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

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

AGENDA
FAYETTE COUNTY PLANNING COMMISSION MEETING
140 STONEWALL AVENUE WEST
November 6, 2025
7:00 pm

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

NEW BUSINESS

1. Call to Order.
2. Pledge of Allegiance.
3. Approval of Agenda.
4. Consideration of the Minutes of the meeting held on October 2, 2025.
5. Plats
    a. Major Final Plat of Huntcliff Manor II
    b. Minor Final Plat of Hanner Farm – North
    c. Minor Final Plat of Hanner Farm – South
    d. Major Final Plat of Windsor Court
    e. Minor Final Plat of Rose Brown Mask Estate
    f. Minor Final Plat of William Mercer Massengale

PUBLIC HEARING

1. Consideration of Amendments to Chapter 110. Zoning Ordinance, regarding Article VII.- Zoning Boad of Appeal. Sec.110-241.- Public Hearing.
2. Consideration of Petition 1368-25, Stuart Reagan and Laura K. Reagan, Owners, are requesting to rezone 8.053 acres from R-70 (Single-Family Residential) to A-R (Agricultural-Residential). Property is located in Land Lot 75 of the 7th District and fronts Sun Road.

3. Consideration of Petition 1369-25-A, The McCotter Family Trust, Owner, is requesting to rezone 3.00 acres of Parcel No. 0433 049, Tract 2, from R-45 (Single-Family Residential) to A-R Agricultural-Residential (Single-Family). Property is located in Land Lot 183 of the 4th District and fronts Fletcher Ford Road.

4. Consideration of Petition 1369-25-B, The McCotter Family Trust, Owner, is requesting to rezone 3.00 acres of Parcel No. 0433 051, Tract 1, from R-45 (Single-Family Residential) to A-R Agricultural-Residential (Single-Family). Property is located in Land Lot 183 of the 4th District and fronts Fletcher Ford Road.

5. Consideration of Petition 1370-25, Jean Allen Living Trust, Jerome, Owner, is requesting to rezone 6.00 acres of Parcel No. 0448 013 from A-R Agricultural-Residential (Single-Family) to R-80 (Single-Family). Property is located in Land Lot 249 of the 4th District and fronts Antioch Road.

6. Consideration of Petition 1371-25, CK 138, LLC, Owner, is requesting to rezone 15.733 acres from R-40 (Single-Family) to C-H (Highway Commercial) for future office development. Property is located in Land Lot 198 of the 13th District and fronts Highway 138.

7. Consideration of Petition 1372-25-A, 1246 Highway 314 Fayette Co, LLC, Owner, is requesting to rezone Parcel No. 1306 011 (45.412 acres) Tract I, 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 North.

8. Consideration of Petition 1372-25-B, 1246 Highway 314 Fayette Co, LLC, Owner, is requesting to rezone Parcel No. 1306 117 (4.738 acres) Tract II, 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 North.

9. Consideration of Petition 1373-25, Kyle D. Weishaar and Laura S. Weishaar, Owners, are requesting to rezone 7.745 acres from A-R Agricultural-Residential (Single-Family) to R-78 Single-family Residential. Property is located in Land Lot 26 of the 5th District and fronts Harp Road.

10. Consideration of the Fayette County Planning Commission 2026 Calendar Schedule.

Meeting Minutes 10/02/2025

THE FAYETTE COUNTY PLANNING COMMISSION met on October 2nd, 2025, at 7:00 P.M. in the Fayette County Administrative Complex, 140 Stonewall Avenue West, Fayetteville, Georgia.

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

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

NEW BUSINESS

1. Call to Order. ***Chairman John Kruzan called the August 7, 2025, meeting to order at 7:00 pm.***

2. Pledge of Allegiance. ***Chairman John Kruzan offered the invocation and led the audience in the Pledge of Allegiance.***

3. Approval of Agenda. ***John H. Culbreth, Sr., made a motion to approve the agenda. Danny England seconded the motion. The motion carried 5-0***.

4. Consideration of the Minutes of the meeting held on September 4, 2025. ***John H. Culbreth, Sr., made a motion to approve the minutes of the meeting held on September 4, 2025. Danny England seconded the motion. The motion carried 5-0.***

5. Plats

   Ms. Debbie Bell confirmed the plat was reviewed and approved by staff.

   a. Minor Final Plat of Goodman Acres. ***Danny England made a motion to approve the Minor Final Plat of Goodman Acres. John Culbret, Sr., seconded the motion. The motion passed 5-0.***

PUBLIC HEARING

1. **Consideration of Petition 1367-25**. Rehka Mehta and Madhu Patel, Owner(s). Applicants are requesting to rezone 4.19 acres from A-R Agricultural-Residential (Single-Family) to O-I, Office-Institutional District, for the purposes of future office development. Property is located in Land Lot 58 of the 7th District and fronts Highway 54 West.

   Ms. Debbie Bell read the description above and mentioned the comprehensive plan shows suitability for zoning O-I, Office Institutional, for that area, and staff recommend approval for that type of use. She added that there is no record of a prior rezoning, it's a vacant lot, and when the property is developed, it will need GDOT approval for access into state route 54 with no objections on their end.

   Chairman John Kruzan asked if the petitioner was present.?

   Ms. Allison Tringale and Mr. Brian Kegan stated they want to build a twenty four square foot facility dedicated to health span and advances in medical technology and longevity. Health span has four components: movement, recovery, nutrition, and lifestyle. They commented that they are Fayette County residents, running a nonprofit that absorbs the cost by helping kids who can't afford to play sports, and would like to help the community to helping wellness.

   Commissioner Jim Oliver asked if this facility would be a new building.?

   Ms. Tringale responded it will be a new building with twenty four square feet.

   Commissioner John Culbreth, Sr., asked for more clarification on the project.

   Ms. Tringale responded that one of the components of health span is movement; they will develop a gym, a recovery lab, and a nutrition education and other lifestyle to health and wellness.

   Mr. Kegan added that sleep, stress management, and he mentioned, would like to make that accessible to everyone. They have done a lot of research over the last four years, and there is a desire for this project.

   Commissioner Boris Thomas asked if they would be using a lot of different types of doctors.

   Ms. Tringale responded that they would have a space dedicated where they could bring different types of professionals.

   Commissioner Culbreth asked how would you attract the members/customers?

Mr. Kegan responded by having the nonprofit meet a lot of people who are interested in the project. They work with social media influencers who can help put up our content once they start building, including raising awareness for it.

Chairman Kruzan asked the audience if there was anyone else in support of the petition.? No one responded. He asked if anyone was in opposition.?

Ms. Kimberly Walton wasn't opposed to the petition; she just wanted to know the price of membership and how accessible it would be to the community.

Commissioner Danny England responded that there were great questions, but they don't have anything to do with zoning, and they have to decide if it will get rezoned first. Mr. Englad invited the citizen to have a conversation with the petitioners after the meeting was complete.

Chairman Kruzan asked if there was anyone else in opposition to the petition. With no response, he brought the item back to the board if they had any more questions or comments.

John Culbreth, Sr., made the motion to recommend APPROVAL of Petition 1367-25. Danny England seconded the motion. The motion passed 5-0.

****

Jim Oliver moved to adjourn the October 2, 2025, Planning Commission meeting. John Culbreth Sr. seconded. The motion passed 5-0.

The meeting adjourned at 7:20 pm

PLANNING COMMISSION
OF
FAYETTE COUNTY

ATTEST:

JOHN KRUZAN, CHAIRMAN

DEBORAH BELL
DIRECTOR, PLANNING & ZONING

DRAFT

FAYETTE County
Create Your Story!

Planning and Zoning
140 Stonewall Avenue West, Ste 202
Fayetteville, Georgia 30214
Phone: 770-305-5421
www.fayettecountyga.gov

PETITION No: TA-0009-25

REQUESTED ACTION: Amend Sec. 110-242. Powers and Duties.

Staff is presenting a recommendation to amend Sec. 110-241. Public hearing. This amendment addresses the public notice requirements for the Zoning Board of Appeals. It aligns our ordinance with recent amendments by the State of Georgia for zoning procedure laws.

Please refer to the subsequent pages for details of the proposed amended language.

STAFF RECOMMENDATION: Staff recommends approval of the amendment as presented.

PLANNING COMMISSION PUBLIC HEARING: On November 6, 2025

BOARD OF COMMISSIONERS PUBLIC HEARING: December 11, 2025

Sec. 110-241. Public hearing.

(a) *Place, time, and date.* The public hearings shall be conducted as follows:

(1) Place: the county administrative complex.

(2) Time and Date: Fourth Monday, at the time designated for its regular meetings.

Any changes from the standard schedule for public hearings will be published in the newspaper which carries legal advertisements for the county in compliance with the requirements for public notification as provided herein.

(b) *Conduct of hearing.* Public hearings shall be conducted with 20 minutes provided for the appellant/petitioner and proponents and 20 minutes provided for the opponents of an appeal/petition. An appellant/petitioner may reserve part of the allotted time for rebuttal.

(c) *Notice of hearing shall be given.* Before making its decision on an appeal, a request for a variance, or any other matter within the zoning board of appeals' purview, the zoning board of appeals shall hold a public hearing thereon. A notice of the date, time and place of such hearing shall be sent to the appellant/petitioner by certified U.S. mail to the appellant/petitioner's last known address.

(d) *Public notice in newspaper.* The zoning board of appeals shall cause public notice of the hearing to be published in the legal organ of the county, at least ~~30~~ 15 but not more than 45 calendar days prior to the date of the public hearing. The notice shall state the time, place, and purpose of the hearing.

(e) *Posting of signs.*

(1) A sign shall be posted on property. One sign is required for each street frontage of said property. The sign shall be posted consistent with the requirements for newspaper notification.

(2) Signs used for posting property shall be a minimum of 18 inches by 18 inches and shall indicate the appeal/petition number, the time, date, and place of the hearing.

(3) A refundable sign deposit shall be required for each sign at the time of filing the appeal/petition.

(f) *Who may appear.* Any party may appear at the public hearing in person or by agent or attorney.

(g) *Zoning board of appeals' decision.* The zoning board of appeals shall approve, deny, or table each appeal/petition by a public vote. An action to table shall include justification of such action and a specific meeting date at which the appeal/petition is to be reconsidered. If there is not a full zoning board of appeals board present at the public hearing, the appellant/petitioner may request to table the appeal/petition to the next zoning board of appeals public hearing, provided the appellant/petitioner requests to table the agenda item prior to the presentation. A new legal advertisement will be required with an announcement to a specific meeting date if an appeal/petition is tabled. The property shall be reposted with new signage indicating the new public hearing dates.

(h) *Time limit on zoning board of appeals decision.* The zoning board of appeals shall reach a decision following a public hearing within 45 calendar days or the appeal/petition shall be deemed approved.

(i) *Appellate review.* Decisions of the zoning board of appeals made pursuant to this article shall be subject to appellate review by the superior court pursuant to its appellate jurisdiction from a lower judicatory body and shall be brought by way of a petition for such review as provided in Title 5 of the Official Code of Georgia Annotated. Such matters shall be reviewed on the record which shall be brought to the superior court as provided in said Title 5. Such appeals shall be brought within 30 days of the written decision of the appealed action. The zoning administrator shall have authority, without additional action of the zoning board of appeals, to approve or issue any form or certificate necessary to perfect any petition required by Title 5 of the Official Code of Georgia Annotated for review of lower judicatory bodies. Service of any such petition may be effected on or accepted by the zoning administrator on behalf of the zoning board of appeals, during

normal business hours, at the offices of the planning and zoning department. Service of any such petition on the board of commissioners may be effected on or accepted by the chairman of the board of commissioners, or his or her designee, at the offices of the board of commissioners during normal business hours.

(Ord. No. 2015-06, § 1, 3-26-2015; Ord. No. 2017-11, § 1, 6-22-2017; Ord. No. 2023-05, § 1, 6-22-2023)

PETITION No. 1368-25

REQUESTED ACTION: Rezone 8.053 acres from R-70 to A-R

PARCEL NUMBER: 0722 023

EXISTING ZONING: R-70

PROPOSED ZONING: A-R

EXISTING USE: Single-Family Residential

PROPOSED USE: Agriculture- Residential

LOCATION: 183 Sun Road

LOT SIZE: 8.053 Acres

DISTRICT/LAND LOT(S): 7th District, Land Lot(s) 75

OWNER(S): Stuart Reagan and Laura K. Reagan

APPLICANT(S): Stuart Reagan and Laura K. Reagan

AGENT(S): N/A

PLANNING COMMISSION PUBLIC HEARING: November 6, 2025, at 7:00 PM

BOARD OF COMMISSIONERS PUBLIC HEARING: December 11, 2025, at 2:00 PM

REQUEST

The applicant is requesting to rezone the property from R-70 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, as does the existing house. The Future Land Use Map designates this area as Rural Residential-2, which has a 2-acre minimum parcel size. Since A-R is a less intense/lower density zoning, the request to rezone to the A-R zoning district is appropriate and is consistent with the Future Land Use Map and the Comprehensive Plan. Staff recommends **APPROVAL** of the request to rezone to A-R.

INVESTIGATION

A. GENERAL PROPERTY INFORMATION

The subject property is currently zoned R-70. It was rezoned from A-R to R-70 as part of a blanket rezoning initiated by the County in 1973. The property is currently developed with a single-family residence.

B. ADJACENT ZONING AND FUTURE LAND USE

The parcels surrounding the subject property are zoned R-70, having been part of the aforementioned blanket rezoning in 1973. Many other parcels in the general area are zoned A-R. 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	25+	R-70	Single Family Residential	Rural Residential-2 (1 unit /2 acres)
East	25+	R-70	Single Family Residential	Rural Residential-2 (1 unit /2 acres)
South (across Sun Road)	25+	R-70	Single Family Residential	Rural Residential-2 (1 unit /2 acres)
West	10	R-70	Single Family Residential	Rural Residential-2 (1 unit /2 acres)

C. DEPARTMENTAL COMMENTS

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

STANDARDS

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

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

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

STAFF ANALYSIS

1. The subject property lies within an area designated for Rural Residential-2 Uses. This request does conform to the Fayette County Comprehensive Plan.
2. The area around the subject property is an area that already has various residential and agricultural uses. Staff does not anticipate that this rezoning will have an adverse impact on the adjacent parcels.
3. It is staff's opinion that the zoning proposal will not have an excessive or burdensome impact on streets, utilities, or schools.
4. The proposal is consistent in character and use with the surrounding uses as agricultural and rural residential.

ZONING DISTRICT STANDARDS

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

(a) *Description of district.* This district is composed of certain lands and structures having a very low density single-family residential and agricultural character and designed to protect against the depreciating effects of small lot, residential development and those uses which are incompatible with such a residential and agricultural environment.

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

(1) Single-family dwelling;

(2) Residential accessory structures and uses (see article III of this chapter);

(3) Growing of crops and the on-premises sale of produce and agricultural products, provided 50 percent of the produce/products sold shall be grown on-premises;

(4) Plant nurseries and greenhouses (no sales of related garden supplies);

(5) Raising of livestock; aquaculture, including pay fishing; apiary (all beehives shall comply with the required setbacks); and the sale thereof; and

(6) One semi-trailer/box truck utilized as a farm outbuilding, provided the property is a minimum of five acres and the semi-trailer/box truck is only used to store agricultural items.

(c) *Conditional uses.* The following conditional uses shall be allowed in the A-R zoning district provided that all conditions specified in article VII of this chapter. Conditional uses, nonconformances, transportation corridor overlay zone, and commercial development standards are met:

(1) Aircraft landing area;

(2) Animal hospital, kennel or veterinary clinic;

(3) A-R bed and breakfast inn;

(4) A-R wedding/event facility;

(5) Cemetery;

(6) Church and/or other place of worship;

(7) Colleges and university, including, but not limited to: classrooms, administration, housing, athletic fields, gymnasium, and/or stadium;

(8) Commercial driving range and related accessories;

(9) Child care facility;

(10) Deer processing facility.

(11) Developed residential recreational/amenity areas;

(12) Farm outbuildings, including horse stables, auxiliary structures, and greenhouses (permanent or temporary);

(13) Golf course (minimum 18-hole regulation) and related accessories;

(14) Home occupation;

(15) Horse show, rodeo, carnival, and/or community fair;

(16) Hospital;

(17) Kennel (see animal hospital, kennel, and/or veterinary clinic);

(18) Private school, including, but not limited to: classrooms, administration, playground, housing, athletic fields, gymnasium, and stadium;

(19) Processing, packaging, or handling of perishable agricultural products (i.e. fruits and vegetables) which are grown on premises;

(20) Recreation centers and similar institutions owned by nonprofit organizations as so registered with the state secretary of state office;

(21) Religious tent meeting; and

(22) Shooting range, outdoor.

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

(1) Lot area: 217,800 square feet (five acres).

(2) Lot width: 250 feet.

(3) Floor area: 1,200 square feet.

(4) Front yard setback:

a. Major thoroughfare:

1. Arterial: 100 feet.

2. Collector: 100 feet.

b. Minor thoroughfare: 75 feet.

(5) Rear yard setback: 75 feet.

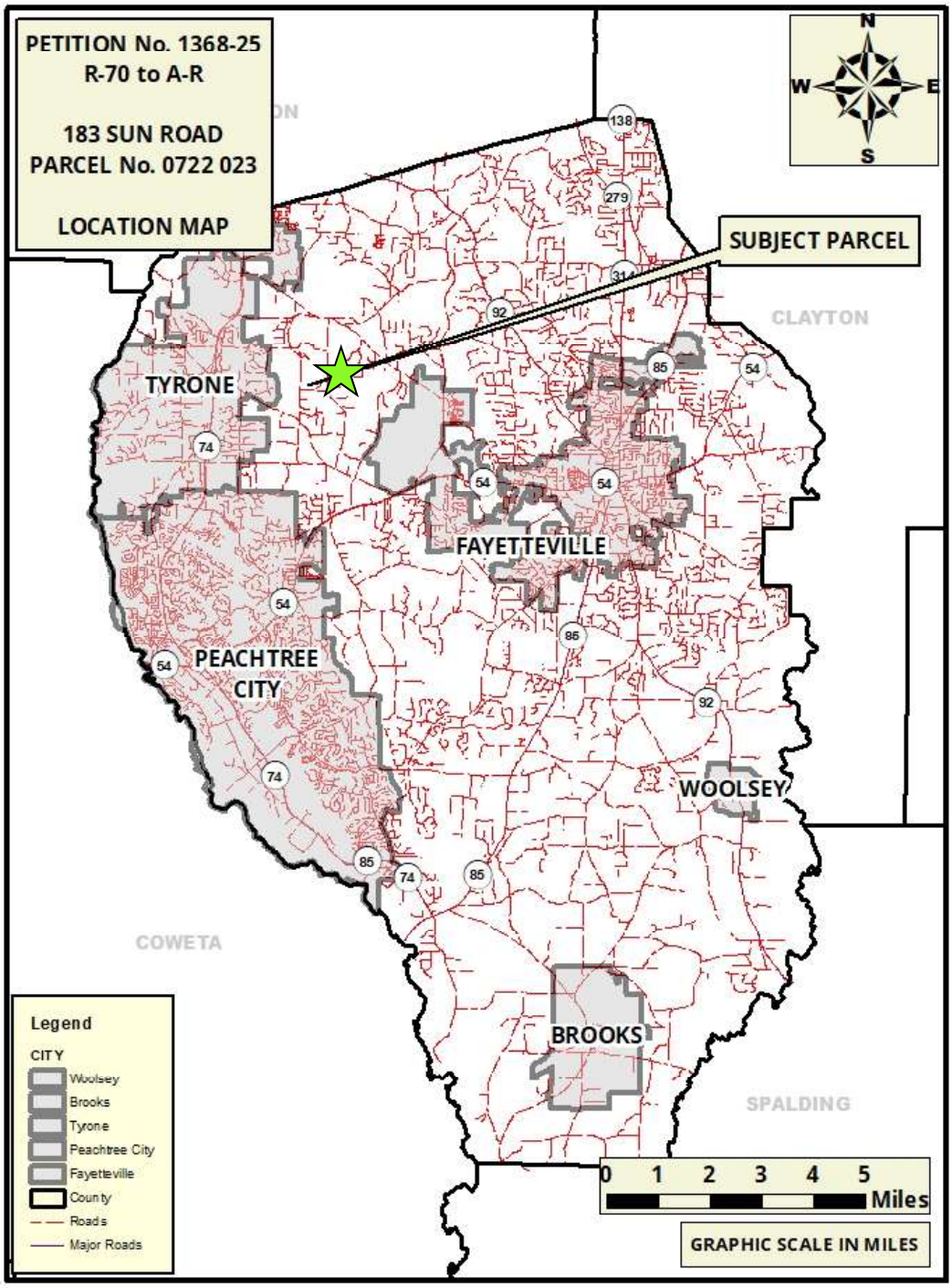
(6) Side yard setback: 50 feet.

(7) 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. 1368-25
R-70 to A-R
183 SUN ROAD
PARCEL No. 0722 023
LOCATION MAP
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SUBJECT PARCEL
CLAYTON
TYRONE
FAYETTEVILLE
PEACHTREE CITY
WOOLSEY
BROOKS
COWETA
SPALDING
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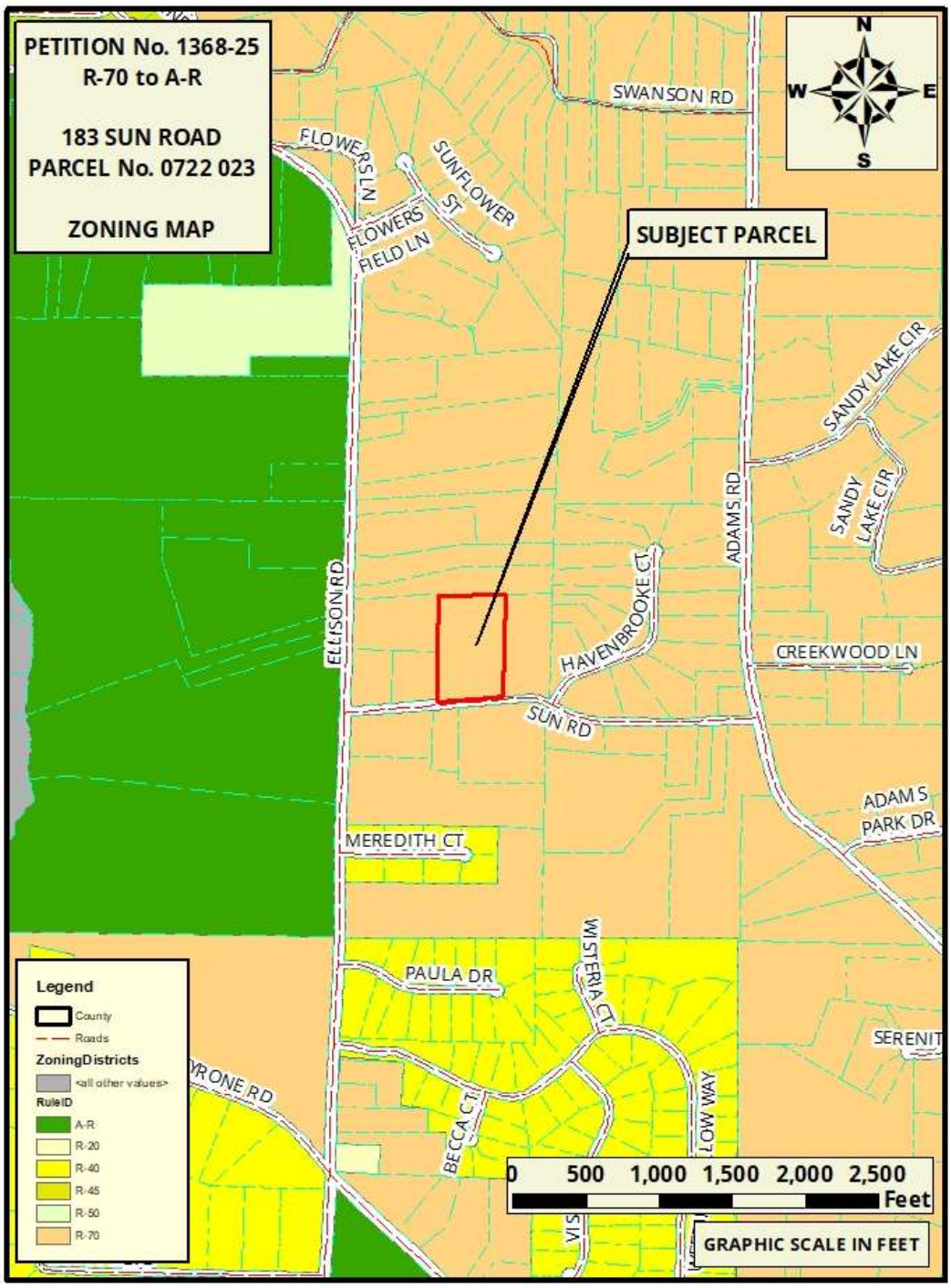
GRAPHIC SCALE IN MILES


