Thence North 01° 09' 12" East for a distance of 288.48 feet to a  $\frac{1}{2}$ " re-bar set on the right-of-way of South Jeff Davis Drive; Thence continuing along the right-of-way of said road, South 58° 10' 35" East for a distance of 127.00 feet to a point; Thence continuing along a curve of said right-of-way 292.77 feet, curving to the left, said curve having a radius of 12,822.78 feet, and a chord bearing South 59° 13' 47" East for a distance of 292.76 feet to a point; Thence continuing along the right-of-way of said road, South 60° 27' 41" East for a distance of 51.79 feet to a  $\frac{1}{2}$ " re-bar set and being the **TRUE POINT OF BEGINNING**.



## Legal Description Tract F

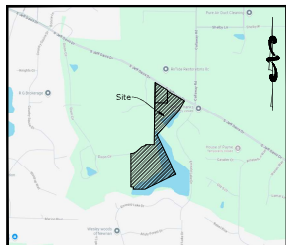
ALL THAT TRACT OR PARCEL OF LAND lying and being in Land Lots 88, 5th District, Fayette County, Georgia, and being Parcel No. 0519 002, Tract D containing 2.694 acres more or less, as per plat of survey prepared by Ronald T. Godwin, Registered Land Surveyor, dated 10/01/2024 and being more particularly described as follows:

Beginning at a  $\frac{1}{2}$ " re-bar set on the right-of-way of South Jeff Davis Drive, 745.29 feet from the intersection of the Western right-of-way of Emerald Lake Drive (60' R/W) with the Southern right-of-way of South Jeff Davis Drive (R/W Varies) and being the **TRUE POINT OF BEGINNING**;

Thence leaving said right-of-way, South  $01^{\circ} 09' 12''$  West for a distance of 300.00 feet to a  $\frac{1}{2}$ " re-bar set; Thence North  $89^{\circ} 09' 28''$  West for a distance of 300.00 feet to a  $\frac{1}{2}$ " re-bar set; Thence North  $00^{\circ} 57' 37''$  East for a distance of 481.65 feet to a  $\frac{3}{4}$ " open top pipe found on the right-of-way of South Jeff Davis Drive; Thence continuing along a curve of said right-of-way 207.84 feet, curving to the left, said curve having a radius of 13,580.61 feet, and a chord bearing South  $57^{\circ} 54' 22''$  East for a distance of 207.84 feet to a point; Thence continuing along the right-of-way of said road, South  $58^{\circ} 10' 35''$  East for a distance of 143.42 feet to a  $\frac{1}{2}$ " re-bar set and being the **TRUE POINT OF BEGINNING**.