PETITION No. 1368-25
R-70 to A-R
183 SUN ROAD
PARCEL No. 0722 023
ZONING MAP
SUBJECT PARCEL
SWANSON RD
FLOWERS LN
SUNFLOWER ST
FLOWERS FIELD LN
SANDY LAKE CIR
ADAMS RD
ELLISON RD
HAVENBROOKE CT
CREEKWOOD LN
SUN RD
ADAMS PARK DR
MEREDITH CT
PAULA DR
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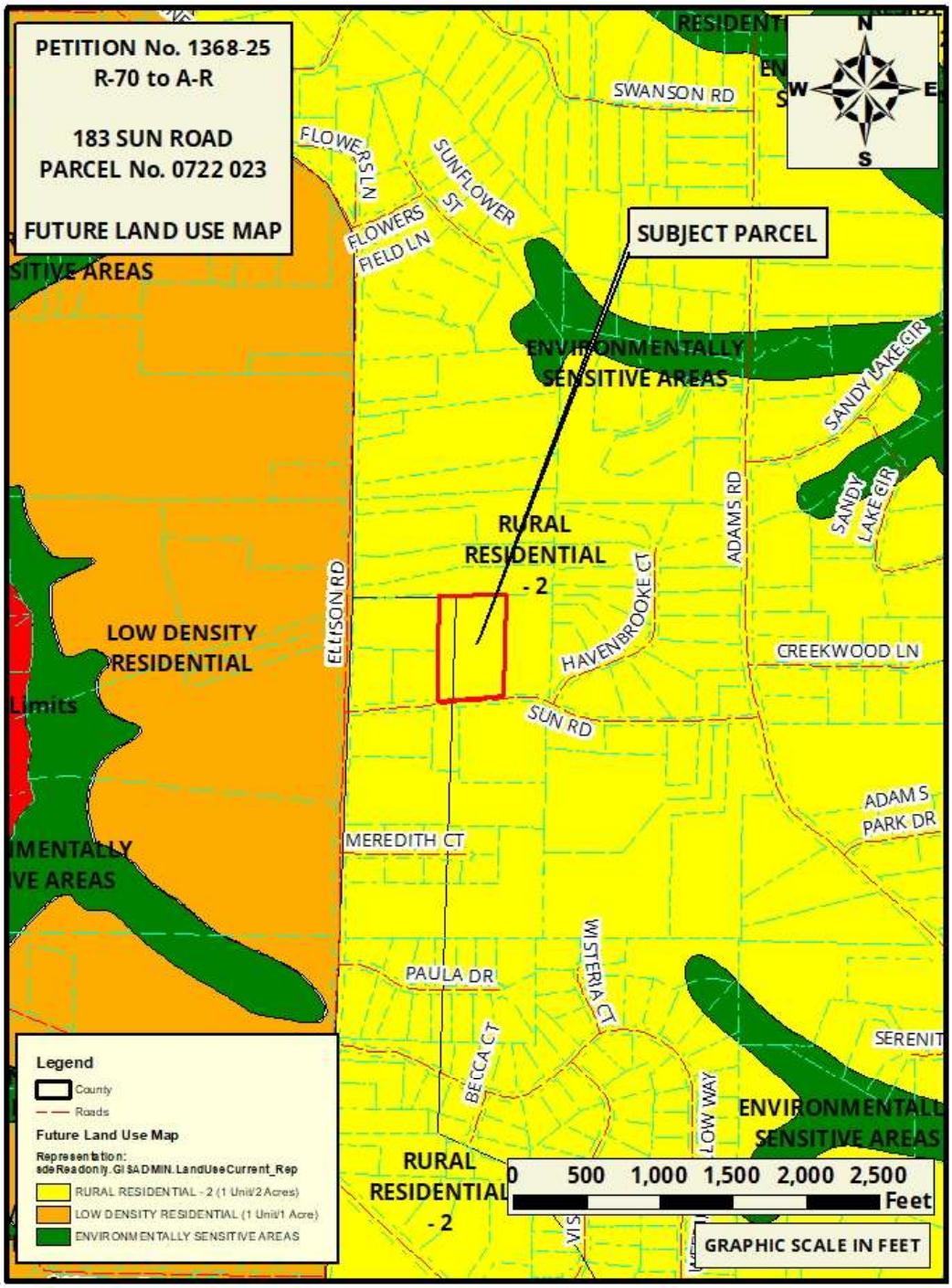
PETITION No. 1368-25
R-70 to A-R
183 SUN ROAD
PARCEL No. 0722 023
FUTURE LAND USE MAP
SUBJECT PARCEL
SWANSON RD
FLOWERS LN
SUNFLOWER ST
FLOWERS FIELD LN
ENVIRONMENTALLY SENSITIVE AREAS
SANDY LAKE CIR
ADAMS RD
RURAL RESIDENTIAL - 2
ELLISON RD
HAVENBROOKE CT
CREEKWOOD LN
LOW DENSITY RESIDENTIAL
SUN RD
ADAMS PARK DR
MEREDITH CT
PAULA DR
WISTERIA CT
BECCA CT
Legend
County
Roads
Future Land Use Map
RURAL RESIDENTIAL - 2 (1 Unit/2 Acres)
LOW DENSITY RESIDENTIAL (1 Unit/1 Acre)
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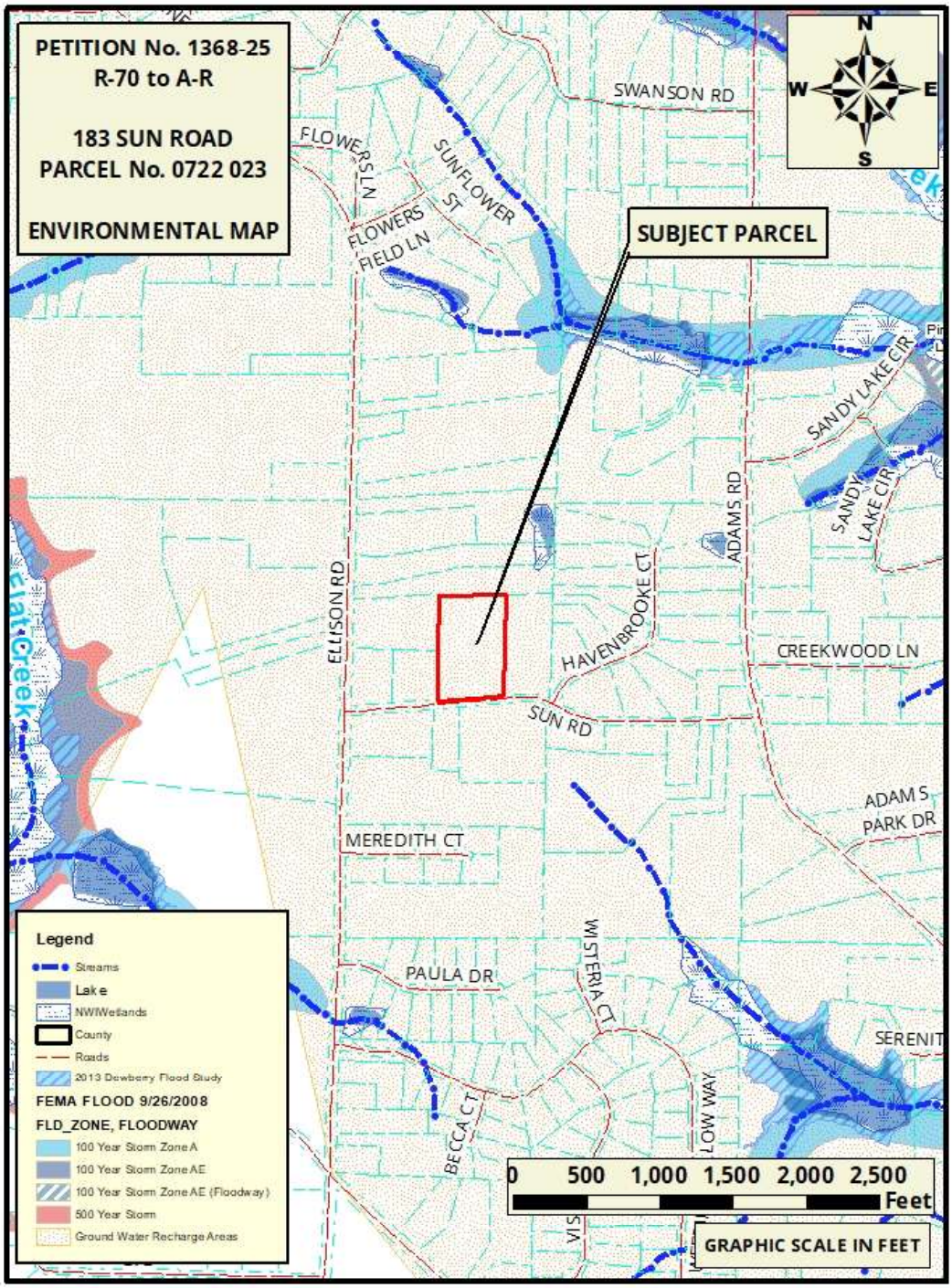
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MEREDITH CT
PAULA DR
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BECCA CT
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Streams
Lake
NWIWetlands
County
Roads
2013 Dewberry Flood Study
FEMA FLOOD 9/26/2008
FLD_ZONE, FLOODWAY
100 Year Storm Zone A
100 Year Storm Zone AE
100 Year Storm Zone AE (Floodway)
500 Year Storm
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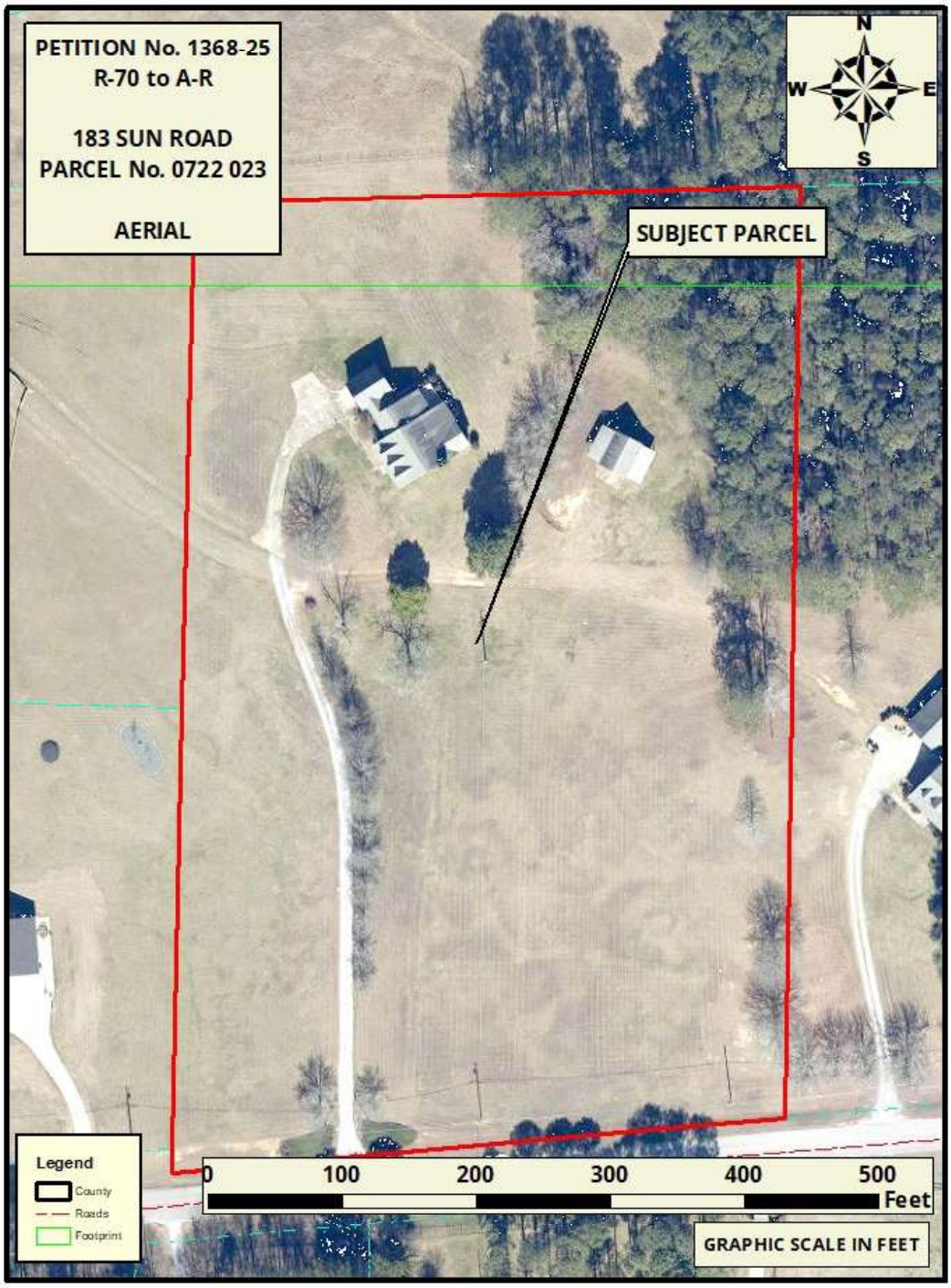
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R-70 to A-R
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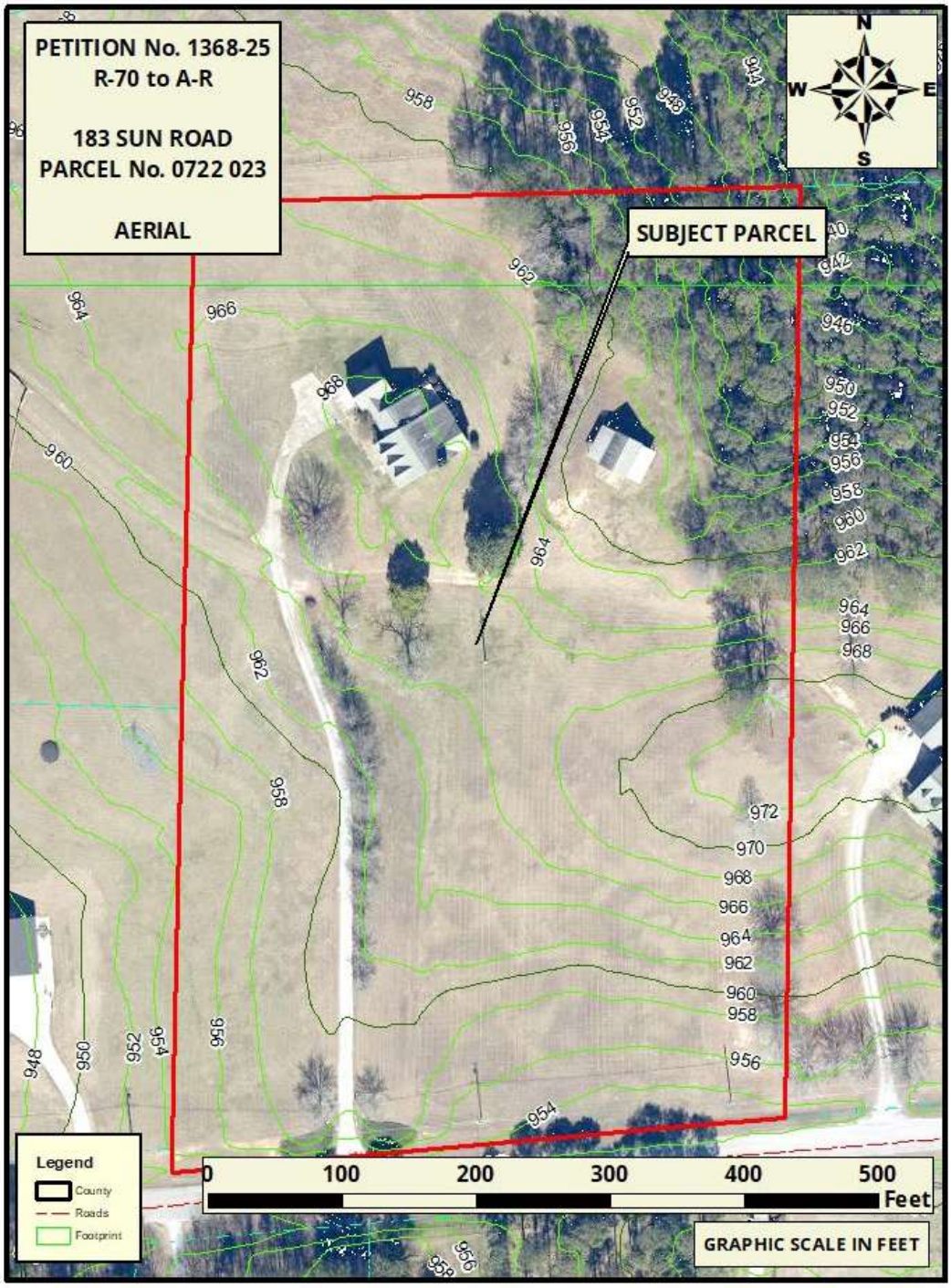
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GRAPHIC SCALE IN FEET

Book 48 Page 160 Page 1 of 1

MINOR SUBDIVISION PLAT OF BETTY J. ADAMS ESTATE

Doc ID: 009811630001 Type: PLAT
Recorded: 02/08/2016 at 12:48:00 PM
Fee Amt: $6.00 Page 1 of 1
Fayette, Ga. Clerk Superior Court
Sheila Studdard Clerk of Court
BK 48 PG 160

OWNER'S CERTIFICATE

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

Betty J. Adams 2-5-16
OWNER DATE

OWNER DATE

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT THIS PLAT IS TRUE AND CORRECT AND WAS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY BY ME OR UNDER MY SUPERVISION; THAT ALL MONUMENTS AND INFRASTRUCTURE SHOWN HEREON ACTUALLY EXIST OR ARE MARKED AS "FUTURE"; AND THEIR LOCATION, SIZE, TYPE AND MATERIAL ARE CORRECTLY SHOWN.

GEORGIA REGISTERED No. 1620 GEORGIA REGISTERED LAND SURVEYOR SWANSON A GASKINS SR

BY: 1-10-16
GA RLS SWANSON A GASKINS, SR. NUMBER 1620 DATE

CLOSURE STATEMENT

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

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

ANGULAR & LINEAR MEASURMENTS WERE OBTAINED USING A LEICA 403 TCR TOTAL STATION

GENERAL NOTES

1. OWNERS:
   BETTY J. ADAMS
   183 SUN ROAD
   FAYETTEVLLE, GA 30214
   404-604-6507

2. SURVEYOR:
   S. A. GASKINS & ASSOCIATES, LLC.
   P.O. BOX 321
   BROOKS, GA 30205
   770-460-9342
   sagaskins@bellsouth.net

3. TOTAL ACREAGE: 17.918 ACRES

   2 LOTS – ZONED R-70

   MINIMUM DIMENSIONAL REQUIREMENTS FOR R-70 ZONING DISTRICT

   LOT AREA: 2 ACRES

   LOT WIDTH: a. Major thoroughfare:
   i. Arterial: 175 feet
   ii. Collector: 175 feet
   b. Minor thoroughfare: 150 feet

   FLOOR AREA: 1,500 SQ FEET

   FRONT YARD SETBACK:

   MAJOR THOROUGHFARE
   ARTERIAL: 75 FEET
   COLLECTOR: 75 FEET
   MINOR THOROUGHFARE: 50 FEET

   REAR YARD SETBACK: 50 FEET

   SIDE YARD SETBACK: 25 FEET

4. SEWER TO BE AN ON-SITE SEWAGE DISPOSAL SYSTEM.

5. WATER TO BE PROVIDED BY AN ON-SITE WELL.

6. 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.

7. THIS SURVEY IS SUBJECT TO ALL EASEMENTS, RIGHTS-OF-WAY, AND RESTRICTION SHOWN OR NOT SHOWN, RECORDED OR NOT RECORDED.

8. THERE ARE RECORDED EASEMENTS AS SHOWN ON THIS PLAT.

9. THIS SITE IS LOCATED IN THE GROUNDWATER RECHARGE AREA.

10. 1/2" REINFORCING RODS SHALL BE SET AT ALL LOT CORNERS UNLESS NOTED OTHERWISE.

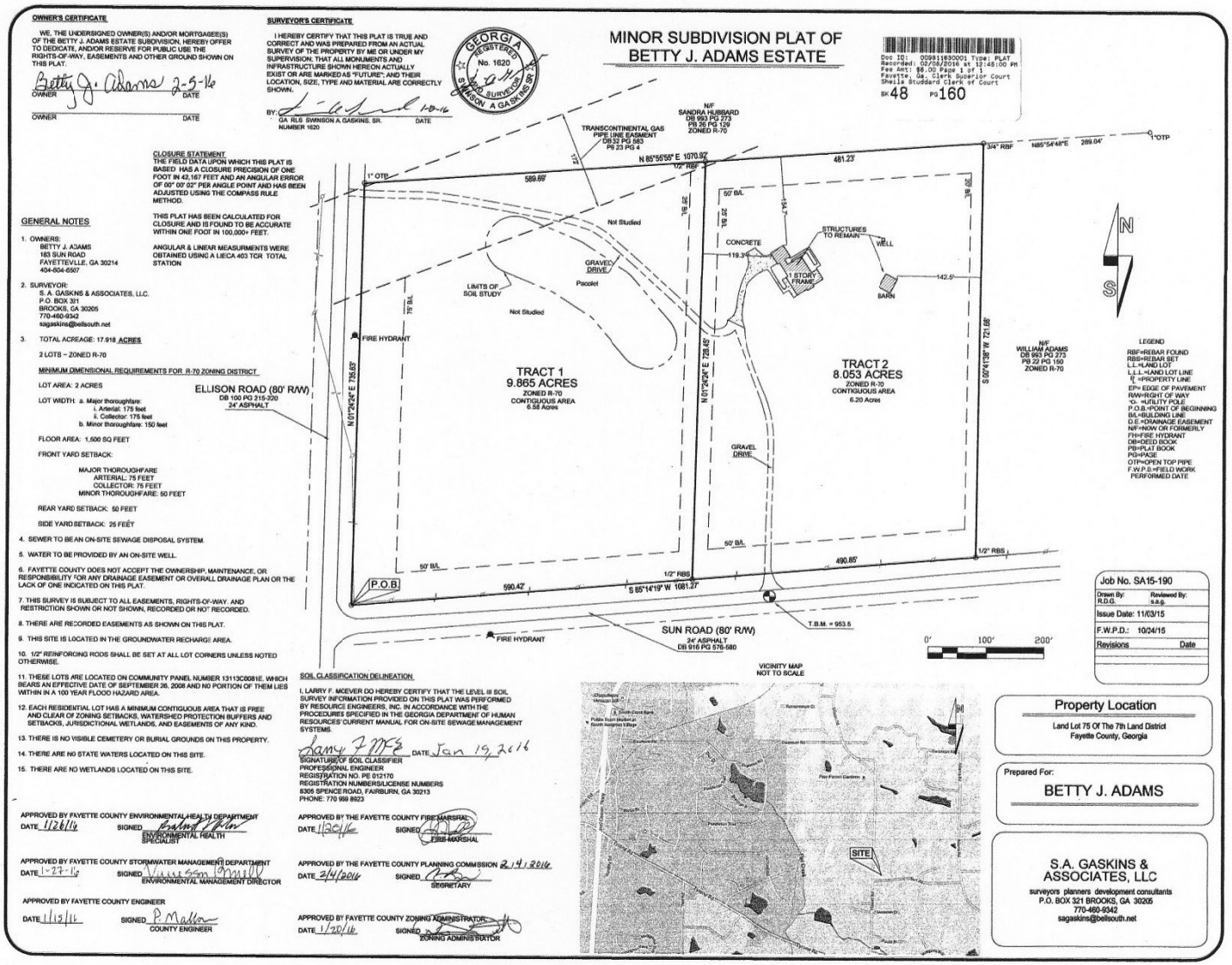
11. THESE LOTS ARE LOCATED ON COMMUNITY PANEL NUMBER 13113C0081E, WHICH BEARS AN EFFECTIVE DATE OF SEPTEMBER 26, 2008 AND NO PORTION OF THEM LIES WITHIN IN A 100 YEAR FLOOD HAZARD AREA.

12. EACH RESIDENTIAL LOT HAS A MINIMUM CONTIGUOUS AREA THAT IS FREE AND CLEAR OF ZONING SETBACKS, WATERSHED PROTECTION BUFFERS AND SETBACKS, JURISDICTIONAL WETLANDS, AND EASEMENTS OF ANY KIND.

13. THERE IS NO VISIBLE CEMETERY OR BURIAL GROUNDS ON THIS PROPERTY.

14. THERE ARE NO STATE WATERS LOCATED ON THIS SITE.

15. THERE ARE NO WETLANDS LOCATED ON THIS SITE.



LEGEND
RBF=REBAR FOUND
RBS=REBAR SET
L.L.=LAND LOT
L.L.L.=LAND LOT LINE
"|" =PROPERTY LINE
EP= EDGE OF PAVEMENT
R/W=RIGHT OF WAY
"O-"=UTILITY POLE
P.O.B.=POINT OF BEGINNING
B/L=BUILDING LINE
D.E.=DRAINAGE EASEMENT
N/F=NOW OR FORMERLY
FH=FIRE HYDRANT
DB=DEED BOOK
PB=PLAT BOOK
PG=PAGE
OTP=OPEN TOP PIPE
F.W.P.D.=FIELD WORK PERFORMED DATE

Job No. SA15-190	
Drawn By: R.D.G.	Reviewed By: s.a.g.
Issue Date: 11/03/15	
F.W.P.D.: 10/24/15	
Revisions	Date

SOIL CLASSIFICATION DELINEATION

I, LARRY F. MCEVER DO HEREBY CERTIFY THAT THE LEVEL III SOIL SURVEY INFORMATION PROVIDED ON THIS PLAT WAS PERFORMED BY RESOURCE ENGINEERS, INC. IN ACCORDANCE WITH THE PROCEDURES SPECIFIED IN THE GEORGIA DEPARTMENT OF HUMAN RESOURCES' CURRENT MANUAL FOR ON-SITE SEWAGE MANAGEMENT SYSTEMS.

Larry F. McEver DATE Jan 19, 2016
SIGNATURE OF SOIL CLASSIFIER
PROFESSIONAL ENGINEER
REGISTRATION NO. PE 012170
REGISTRATION NUMBERS/LICENSE NUMBERS
8305 SPENCE ROAD, FAIRBURN, GA 30213
PHONE: 770 999 8923

VICINITY MAP
NOT TO SCALE

APPROVED BY FAYETTE COUNTY ENVIRONMENTAL HEALTH DEPARTMENT
DATE 1/26/16 SIGNED ENVIRONMENTAL HEALTH SPECIALIST

APPROVED BY FAYETTE COUNTY STORMWATER MANAGEMENT DEPARTMENT
DATE 1-27-16 SIGNED ENVIRONMENTAL MANAGEMENT DIRECTOR

APPROVED BY FAYETTE COUNTY ENGINEER
DATE 1/15/16 SIGNED P. Mallon COUNTY ENGINEER

APPROVED BY THE FAYETTE COUNTY FIRE MARSHAL
DATE 1/26/16 SIGNED FIRE MARSHAL

APPROVED BY THE FAYETTE COUNTY PLANNING COMMISSION 2/4/2016
DATE 2/4/2016 SIGNED SECRETARY

APPROVED BY FAYETTE COUNTY ZONING ADMINISTRATOR
DATE 1/20/16 SIGNED ZONING ADMINISTRATOR

Property Location

Land Lot 75 Of The 7th Land District
Fayette County, Georgia

Prepared For:
BETTY J. ADAMS

S.A. GASKINS & ASSOCIATES, LLC
surveyors planners development consultants
P.O. BOX 321 BROOKS, GA 30205
770-460-9342
sagaskins@bellsouth.net

1368-25

PETITION No (s).: ~~1371-25~~

SAGES REFERENCE No.:

STAFF USE ONLY

APPLICANT INFORMATION

Name STUART REAGAN

Address 183 SUN ROAD

City FAYETTEVILLE

State GA Zip 30214

Email [redacted]

Phone [redacted]

PROPERTY OWNER INFORMATION

Name STUART & LAURA REAGAN

Address 183 SUN ROAD

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: Maria Binns Date: 09/10/2025

DATE OF PLANNING COMMISSION HEARING: November 6, 2025

DATE OF COUNTY COMMISSIONERS HEARING: December 11, 2025

Received from Stuart Reagan a check in the amount of $ 350.00 for application filing fee, and $ 20.00 for deposit on frame for public hearing sign(s).

Date Paid: 09/10/25 Receipt Number: ~~#025153~~ #025083

1368-25

Paid.

PETITION No.: ~~1371-25~~ **Fees Due:** 350.00 **Sign Deposit Due:** 20.00

STAFF USE ONLY

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

Parcel # (Tax ID): 0722 023 Acreage: 8.05

Land District(s): 01 (LAND) Land Lot(s): _____

Road Name/Frontage L.F.: SUN ROAD Road Classification: _____

Existing Use: RESIDENTIAL Proposed Use: AGRICULTURE

Structure(s): _____ Type: _____ Size in SF: 3400

Existing Zoning: R-70 Proposed Zoning: A-R

Existing Land Use: RESIDENTIAL Proposed Land Use: AGRICULTURE

Water Availability: Y 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:

STUART & LAURA REAGAN

(Please Print)

Property Tax Identification Number(s) of Subject Property: 0722 023

(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) UNNC of the 12 District, and (if applicable to more than one land district) Land Lot(s) _____ of the ____ District, and said property consists of a total of 8.05 acres (legal description corresponding to most recent recorded plat for the subject property is attached herewith).

(I) (We) hereby delegate authority to N/A 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 — Signature of Notary Public

183 SUN ROAD FAYETTEVILLE GA — 9/10/25

Address — Date

Signature of Property Owner 2 — Signature of Notary Public

183 SUN ROAD FAYETTEVILLE GA — 9/10/25

Address — Date

Signature of Property Owner 3 — Signature of Notary Public

Address — Date

Signature of Authorized Agent — Signature of Notary Public

Address — Date

MAGGIE COLE NOTARY PUBLIC FAYETTE COUNTY, GEORGIA COMMISSION EXPIRES AUGUST 12, 2029

1368-25

PETITION No.: ~~1371-25~~

OWNER'S AFFIDAVIT

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

NAME: Stuart & Laura Reagan

ADDRESS: 183 Sun Road Fayetteville GA 30214

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

Stuart & Laura Reagan 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 _____.

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 November 6, 2025 at 7:00 P.M.

PUBLIC HEARING to be held by the Board of Commissioners of Fayette County on the day of December 11, 2025 at ~~7:00~~ 2:00PM P.M.

SWORN TO AND SUBSCRIBED BEFORE ME THIS 10 DAY OF September, 2025

SIGNATURE OF PROPERTY OWNER

SIGNATURE OF PROPERTY OWNER

NOTARY PUBLIC

MAGGIE COLE NOTARY PUBLIC FAYETTE COUNTY, GEORGIA COMMISSION EXPIRES AUGUST 12, 2029

AGREEMENT TO DEDICATE PROPERTY FOR FUTURE RIGHT-OF-WAY

I/We, STUART & LAURA REAGAN, said property owner(s) of subject property requested to be rezoned, hereby agree to dedicate, at no cost to Fayette County, _____ feet of right-of-way along _____ as measured from the centerline of the road.

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

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

Sworn to and subscribed before me this 10 day of September, 2025.

SIGNATURE OF PROPERTY OWNER

SIGNATURE OF PROPERTY OWNER

NOTARY PUBLIC

MAGGIE COLE
NOTARY PUBLIC
FAYETTE COUNTY, GEORGIA
COMMISSION EXPIRES AUGUST 12, 2029

DEVELOPMENTS OF REGIONAL IMPACT (DRI)

Rezoning Applicant:

A. Please review the attached "Developments of Regional Impact Tiers and Development Thresholds" established by the Georgia Department of Community Affairs (DCA) to determine if the proposed project meets or exceeds these thresholds. If the proposed project does not meet the established thresholds (is less than those listed) then skip to section C. below and complete.

B. If the project does meet or exceed the established thresholds for the type of development proposed, the Georgia Department of Community Affairs (DCA) "Developments of Regional Impact: Request for Review Form" is available online at the following website address: www.dca.state.ga.us/DRI/.

C. I have reviewed and understand the attached "Thresholds: Developments of Regional Impact".

[ ] The proposed project related to this rezoning request DOES NOT meet or exceed the established DRI thresholds .

[ ] The proposed project related to this rezoning request DOES meet or exceed the established DRI thresholds and documentation regarding the required DRI Request for Review Form is attached.

Signed this 10TH day of SEPTEMBER, 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.

_____ 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.

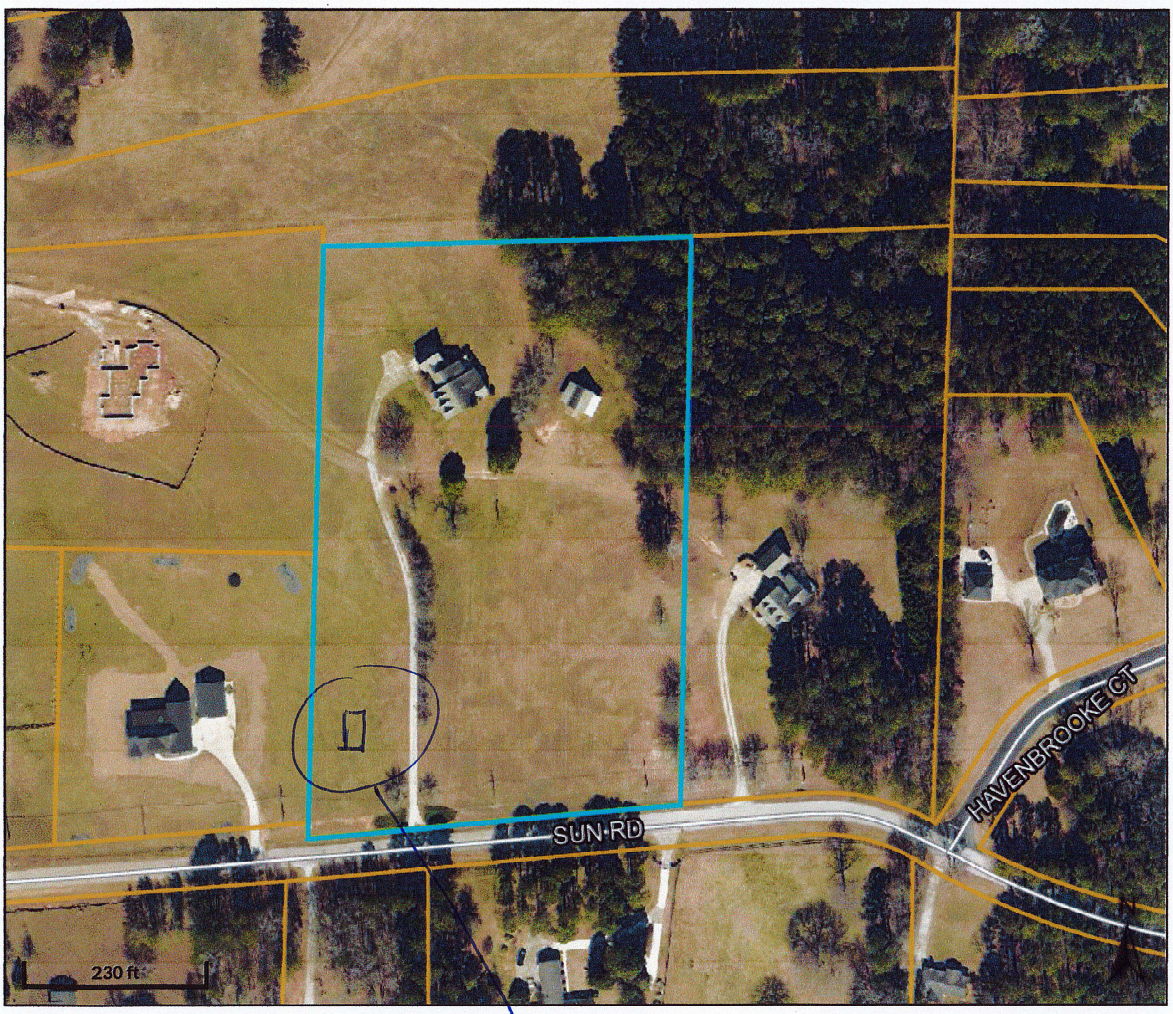
_____ g. Location and dimensions of exits/entrances to the subject property.

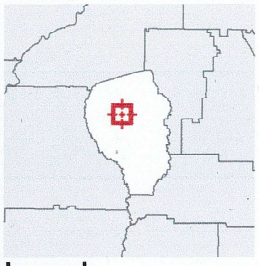
_____ h. Approximate location and elevation of the 100-year flood plain and Watershed Protection Ordinance requirements, as applicable.

_____ 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).

Fayette County, GA





Legend

- Parcels
- Roads

City Limits

- BROOKS
- FAYETTEVILLE
- PEACHTREE CITY
- TYRONE
- WOOLSEY

NORTH

Parcel ID	0722 023	**Alternate ID**	33134	**Owner Address**	STUART REGAN
Sec/Twp/Rng	n/a	**Class**	Agricultural		STUART LAURA K
Property Address	183 SUN RD	**Acreage**	8.05		183 SUN ROAD
					FAYETTEVILLE, GA 30214

District County Uninc
Brief Tax Description TRACT 2
(Note: Not to be used on legal documents)

Date created: 9/3/2025
Last Data Uploaded: 9/3/2025 5:09:21 AM

Developed by SCHNEIDER GEOSPATIAL

10' X 14' EQUINE SHELTER WOOD CONSTRUCTION WITH METAL ROOF. STRUCTURE WILL BE 50'+ FROM WESTERN EDGE OF PROPERTY AND APPROXIMATELY 100' FROM SUN ROAD RIGHT OF WAY.

NOT DRAWN TO SCALE

Type: ESTD
Recorded: 10/4/2024 9:37:00 AM
Fee Amt: $750.00 Page 1 of 1
Transfer Tax: $725.00
Fayette, Ga. Clerk Superior Court
Sheila Studdard Clerk of Court

Participant ID(s): 1138094925,
7067927936

BK 5766 PG 498

Please return to:
Lawson, Beck & Sandlin, LLC
560 Newnan Crossing Bypass, Suite 100
Newnan, GA 30263
File # 24-NWN-1006
Att: Lexi Clarke
Parcel Number: 0722 023

STATE OF GEORGIA
COUNTY OF COWETA

EXECUTOR'S DEED

THIS INDENTURE made this 3rd day of October, 2024 between

Pamela Jean Dunn, as Co-Executor of the Estate of Betty Joyce Adams aka Joyce Adams and William Randall Adams, as Co-Executor of the Estate of Betty Joyce Adams aka Joyce Adams

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

Stuart Reagan and Laura K. Reagan as Joint Tenants With Right of Survivorship

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

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

All that tract or parcel of land lying and being in Land Lot 75 of the 7th District, Fayette County, Georgia, being Tract 2, containing 8.053 Acres of Prepared for Betty J. Adams, as per plat thereof recorded in Plat Book 48, Page 160, Fayette County, Georgia Records, which recorded plat is incorporated herein by reference and made a part of this description.

Subject to restrictive covenants and easements of record.

TO HAVE AND TO HOLD the said tract or parcel of land, with all and singular the rights, members and appurtenances thereof, to the same being, belonging, or in anywise appertaining, to the only proper use, benefit and behoof of the said Grantee forever in FEE SIMPLE; in as full and ample a manner as the same was held, possessed and enjoyed, or might have been held, possessed and enjoyed, by the said deceased.

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

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

Signed, Sealed and delivered in the presence of:

Unofficial Witness

Notary Public

CLIF SANDLIN NOTARY EXPIRES GEORGIA 1/25/2028 PUBLIC COWETA COUNTY

Pamela Jean Dunn, as Co-Executor of the Estate of Betty Joyce Adams aka Joyce Adams

Pamela Jean Dunn, as Co-Executor of the Estate of Betty Joyce Adams aka Joyce Adams

William Randall Adams, as Co-Executor of the estate of Betty Joyce Adams aka Joyce Adams

William Randall Adams, as Co-Executor of the Estate of Betty Joyce Adams aka Joyce Adams

Book: 48 Page: 160 Page 1 of 1

MINOR SUBDIVISION PLAT OF BETTY J. ADAMS ESTATE

Doc ID: 009811830001 Type: PLAT
Recorded: 02/05/2016 at 12:46:00 PM
Fee Amt: $8.00 Page 1 of 1
Fayette, Ga. Clerk Superior Court
Sheila Studdard Clerk of Court
BK 48 PG 160

OWNER'S CERTIFICATE

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

Betty J. Adams 2-5-16
OWNER DATE

OWNER DATE

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT THIS PLAT IS TRUE AND CORRECT AND WAS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY BY ME OR UNDER MY SUPERVISION; THAT ALL MONUMENTS AND INFRASTRUCTURE SHOWN HEREON ACTUALLY EXIST OR ARE MARKED AS "FUTURE"; AND THEIR LOCATION, SIZE, TYPE AND MATERIAL ARE CORRECTLY SHOWN.

GEORGIA REGISTERED No. 1620 LAND SURVEYOR SWANSON A GASKINS SR

BY: 1-13-16
GA. RLE SWANSON A. GASKINS, SR. NUMBER 1620 DATE

CLOSURE STATEMENT

THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 42,157 FEET AND AN ANGULAR ERROR OF 00° 00' 02" PER ANGLE POINT AND HAS BEEN ADJUSTED USING THE COMPASS RULE METHOD.

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

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

GENERAL NOTES

1. OWNERS:
BETTY J ADAMS
183 SUN ROAD
FAYETTEVILLE, GA 30214
404-604-5507

2. SURVEYOR
S A. GASKINS & ASSOCIATES, LLC.
P.O. BOX 321
BROOKS, GA 30205
770-460-5342
sagaskins@bellsouth.net

3. TOTAL ACREAGE: 17.918 ACRES

2 LOTS - ZONED R-70

MINIMUM DIMENSIONAL REQUIREMENTS FOR R-70 ZONING DISTRICT

LOT AREA: 2 ACRES

LOT WIDTH: a. Major thoroughfare
i. Arterial: 175 feet
ii. Collector: 175 feet
b. Minor thoroughfare: 150 feet

FLOOR AREA: 1,500 SQ FEET

FRONT YARD SETBACK:

MAJOR THOROUGHFARE
ARTERIAL: 75 FEET
COLLECTOR: 75 FEET
MINOR THOROUGHFARE: 50 FEET

REAR YARD SETBACK: 50 FEET

SIDE YARD SETBACK: 25 FEET

4. SEWER TO BE AN ON-SITE SEWAGE DISPOSAL SYSTEM.

5. WATER TO BE PROVIDED BY AN ON-SITE WELL.

6. 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.

7. THIS SURVEY IS SUBJECT TO ALL EASEMENTS, RIGHTS-OF-WAY, AND RESTRICTION SHOWN OR NOT SHOWN, RECORDED OR NOT RECORDED.

8. THERE ARE RECORDED EASEMENTS AS SHOWN ON THIS PLAT.

9. THIS SITE IS LOCATED IN THE GROUNDWATER RECHARGE AREA.

10. 1/2" REINFORCING RODS SHALL BE SET AT ALL LOT CORNERS UNLESS NOTED OTHERWISE.

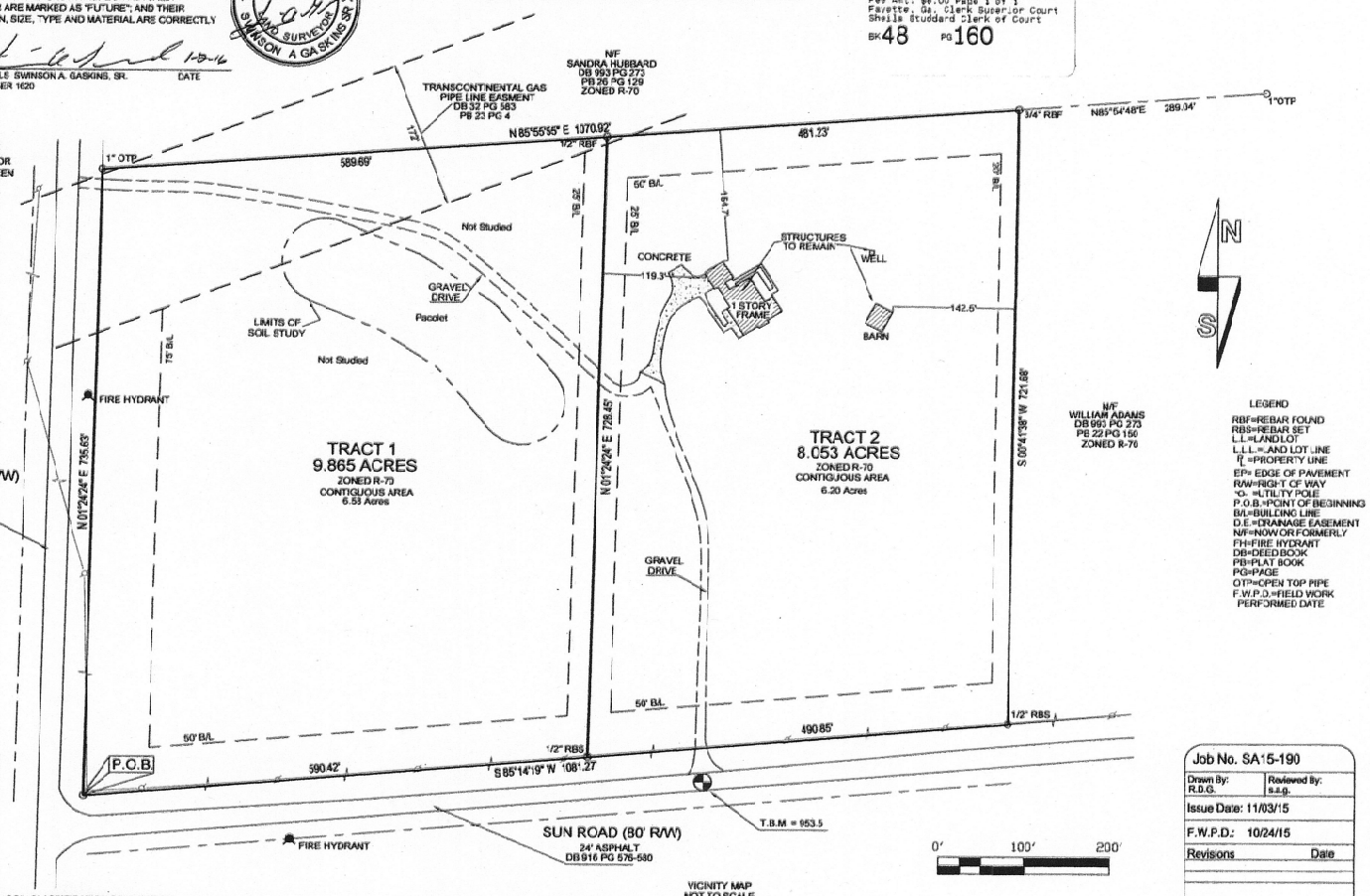
11. THESE LOTS ARE LOCATED ON COMMUNITY PANEL NUMBER 13113C0081E, WHICH BEARS AN EFFECTIVE DATE OF SEPTEMBER 26, 2008 AND NO PORTION OF THEM LIES WITHIN IN A 100 YEAR FLOOD HAZARD AREA.

12. EACH RESIDENTIAL LOT HAS A MINIMUM CONTIGUOUS AREA THAT IS FREE AND CLEAR OF ZONING SETBACKS, WATERSHED PROTECTION BUFFERS AND SETBACKS, JURISDICTIONAL WETLANDS, AND EASEMENTS OF ANY KIND.

13. THERE IS NO VISIBLE CEMETERY OR BURIAL GROUNDS ON THIS PROPERTY.

14. THERE ARE NO STATE WATERS LOCATED ON THIS SITE.

15. THERE ARE NO WETLANDS LOCATED ON THIS SITE.



LEGEND

RBF=REBAR FOUND
RBS=REBAR SET
L.L.=LAND LOT
L.L.L.=LAND LOT LINE
℄ =PROPERTY LINE
EP= EDGE OF PAVEMENT
R/W=RIGHT OF WAY
-O- =UTILITY POLE
P.O.B.=POINT OF BEGINNING
B/L=BUILDING LINE
D.E.=DRAINAGE EASEMENT
N/F=NOW OR FORMERLY
FH=FIRE HYDRANT
DB=DEED BOOK
PB=PLAT BOOK
PG=PAGE
OTP=OPEN TOP PIPE
F.W.P.D.=FIELD WORK PERFORMED DATE

Job No. SA15-190	
Drawn By: R.D.G.	Reviewed By: s.a.g.
Issue Date: 11/03/15	
F.W.P.D.: 10/24/15	
Revisons	Date

SOIL CLASSIFICATION DELINEATION

I, LARRY F. MCEVER DO HEREBY CERTIFY THAT THE LEVEL III SOIL SURVEY INFORMATION PROVIDED ON THIS PLAT WAS PERFORMED BY RESOURCE ENGINEERS, INC. IN ACCORDANCE WITH THE PROCEDURES SPECIFIED IN THE GEORGIA DEPARTMENT OF HUMAN RESOURCES' CURRENT MANUAL FOR ON-SITE SEWAGE MANAGEMENT SYSTEMS.

Larry F McEver DATE Jan 19, 2016
SIGNATURE OF SOIL CLASSIFIER
PROFESSIONAL ENGINEER
REGISTRATION NO. PE 012170
REGISTRATION NUMBERS/LICENSE NUMBERS
8305 SPENCE ROAD, FAIRBURN, GA 30213
PHONE: 770 969 8923

APPROVED BY FAYETTE COUNTY ENVIRONMENTAL HEALTH DEPARTMENT
DATE 1/26/16 SIGNED ENVIRONMENTAL HEALTH SPECIALIST

APPROVED BY FAYETTE COUNTY STORMWATER MANAGEMENT DEPARTMENT
DATE 1-27-16 SIGNED ENVIRONMERTAL MANAGEMENT DIRECTOR

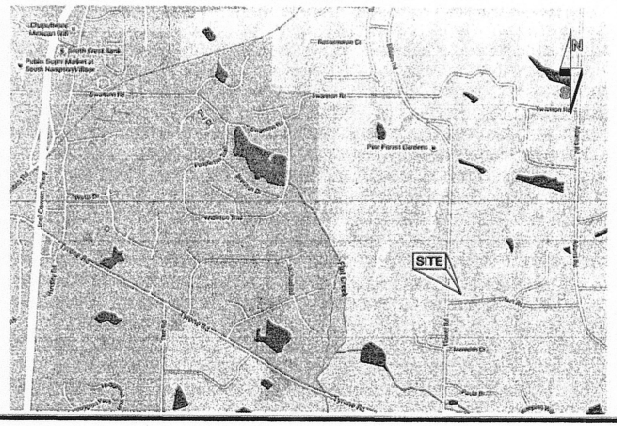
APPROVED BY FAYETTE COUNTY ENGINEER
DATE 1/5/16 SIGNED P. Mallon COUNTY ENGINEER

APPROVED BY THE FAYETTE COUNTY FIRE MARSHAL
DATE 1/20/16 SIGNED FIRE MARSHAL

APPROVED BY THE FAYETTE COUNTY PLANNING COMMISSION 2.14.2016
DATE 2/4/2016 SIGNED SESRETARY

APPROVED BY FAYETTE COUNTY ZONING ADMINISTRATOR
DATE 1/20/16 SIGNED ZONING ADMINISTRATOR

VICINITY MAP
NOT TO SCALE



Property Location

Land Lot 75 Of The 7th Land District
Fayette County, Georgia

Prepared For:
BETTY J. ADAMS

S.A. GASKINS & ASSOCIATES, LLC
surveyors planners development consultants
P.O. BOX 321 BROOKS, GA 30205
770-460-5342
sagaskins@bellsouth.net

Continued from page B3

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, November 6, 2025, at 7:00 P.M., and before the Fayette County Board of Commissioners on Thursday, November 11, 2025, at 2:00 P.M., in the Fayette County Administrative Complex, 140 Stonewall Avenue West, Public Meeting Room, First Floor, Fayetteville, Georgia.

Petition No: 1368-25

Parcel No: 0722 023

Owner: Stuart Reagan and Laura K. Reagan

Zoning District: R-70

Area of Property: 8.053 acres

Land Lot(s)/District: Land Lot 75 of the 7th District

Fronts on: Sun Road

Proposed: Applicant proposes the following: Applicant is requesting to rezone 8.053 acres from R-70 (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

All that tract or parcel of land lying and being in Land Lot 75 of the 7th District, Fayette County, Georgia, being Tract 2, containing 8.053 Acres of Prepared for Betty J. Adams, as per plat thereof recorded in Plat Book 48, Page 160, Fayette County, Georgia Records, which recorded plat is incorporated herein by reference and made a part of this description.

10/29

PETITION No. 1369-25-A-B

REQUESTED ACTION:

A. Rezone Parcel No.0433 049 (3.00 acres) from R-45 (Single-Family Residential) to A-R (Agriculture-Residential); this parcel is labelled Tract 2 in the attached survey.

B. Rezone Parcel No. 0433 051 (3.00 acres) from R-45 (Single-Family Residential) to A-R (Agriculture-Residential); this parcel is labelled Tract 1 in the attached survey.

EXISTING ZONING: R-45

PROPOSED ZONING: A-R

EXISTING USE: Single-Family Residential

PROPOSED USE: Agriculture- Residential

LOCATION: 229 Fletcher Ford Road

LOT SIZE: 6.00 Acres, total

DISTRICT/LAND LOT(S): 4th District, Land Lot(s) 183

OWNER(S): McCotter Family Trust

APPLICANT(S): Tate McCotter and Stacee McCotter, Trustees

AGENT(S): N/A

PLANNING COMMISSION PUBLIC HEARING: November 6, 2025, at 7:00 PM

BOARD OF COMMISSIONERS PUBLIC HEARING: December 11, 2025, at 2:00 PM

REQUEST: The applicants are requesting to rezone two parcels to A-R, with the intent of combining them into a single parcel that will meet the dimensional requirements of A-R zoning district.

STAFF ASSESSMENT & RECOMMENDATION

As defined in the Fayette County Comprehensive Plan's Future Land Use Plan, Agricultural-Residential is designated for this area, so the request for A-R zoning district is appropriate. In their current configuration, neither parcel meets the minimum lot size for the A-R zoning. Therefore, conditions are recommended to ensure they are combined, which will resolve this issue.

1369-25-A - Based on the Staff Analysis, Planning & Zoning Staff recommends **CONDITIONAL APPROVAL** of the request for a zoning of A-R, Agricultural-Residential, subject to the following:

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 building permit, whichever comes first.

1369-25-B - Based on the Staff Analysis, Planning & Zoning Staff recommends **CONDITIONAL APPROVAL** of the request for a zoning of A-R, Agricultural-Residential, subject to the following:

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

The subject properties are currently zoned R-45. They were rezoned from A-R to R-45, Conditional, under Petition No. 810-92, which was approved October 22, 1992. Tract 2 is developed with a single-family residence, and Tract 1 is undeveloped. The condition attached to the R-45 rezoning simply restricted the project to the development of 2 lots.

B. ADJACENT ZONING AND FUTURE LAND USE

Most of the property in the surrounding area is zoned A-R, Agricultural-Residential. The Future Land Use Map for this property and all the surrounding properties is Agriculture-Residential, 1 Unit/5 Acres. See the attached Zoning Map and Future Land Use Map for additional details.

Direction	Acreage	Zoning	Use	Future Land Use Plan
North	100+	A-R	Agricultural-Residential	Agricultural-Residential (1 unit /5 acres)
East	100+	A-R	Agricultural-Residential	Agricultural-Residential (1 unit /5 acres)
South (across Fletcher Ford Road)	100+	A-R	Agricultural-Residential	Agricultural-Residential (1 unit /5 acres)
West	100+	A-R	Agricultural-Residential	Agricultural-Residential (1 unit /5 acres)

C. DEPARTMENTAL COMMENTS

- ☐ **Water System** – No objections.
- ☐ **Public Works/Environmental Management** – No objections.
  - **Road Frontage Right of Way Dedication –** Fletcher Ford Road is a prescriptive easement gravel road in Fayette County. With no density increase through rezoning a combination plat will not require a dedication of right of way.
  - **Traffic Data –** Fayette County does not have any recorded traffic data for this roadway.
  - **Sight Distance and access –** Fletcher Ford Road is a county local road with a 25mp speed limit. Sight Distance of 280 feet would be required for any additional driveway access requested.
  - **Floodplain Management** -- The property **DOES NOT** contain floodplain per FEMA FIRM panel 13113C0160E dated September 26, 2008.
  - **Wetlands** -- The property **DOES NOT** contain wetlands per the U.S. Department of the Interior, Fish and Wildlife Service 1994 National Wetland Inventory Map.
  - **Watershed Protection** -- There **ARE NOT** state waters located on the subject property, and it **WILL BE** subject to the Fayette County Article VII Watershed Protection Ordinance.
  - **Groundwater** -- The property **IS NOT** within a groundwater recharge area.

- **Post Construction Stormwater Management** -- This development **WILL BE** subject to the Post-Development Stormwater Management Ordinance if re-zoned and developed with more than 5,000 square feet of impervious surface for a Major Final Plat.

☐ **Fire –** No comments.
☐ **Environmental Health** - This office has no objection to the proposed rezoning.
☐ **GDOT –** Not applicable, not on State Route.

STANDARDS

Sec. 110-300. - Standards for map amendment (rezoning) evaluation.
All proposed map amendments shall be evaluated with special emphasis being placed on the relationship of the proposal to the land use plan and related development policies of the county The following factors shall be considered by the planning and zoning department, the planning commission and the board of commissioners when reviewing a request for rezoning:

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

STAFF ANALYSIS

1. The subject property lies within an area designated for Agricultural-Residential Uses. This request does conform to the Fayette County Comprehensive Plan.
2. The area around the subject property is an area that already has various residential and agricultural uses. Staff does not anticipate that this rezoning will have an adverse impact on the adjacent parcels.
3. It is staff's opinion that the zoning proposal will not have an excessive or burdensome impact on streets, utilities, or schools.
4. The proposal is consistent in character and use with the surrounding uses as agricultural and rural residential.

ZONING DISTRICT STANDARDS

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

(a) *Description of district.* This district is composed of certain lands and structures having a very low density single-family residential and agricultural character and designed to protect against the depreciating effects of small lot, residential development and those uses which are incompatible with such a residential and agricultural environment.

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

(1) Single-family dwelling;

(2) Residential accessory structures and uses (see article III of this chapter);

(3) Growing of crops and the on-premises sale of produce and agricultural products, provided 50 percent of the produce/products sold shall be grown on-premises;

(4) Plant nurseries and greenhouses (no sales of related garden supplies);

(5) Raising of livestock; aquaculture, including pay fishing; apiary (all beehives shall comply with the required setbacks); and the sale thereof; and

(6) One semi-trailer/box truck utilized as a farm outbuilding, provided the property is a minimum of five acres and the semi-trailer/box truck is only used to store agricultural items.

(c) *Conditional uses.* The following conditional uses shall be allowed in the A-R zoning district provided that all conditions specified in article VII of this chapter. Conditional uses, nonconformances, transportation corridor overlay zone, and commercial development standards are met:

(1) Aircraft landing area;

(2) Animal hospital, kennel or veterinary clinic;

(3) A-R bed and breakfast inn;

(4) A-R wedding/event facility;

(5) Cemetery;

(6) Church and/or other place of worship;

(7) Colleges and university, including, but not limited to: classrooms, administration, housing, athletic fields, gymnasium, and/or stadium;

(8) Commercial driving range and related accessories;

(9) Child care facility;

(10) Deer processing facility.

(11) Developed residential recreational/amenity areas;

(12) Farm outbuildings, including horse stables, auxiliary structures, and greenhouses (permanent or temporary);

(13) Golf course (minimum 18-hole regulation) and related accessories;

(14) Home occupation;

(15) Horse show, rodeo, carnival, and/or community fair;

(16) Hospital;

(17) Kennel (see animal hospital, kennel, and/or veterinary clinic);

(18) Private school, including, but not limited to: classrooms, administration, playground, housing, athletic fields, gymnasium, and stadium;

(19) Processing, packaging, or handling of perishable agricultural products (i.e. fruits and vegetables) which are grown on premises;

(20) Recreation centers and similar institutions owned by nonprofit organizations as so registered with the state secretary of state office;

(21) Religious tent meeting; and

(22) Shooting range, outdoor.

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

(1) Lot area: 217,800 square feet (five acres).

(2) Lot width: 250 feet.

(3) Floor area: 1,200 square feet.

(4) Front yard setback:

a. Major thoroughfare:

1. Arterial: 100 feet.

2. Collector: 100 feet.

b. Minor thoroughfare: 75 feet.

(5) Rear yard setback: 75 feet.

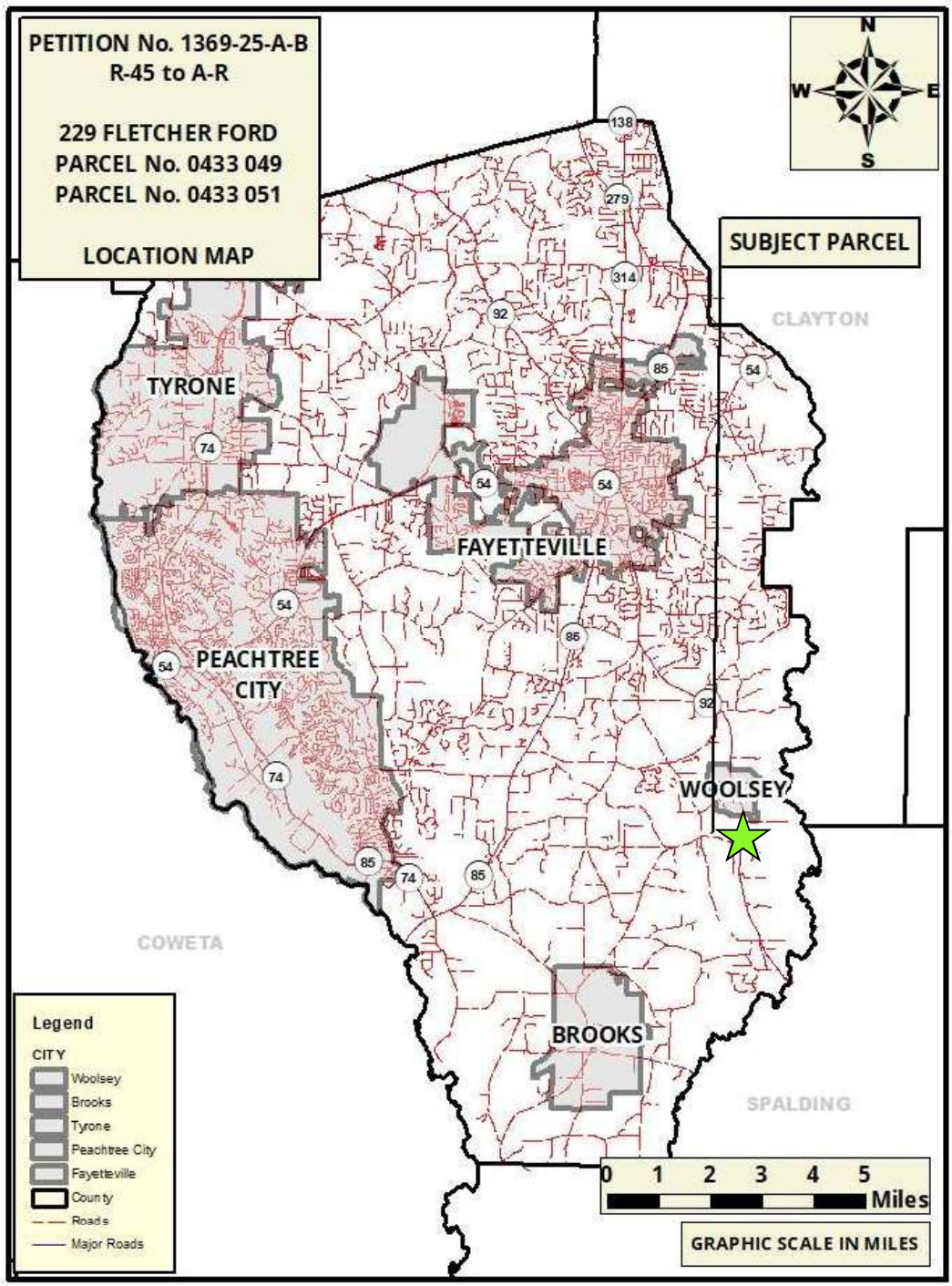
(6) Side yard setback: 50 feet.