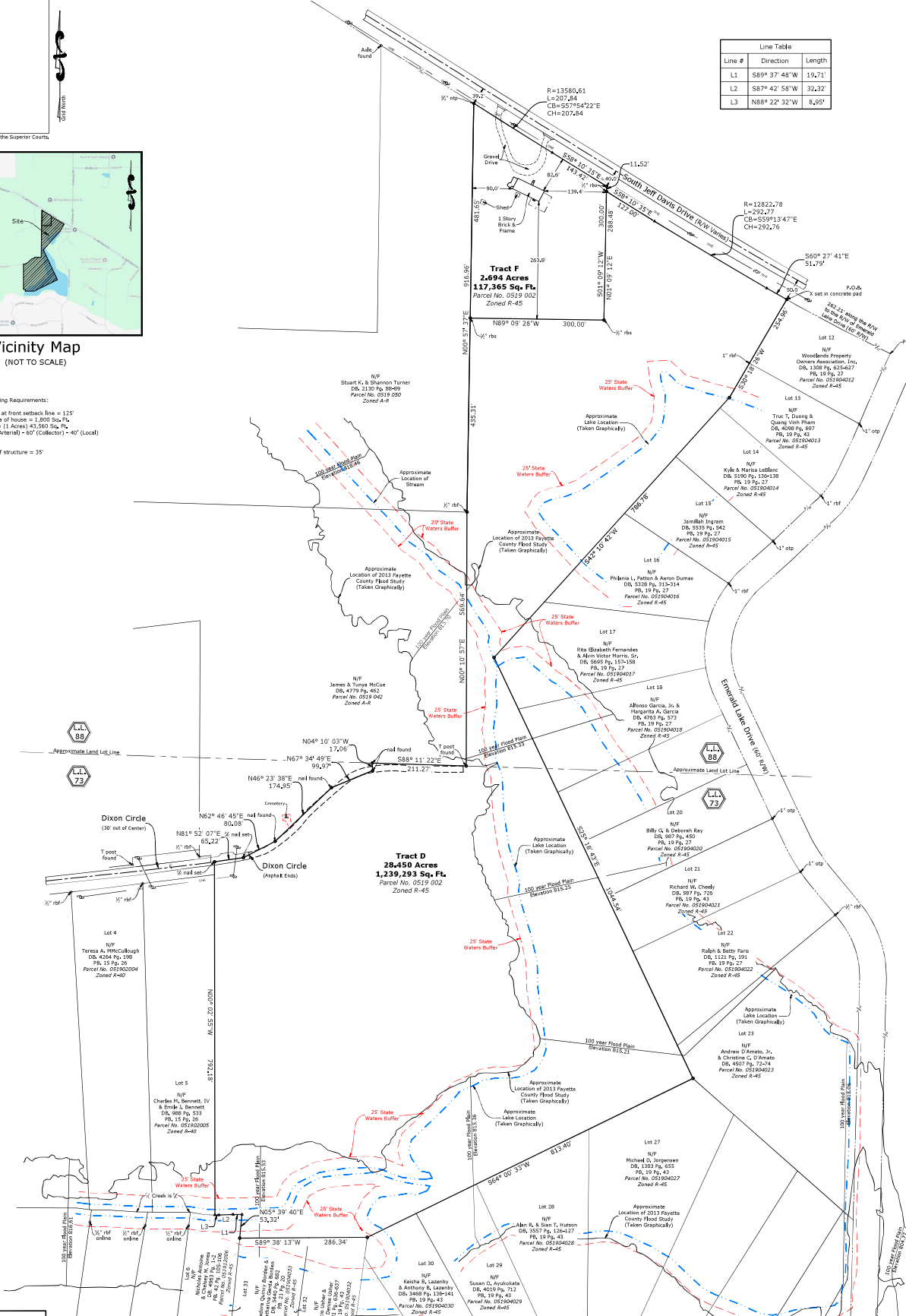
Line #	Direction	Length
L1	S89° 37' 48" W	19.71'
L2	S87° 42' 58" W	32.32'
L3	N88° 22' 32" W	8.65'

This Box reserved for the Clerk of the Superior Courts.



Vicinity Map  
(NOT TO SCALE)

Minimum Dimensional Zoning Requirements:  
R-45 Zoning district  
Minimum lot width at front setback line = 125'  
Minimum floor area of house = 1,800 Sq. Ft.  
Minimum lot size = (1 Acre) 43,560 Sq. Ft.  
Front yard = 40' (Arterial) - 40' (Collector) - 40' (Local)  
Side yard = 20'  
Rear yard = 40'  
Maximum height of structure = 35'



- Legend**
- OTF=Open Top Pipe
  - SB=Rebar Point
  - RS=Rebar Set
  - LA=Line of Access
  - CTA=Crimped Top Pipe
  - P.O.C.=Point of Commencement
  - A=Edge of Pavement
  - C=Centerline
  - U=Utility Line
  - U=Drainage Easement
  - U=Flow or Runway
  - U=Field Work Performed Date
  - U=Utility Hole
  - U=Day Wire
  - U=Drop Head
  - U=Hydrant
  - U=Light Pole
  - U=Drainage Manhole
  - U=Sanitary Sewer Manhole
  - U=Overhead Electric Line
  - U=Boundary
  - U=Calculated Corner
  - U=Concrete Monument
  - U=Property Corner

- Closure Data**
- Field Closure = N/A  
Angle Point Error = N/A  
Equipment Used = Carlson BR7 GPS System  
Adjustment Method = N/A  
Pit Closure = Tract D = 1 in 530,295; Tract F = 1 in 345,835
- The field data upon which this survey was performed is based upon GPS observations which were established using Carlson BR7 multi-frequency receiver using real time kinematic observations; the relative positional accuracy achieved is better than 1/107 feet per observation point.
- This survey was performed for directions shown herein are Grid North as defined by NAD 83 and NAVD 88. Georgia West Zone and determined through RTK-GPS methods utilizing aGPS Solutions VRS Network.
- In my opinion this property appears not to be within a Special Flood Hazard Area, according to FEMA Flood Insurance Rate Map for Fayette County unincorporated areas dated September 26, 2008 Map #111313C01165. Although does lie within a Flood Hazard, according to the 2013 Fayette County Flood Study.
- This survey does not constitute a title search by surveyor. The property is subject to all information regarding easements, restrictions, covenants, zoning ordinances, environmental restrictions, buffers, right-of-way, adjoiners, and other documents that might affect the tract shown or not shown, recorded or not recorded.
- Integrated Science & Engineering has made no investigation as to the existence or non-existence of underground utilities and/or structures. Before any land disturbance activity begins, underground utilities should be identified and located. Integrated Science & Engineering assumes no liability for loss or damages caused by the discovery of or disturbance of underground utilities and/or structures.
- There was nothing on adjacent property located because permission was not given or obtained. Georgia DOES NOT have a Right of Entry Law for Surveyors.
- Declaration is made to original purchaser of the survey. Any use by third parties is at their own risk. Survey is valid only if print has original seal and original signature of surveyor.