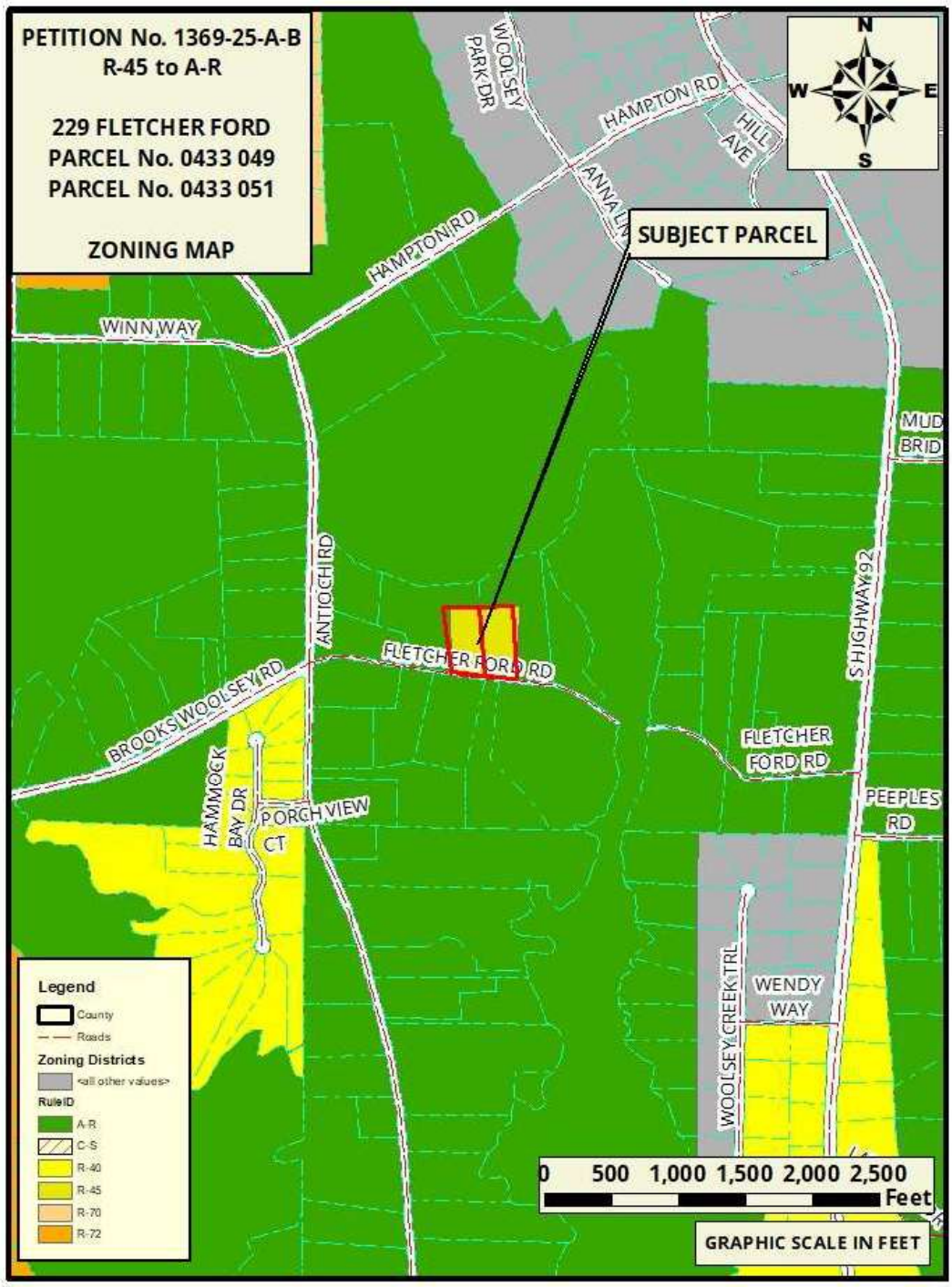
(7) Building height.

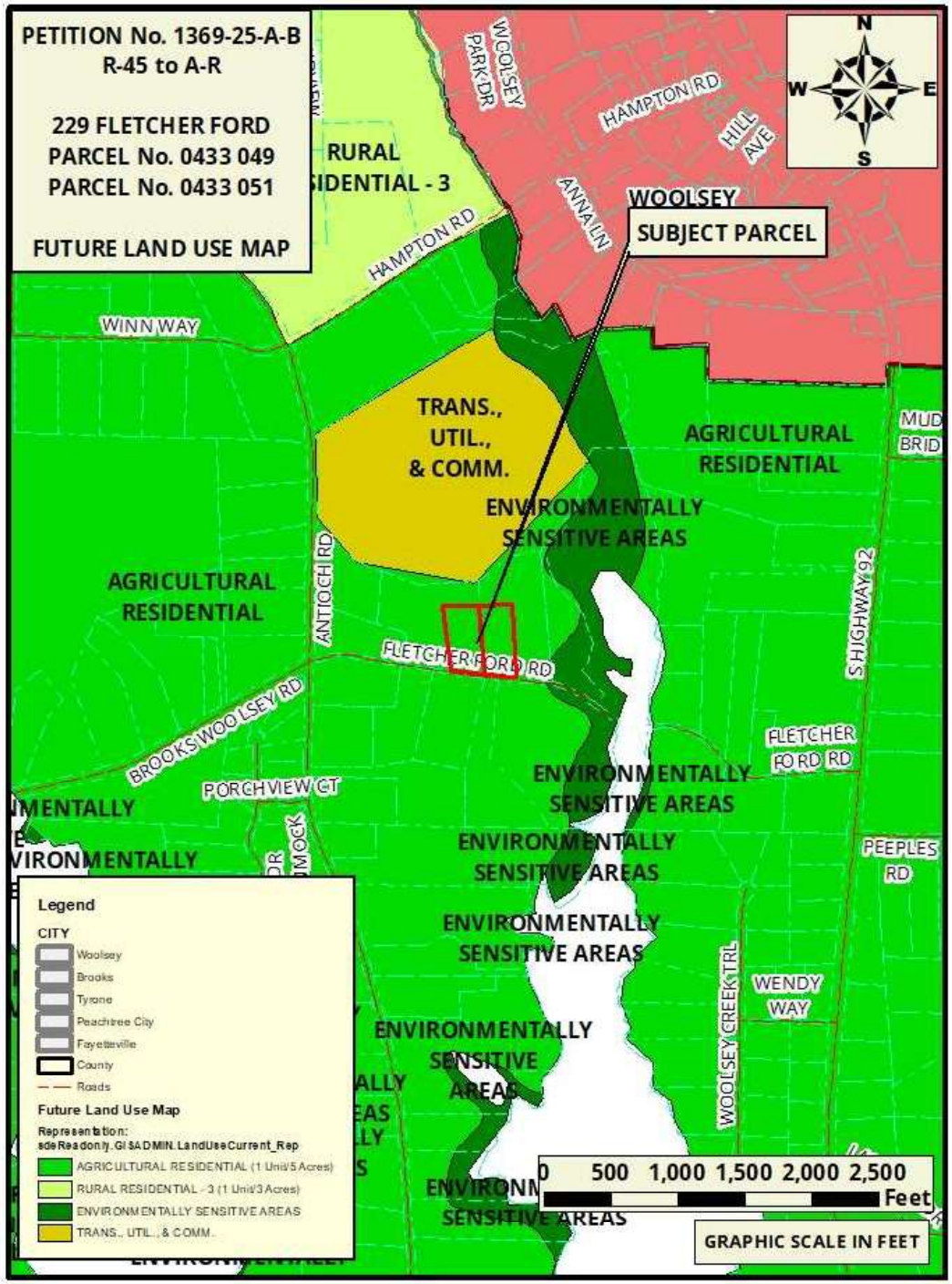
a. 35 feet as defined in article III of this chapter.

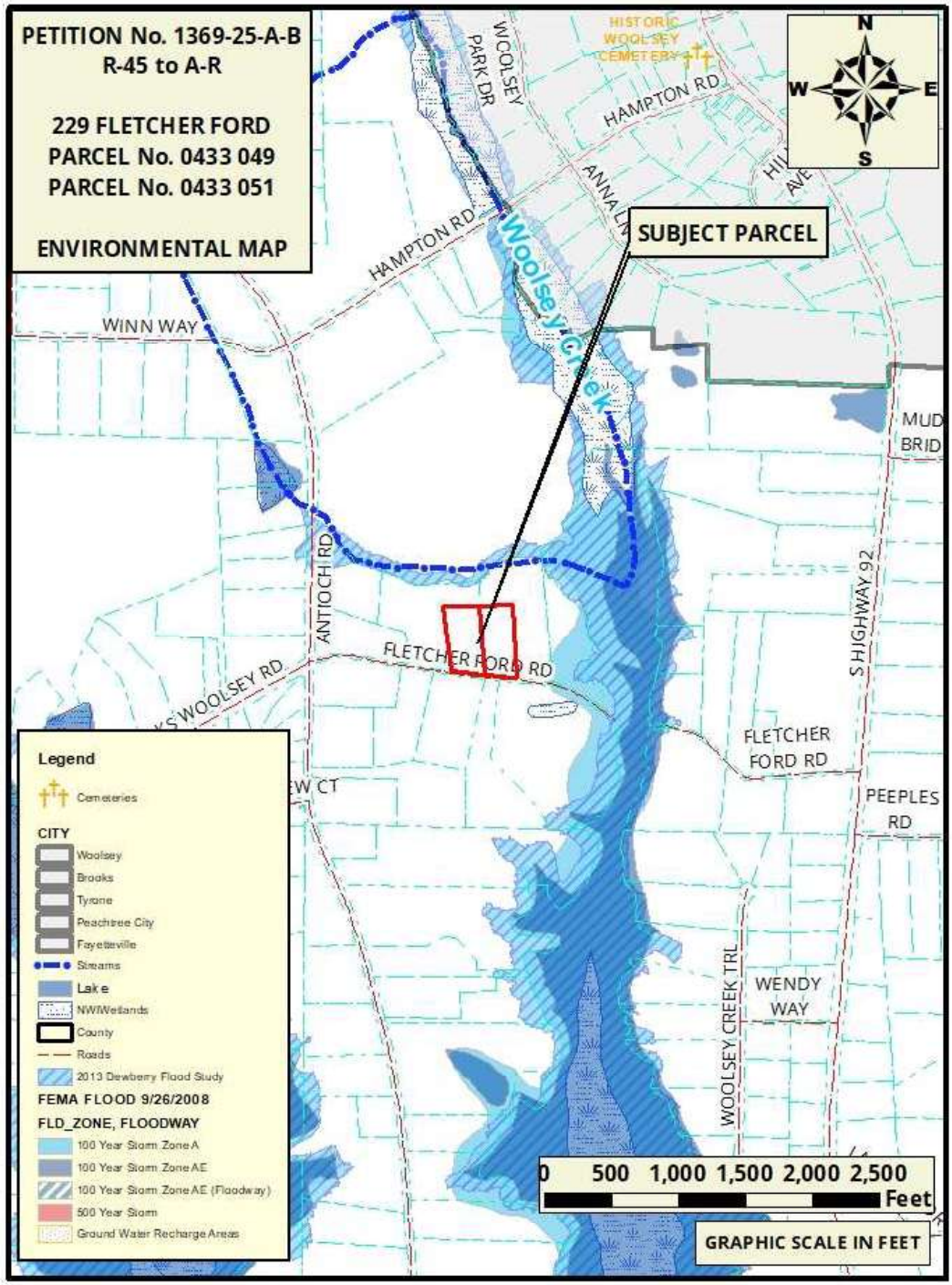
b. The limitation on height shall not apply to agricultural structures such as storage barns, silos, or other types of structure not normally designed for human occupation except that when an agricultural structure exceeds the maximum building height the minimum distance from property lines to any building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

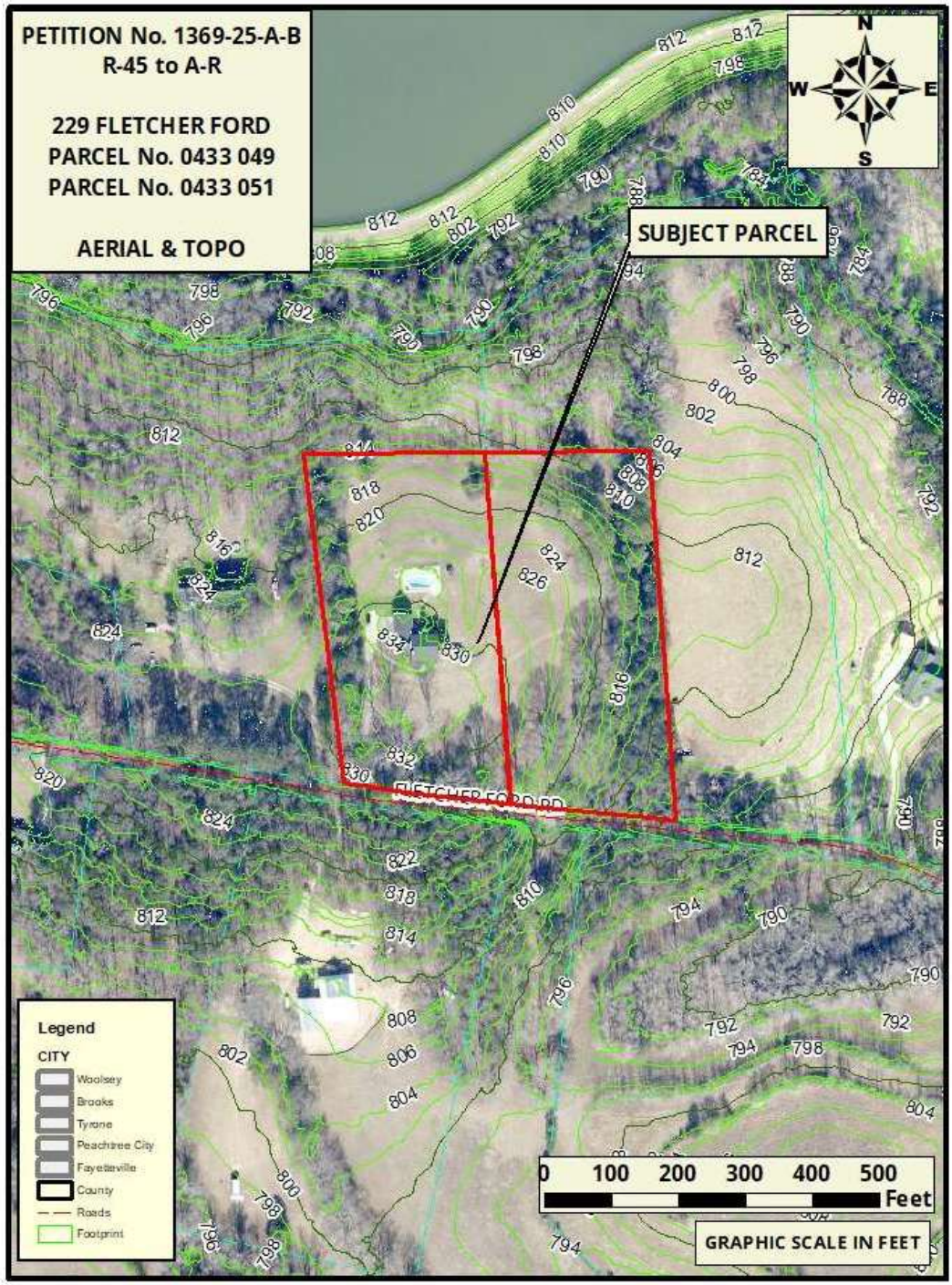
(e) *Special regulations*. Prior to the issuance of development and/or building permits, a site plan, as applicable, shall be submitted to the zoning administrator and approved by the appropriate county officials. This requirement shall apply to all permitted uses and conditional uses allowed in the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

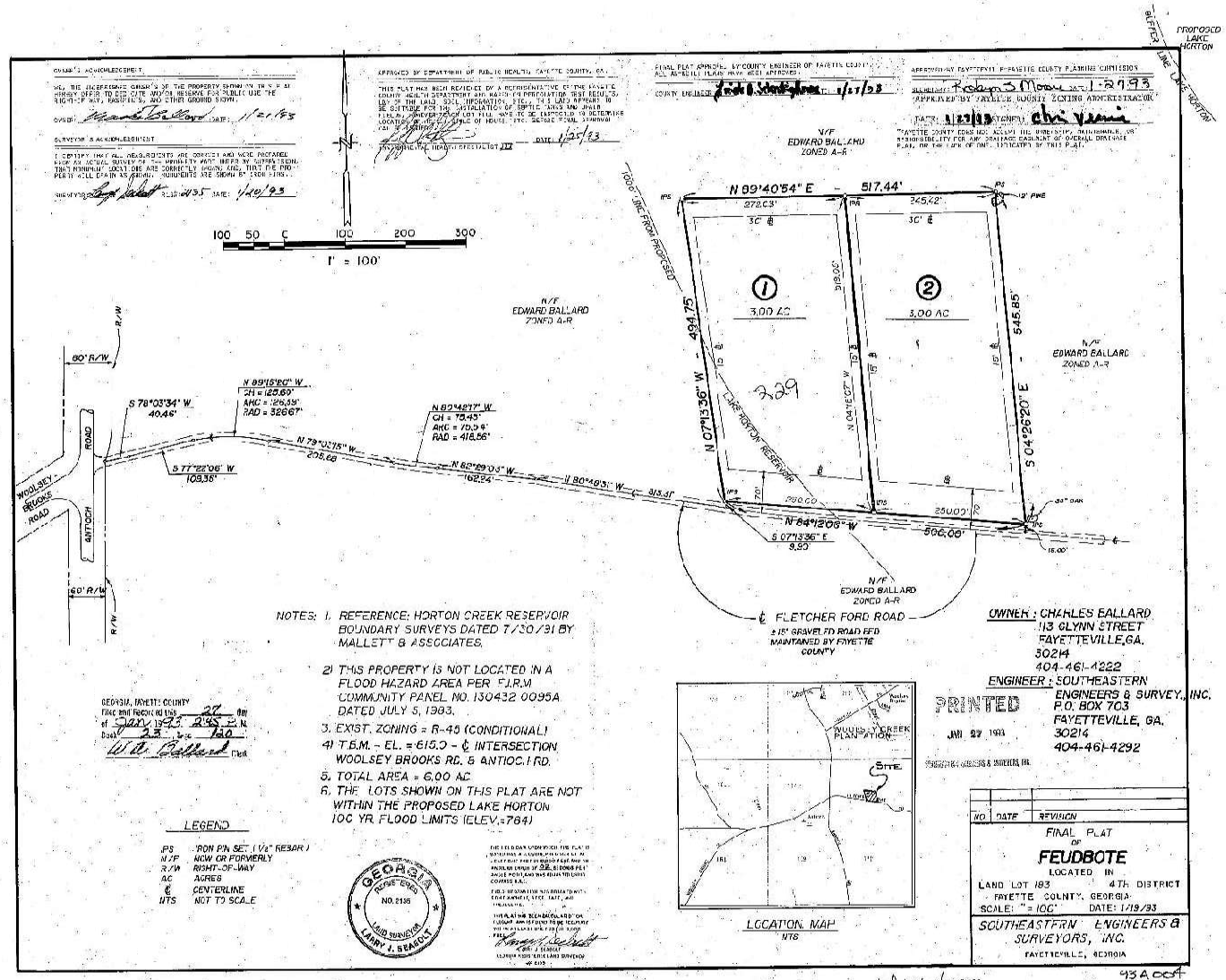

PETITION No. 1369-25-A-B
R-45 to A-R
229 FLETCHER FORD
PARCEL No. 0433 049
PARCEL No. 0433 051
LOCATION MAP
N
W
E
S
SUBJECT PARCEL
CLAYTON
TYRONE
FAYETTEVILLE
PEACHTREE CITY
WOOLSEY
BROOKS
COWETA
SPALDING
138
279
314
92
85
54
74
Legend
CITY
Woolsey
Brooks
Tyrone
Peachtree City
Fayetteville
County
Roads
Major Roads
0 1 2 3 4 5
Miles
GRAPHIC SCALE IN MILES


PETITION No. 1369-25-A-B
R-45 to A-R
229 FLETCHER FORD
PARCEL No. 0433 049
PARCEL No. 0433 051
ZONING MAP
SUBJECT PARCEL
WOOLSEY PARK DR
HAMPTON RD
HILL AVE
ANNA LN
WINN WAY
ANTIOCH RD
FLETCHER FORD RD
BROOKS WOOLSEY RD
HAMMOCK BAY DR
PORCH VIEW CT
S HIGHWAY 92
FLETCHER FORD RD
PEEPLES RD
WOOLSEY CREEK TRL
WENDY WAY
MUD BRID
N
S
E
W
Legend
County
Roads
Zoning Districts
<all other values>
RuleID
A-R
C-S
R-40
R-45
R-70
R-72
0 500 1,000 1,500 2,000 2,500
Feet
GRAPHIC SCALE IN FEET


PETITION No. 1369-25-A-B
R-45 to A-R
229 FLETCHER FORD
PARCEL No. 0433 049
PARCEL No. 0433 051
FUTURE LAND USE MAP
RURAL
IDENTIAL - 3
WOOLSEY
PARK DR
HAMPTON RD
HILL
AVE
ANNA LN
WOOLSEY
SUBJECT PARCEL
HAMPTON RD
WINN WAY
TRANS.,
UTIL.,
& COMM.
AGRICULTURAL
RESIDENTIAL
ENVIRONMENTALLY
SENSITIVE AREAS
MUD
BRID
AGRICULTURAL
RESIDENTIAL
ANTIOCH RD
FLETCHER FORD RD
S HIGHWAY 92
BROOKS WOOLSEY RD
PORCH VIEW CT
FLETCHER
FORD RD
ENVIRONMENTALLY
SENSITIVE AREAS
PEEPLES
RD
ENVIRONMENTALLY
SENSITIVE AREAS
ENVIRONMENTALLY
SENSITIVE AREAS
WENDY
WAY
ENVIRONMENTALLY
SENSITIVE
AREAS
WOOLSEY CREEK TRL
ENVIRONM
SENSITIVE AREAS
Legend
CITY
Woolsey
Brooks
Tyrone
Peachtree City
Fayetteville
County
Roads
Future Land Use Map
Representation:
sdeReadonly.GISADMIN.LandUseCurrent_Rep
AGRICULTURAL RESIDENTIAL (1 Unit/5 Acres)
RURAL RESIDENTIAL - 3 (1 Unit/3 Acres)
ENVIRONMENTALLY SENSITIVE AREAS
TRANS., UTIL., & COMM.
0 500 1,000 1,500 2,000 2,500
Feet
GRAPHIC SCALE IN FEET


PETITION No. 1369-25-A-B
R-45 to A-R
229 FLETCHER FORD
PARCEL No. 0433 049
PARCEL No. 0433 051
ENVIRONMENTAL MAP
SUBJECT PARCEL
HISTORIC WOOLSEY CEMETERY
WOOLSEY PARK DR
HAMPTON RD
ANNA LN
WINN WAY
Woolsey Creek
ANTIOCH RD
FLETCHER FORD RD
S HIGHWAY 92
FLETCHER FORD RD
PEEPLES RD
WENDY WAY
WOOLSEY CREEK TRL
N
S
E
W
Legend
Cemeteries
CITY
Woolsey
Brooks
Tyrone
Peachtree City
Fayetteville
Streams
Lake
NWI/Wetlands
County
Roads
2013 Dewberry Flood Study
FEMA FLOOD 9/26/2008
FLD_ZONE, FLOODWAY
100 Year Storm Zone A
100 Year Storm Zone AE
100 Year Storm Zone AE (Floodway)
500 Year Storm
Ground Water Recharge Areas
0 500 1,000 1,500 2,000 2,500
Feet
GRAPHIC SCALE IN FEET


PETITION No. 1369-25-A-B
R-45 to A-R
229 FLETCHER FORD
PARCEL No. 0433 049
PARCEL No. 0433 051
AERIAL & TOPO
SUBJECT PARCEL
N
W
E
S
FLETCHER FORD RD
Legend
CITY
Woolsey
Brooks
Tyrone
Peachtree City
Fayetteville
County
Roads
Footprint
0 100 200 300 400 500
Feet
GRAPHIC SCALE IN FEET



NOTES:
1. REFERENCE: HORTON CREEK RESERVOIR BOUNDARY SURVEYS DATED 7/30/31 BY MALLETT & ASSOCIATES.
2) THIS PROPERTY IS NOT LOCATED IN A FLOOD HAZARD AREA PER F.I.R.M. COMMUNITY PANEL NO. 130432 0095A DATED JULY 5, 1983.
3. EXIST. ZONING = R-45 (CONDITIONAL)
4) T.B.M. - EL. = 615.0 - ℄ INTERSECTION WOOLSEY BROOKS RD. & ANTIOCH RD.
5. TOTAL AREA = 6.00 AC
6. THE LOTS SHOWN ON THIS PLAT ARE NOT WITHIN THE PROPOSED LAKE HORTON 100 YR. FLOOD LIMITS (ELEV.=784)

LEGEND

IPS	IRON PIN SET (½" REBAR)
N/F	NOW OR FORMERLY
R/W	RIGHT-OF-WAY
AC	ACRES
℄	CENTERLINE
NTS	NOT TO SCALE

GEORGIA, FAYETTE COUNTY
Filed and Recorded in the Office of Jan 1993 at 2:45 o'clock P.M.
Book 23 Page 120
W.A. Ballard Clerk

GEORGIA REG. NO. 2135 LAND SURVEYOR LARRY J. SEARCY

LOCATION MAP
NTS

OWNER: CHARLES BALLARD
113 GLYNN STREET
FAYETTEVILLE, GA.
30214
404-461-4222

ENGINEER: SOUTHEASTERN ENGINEERS & SURVEY, INC.
P.O. BOX 703
FAYETTEVILLE, GA.
30214
404-461-4292

PRINTED JAN 22 1993

NO	DATE	REVISION

FINAL PLAT OF
FEUDBOTE
LOCATED IN
LAND LOT 183 4TH DISTRICT
FAYETTE COUNTY, GEORGIA
SCALE: 1" = 100' DATE: 1/19/93

SOUTHEASTERN ENGINEERS & SURVEYORS, INC.
FAYETTEVILLE, GEORGIA

93A 007

FEUDBOT

1369-25-A-B

PETITION No (s).: ~~1372-25-A-B~~

SAGES REFERENCE No.:

STAFF USE ONLY

APPLICANT INFORMATION

Name TATE & STACEE MCCOTTER

Address 229 FLETCHER FORD RD.

City FAYETTEVILLE, GA

State GA Zip 30215

Email [redacted]

Phone [redacted]

PROPERTY OWNER INFORMATION

Name MCCOTTER FAMILY TRUST

Address 229 FLETCHER FORD ROAD

City FAYETTEVILLE

State GA Zip 30215

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: Maria Binns Date: 09/12/2025

DATE OF PLANNING COMMISSION HEARING: November 6, 2025

DATE OF COUNTY COMMISSIONERS HEARING: December 11, 2025

Received from Tate McCotter a check in the amount of $ 350.00 for application filing fee, and $ 40.00 for deposit on frame for public hearing sign(s).

Date Paid: 09/12/2025 Receipt Number: #025180

1369-25-A

PETITION No.: ~~1372-25-A~~ **Fees Due:** 350.00 Total **Sign Deposit Due:** 20.00

STAFF USE ONLY

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

Parcel # (Tax ID): 0433049 Acreage: 3

Land District(s): 4th Land Lot(s): 183

Road Name/Frontage L.F.: FLETCHER FORD RD. Road Classification: COUNTY LOCAL

Existing Use: RESIDENTIAL Proposed Use: RESIDENTIAL

Structure(s): _____ Type: _____ Size in SF: _____

Existing Zoning: R45 Proposed Zoning: A-R

Existing Land Use: _____ Proposed Land Use: _____

Water Availability: WELL Distance to Water Line: _____ Distance to Hydrant: _____

PETITION No.: ~~1372-25-B~~ **Fees Due:** 350.00 total **Sign Deposit Due:** 20.00

1369-25-B

STAFF USE ONLY

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

Parcel # (Tax ID): 0433 051 Acreage: 3

Land District(s): 4th Land Lot(s): 183

Road Name/Frontage L.F.: FLETCHER FORD Rd Road Classification: County Local

Existing Use: Residential Proposed Use: Residential

Structure(s): _____ Type: _____ Size in SF: _____

Existing Zoning: R45 Proposed Zoning: A-R

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:
McCOTTER FAMILY TRUST (EXECUTORS TATE & STACEE McCOTTER)
(Please Print)

Property Tax Identification Number(s) of Subject Property: 0433049

(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) 183 of the 4TH 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 TATE & STACEE McCOTTER 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.

(If)

Signature of Property Owner 1 — Signature of Notary Public

229 FLETCHER FORD RD, FAYETTEVILLE GA 30215
Address — Date: 09/12/2025

Signature of Property Owner 2 — Signature of Notary Public

229 Fletcher Ford Rd Fayetteville GA 30215
Address — Date: 09/12/2025

Signature of Property Owner 3 — Signature of Notary Public

Address — Date

Signature of Authorized Agent — Signature of Notary Public

Address — Date

MARIA TERESA BINNS NOTARY PUBLIC COWETA COUNTY, GEORGIA MY COMMISSION EXPIRES MAY 05, 2026

MARIA TERESA BINNS NOTARY PUBLIC COWETA COUNTY, GEORGIA MY COMMISSION EXPIRES MAY 05, 2026

1369-25-A-B

PETITION No.: ~~1372-25-A-B~~

OWNER'S AFFIDAVIT

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

NAME: McCOTTER FAMILY TRUST (EXECUTORS: TATE & STACEE McCOTTER)

ADDRESS: 229 FLETCHER FORD RD, FAYETTEVILLE, GA 30215

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

TATE & STACEE McCOTTER 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 _____.

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 NOVEMBER 6, 20 25 at 7:00 P.M.

PUBLIC HEARING to be held by the Board of Commissioners of Fayette County on the day of DECEMBER 11, 20 25 at 5:00 P.M.

SWORN TO AND SUBSCRIBED BEFORE ME THIS 12 DAY OF September, 2025

SIGNATURE OF PROPERTY OWNER

SIGNATURE OF PROPERTY OWNER

NOTARY PUBLIC May 05, 2026

MARIA TERESA BINNS NOTARY PUBLIC COWETA COUNTY, GEORGIA MY COMMISSION EXPIRES MAY 05, 2026

AGREEMENT TO DEDICATE PROPERTY FOR FUTURE RIGHT-OF-WAY

I/We, McCotter Family Trust Tate & Stacee McCotter, 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 Fletcher Ford Road 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 12 day of September, 20 25.

SIGNATURE OF PROPERTY OWNER

SIGNATURE OF PROPERTY OWNER

NOTARY PUBLIC May 05, 2026

MARIA TERESA BINNS NOTARY PUBLIC COWETA COUNTY, GEORGIA MY COMMISSION EXPIRES MAY 05, 2026

DEVELOPMENTS OF REGIONAL IMPACT (DRI)

Rezoning Applicant:

A. Please review the attached "Developments of Regional Impact Tiers and Development Thresholds" established by the Georgia Department of Community Affairs (DCA) to determine if the proposed project meets or exceeds these thresholds. If the proposed project does not meet the established thresholds (is less than those listed) then skip to section C. below and complete.

B. If the project does meet or exceed the established thresholds for the type of development proposed, the Georgia Department of Community Affairs (DCA) "Developments of Regional Impact: Request for Review Form" is available online at the following website address: www.dca.state.ga.us/DRI/.

C. I have reviewed and understand the attached "Thresholds: Developments of Regional Impact".

[ ] The proposed project related to this rezoning request DOES NOT meet or exceed the established DRI thresholds .

[ ] The proposed project related to this rezoning request DOES meet or exceed the established DRI thresholds and documentation regarding the required DRI Request for Review Form is attached.

Signed this 12 day of SEPTEMBER, 20 25.

APPLICANT'S SIGNATURE

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

☐ A letter from the ownership of the homeowners' association (HOA) in a residential subdivision, or a property owner's association (POA) or developer/property management entity in a nonresidential subdivision, granting this application

☑ 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).

After recording, return to:
Prepared By:
Weissman PC
5909 Peachtree Dunwoody Road, Suite 100
Atlanta, GA 30328

File No.: W-C-25795-22-PC

Parcel ID: 0433-049

Type: WD
Recorded: 1/4/2023 4:51:00 PM
Fee Amt: $75.00 Page 1 of 3
Transfer Tax: $50.00
Fayette, Ga. Clerk Superior Court
Sheila Studdard Clerk of Court

Participant ID(s): 2979894615, 7067927936

BK 5576 PG 457 - 459

LIMITED WARRANTY DEED

STATE OF GEORGIA
COUNTY OF FAYETTE

THIS INDENTURE, made this 30th day of December, 2022 by and between **Jeanette J. Ballard**, as party or partles of the first part, hereinafter called Grantor, and **Tate N. McCotter and Stacee L. McCotter, as Trustees of The McCotter Family Trust dated February 3, 2000, as amended and restated on April 18, 2019**, as party or parties of the second part, hereinafter called Grantee (the words "Grantor" and "Grantee" to include their respective heirs, successors and assigns where the context requires or permits).

WITNESSETH that: Grantor, for and in consideration of the sum of TEN DOLLARS AND NO/100 ($10.00) AND OTHER 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, the following described property, to-wit:

SEE ATTACHED EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE HERETO

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

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, only to the proper use, benefit and behoof of the said Grantee, forever IN FEE SIMPLE.

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

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

Signed, sealed and delivered
in the presence of:

Becky Crawford
Unofficial Witness

Jeanette J. Ballard (Seal)
Jeanette J. Ballard

Notary Public

My Commission Expires: 04/18/2026

TRUDY WALKER GORMAN
Notary Public, Georgia
Fayette County
My Commission Expires
April 18, 2026

EXHIBIT "A"

File No.: W-C-25795-22-PC

All that tract or parcel of land lying and being in Land Lot 183 of the 4th District of Fayette County, Georgia, being Lot 2 of Feudbote, as shown on plat entitled "Final Plat of Feudbote", prepared by Larry J. Seabolt, Southeastern Engineers and Surveyors, Inc. dated January 19, 1993, and recorded in Plat Book 23, Page 120, records of Fayette County, Georgia, which plat is incorporated herein and made a part hereof by reference.

OWNER'S ACKNOWLEDGEMENT

WE, THE UNDERSIGNED OWNER'S OF THE PROPERTY SHOWN ON THIS PLAT HEREBY OFFER TO DEDICATE AND/OR RESERVE FOR PUBLIC USE THE RIGHT-OF-WAY, EASEMENTS, AND OTHER GROUND SHOWN.

OWNER: Charles Ballard DATE: 1/21/93

SURVEYOR'S ACKNOWLEDGEMENT

I CERTIFY THAT ALL MEASUREMENTS ARE CORRECT AND WERE PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE UNDER MY SUPERVISION; THAT MONUMENT LOCATIONS ARE CORRECTLY SHOWN; AND, THAT THE PROPERTY WILL DRAIN AS SHOWN. MONUMENTS ARE SHOWN BY IRON PINS.

SURVEYOR Larry Seabolt RLS#: 2135 DATE: 1/20/93

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

THIS PLAT HAS BEEN REVIEWED BY A REPRESENTATIVE OF THE FAYETTE COUNTY HEALTH DEPARTMENT AND BASED ON PERCOLATION TEST RESULTS, LAY OF THE LAND, SOIL INFORMATION, ETC., THIS LAND APPEARS TO BE SUITABLE FOR THE INSTALLATION OF SEPTIC TANKS AND DRAIN FIELDS, HOWEVER EACH LOT WILL HAVE TO BE INSPECTED TO DETERMINE LOCATION OF HOUSE/STYLE OF HOUSE, ETC. BEFORE FINAL APPROVAL CAN BE ISSUED.

ENVIRONMENTAL HEALTH SPECIALIST III DATE: 1/25/93

FINAL PLAT APPROVED BY COUNTY ENGINEER OF FAYETTE COUNTY. ALL AS-BUILT PLANS HAVE BEEN APPROVED.

COUNTY ENGINEER Linda A. Strickland DATE: 1/27/93

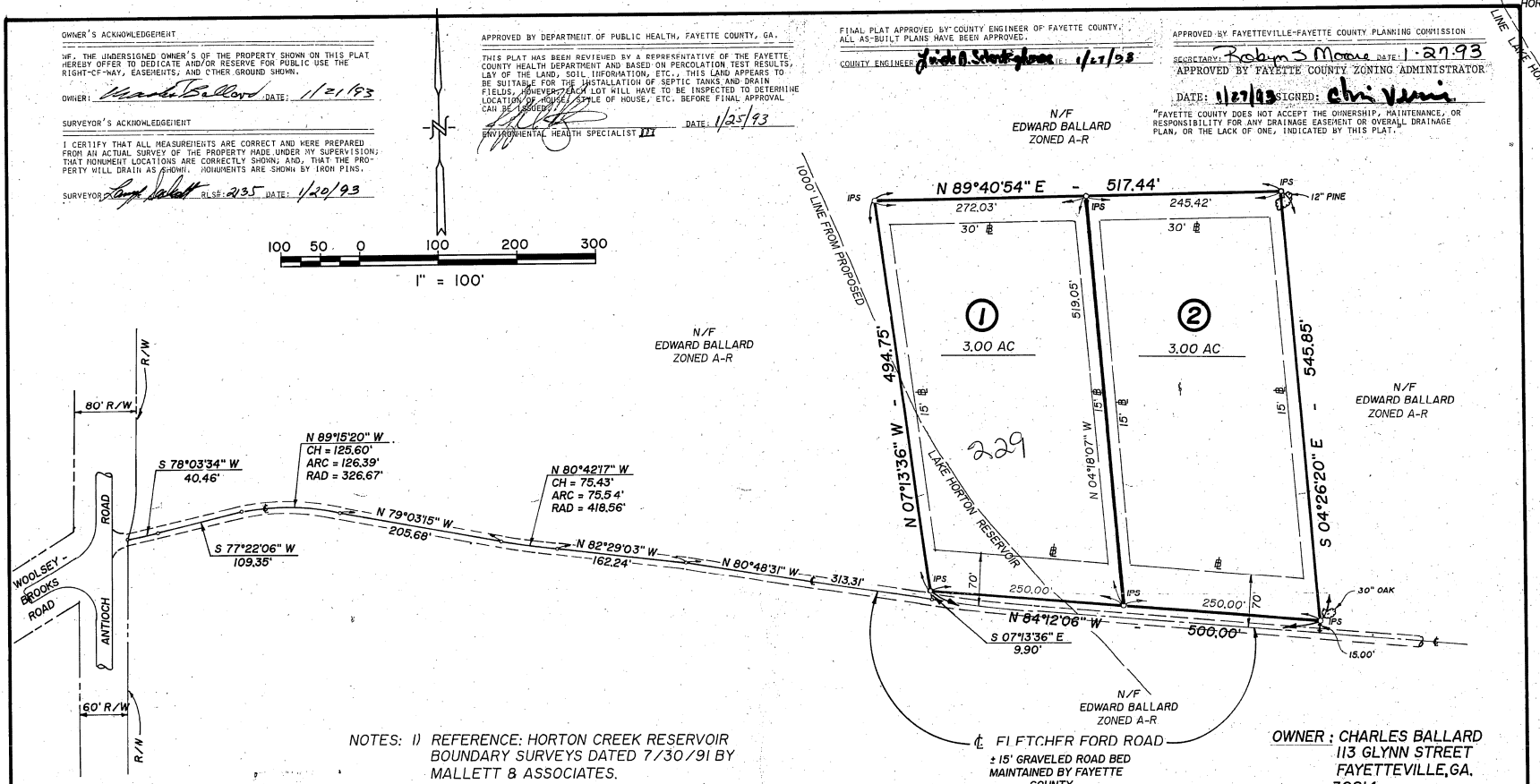
APPROVED BY FAYETTEVILLE-FAYETTE COUNTY PLANNING COMMISSION

SECRETARY: Robyn J Moore DATE: 1-27-93

APPROVED BY FAYETTE COUNTY ZONING ADMINISTRATOR

DATE: 1/27/93 SIGNED: Chris Venn

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



NOTES:
1) REFERENCE: HORTON CREEK RESERVOIR BOUNDARY SURVEYS DATED 7/30/91 BY MALLETT & ASSOCIATES.
2) THIS PROPERTY IS NOT LOCATED IN A FLOOD HAZARD AREA PER F.I.R.M. COMMUNITY PANEL NO. 130432 0095A DATED JULY 5, 1983.
3) EXIST. ZONING = R-45 (CONDITIONAL)
4) T.B.M. - EL. = 815.0 - ℄ INTERSECTION WOOLSEY BROOKS RD. & ANTIOCH RD.
5) TOTAL AREA = 6.00 AC
6) THE LOTS SHOWN ON THIS PLAT ARE NOT WITHIN THE PROPOSED LAKE HORTON 100 YR. FLOOD LIMITS (ELEV.=784)

GEORGIA, FAYETTE COUNTY
Filed and Recorded this 27 day of Jan, 1993 2:45 P.M.
Book 23 Page 120
W.A. Ballard Clerk

LEGEND

IPS	IRON PIN SET (1/2" REBAR)
N/F	NOW OR FORMERLY
R/W	RIGHT-OF-WAY
AC	ACRES
℄	CENTERLINE
NTS	NOT TO SCALE

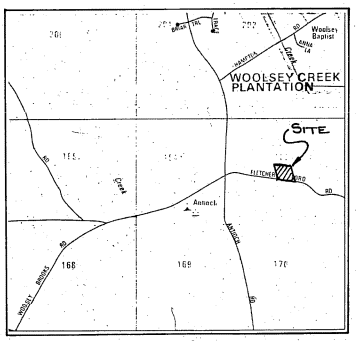
GEORGIA REGISTERED NO. 2135 LAND SURVEYOR LARRY J. SEABOLT

THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE PRECISION OF AT LEAST ONE FOOT IN 10,000 FEET AND AN ANGULAR ERROR OF 02 SECONDS PER ANGLE POINT, AND WAS ADJUSTED USING COMPASS RULE.

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

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

Larry J. Seabolt
LARRY J. SEABOLT
GEORGIA REGISTERED LAND SURVEYOR
NO. 2135



LOCATION MAP
NTS

OWNER: CHARLES BALLARD
113 GLYNN STREET
FAYETTEVILLE, GA.
30214
404-461-4222

ENGINEER: SOUTHEASTERN ENGINEERS & SURVEY., INC.
P.O. BOX 703
FAYETTEVILLE, GA.
30214
404-461-4292

PRINTED JAN 27 1993

SOUTHEASTERN ENGINEERS & SURVEYORS, INC.

NO.	DATE	REVISION

FINAL PLAT OF
FEUDBOTE
LOCATED IN
LAND LOT 183 4TH DISTRICT
FAYETTE COUNTY, GEORGIA
SCALE: 1" = 100' DATE: 1/19/93

SOUTHEASTERN ENGINEERS & SURVEYORS, INC.
FAYETTEVILLE, GEORGIA

93A004

Kbod-623

FEUDBOLT

PETITION FOR REZONING CERTAIN PROPERTIES IN UNINCORPORATED AREAS OF FAYETTE COUNTY, GEORGIA

PUBLIC HEARING

Commission on Thursday, November 6, 2025, at 7:00 P.M., and before the Fayette County Board of Commissioners on Thursday, December 11, 2025, at 2:00 P.M., in the Fayette County Administrative Complex, 140 Stonewall Avenue West, Public Meeting Room, First Floor, Fayetteville, Georgia.

Petition No: 1369-25-A-B
Parcel No:0433 049 and 0433 051
Owner:The McCotter Family Trust
Executer(s): Tate N. McCotter and Stacee L. McCotter
Zoning District:R-45
Area of Property:6.00 acres
Land Lot(s)/District:Land Lot 183 of the 4th District
Fronts on: Fletcher Ford Road
Proposed: Applicant proposes the following:
A)Parcel No. 0433 049; to rezone 3.00 acres from R-45 (Single-Family Residential) to A-R (Agricultural-Residential).
B)Parcel No. 0433 051; to rezone 3.00 acres from R-45 (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"
File No.: W-C-25795-22-PC
All that tract or parcel of land lying and being in Land Lot 183 of the 4th District of Fayette County, Georgia, being Lot 2 of Feudbote, as shown on plat entitled "Final Plat of Feudbote", prepared by Larry J. Seabolt, Southeastern Engineers and Surveyors, Inc. dated January 19, 1993, and recorded in Plat Book 23, Page 120, records of Fayette County, Georgia, which plat is incorporated herein and made a part hereof by reference.
10/29

PETITION No. 1370-25

REQUESTED ACTION: Rezone 6.00 acres from A-R to R-80

PARCEL NUMBER: 0448 013

EXISTING ZONING: A-R

PROPOSED ZONING: R-80

EXISTING USE: Single-Family Residential

PROPOSED USE: Single-Family Residential

LOCATION: 366 Antioch Road

LOT SIZE: 6.00Acres

DISTRICT/LAND LOT(S): 4th District, Land Lot(s) 249 & 250

OWNER(S): Jean Allen Living Trust, Jerome Allen, P.O.A.

APPLICANT(S): Jean Allen Living Trust, Jerome Allen, P.O.A.

AGENT(S): N/A

PLANNING COMMISSION PUBLIC HEARING: November 6, 2025, at 7:00 PM

BOARD OF COMMISSIONERS PUBLIC HEARING: December 11, 2025, at 2:00 PM

REQUEST

The applicant is requesting to rezone the property from A-R to R-80.

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 Rural Residential-3, which has a 3-acre minimum parcel size. The request to rezone to R-80 is consistent with the Future Land Use Map and the Comprehensive Plan.

The existing house on the parcel DOES NOT meet the dimensional requirements for R-80 for building setbacks nor for minimum floor area. The minimum side yard setback in the R-80 zoning district is 30 feet; the house is 21.88 feet from the side property line on the north side. The minimum floor area requirement in the R-80 zoning district is 2500 square feet; the house is 1724 square feet in area.

However, the existing house is a legal, nonconforming structure. Sec. 110-170. – Nonconformances. (q)(3) states that "A property that is improved with a legally existing residential structure, which would become

nonconforming in terms of the minimum square footage requirements within the zoning district for which a rezoning is being sought, may be considered for rezoning. Any actions necessary to achieve compliance will be handled through conditions of rezoning approval."

Staff recommends **CONDITIONAL APPROVAL** of the request to rezone from A-R to R-80, subject to the following conditions:

1. The applicant shall obtain a variance to the minimum floor area requirement in R-80, or make appropriate modifications to the house, within 180 calendar days or before applying for any final plats or permits, whichever comes first.
2. The applicant shall obtain a variance to the side yard setback requirement in R-80, or make appropriate modifications to the house, within 180 calendar days or before applying for any final plats or permits, whichever comes first.

INVESTIGATION

A. GENERAL PROPERTY INFORMATION

The subject property is currently zoned A-R, Agricultural-Residential. The property is currently developed with a single-family residence.

B. ADJACENT ZONING AND FUTURE LAND USE

The parcels surrounding the subject property are zoned R-70, having been part of the aforementioned blanket rezoning in 1973. Many other parcels in the general area are zoned A-R. 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	25+	R-40	Single Family Residential	Rural Residential-3 (1 unit /3 acres)
East	100+	R-80	Single Family Residential	Rural Residential-3 (1 unit /3 acres)
South	100+	R-80	Single Family Residential	Rural Residential-3 (1 unit /3 acres)
West	3 3	A-R R-72	Single Family Residential	Rural Residential-3 (1 unit /3 acres)

C. DEPARTMENTAL COMMENTS

- ☐ **Water System** – No objections.
- ☐ **Public Works**/**Environmental Management** – No objections.
  - **Road Frontage Right of Way Dedication –** Antioch Road is a deeded 80 foot right of way in Fayette County. No dedication of right of way is needed.
  - **Traffic Data –** Antioch Road has an Annual Average Daily Volume of approximately 2,330 Vehicles Per Day as estimated by GDOT at a location 0.5 miles north of this site.
  - **Sight Distance and access –** Antioch Road is a collector road with a 45mp speed limit. Sight Distance of 500 feet would be required for any additional driveway access requested.
  - **Floodplain Management** -- The property **DOES NOT** contain floodplain per FEMA FIRM panel 13113C0114E dated September 26, 2008.
  - **Wetlands** -- The property **DOES NOT** contain wetlands per the U.S. Department of the Interior, Fish and Wildlife Service 1994 National Wetland Inventory Map.
  - **Watershed Protection** -- There **ARE NOT** state waters located on the subject property, and it **WILL BE** subject to the Fayette County Article VII Watershed Protection Ordinance.
  - **Groundwater** -- The property **IS NOT** within a groundwater recharge area.
  - **Post Construction Stormwater Management** -- This development **WILL BE** subject to the Post-Development Stormwater Management Ordinance if re-zoned

and developed with more than 5,000 square feet of impervious surface for a Major Final Plat.

- ☐ **Fire** – No comments.
- ☐ **Environmental Health** - This office has no objection to the proposed rezoning.
- ☐ **GDOT** – Not applicable, not on State Route.

STANDARDS

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

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

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

STAFF ANALYSIS

1. The subject property lies within an area designated for Rural Residential-3 Uses. This request does conform to the Fayette County Comprehensive Plan.
2. The area around the subject property is an area that already has various residential and agricultural uses. Staff does not anticipate that this rezoning will have an adverse impact on the adjacent parcels.
3. It is staff's opinion that the zoning proposal will not have an excessive or burdensome impact on streets, utilities, or schools.
4. The proposal is consistent in character and use with the surrounding uses as rural residential.

ZONING DISTRICT STANDARDS

Sec. 110-129. - R-80, Single-Family Residential District.

(a) *Description of district.* This district is composed of certain lands and structures having a very low density single-family residential character and designed to protect against the depreciating effects of small lot development and those uses incompatible with such a residential environment.

(b) *Permitted uses.* The following permitted uses shall be allowed in the R-80 zoning district:

(1) Single-family dwelling;

(2) Residential accessory structures and uses (see article III of this chapter); and

(3) Growing crops, gardens.

(c) *Conditional uses.* The following conditional uses shall be allowed in the R-80 zoning district provided that all conditions specified in article V of this chapter are met:

(1) Church and/or other place of worship;

(2) Developed residential recreational/amenity areas;

(3) Home occupation;

(4) Horse quarters; and

(5) Private school, including, but not limited to: classrooms, administration, playground, housing, athletic fields, gymnasium, and stadium.

(d) *Dimensional requirements.* The minimum dimensional requirements in the R-80 zoning district shall be as follows:

(1) Lot area per dwelling: 130,680 square feet (three acres).

(2) Lot width: 175 feet.

(3) Floor area: 2,500 square feet.

(4) Front yard setback:

a. Major thoroughfare:

1. Arterial: 75 feet.

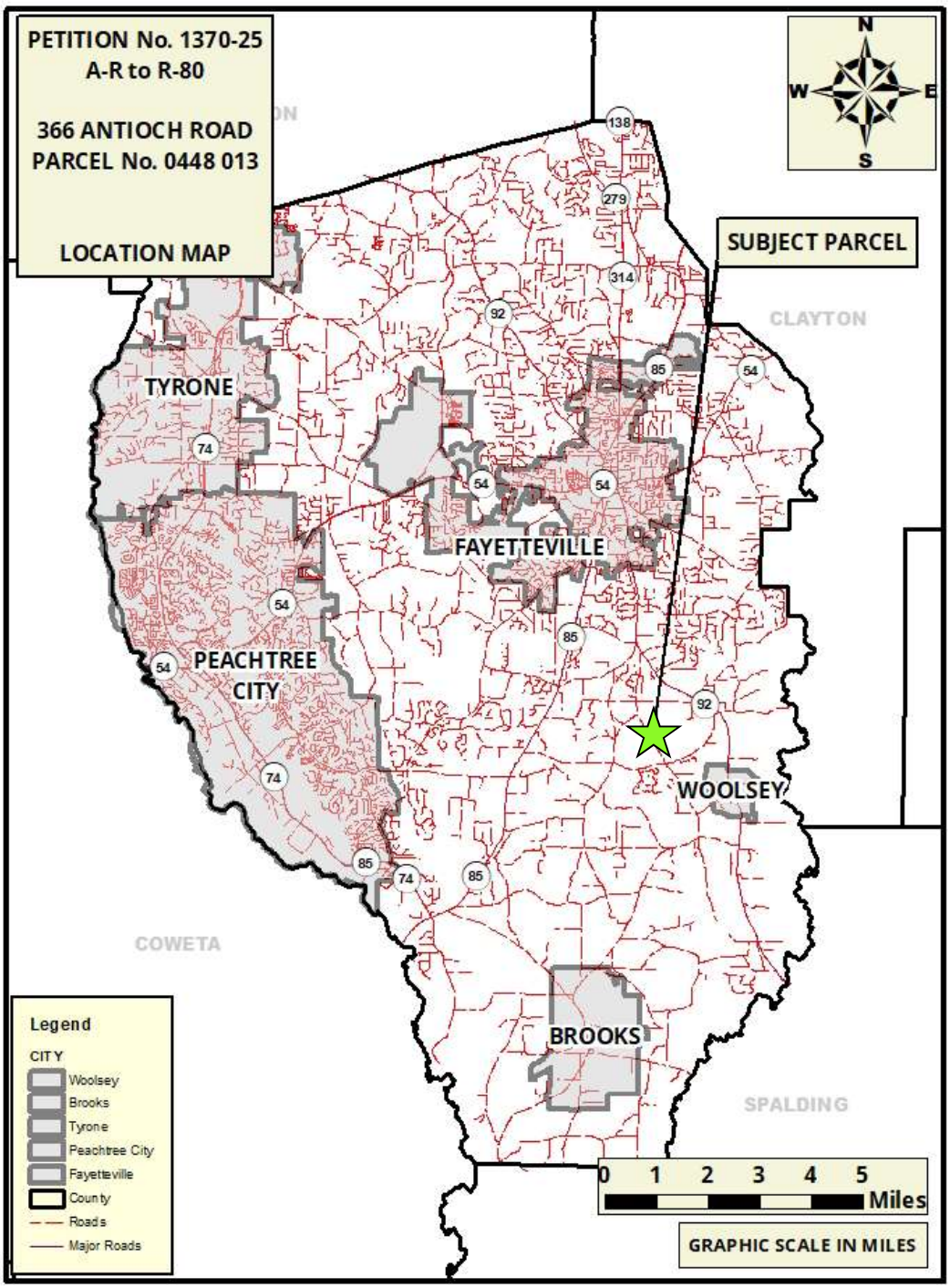
2. Collector: 75 feet.

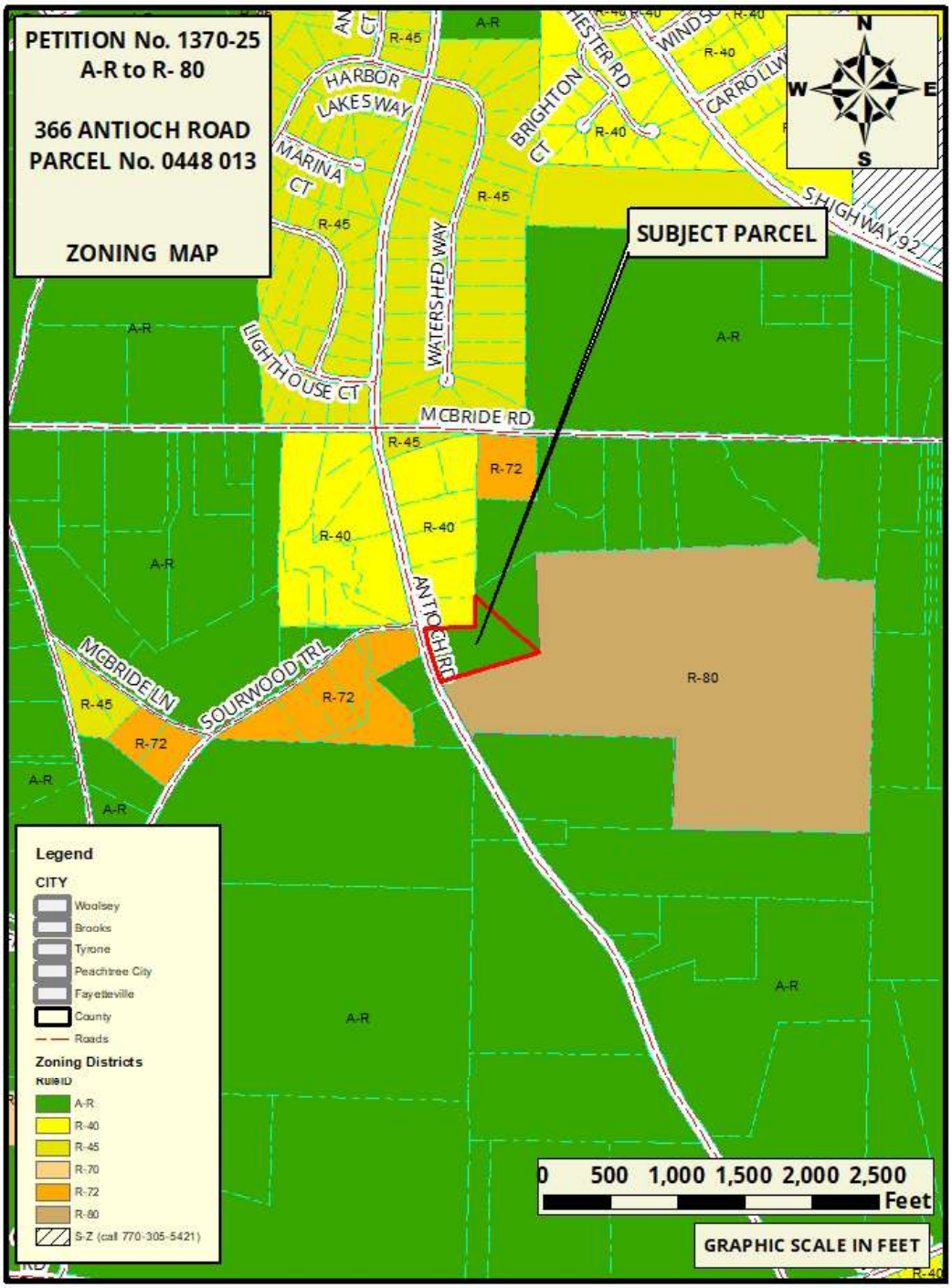
b. Minor thoroughfare: 50 feet.

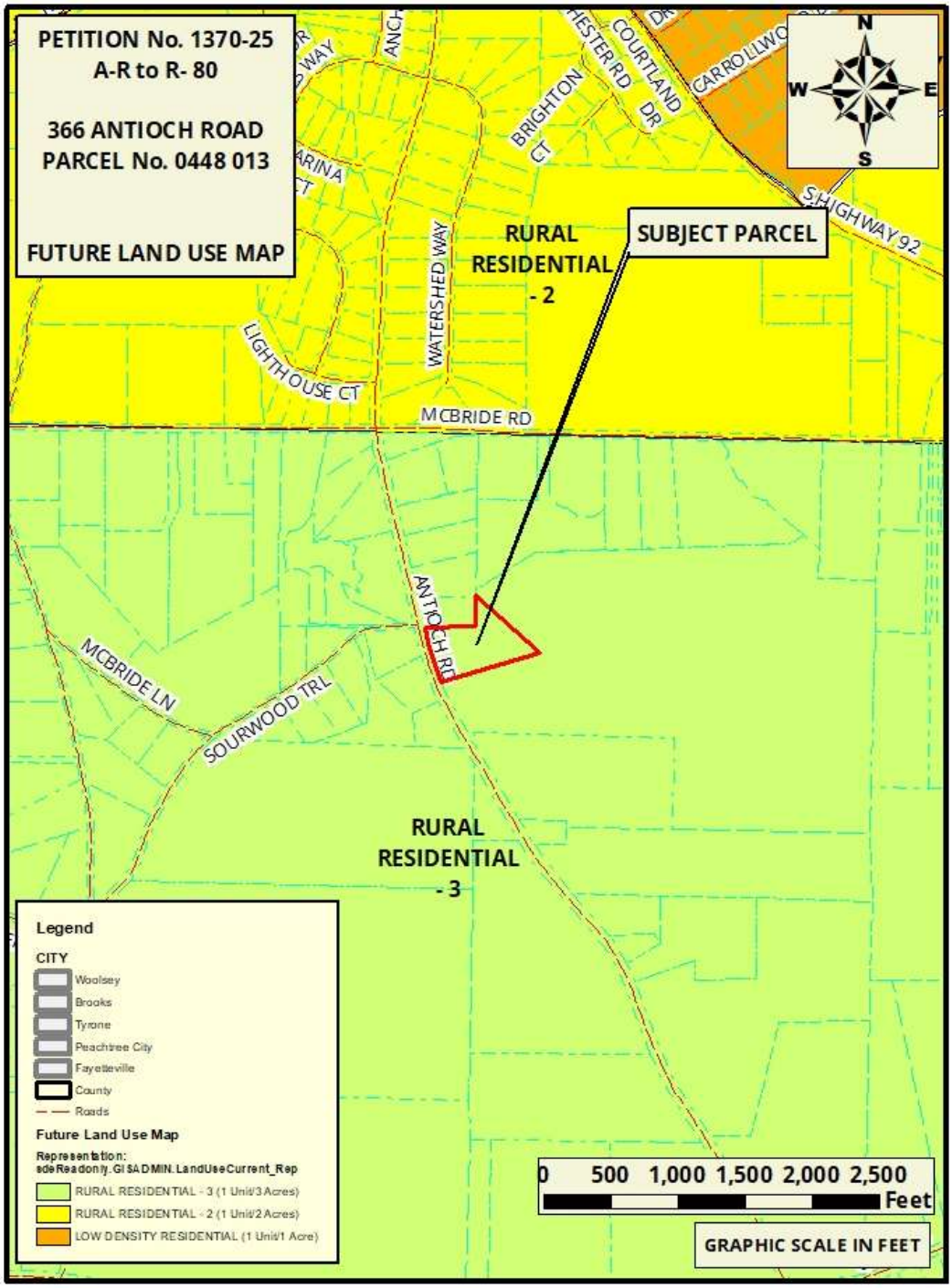
(5) Rear yard setback: 50 feet.