The term "Certification" as used in Rule 189-6-09(2) and (3) and relating to professional engineering or land surveying services, as defined in O.C.G.A. §24-2-20.0 and (1), shall mean a signed statement based upon facts and knowledge known to the registrant and is not a guarantee or warranty, either expressed or implied.

This survey complies with both the rules of the Georgia Board of Registration for Professional Engineers and Land Surveyors and the Official Code of Georgia Annotated (OCGA) (LS-6407), in that where a conflict exists between these two sets of specifications, the requirements of law prevail.

**Surveyor's Certificate:**

This plat is a retracement of an existing parcel or parcels of land and does not subdivide or create a new parcel or make any changes to any real property boundaries. The recording information of the documents, maps, plats, or other instruments which created the parcel or parcels are stated RECOGNITION OF THIS PLAT DOES NOT IMPLY APPROVAL OF ANY LOCAL REGULATION, ORDINANCE, OR SUBSTANTIATION FOR ANY USE OR PURPOSE OF THE LAND.

Furthermore, the undersigned land surveyor certifies that the 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.

BY: *[Signature]* 2096 License No. 10761/2024 Date



Job #: 1831.2401  
Survey By: JMG  
Reviewed By: JMG  
Date: 10/17/2024  
Plat No: 1831.2401/2024  
Scale: 1" = 100'  
Sheet: 1 of 1

Prepared For:  
**Jerry M. Gable**

865 South Jeff Davis Drive  
Land Lot 88 & 73 of the 5th Land District  
Fayette County, Georgia

Plat/Deed Book	Page	Date	Revisions
DB 27	178-177		
DB 453	395-403		



2000 Sullivan Road, Suite 200, Norcross, Georgia 30092  
Phone: 770.441.1111 Fax: 770.441.1112  
www.integratedscienceandengineering.com

PETITION FOR REZONING  
CERTAIN PROPERTIES  
IN UNINCORPORATED AREAS  
OF FAYETTE COUNTY, GEOR-  
GIA

PUBLIC HEARING to be held be-  
fore the Fayette County Planning  
Commission on Thursday, August  
7, 2025, at 7:00 P.M., and before  
the Fayette County Board of Com-  
missioners on Thursday, August  
28, 2025, 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.: 1366-25

Parcel No: 0519 002

Owner(s): Jerry Gable

Zoning District: R-45 Conditional

Area of Property: 31.144 acres

Land Lot(s)/District: Land Lots 73  
and 88 of the 5th District

Fronts on: S. Jeff Davis Drive and  
Dixon Circle

Proposed: Applicant proposes the  
following: To rezone 31.144 acres  
from R-45 Conditional (Single-  
Family Residential) to A-R Agricul-  
tural-Residential (Single-Family).

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

Tract D

ALL THAT TRACT OR PARCEL  
OF LAND lying and being in Land  
Lots 73 & 88, 5th District, Fayette  
County, Georgia, and being Parcel  
No. 0519 002, Tract D containing  
28.450 acres more or less, as per  
plat of survey prepared by Ronald  
T. Godwin, Registered Land Sur-  
veyor, dated 10/01/2024 and be-  
ing more particularly described as  
follows: Beginning at a X scribed in  
concrete pad, on the right-of-way  
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feet from the intersection of the  
Western right-of-way of Emerald  
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Southern right-of-way of South Jeff  
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a distance of 254.96 feet to a point;  
Thence South 42° 10' 42" West for  
a distance of 786.78 feet to a point;  
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in the center of a creek; Thence

continuing along the center of said  
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Thence leaving the center of said  
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distance of 792.18 feet to a PK nail  
set, in the centerline of an aban-  
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Circle; Thence continuing along  
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for a distance 80.08 feet to a nail  
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for a distance of 569.64 feet to a 12"  
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and a chord bearing South 59° 13'  
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BEGINNING.

Legal Description

Tract F

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Land Lots 88, 5th District, Fayette  
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along the right-of-way of said road,  
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tance of 143.42 feet to a 12" re-bar  
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BEGINNING.

07/16