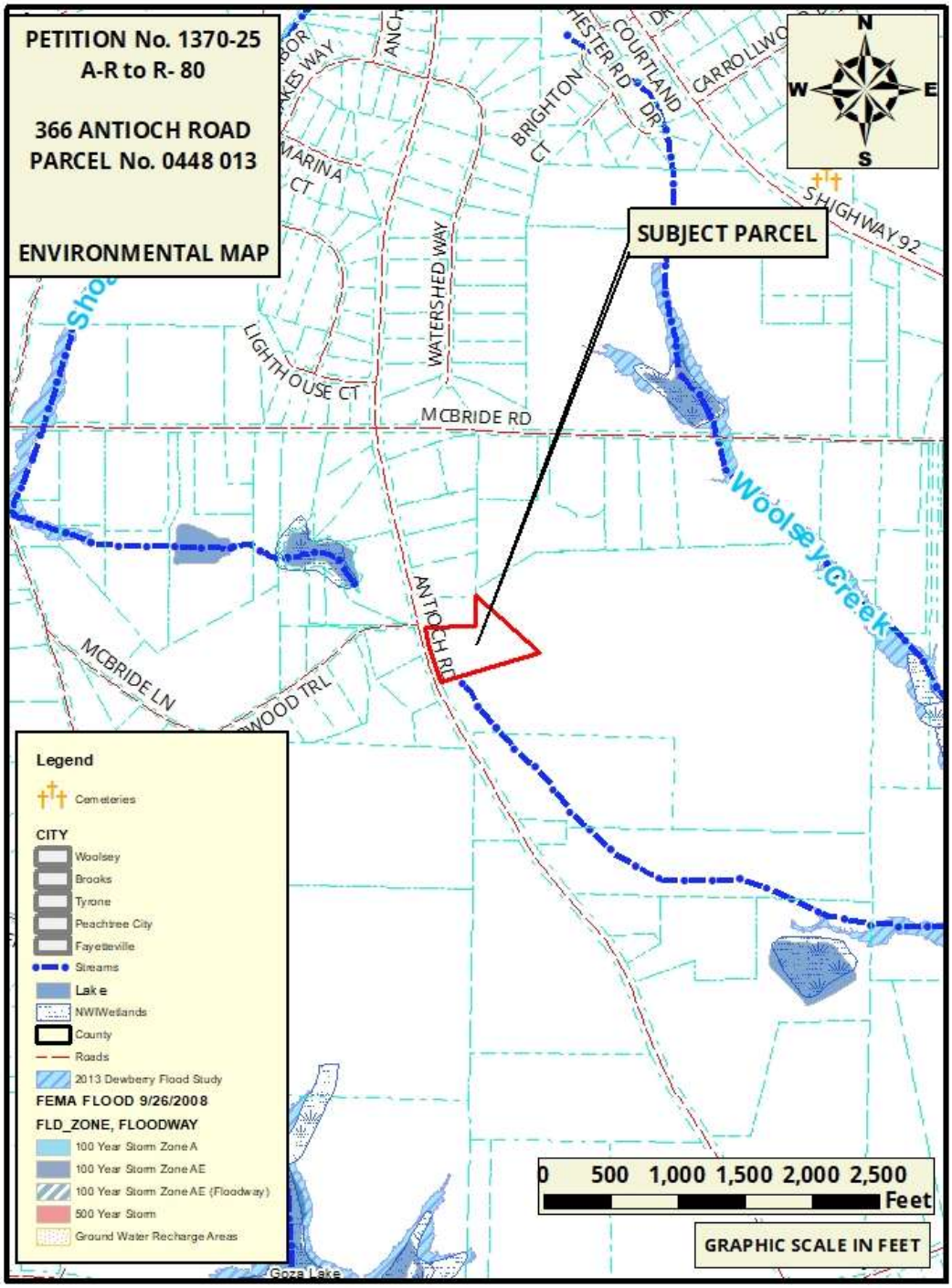
(6) Side yard setback: 30 feet.

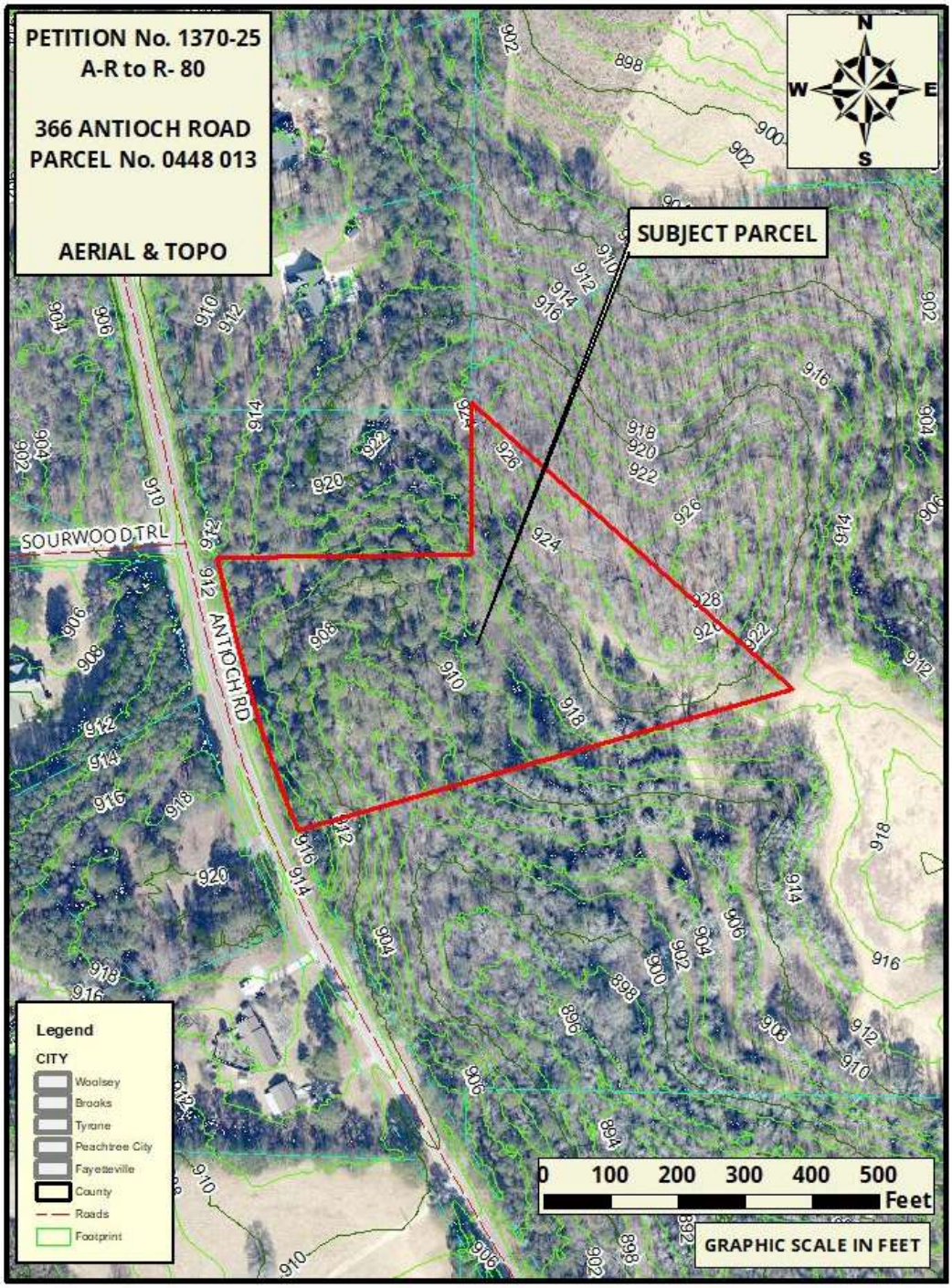
(7) Height limit: 35 feet.

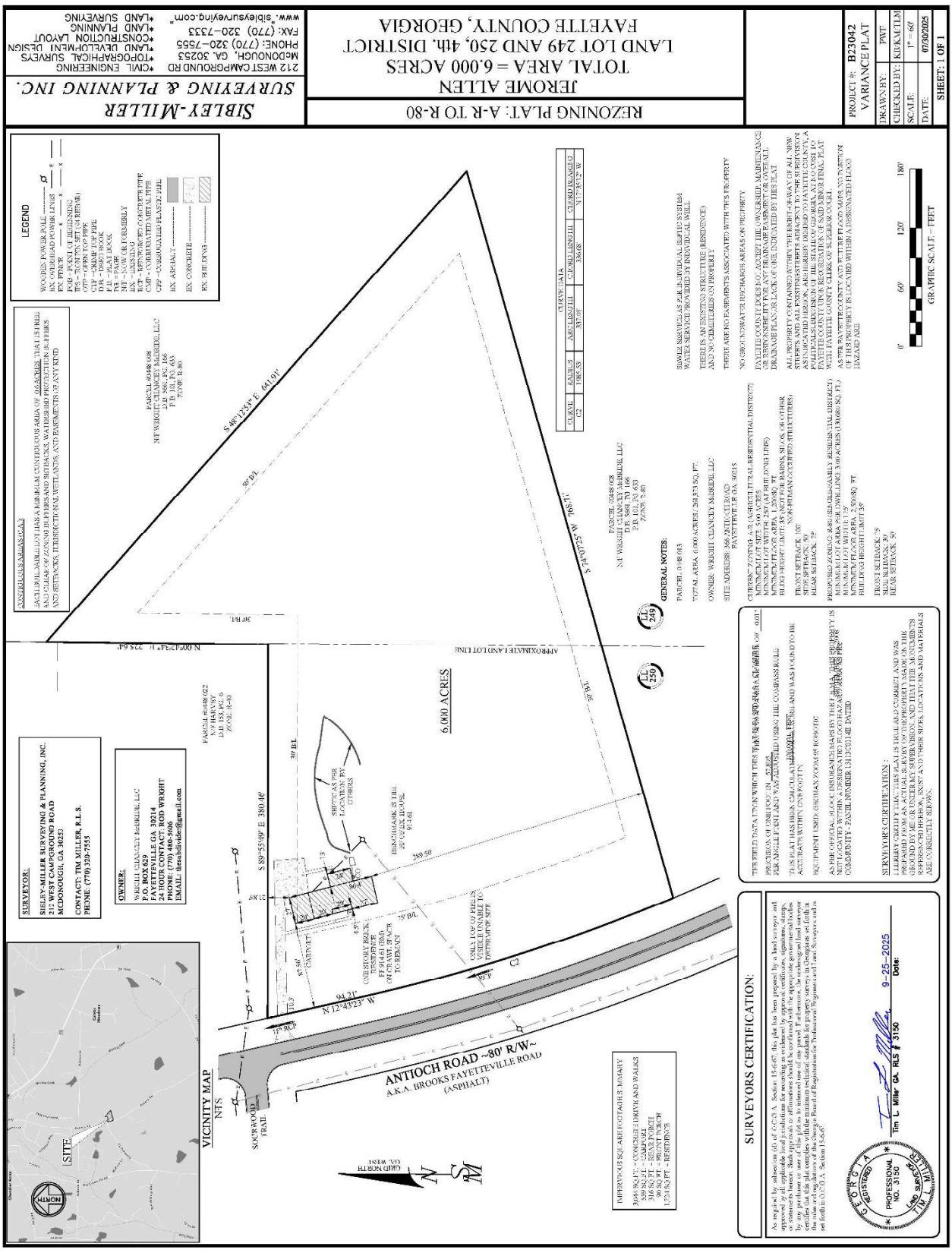

PETITION No. 1370-25
A-R to R-80
366 ANTIOCH ROAD
PARCEL No. 0448 013
LOCATION MAP
N
W
E
S
SUBJECT PARCEL
CLAYTON
TYRONE
FAYETTEVILLE
PEACHTREE CITY
WOOLSEY
BROOKS
COWETA
SPALDING
138
279
314
92
85
54
74
Legend
CITY
Woolsey
Brooks
Tyrone
Peachtree City
Fayetteville
County
Roads
Major Roads
0 1 2 3 4 5
Miles
GRAPHIC SCALE IN MILES


PETITION No. 1370-25
A-R to R- 80
366 ANTIOCH ROAD
PARCEL No. 0448 013
ZONING MAP
SUBJECT PARCEL
HARBOR LAKES WAY
MARINA CT
BRIGHTON CT
WATERSHED WAY
LIGHTHOUSE CT
MCBRIDE RD
MCBRIDE LN
SOURWOOD TRL
ANTIOCH RD
HIGHWAY 92
R-45
R-40
R-72
R-80
A-R
N
S
E
W
Legend
CITY
Woolsey
Brooks
Tyrone
Peachtree City
Fayetteville
County
Roads
Zoning Districts
A-R
R-40
R-45
R-70
R-72
R-80
S-Z (call 770-305-5421)
0 500 1,000 1,500 2,000 2,500
Feet
GRAPHIC SCALE IN FEET

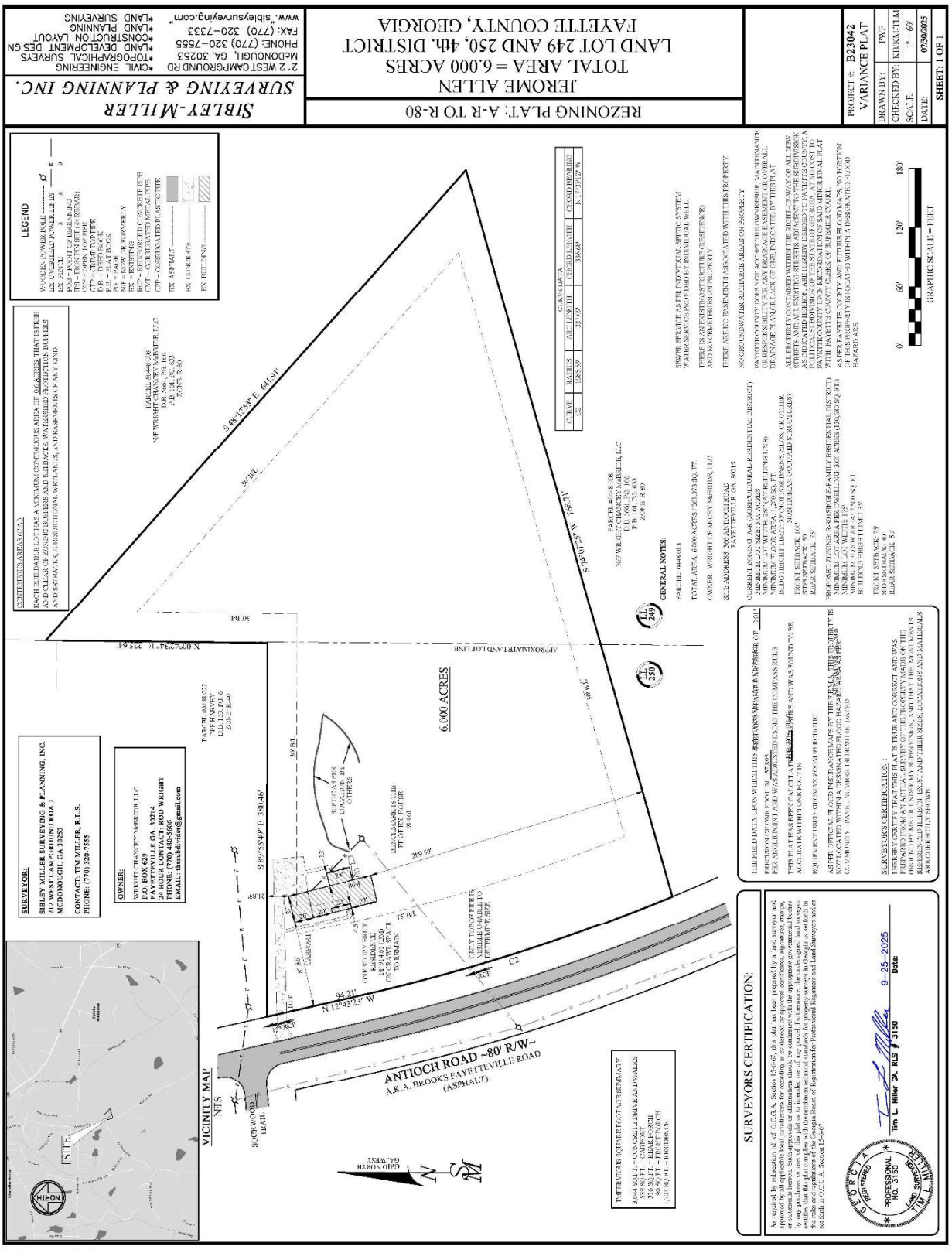

PETITION No. 1370-25
A-R to R- 80
366 ANTIOCH ROAD
PARCEL No. 0448 013
FUTURE LAND USE MAP
SUBJECT PARCEL
RURAL RESIDENTIAL - 2
RURAL RESIDENTIAL - 3
MCBRIDE RD
ANTIOCH RD
MCBRIDE LN
SOURWOOD TRL
WATERSHED WAY
LIGHTHOUSE CT
BRIGHTON CT
COURTLAND DR
S HIGHWAY 92
N
S
E
W
Legend
CITY
Woolsey
Brooks
Tyrone
Peachtree City
Fayetteville
County
Roads
Future Land Use Map
Representation:
sdeReadonly.GISADMIN.LandUseCurrent_Rep
RURAL RESIDENTIAL - 3 (1 Unit/3 Acres)
RURAL RESIDENTIAL - 2 (1 Unit/2 Acres)
LOW DENSITY RESIDENTIAL (1 Unit/1 Acre)
0 500 1,000 1,500 2,000 2,500
Feet
GRAPHIC SCALE IN FEET


PETITION No. 1370-25
A-R to R- 80
366 ANTIOCH ROAD
PARCEL No. 0448 013
ENVIRONMENTAL MAP
SUBJECT PARCEL
N
W
E
S
HIGHWAY 92
BRIGHTON CT
COURTLAND DR
MARINA CT
WATERSHED WAY
LIGHTHOUSE CT
MCBRIDE RD
ANTIOCH RD
MCBRIDE LN
Woolsey Creek
Legend
Cemeteries
CITY
Woolsey
Brooks
Tyrone
Peachtree City
Fayetteville
Streams
Lake
NWIWetlands
County
Roads
2013 Dewberry Flood Study
FEMA FLOOD 9/26/2008
FLD_ZONE, FLOODWAY
100 Year Storm Zone A
100 Year Storm Zone AE
100 Year Storm Zone AE (Floodway)
500 Year Storm
Ground Water Recharge Areas
0 500 1,000 1,500 2,000 2,500
Feet
GRAPHIC SCALE IN FEET
Goza Lake


PETITION No. 1370-25
A-R to R- 80
366 ANTIOCH ROAD
PARCEL No. 0448 013
AERIAL & TOPO
SUBJECT PARCEL
SOURWOOD TRL
ANTIOCH RD
N
W
E
S
Legend
CITY
Woolsey
Brooks
Tyrone
Peachtree City
Fayetteville
County
Roads
Footprint
0 100 200 300 400 500
Feet
GRAPHIC SCALE IN FEET



SURVEY – SETBACKS IN CURRENT A-R ZONING



SETBACKS IF REZONED TO R-80

PETITION No (s).: 1370-25

SAGES REFERENCE No.:

STAFF USE ONLY

APPLICANT INFORMATION

Name Jerome Allen

Address [redacted]

City [redacted]

State GA Zip 30215

Email [redacted]

Phone [redacted]

PROPERTY OWNER INFORMATION

Name

Address

City

State Zip

Email

Phone

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 (Rolled over from variance)

Staff: Deborah L Bell Date: 09/22/2025

DATE OF PLANNING COMMISSION HEARING: Nov. 6, 2025 7:00 PM

DATE OF COUNTY COMMISSIONERS HEARING: Dec. 11, 2025 2:00 PM

350 - 175

Received from Jerome Allen a ~~check~~ cc in the amount of $ 175 for application filing fee, and $ See Variance for deposit on frame for public hearing sign(s).

Date Paid: 9/22/2025 Receipt Number: M1SP2-09-2025-090385

PETITION No.: 1370-25 **Fees Due:** 350 - 175 = 175 **Sign Deposit Due:** see variance

STAFF USE ONLY

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

Parcel # (Tax ID): 0448 013 Acreage: 6.0

Land District(s): 4th Land Lot(s): 249 + 250

Road Name/Frontage L.F.: 337.09 Road Classification: Collector

Existing Use: Single family Proposed Use: Single family

Structure(s): ✓ Type: house Size in SF: 1,730

Existing Zoning: A-R Proposed Zoning: R-BD

Existing Land Use: Single family Proposed Land Use: Single family

Water Availability: well Distance to Water Line: _____ Distance to Hydrant: 1,256

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:
Jerome Allen
(Please Print)

Property Tax Identification Number(s) of Subject Property: 0448 013

(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) 249 + 250 of the 4th District, and (if applicable to more than one land district) Land Lot(s) NA 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 _____ 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) Jerome Allen — Deborah M Sims

Signature of Property Owner 1 — Signature of Notary Public

[redacted] — 1/5/2024

Address — Date

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

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.: 1370-25

OWNER'S AFFIDAVIT

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

NAME: Jerome Allen

ADDRESS: [redacted]

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

Jerome Allen 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 $350.175 variance apps to cover all expenses of public hearing. He/She petitions the above named to change its classification to R-80.

This property includes: (check one of the following)

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

[ ] Legal description for subject property is as follows: see file

PUBLIC HEARING to be held by the Planning Commission of Fayette County on the day of November 6, 20 25 at 7:00 P.M.

PUBLIC HEARING to be held by the Board of Commissioners of Fayette County on the day of December 11, 20 25 at ~~5:00~~ 2:00 PM P.M.

SWORN TO AND SUBSCRIBED BEFORE ME THIS 22nd DAY OF September, 20 25

SIGNATURE OF PROPERTY OWNER

Jerome Allen

SIGNATURE OF PROPERTY OWNER

Debora M Sims

NOTARY PUBLIC

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

DISCLOSURE STATEMENT

(Please check one)
Campaign contributions: ✓ **No** ___ **Yes (see attached disclosure report)**

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

O.C.G.A. § 36-67A-3 (2011)

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

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

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

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

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

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

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

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

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

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

Signature: Jerome Allen

Date: 9/22/25

DEVELOPMENTS OF REGIONAL IMPACT (DRI)

Rezoning Applicant:

A. Please review the attached "Developments of Regional Impact Tiers and Development Thresholds" established by the Georgia Department of Community Affairs (DCA) to determine if the proposed project meets or exceeds these thresholds. If the proposed project does not meet the established thresholds (is less than those listed) then skip to section C. below and complete.

B. If the project does meet or exceed the established thresholds for the type of development proposed, the Georgia Department of Community Affairs (DCA) "Developments of Regional Impact: Request for Review Form" is available online at the following website address: www.dca.state.ga.us/DRI/.

C. I have reviewed and understand the attached "Thresholds: Developments of Regional Impact".

[✓] The proposed project related to this rezoning request DOES NOT meet or exceed the established DRI thresholds .

[ ] The proposed project related to this rezoning request DOES meet or exceed the established DRI thresholds and documentation regarding the required DRI Request for Review Form is attached.

Signed this 22nd day of September, 20 25.

APPLICANT'S SIGNATURE

AGREEMENT TO DEDICATE PROPERTY FOR FUTURE RIGHT-OF-WAY

I/We, Jerome Allen, 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 366 Antioch Rd 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 22 day of September, 20 25.

Jerome Allen

SIGNATURE OF PROPERTY OWNER

SIGNATURE OF PROPERTY OWNER

Debra M Sims

NOTARY PUBLIC

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

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

☐ A letter from the ownership of the homeowners' association (HOA) in a residential subdivision, or a property owner's association (POA) or developer/property management entity in a nonresidential subdivision, granting this application

☐ 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).

Type: WD
Recorded: 8/19/2024 11:24:00 AM
Fee Amt: $25.00 Page 1 of 1
Transfer Tax: $0.00
Fayette, Ga. Clerk Superior Court
Sheila Studdard Clerk of Court

Participant ID(s): 1138094925,
7067927936

BK 5752 PG 194

Please return to:
Lawson, Beck & Sandlin, LLC
1125 Commerce Drive, Suite 300
Peachtree City, GA 30269
File # 24-LAW-0881
Att: Lexi Clarke
Parcel Number: 0448036

STATE OF GEORGIA
COUNTY OF FAYETTE

LIMITED WARRANTY DEED

THIS INDENTURE made this 19th day of July, 2024 between

Wright Chancey McBride, LLC

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

Barbara Jean Allen, Trustee of the Jean Allen Living Trust dated 9/21/2022

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

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

All that tract or parcel of land lying and being in Land Lots 249 and 250 of the 4th District of Fayette County, Georgia, containing approximately 3.135 acres, being Tract 2 as shown on Land Swap Survey for Allen prepared by Sibley-Miller Surveying & Planning Inc. GRLS#3150, dated ~~4/30~~ 5/2/2024 and recorded in Plat Book 101, Page 691, Fayette County, Georgia Records, said plat being incorporated herein and made a part hereof by reference.

Subject to restrictive covenants and easements of record.

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

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

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

Signed, Sealed and delivered in the presence of:

Unofficial Witness

Notary Public

GARY GLEN LAWSON NOTARY PUBLIC STATE OF GEORGIA MY COMM. EXP. 2/12/2025 FAYETTE COUNTY, GEORGIA

Wright Chancey McBride, LLC, a Georgia limited liability company

By: RODWRIGHTCORP, a Member

BY: _____
Roderick Allen Wright, President/CEO

Type: QCD
Recorded: 12/1/2023 5:46:00 PM
Fee Amt: $25.00 Page 1 of 9
Transfer Tax: $0.00
Fayette, Ga. Clerk Superior Court
Sheila Studdard Clerk of Court

Participant ID: 7163106115

BK 5675 PG 49 - 57

Record and Return to:
Daniel J. Campen, Esq.
Campen Estate Planning, LLC
PO Box 74
Senoia, GA 30276

QUIT CLAIM DEED

STATE OF GEORGIA
COUNTY OF FAYETTE

THIS INDENTURE, made the 28th day of November, 2023 between **JEAN R. ALLEN** by Jerome Allen as Agent under Power of Attorney dated September 21, 2022 (attached hereto as Exhibit "B") as party or parties of the first part, hereinafter called Grantor, and **BARBARA JEAN ALLEN,** as Trustee, or her successors in Trust, under the **Jean Allen Living Trust**, dated September 21, 2022, and any amendments thereto, 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 dollar ($10.00) and other valuable considerations in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, by these presents does hereby remise, convey and forever QUITCLAIM unto the said grantee,

All that tract or parcel of land situate, lying and being in Land Lot 250 and 251 of the 4th Land District of Fayette County, Georgia and being more particularly described on Exhibit "A" attached hereto and incorporated herein by reference.

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

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

Signed, sealed and delivered in
the presence of:

Emily M. Sanders
Unofficial Witness

Notary Public

DANIEL J CAMPEN NOTARY PUBLIC COWETA COUNTY, GEORGIA MY COMMISSION EXPIRES JULY 25, 2027

Jean R. Allen, by Jerome Allen as Agent under Power of Attorney dated September 21, 2022

Exhibit "A"

366 ANTIOCH ROAD

All that Tract or parcel of land lying and being in Land Lot No. 250 of the 4th Land District of Fayette County, Georgia, and more particularly described as follows:

BEGINNING at a point on the East Line of Land Lot No. 250 aforesaid, which point is located a distance of 1147 ½ feet northerly, as measured along the East line of Land Lot No. 250, from the Southeast corner thereof; running thence due West a distance of 376 feet to the easterly side of the right-of-way for the Fayetteville-Brooks Road; thence northwesterly, as measured along said right-of-way, a distance of 150 feet; thence North, 89 ½ degrees East, a distance of 418 feet to the East line of said Land Lot No. 250; thence southerly, as measured along said land lot line, a distance of 150 feet, back to the POINT OF BEGINNING, said tract containing 1.37 acres, more or less, and being described as per plat of J. O. Lee dated August 30, 1963, and recorded in Plat Book No. 2 at Page 88, Fayette County, records.

TOGETHER WITH

All that tract or parcel of land lying and being in Land Lot 250 of the 4th District of Fayette County, Georgia and by plat of C.E. Lee entitled "Survey for Jim Allen," dated April 13, 1972 and recorded in Plat Book 6 at Page 188, records of Fayette County, Georgia, being more particularly described as follows:

BEGINNING at a point located 1,084 feet northerly, as measured along the East line of Land Lot 250 aforesaid, from the Southeast corner of said Land Lot 250 (which point is on the northeasterly side of the right-of-way 80 feet in width for an improved public road known as Brooks-Fayetteville Road); running thence North, 0 degrees and 10 minutes East, continuing along the East line of Land Lot 250 aforesaid, 731.6 feet to a corner; thence South, 89 degrees and 59 minutes West, 343 feet to a point on the north-easterly side of the right-of-way for the improved public road aforesaid (which road is known as the Brooks-Fayetteville Road); thence southeasterly, as measured along the northeasterly side of the right-of-way for said public road, 812.2 feet back to the POINT OF BEGINNING; said tract containing 3.2 acres and being triangularly shaped.

Tax Parcel ID # 0448 013

251 OLD GREENVILLE ROAD

All that tract or parcel of land lying and being in Land Lot 251 of the 4th District of Fayette County, Georgia, and being 5.08 acres, more or less, as per play of survey dated July 23, 1997, prepared by Delta surveyors, Inc., R.L.S., and being more particularly described as follows:

BEGINNING at a point located on the centerline of Old Greenville Road, said point being a distance of 965.03 feet southeasterly as measured along said centerline form the intersection of said centerline with the centerline of McBride road; From said point of beginning, running thence south 28 degrees 19 minutes 20 seconds east, and continuing along said centerline, a distance of 51.48 feet to a point; running thence south 21 degrees, 30 minutes 52 seconds east, and continuing along said right-of-way, a distance of 221.55 feet to a point; running thence north 89 degrees 13 minutes 59 second west, and departing from said centerline, a distance of 937.28 feet to a point; running thence north 01 degrees 05 minutes 28 seconds east a distance of 250.00 feet to a point; running thence south 89 degrees 13 minutes 59 seconds east a distance of 826.84 feet to a point and the point of beginning, with all rights, members and appurtenances to the said described premises in anywise appertaining or belonging.

Tax Parcel ID # 0049 078

Exhibit B

State of Georgia
County of Fayette

Statutory Form Power of Attorney of Barbara Jean Allen

IMPORTANT INFORMATION

This power of attorney authorizes another person (your agent) to make decisions concerning your property for you (the principal). Your agent will be able to make decisions and act with respect to your property (including your money) whether or not you are able to act for yourself. The meaning of authority over subjects listed on this form is explained in O.C.G.A. Chapter 6B of Title 10.

This power of attorney does not authorize the agent to make health care decisions for you.

You should select someone you trust to serve as your agent. Unless you specify otherwise in the Special Instructions, generally the agent's authority will continue until you die or revoke the power of attorney or the agent resigns or is unable to act for you.

Your agent is not entitled to any compensation unless you state otherwise in the Special Instructions. Your agent shall be entitled to reimbursement of reasonable expenses incurred in performing the acts required by you in your power of attorney.

This form provides for designation of one agent. If you wish to name more than one agent, you may name a successor agent or name a coagent in the Special Instructions. Coagents will not be required to act together unless you include that requirement in the Special Instructions.

If your agent is unable or unwilling to act for you, your power of attorney will end unless you have named a successor agent. You may also name a second successor agent.

This power of attorney shall be durable unless you state otherwise in the Special Instructions.

This power of attorney becomes effective immediately unless you state otherwise in the Special Instructions.

If you have questions about the power of attorney or the authority you are granting to your agent, you should seek legal advice before signing this form.

DESIGNATION OF AGENT

I Barbara Jean Allen (Name of principal) name the following person as my agent:

Name of agent: Jerome Allen

Agent's address: 317 Old Greenville Rd, Fayetteville, GA 30215

Agent's telephone number: (678) 416-2809

DESIGNATION OF SUCCESSOR AGENT (OPTIONAL)

If my agent is unable or unwilling to act for me, I name as my successor agent:

Name of successor agent: Jeffery D. Allen

Successor agent's address: 287 Old Greenville Rd, Fayetteville, GA 30215

Successor agent's telephone number: (404) 967-5854

GRANT OF GENERAL AUTHORITY

I grant my agent and any successor agent general authority to act for me with respect to the following subjects as defined in O.C.G.A. Chapter 6B of Title 10:

(INITIAL each subject you want to include in the agent's general authority. If you wish to grant general authority over all of the subjects you may initial "all preceding subjects" instead of initialing each subject.)

(JA) Real property
(JA) Tangible personal property
(JA) Stocks and bonds
(JA) Commodities and options
(JA) Banks and other financial institutions
(JA) Operation of entity or business
(JA) Insurance and annuities
(JA) Estates, trusts, and other beneficial interests
(JA) Claims and litigation
(JA) Personal and family maintenance
(JA) Benefits from governmental programs or civil or military service
(JA) Retirement plans
(JA) Taxes
(____) All preceding subjects

GRANT OF SPECIFIC AUTHORITY (OPTIONAL)

My agent SHALL NOT do any of the following specific acts for me UNLESS I have INITIALED the specific authority listed below:

(CAUTION: Granting any of the following will give your agent the authority to take actions that could significantly reduce your property or change how your property is distributed at your death. INITIAL ONLY the specific authority you WANT to give your agent. You should give your agent specific instructions in the Special Instructions when you authorize your agent to make gifts.)

(JA) Create, fund, amend, revoke, or terminate an inter vivos trust

(JA) Make a gift, subject to the limitations of O.C.G.A. § 10-6B-56 and any Special Instructions in this power of attorney

(_____) Create or change rights of survivorship

(_____) Create or change a beneficiary designation

(JA) Authorize another person to exercise the authority granted under this power of attorney

(_____) Waive the principal's right to be a beneficiary of a joint and survivor annuity, including a survivor benefit under a retirement plan

(_____) Exercise authority over the content of electronic communications sent or received by the principal

(_____) Exercise fiduciary powers that the principal has authority to delegate and that are expressly and clearly identified (including the persons for which the principal acts as a fiduciary) in the Special Instructions

(_____) Renounce an interest in property, including a power of appointment

LIMITATION ON AGENT'S AUTHORITY

An agent that is not my ancestor, spouse, or descendant SHALL NOT use my property to benefit the agent or a person to whom the agent owes an obligation of support unless I have included that authority in the Special Instructions.

SPECIAL INSTRUCTIONS (OPTIONAL)

You may give special instructions on the following lines (you may add lines or place your special instructions in a separate document and attach it to the power of attorney):

_____

_____

_____

_____

EFFECTIVE DATE

This power of attorney is effective immediately unless I have stated otherwise in the Special Instructions.

NOMINATION OF CONSERVATOR (OPTIONAL)

If it becomes necessary for a court to appoint a conservator of my estate, I nominate the following person(s) for appointment:

Name of nominee for conservator of my estate: Jerome Allen

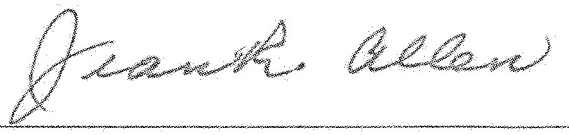
Nominee's address: 317 Old Greenville Rd, Fayetteville, GA 30215

Nominee's telephone number: (678) 416-2809

RELIANCE ON THIS POWER OF ATTORNEY

Any person, including my agent, may rely upon the validity of this power of attorney or a copy of it unless that person has actual knowledge it has terminated or is invalid.

SIGNATURE



Your signature

September 21, 2022
Date

Barbara Jean Allen
Your name printed

287 Old Greenville Rd

Fayetteville, GA 30215
Your address

(404) 403-7645
Your telephone number

This document was signed in my presence on September 21, 2022, by Barbara Jean Allen.

Emily M. Sanders
Witness's signature

Emily Sanders
Witness's name printed

PO Box 74

Senoia, Georgia 30276
Witness's address

(678) 340-3223
Witness's telephone number

State of Georgia

County of Fayette

This document was signed in my presence on September 21, 2022, by Barbara Jean Allen.

Signature of notary (Seal)

DANIEL J CAMPEN NOTARY PUBLIC COWETA COUNTY, GEORGIA MY COMMISSION EXPIRES JULY 28, 2024

My commission expires:

This document prepared by: Daniel Campen, Campen Estate Planning, PO Box 74, Senoia, GA 30276

IMPORTANT INFORMATION FOR AGENT

Agent's duties

When you accept the authority granted under this power of attorney, a special legal relationship is created between you and the principal. This relationship imposes upon you legal duties that continue until you resign or the power of attorney is terminated or revoked. You must:

(1) Do what you know the principal reasonably expects you to do with the principal's property or, if you do not know the principal's expectations, act in the principal's best interest;

(2) Act in good faith;

(3) Do nothing beyond the authority granted in this power of attorney; and

(4) Disclose your identity as an agent whenever you act for the principal by writing or printing the name of the principal and signing your own name as "agent" in the following manner:

(Principal's name) by (Your signature) as Agent.

Unless the Special Instructions in this power of attorney state otherwise, you must also:

(1) Act loyally for the principal's benefit;

(2) Avoid conflicts that would impair your ability to act in the principal's best interest;

(3) Act with care, competence, and diligence;

(4) Keep a record of all receipts, disbursements, and transactions made on behalf of the principal;

(5) Cooperate with any person that has authority to make health care decisions for the principal to do what you know the principal reasonably expects or, if you do not know the principal's expectations, to act in the principal's best interest; and

(6) Attempt to preserve the principal's estate plan if you know the plan and preserving the plan is consistent with the principal's best interest.

Termination of Agent's Authority

You must stop acting on behalf of the principal if you learn of any event that terminates this power of attorney or your authority under this power of attorney. Events that terminate a power of attorney or your authority to act under a power of attorney include:

(1) Death of the principal;

(2) The principal's revocation of your authority or the power of attorney;

(3) The occurrence of a termination event stated in the power of attorney;

(4) The purpose of the power of attorney is fully accomplished; or

(5) If you are married to the principal, a legal action is filed with a court to end your marriage, or for your legal separation, unless the Special Instructions in this power of attorney state that such an action will not terminate your authority.

Liability of agent

The meaning of the authority granted to you is defined in O.C.G.A. Chapter 6B of Title 10. If you violate O.C.G.A. Chapter 6B of Title 10 or act outside the authority granted, you may be liable for any damages caused by your violation.

If there is anything about this document or your duties that you do not understand, you should seek legal advice.

Continued from page B3

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, November 6, 2025, at 7:00 P.M., and before the Fayette County Board of Commissioners on Thursday, December 11, 2025, at 2:00 P.M., in the Fayette County Administrative Complex, 140 Stonewall Avenue West, Public Meeting Room, First Floor, Fayetteville, Georgia.

Petition No: 1370-25
Parcel No:0448 013
Owner:Jerome Allen
Zoning District: A-R
Area of Property:6.00 acres
Land Lot(s)/District:Land Lot 249 and 250 of the 4th District
Fronts on: Antioch Road
Proposed: Applicant proposes the following: To rezone 6.00 acres from A-R (Agricultural -Residential) Single-Family to R-80 (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

All that tract or parcel of land lying and being in land lots 249, and 250, of the 4th. District, Fayette County, Georgia. And being more particularly described as follows Commencing at the centerline intersection of the centerline of Sourwood Trail. (if extended) and the centerline of Antioch Rd. Thence S 71°42'57" E A Distance Of 45.26' to a open top pipe on the Easterly right of way of Antioch Rd (80' R/W0, which is the point of beginning Thence S 89°55'49" E leaving said right of way A Distance Of 380.46' to a open top pipe found od the land lot line dividing land lots 249, & 250

Thence N 00°42'34" E along said land lot line A Distance Of 225.64' to a rebar found Thence S 48°12'53" E leaving said land lot line A Distance Of 641.91' to a rebar found Thence S 74°07'25" W A Distance Of 768.71' to a rebar found on the Easterly right of way of Antioch Rd Thence With A Curve Turning To The Right along said right of way, With An Arc Length Of 337.09', With A Radius Of 1985.53', With A Chord Bearing Of N 17°35'12" W, With A Chord Length Of 336.68',Thence With A Curve to a point; Thence N 12°43'23" W along said right of way A Distance Of 94.21' to a open top pipe found Which Is The Point Of Beginning, Having an area of 6.000 acres

10/29

PETITION NO: 1371-25

REQUESTED ACTION: Rezone from R-40 to C-H, Highway Commercial District

PARCEL NUMBER: 1306 023

PROPOSED USE: Commercial Uses

EXISTING USE: Undeveloped

LOCATION: 2290 Hwy 138

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

ACREAGE: 15.733 acres

OWNER(S): CK 138 LLC

APPLICANT(S): CK 138 LLC

AGENT: Dakota Carruthers, Parker Poe Adams and Bernstein LLP

PLANNING COMMISSION PUBLIC HEARING: November 6, 2025, 7:00 PM

BOARD OF COMMISSIONERS PUBLIC HEARING: December 11, 2025, 2:00 PM

APPLICANT'S INTENT

Applicant proposes to rezone 15.733 acres from R-40 (Single-Family Residential) to C-H (Highway Commercial) for the purposes of future office development.

STAFF RECOMMENDATION

As defined in the Fayette County Comprehensive Plan, General Business Use is designated for this area. However, because the property is immediately adjacent to C-H zoned properties and uses, staff recommends **APPROVAL** of the request for a zoning of C-H, Highway Commercial.

INVESTIGATION

A. **GENERAL PROPERTY INFORMATION**: The property is a legal lot of record based on the ordinance criteria. An approved minor final plat was recorded in Plat Book 101 Page 168 on November 22, 2021.

B. **REZONING HISTORY:** A portion of the original parent parcel of this property was the subject of Rezoning Petition No. 1305-21. That part of the property was rezoned to C-H, Conditional on May 27, 2021. The balance of the property remained R-40 and is the subject of this petition.

This parcel is also subject to the requirements of Sec. 110-173. – (5) SR 138 and North SR 314 overlay zone. – The overlay zone provides additional setbacks, architectural and lighting standards, and access standards.

C. **CURRENT DEVELOPMENT HISTORY:** The property is currently undeveloped.

B. **SURROUNDING ZONING AND USES**: The subject property is bounded by the following adjacent zoning districts and uses:

Direction	Acreage	Zoning	Use	Comprehensive Plan
North (across SR)	100+	N/A	Clayton County	Clayton County
East	7.5 6.7	R-40 C-H	Single Family Residential Commercial	Office Commercial
South	33 20	R-40 G-B	Single Family Residential General Business, undeveloped	Low Density Residential (1 Unit /1 acre) and Office
West	4.5 85	R-40 G-B	Single Family Residential General Business, undeveloped	Low Density Residential (1 Unit /1 acre) and General Business

C. **COMPREHENSIVE PLAN**

Future Land Use Plan: The subject property lies within an area designated for General Business. The list of uses allowed in both G-B and C-H are included in this report.

This request **DOES CONFORM** to the Fayette County Comprehensive Plan by virtue of the fact that it is adjacent to other C-H zoning, and by the similarities in C-H and G-B districts.

D. **ZONING/REGULATORY REVIEW**

Access & Right-of Way: The property has existing access on SR 138; access will be under the jurisdiction of Georgia Department of Transportation (GDOT) and will be addressed when site development plans are submitted.

Site Plan: The applicant submitted a survey and a concept plan for the property.

E. DEPARTMENTAL COMMENTS

- ☐ **Water System** – Area not currently served by the Fayette County Water System. Water line terminates at property line to the east. Extension of water line shall be responsible for extension of
- ☐ **Public Works**
  - **Road Frontage Right of Way Dedication** – The parcel is limited to only GDOT access on SR 54 East.
  - **Traffic Data** -- The parcel fronts SR 54 which has an Annual Average Daily Volume of approximately 25,300 VPD as estimated by GDOT in February 2024 at a location 0.1 miles west of the site near the Ebenezer Road redlight. The use of the site as O-I should not have a significant increase in traffic volume on SR 54 or any local side streets.
  - **Sight Distance and access** -- GDOT will provide access/permits to SR 54 and sight distance requirements.
  - **GDOT Comments** – Planning and zoning has not received comments from Stanford Taylor at GDOT as of this report.
- ☐ **Environmental Management**
  - **Floodplain Management** -- The site **DOES NOT** contain floodplain per FEMA FIRM panel 13113CO083EE dated September 26, 2008. The parcel **DOES NOT** contain additional floodplain delineated in the Fayette County 2013 Dewberry Limited Flood study.
  - **Wetlands** -- The property **DOES NOT** contain wetlands per the U.S. Department of the Interior, Fish and Wildlife Service 1994 National Wetland Inventory Map.
  - **Watershed Protection** -- There **ARE NO** state waters located on the subject property per Fayette County GIS.
  - **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.
  - **Tree Protection and Landscaping**

    This parcel **WILL BE** subject to the tree protection and Landscaping ordinances.
- ☐ **Environmental Health Department** – This office has no objection to the rezoning.
- ☐ **Fire** – No objections to the requested rezoning.
  - **GDOT** – The developer shall obtain access to the property from State Route 138. A permit from GDOT is required.

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 General Business Uses. This request does not conform strictly to the Fayette County Comprehensive Plan but may be given consideration for a C-H zoning because of the immediate adjacency to other C-H zoned parcels.
2. The area around the subject property is an area that already has various commercial and office uses. There are some residential uses to the south and east, but staff does not anticipate that the C-H uses within this area will have an adverse impact on the adjacent parcels.
3. It is staff's opinion that the zoning proposal will not have an excessive or burdensome impact on streets, utilities, or schools.
4. The proposal is consistent in character and use with the surrounding uses as Office-Institutional.

ZONING DISTRICT STANDARDS

Sec. 110-144. C-H, Highway Commercial District.

(a) *Description of district.* This district is composed of certain lands and structures to provide and encourage proper grouping and development of roadside uses, which include a wide variety of sales and services that will best accommodate the needs of the county and the traveling public, reducing traffic congestion, hazards and blight along the public streets.

(b) *Permitted uses.* The following uses shall be permitted in the C-H zoning district:

(1) Ambulance service, including non-emergency medical transport service;
(2) Amusement or recreational facility, indoor or outdoor;
(3) Appliance sales, installation and/or repair;
(4) Armories, for meetings and training military organizations;
(5) Art studio;
(6) Auto/vehicle repair. All service, repairs and diagnostics, with the exception of emissions testing, shall be conducted within an enclosed building;
(7) Bakery;
(8) Bank and/or financial institution;
(9) Banquet hall/event facility;
(10) Bookbinding;
(11) Building/development, contracting, and related activities (including, but not limited to: door and window sales and/or installation, electrical, flooring sales and/or installation, entertainment system sales and/or installation, general contractor, grading, gutter sales and/or installation, insulation sales and/or installation, landscaping, lighting sales and/or installation, painting, pressure washing, plumbing, remodeling, roofing sales and/or installation, siding sales and/or installation, sales and storage of building supplies and materials, security system sales, installation and service, solar and wind equipment sales and/or installation, and incidental contractor equipment maintenance);
(12) Bus passenger station (pick-up and drop-off only);
(13) Cabinet manufacturing, sales, repair and/or installation;
(14) Car wash and/or detailing facility;
(15) Catering service;
(16) Church and/or other place of worship excluding outdoor recreation, parsonage, and cemetery or mausoleum;
(17) Clothing store and/or variety store;
(18) College and/or university, including classrooms and/or administration only;
(19) Copy shop;
(20) Cultural facility;
(21) Day spa;
(22) Department store;
(23) Drug store;
(24) Educational/instructional/tutoring facilities, including, but not limited to: academic; art; computer; dance; driving and/or DUI; music; professional/business/trade; martial arts; and similar facilities;
(25) Electronic sales and/or repair;

(26) Emission testing facility (inside only);
(27) Engraving;
(28) Firearm sales and/or gunsmith;
(29) Flea market, indoor;
(30) Florist shop;
(31) Freezer locker service, ice storage;
(32) Freight express office;
(33) Funeral establishment (where funeral services, excluding a crematorium, may be provided);
(34) Gift shop;
(35) Glass sales;
(36) Grocery store;
(37) Hardware store;
(38) Health club and/or fitness center;
(39) Hotel;
(40) Jewelry shop;
(41) Laboratory serving professional requirements, (e.g., medical, dental, etc.);
(42) Library;
(43) Magazine publication and/or distribution;
(44) Manufactured home and/or building sales;
(45) Medical/dental office (human treatment);
(46) Messenger/courier service;
(47) Military recruiting office;
(48) Movie theatre and/or drive-in;
(49) Museum;
(50) Music teaching studio;
(51) Newspaper publication and/or distribution;
(52) Office;
(53) Office equipment sales and/or service;
(54) Parking garage/lot;
(55) Pawn shops;
(56) Personal services, including, but not limited to: alterations; barber shop; beauty salon; clothing/costume rentals; counseling services; electrolysis and/or hair removal; fitness center; laundry drop-off/pick-up; locksmith; nail salon; photography studio; shoe repair; and tanning salon;
(57) Pest control;
(58) Plant nursery, growing crops/garden, and/or related sales;
(59) Printing, graphics, and/or reproductions;
(60) Private clubs and/or lodges;
(61) Private school, including classrooms and/or administration only;
(62) Recording studio (audio and video);
(63) Radio studio;
(64) Railroad station;
(65) Rent-alls;

(66) Restaurant, including drive-in and/or drive-through;
(67) Retail establishment;
(68) Smoking lounge (subject to state and local tobacco sales and smoking laws);
(69) Tattoo parlor;
(70) Taxidermist;
(71) Taxi service/limousine service/shuttle service (no on-site maintenance and/or repair);
(72) Television/movie studio;
(73) Upholstery shop; and
(74) Utility trailers sales and/or rental.

(c) *Conditional uses.* The following conditional uses shall be allowed in the C-H zoning district provided that all conditions specified in article V of this chapter are met:
(1) Adult day care facility;
(2) Amphitheater;
(3) Animal hospital, kennel (commercial or noncommercial), and/or veterinary clinic;
(4) Automobile service station, including gasoline sales and/or inside or outside emission testing, in conjunction with a convenience store;
(5) Campground facilities;
(6) Care home, convalescent center, and/or nursing home;
(7) Cemetery;
(8) Charter motor coach service;
(9) Church and/or other place of worship;
(10) College and/or university, including, but not limited to: classrooms, administration, housing, athletic fields, gymnasium, and/or stadium;
(11) Commercial driving range and related accessories;
(12) Child care facility;
(13) Dry cleaning plant;
(14) Experimental laboratory;
(15) Golf course (minimum 18-hole regulation) and related accessories;
(16) Home occupation;
(17) Horse show, rodeo, carnival, and/or community fair;
(18) Hospital;
(19) Laundromat, self-service or otherwise;
(20) Outdoor amusement facilities, rides, structures over 35 feet in height, including, but not limited to bungee and parachute jumping;
(21) Private school, including, but not limited to: classrooms, administration, playground, housing, athletic fields, gymnasium, and/or stadium;
(22) Religious tent meeting;
(23) Seasonal sales, outdoor;
(24) Self-storage facility (external and/or internal access);
(25) Single-family residence and residential accessory structures and/or uses (see article III of this chapter);
(26) Shooting range, indoor;
(27) Stadium, athletic; and
(28) Temporary tent sales.

(29) Vehicle/boat sales.

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

(1) Lot area:

a. Where a central water distribution system is provided: 43,560 square feet (one acre).

b. Where central sanitary sewage and central water distribution systems are provided: 21,780 square feet (one-half acre).

(2) Lot width: 125 feet.

(3) Front yard setback:

a. Major thoroughfare:

1. Arterial: 75 feet.

2. Collector: 70 feet.

b. Minor thoroughfare: 65 feet.

(4) Rear yard setback: 15 feet.

(5) Side yard setback: 15 feet.

(6) Buffer. If the rear or side yard abuts a residential or A-R zoning district, a minimum buffer of 50 feet adjacent to the lot line shall be provided in addition to the required setback and the setback shall be measured from the buffer.

(7) Height limit: 35 feet.

(8) Screening dimensions for parking and service areas as provided in article III of this chapter and chapter 104.

(9) Lot coverage limit, including structure and parking area: 60 percent of total lot area.

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

(a) *Purpose.* The purpose of the General Business District (G-B) is to provide for business development that contains uses which are free from such nuisances as noise, vibration, smoke, gas, fume, odor, dust, radiation or other injurious or noxious conditions related to those uses. The G-B zoning district limits the development of retail commercial uses and reduces the resulting traffic generation and noise associated with this type of development. The uses allowed in this zoning district could lend to a business park development pattern.

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

(1) Auction house (indoor only);

(2) Banquet hall and/or catering service;

(3) Business, professional, and/or government offices;

(4) Business support centers and/or call centers;

(5) College and/or university, classrooms and/or administration only;

(6) Computer data services and/or information technology;

(7) Educational/instructional/tutoring facilities, including, but not limited to: art; computer; dance; driving and/or DUI; martial arts; music; professional/business/trade; and similar facilities;

(8) Financial, credit, real estate, and/or insurance establishments (excluding retail banking facilities or pawn establishments);

(9) Health club, fitness center, and/or indoor athletic facility (excluding bowling alleys, pool rooms and skating rinks);

(10) Medical supply and equipment sales;

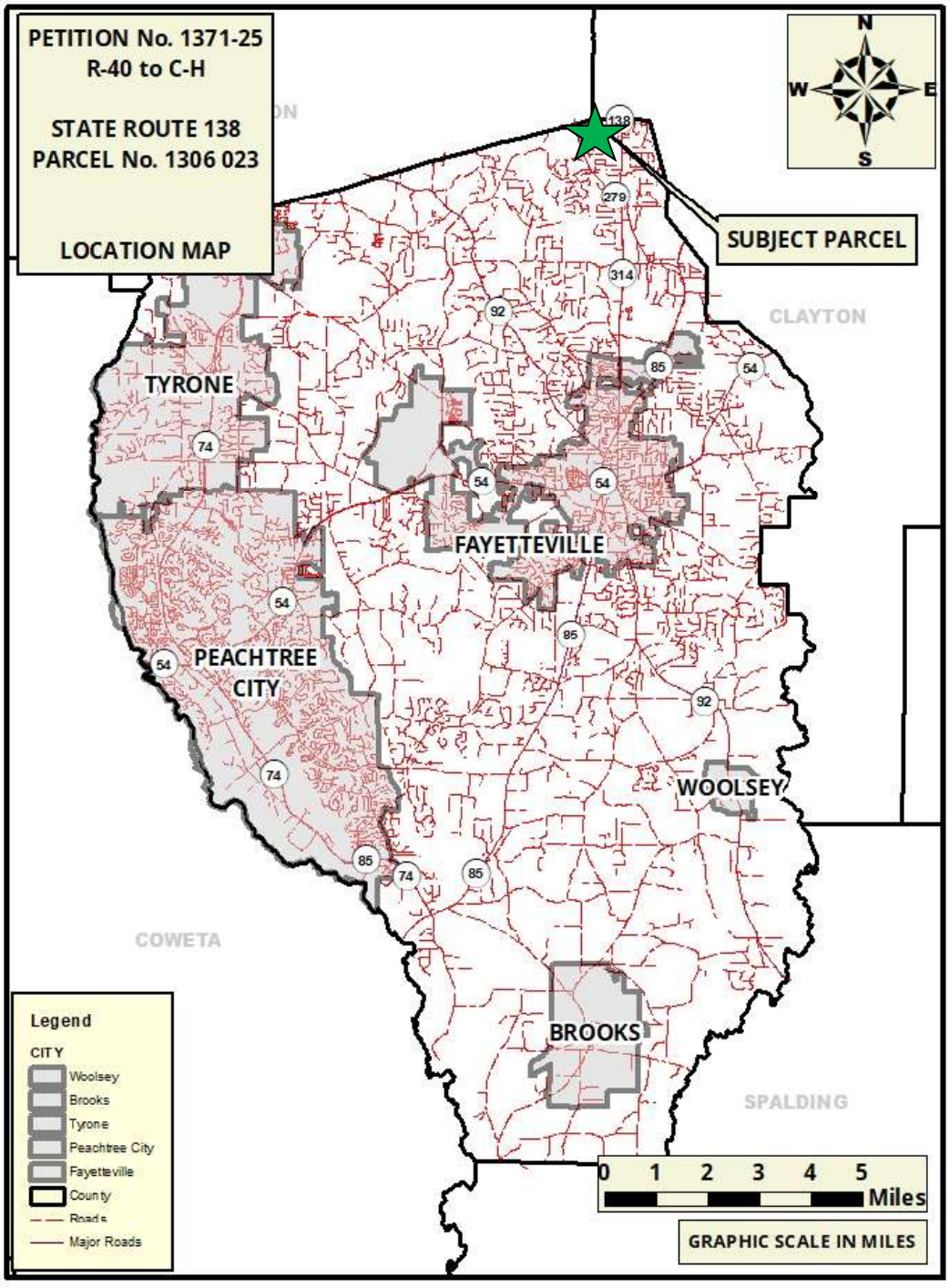
(11) Printing, graphic, blue printing, photography lab, and/or reproduction service;

(12) Private school, including, classrooms and/or administration only;
(13) Publishing and distribution;
(14) Restaurant supply;
(15) Scientific, medical/dental, and/or research laboratories;
(16) Television/radio broadcasting studio, recording studio, telecommunication, and/or movie/media productions (including on-site with movie/media productions, ancillary businesses that supply support services, equipment and resources to the movie/media industry); and
(17) Training center, trade school, and/or vocational centers.
(c) *Conditional uses.* The following conditional uses shall be allowed in the G-B zoning district provided that all conditions specified in article V of this chapter are met:
(1) Single-family residence and residential accessory structures and uses (see article III of this chapter);
(2) Home occupation;
(3) College and/or university, including, but not limited to: classrooms, administration, housing, athletic fields, gymnasium, and stadium;
(4) Private school, including, but not limited to: classrooms, administration, playground, housing, athletic fields, gymnasium, and/or stadium; and
(5) Self-storage facility (external and/or internal access).
(d) *Dimensional requirements.* The minimum dimensional requirements in the G-B shall be as follows:
(1) Lot area:
a. Where public water is available: 43,560 square feet (one acre).
b. Where public water is not available: 65,340 square feet (1.5 acres).
(2) Lot width: 125 feet.
(3) Front yard setback:
a. Major thoroughfare:
1. Major arterial: 100 feet.
2. Arterial: 100 feet.
3. Collector: 80 feet.
b. Minor thoroughfare: 65 feet.
(4) Rear yard setback: 25 feet.
(5) Side yard setback: 25 feet.
(6) Buffer. If the rear or side yard abuts a residential or A-R zoning district, a minimum buffer of 50 feet shall be provided adjacent to the lot line, in addition to the required setback. The setback shall be measured from the buffer.
(7) Height limit:
a. 40 feet.
b. Only soundstages associated with movie/media productions in this zoning district may exceed 40 feet in height. The front setback shall be increased eight feet for every one foot of building height over 40 feet. If the side and/or rear yards abut a residential or A-R zoning district, the setbacks shall be increased five feet for every one foot of building height over 40 feet.
c. The required minimum acreage shall be increased based on building height per the table below:

Height Limit	Required Acreage
50 feet	20 – 50

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

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


PETITION No. 1371-25
R-40 to C-H
STATE ROUTE 138
PARCEL No. 1306 023
LOCATION MAP
N
W
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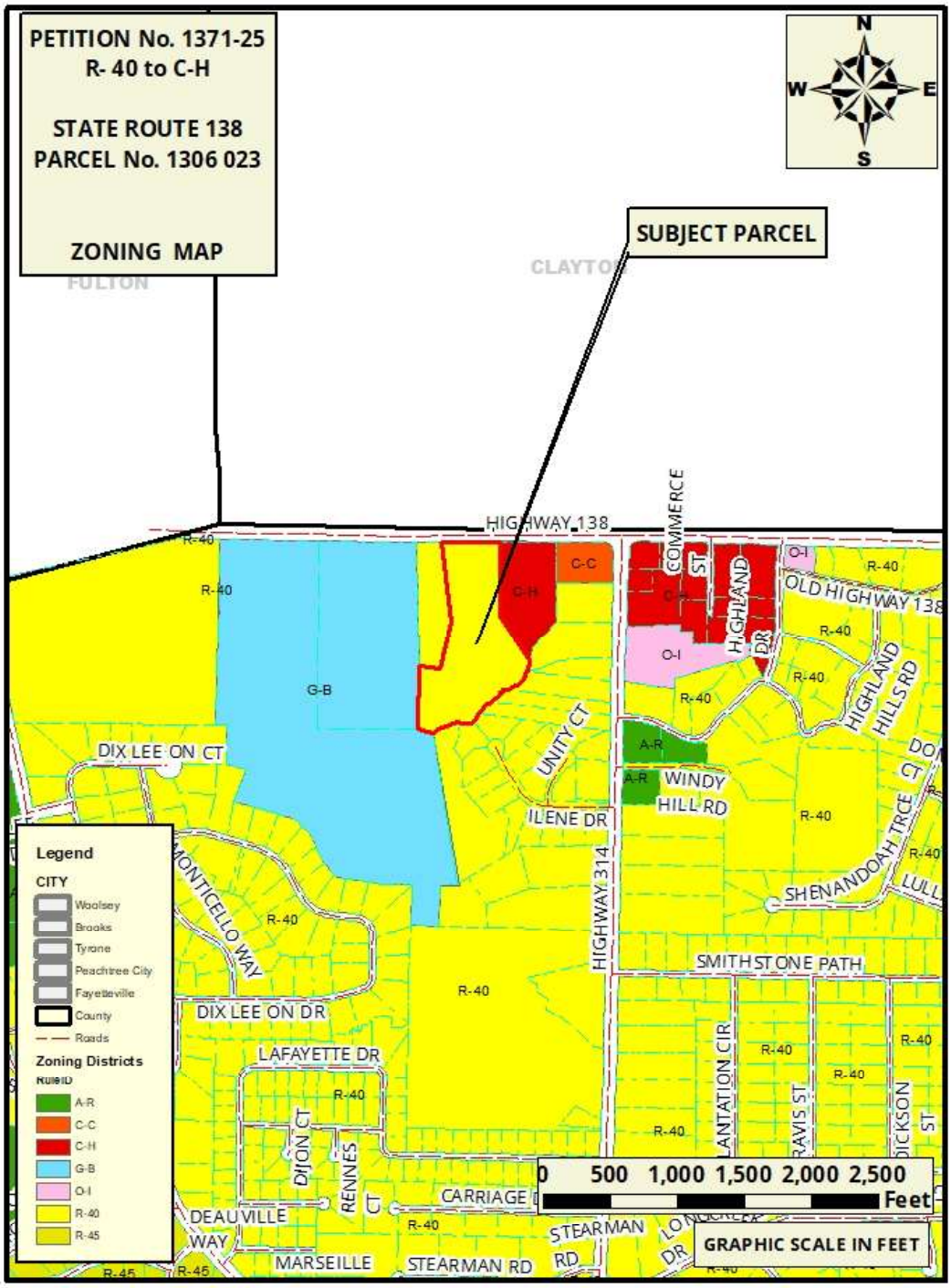
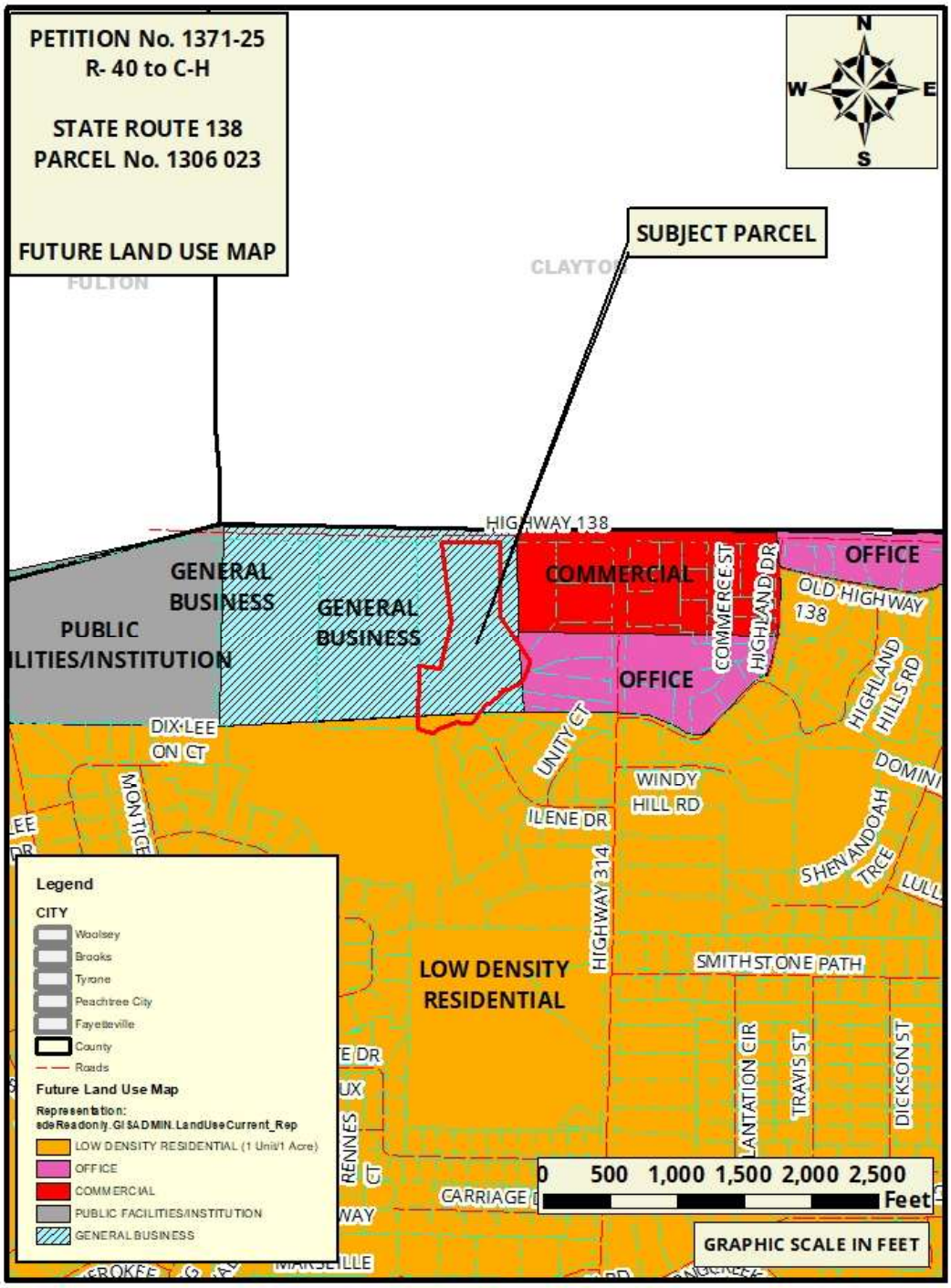
S
SUBJECT PARCEL
CLAYTON
TYRONE
FAYETTEVILLE
PEACHTREE CITY
WOOLSEY
BROOKS
COWETA
SPALDING
138
279
314
92
85
54
74
Legend
CITY
Woolsey
Brooks
Tyrone
Peachtree City
Fayetteville
County
Roads
Major Roads
0 1 2 3 4 5 Miles
GRAPHIC SCALE IN MILES


PETITION No. 1371-25
R- 40 to C-H
STATE ROUTE 138
PARCEL No. 1306 023
ZONING MAP
SUBJECT PARCEL
N
W
E
S
FULTON
CLAYTON
HIGHWAY 138
COMMERCE ST
HIGHLAND DR
OLD HIGHWAY 138
HIGHLAND HILLS RD
UNITY CT
DIX LEE ON CT
WINDY HILL RD
ILENE DR
HIGHWAY 314
SHENANDOAH TRCE
SMITH STONE PATH
MONTICELLO WAY
DIX LEE ON DR
LAFAYETTE DR
DIJON CT
RENNES CT
CARRIAGE
DEAUVILLE WAY
MARSEILLE
STEARMAN RD
STEARMAN RD
PLANTATION CIR
RAVIS ST
DICKSON ST
R-40
R-45
G-B
C-C
C-H
O-I
A-R
Legend
CITY
Woolsey
Brooks
Tyrone
Peachtree City
Fayetteville
County
Roads
Zoning Districts
A-R
C-C
C-H
G-B
O-I
R-40
R-45
0 500 1,000 1,500 2,000 2,500
Feet
GRAPHIC SCALE IN FEET


PETITION No. 1371-25
R- 40 to C-H
STATE ROUTE 138
PARCEL No. 1306 023
FUTURE LAND USE MAP
SUBJECT PARCEL
N
W
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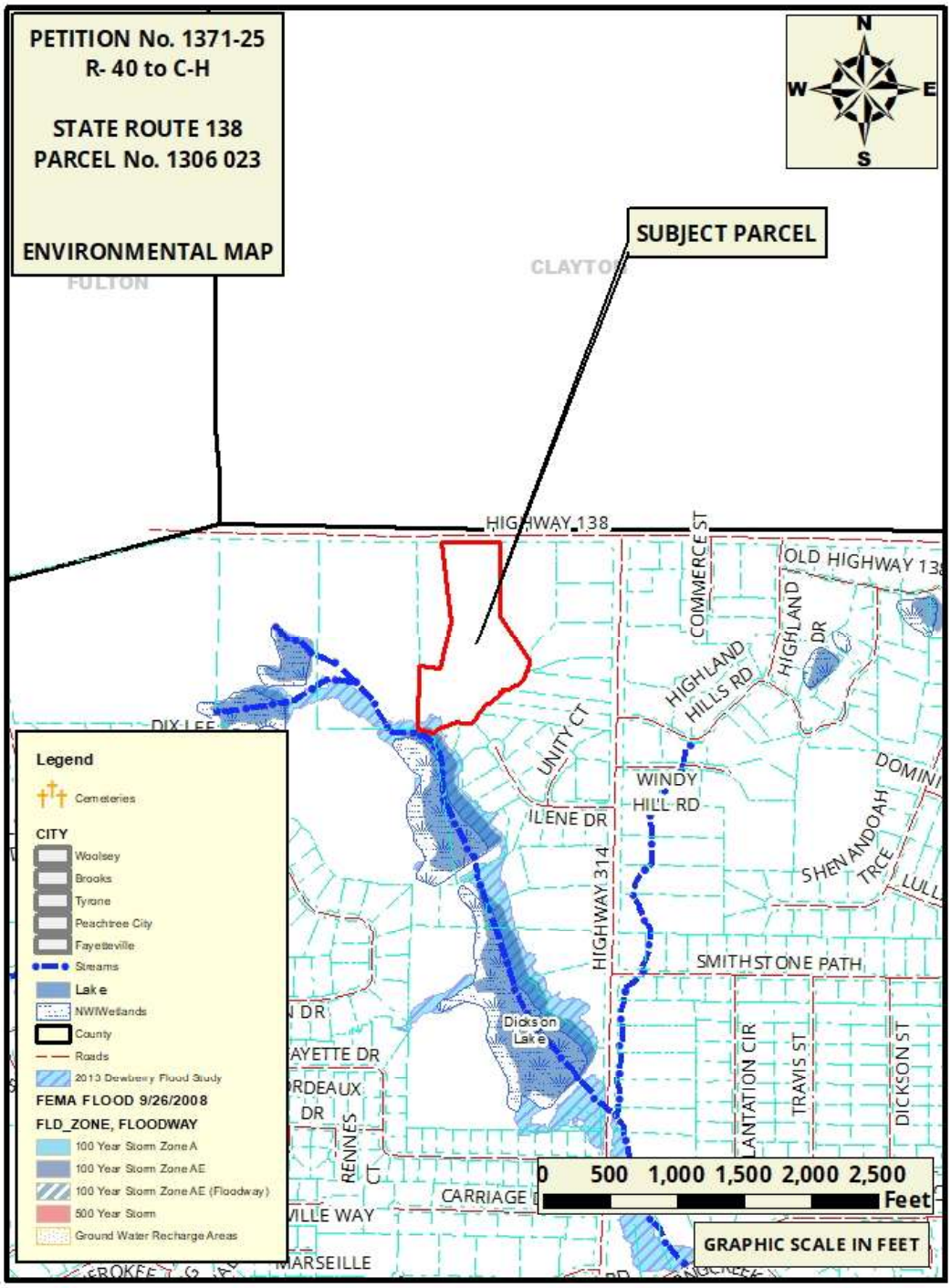
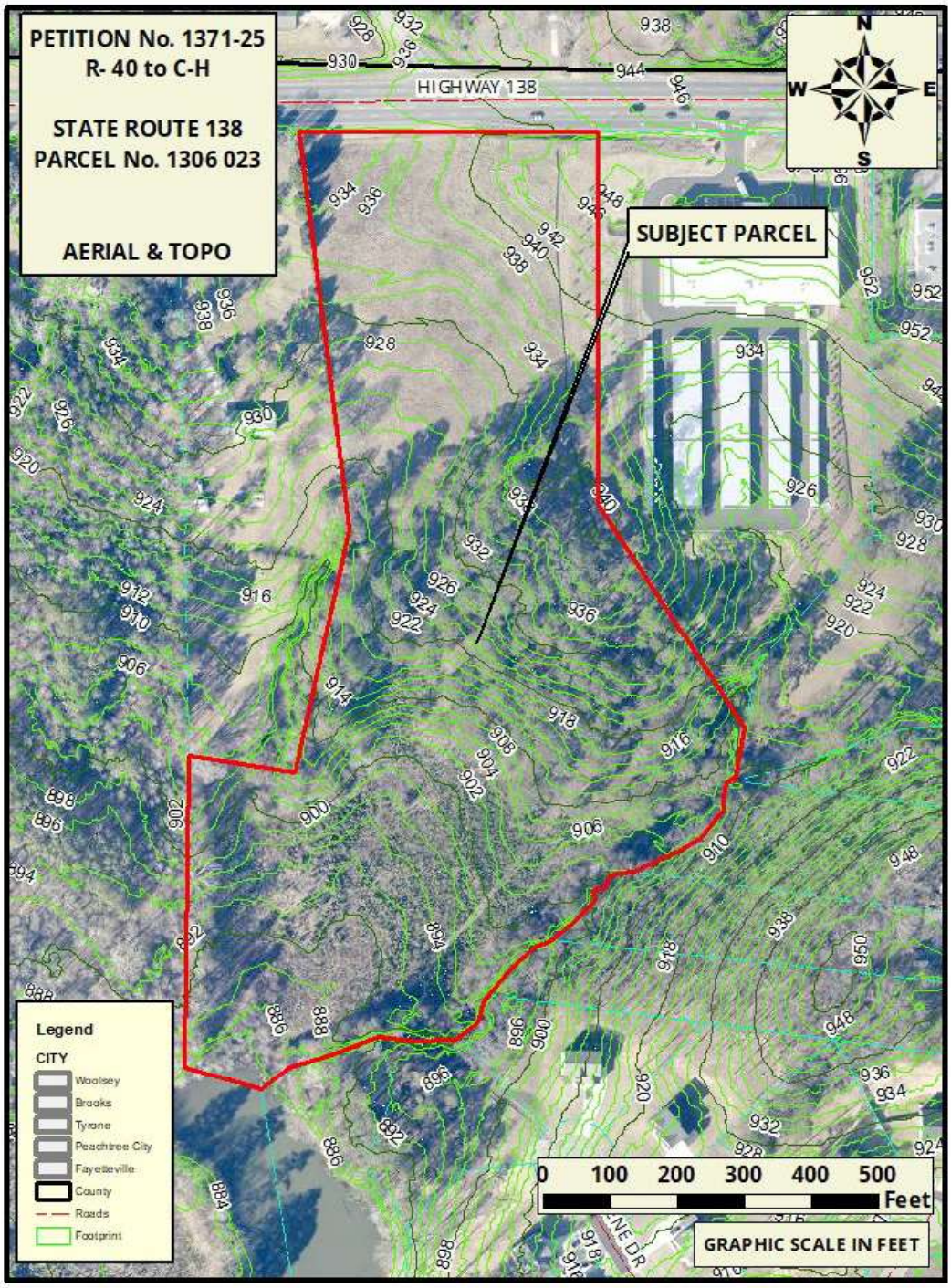
S
HIGHWAY 138
GENERAL BUSINESS
PUBLIC
GENERAL BUSINESS
COMMERCIAL
OFFICE
OFFICE
COMMERCE ST
HIGHLAND DR
OLD HIGHWAY 138
HIGHLAND HILLS RD
DIX LEE ON CT
UNITY CT
WINDY HILL RD
ILENE DR
HIGHWAY 314
SHENANDOAH TRCE
SMITH ST ONE PATH
LOW DENSITY RESIDENTIAL
PLANTATION CIR
TRAVIS ST
DICKSON ST
CARRIAGE
Legend
CITY
Woolsey
Brooks
Tyrone
Peachtree City
Fayetteville
County
Roads
Future Land Use Map
Representation:
LOW DENSITY RESIDENTIAL (1 Unit/1 Acre)
OFFICE
COMMERCIAL
PUBLIC FACILITIES/INSTITUTION
GENERAL BUSINESS
0 500 1,000 1,500 2,000 2,500
Feet
GRAPHIC SCALE IN FEET


PETITION No. 1371-25
R- 40 to C-H
STATE ROUTE 138
PARCEL No. 1306 023
ENVIRONMENTAL MAP
SUBJECT PARCEL
N
W
E
S
HIGHWAY 138
COMMERCE ST
OLD HIGHWAY 138
HIGHLAND DR
HIGHLAND HILLS RD
UNITY CT
WINDY HILL RD
HIGHWAY 314
SMITHSTONE PATH
SHENANDOAH TRCE
TRAVIS ST
DICKSON ST
PLANTATION CIR
RENNES CT
CARRIAGE
MARSEILLE
Dickson Lake
Legend
Cemeteries
CITY
Woolsey
Brooks
Tyrone
Peachtree City
Fayetteville
Streams
Lake
NWIWetlands
County
Roads
2013 Dewberry Flood Study
FEMA FLOOD 9/26/2008
FLD_ZONE, FLOODWAY
100 Year Storm Zone A
100 Year Storm Zone AE
100 Year Storm Zone AE (Floodway)
500 Year Storm
Ground Water Recharge Areas
0 500 1,000 1,500 2,000 2,500
Feet
GRAPHIC SCALE IN FEET


PETITION No. 1371-25
R- 40 to C-H
STATE ROUTE 138
PARCEL No. 1306 023
AERIAL & TOPO
HIGHWAY 138
SUBJECT PARCEL
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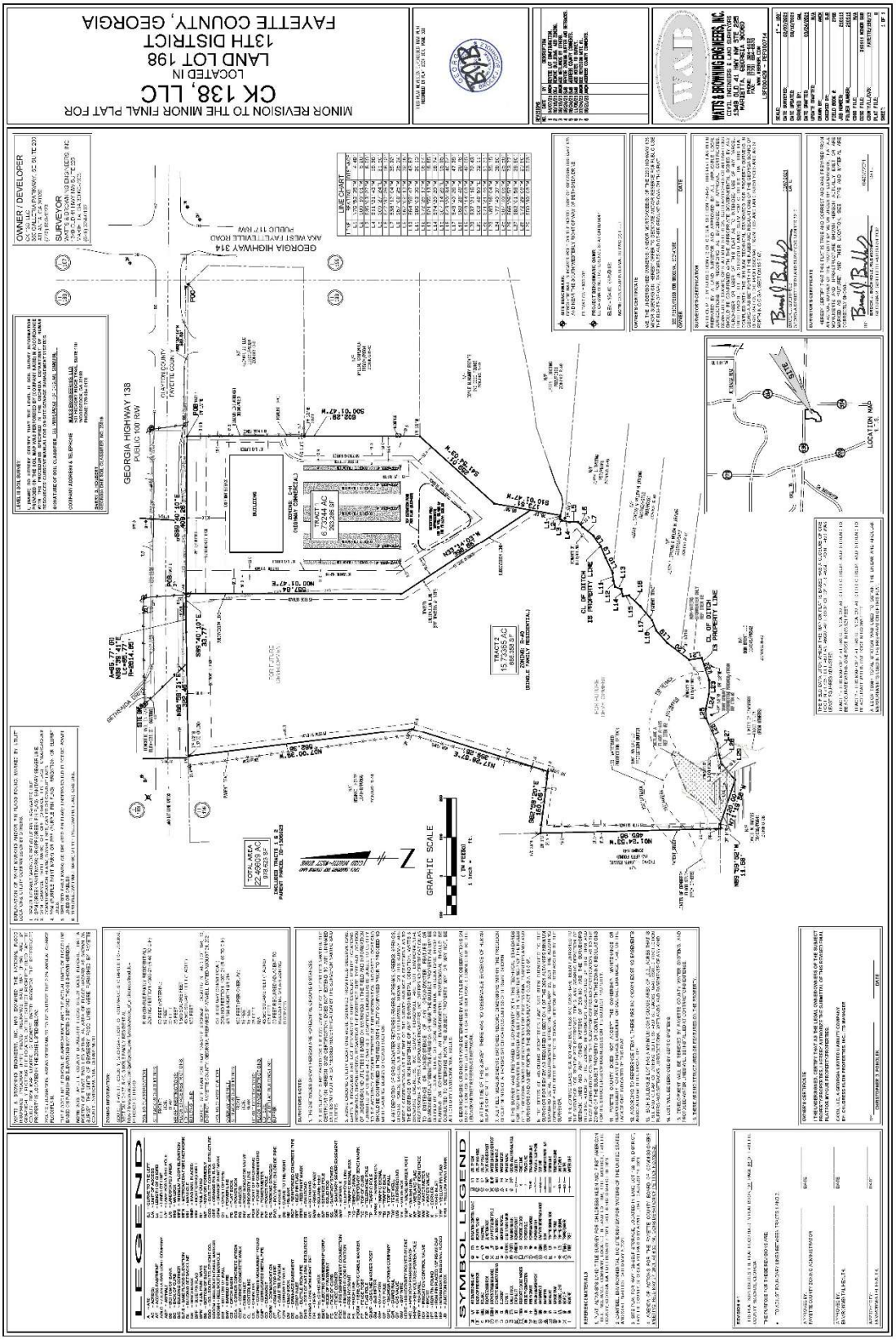
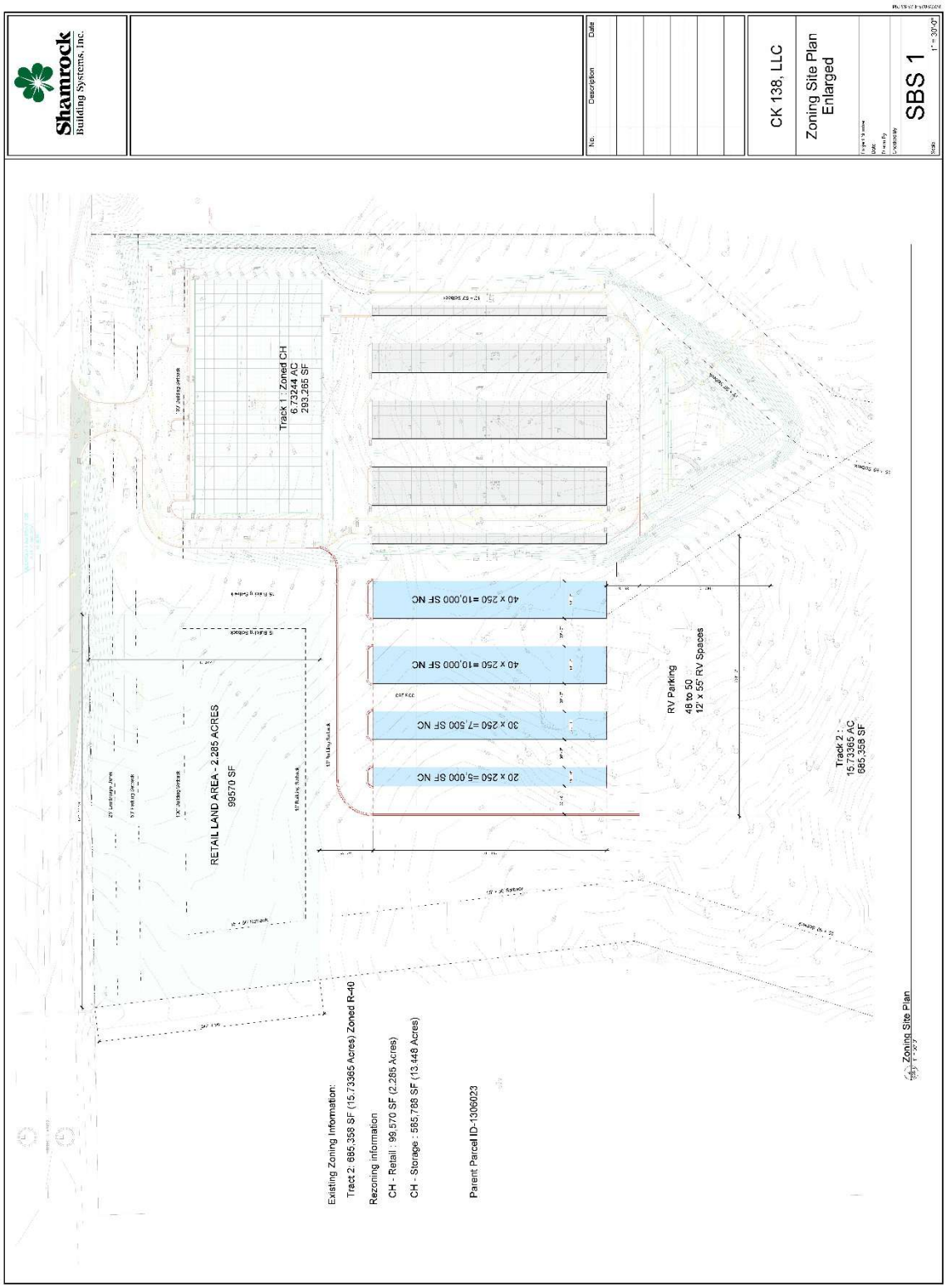
Legend
CITY
Woolsey
Brooks
Tyrone
Peachtree City
Fayetteville
County
Roads
Footprint
0 100 200 300 400 500
Feet
GRAPHIC SCALE IN FEET


MINOR REVISION TO THE MINOR FINAL PLAT FOR
CK 138, LLC
LOCATED IN
LAND LOT 198
13TH DISTRICT
FAYETTE COUNTY, GEORGIA
WATTS & BROWNING ENGINEERS, INC.
GEORGIA HIGHWAY 138
PUBLIC 100' R/W
GEORGIA HIGHWAY 314
AKA WEST FAYETTEVILLE ROAD
PUBLIC 117' R/W
TRACT 1
6.73244 AC
293,263 SF
TRACT 2
15.73954 AC
685,393 SF
TOTAL AREA
22.4719 AC
978,624 SF
GRAPHIC SCALE
LEGEND
SYMBOL LEGEND
LINE CHART
OWNER / DEVELOPER
SURVEYOR
LOCATION MAP

SURVEY



CONCEPT PLAN

PETITION No (s).: 1371-25

SAGES REFERENCE No.: Rezone-09-25-090263

STAFF USE ONLY

APPLICANT INFORMATION

Name CK 138 LLC

Address [redacted]

City [redacted]

State Georgia Zip [redacted]

Email [redacted]

Phone [redacted]

PROPERTY OWNER INFORMATION

Name CK 138 LLC

Address [redacted]

City [redacted]

State GA Zip [redacted]

Email [redacted]

Phone [redacted]

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

Name Dakota Carruthers
Parker Poe Adams and Bernstein, LLP

Address [redacted]

City [redacted]

State GA Zip 30309

Email [redacted]

Phone [redacted]

Name

Address

City

State Zip

Email

Phone

(THIS AREA TO BE COMPLETED BY STAFF)

[ ] Application Insufficient due to lack of:

Staff: _____ Date: _____

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

Staff: Maria Binns Date: 09/09/25

DATE OF PLANNING COMMISSION HEARING: November 6, 2025

DATE OF COUNTY COMMISSIONERS HEARING: December 11, 2025

Received from Parker Poe Adams & Bernstein LLP a check in the amount of $ 350.00 for application filing fee, and $ 20.00 for deposit on frame for public hearing sign(s).

Date Paid: 09/10/25 Receipt Number: 025152

PETITION No.: 1371-25 **Fees Due:** _____ **Sign Deposit Due:** _____

STAFF USE ONLY

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

Parcel # (Tax ID): 1306 023 Acreage: 15.733

Land District(s): 13 Land Lot(s): 198

Road Name/Frontage L.F.: SR 138 Road Classification: Arterial

Existing Use: Vacant Proposed Use: Retail / Self-Storage

Structure(s): _____ Type: Outdoor Access Self-Storage Size in SF: 32,500sf (4 structures)

Existing Zoning: R-40 Proposed Zoning: CH

Existing Land Use: Land Use Plan GB Proposed Land Use: Land Use Plan GB

Water Availability: _____ Distance to Water Line: Parcel 1306 128 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:
CK 138 LLC
(Please Print)

Property Tax Identification Number(s) of Subject Property: 1306 023

(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) 198 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 15.733 acres (legal description corresponding to most recent recorded plat for the subject property is attached herewith).

(I) (We) hereby delegate authority to Dakota Carruthers and Ellen W. Smith, Parker Poe Adams and Bernstein, LLP to act as (my) (our) Agent in this rezoning. As Agent, they have the authority to agree to any and all conditions of zoning which may be imposed by the Board.

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

CK 138 LLC, a Georgia limited liability company
By: Childress Klein Properties, Inc., its Manager

(II) By: _____

Christopher D. Poholek, Vice President

[redacted]

Address

_____
Signature of Notary Public

Susanne G. Davis

Date

August 26, 2025

SUSANNE G. DAVIS NOTARY PUBLIC COBB COUNTY, GEORGIA MY COMMISSION EXPIRES AUGUST 12, 2026

PETITION No.: 1371-25

OWNER'S AFFIDAVIT

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

NAME: CK 138 LLC

ADDRESS: 300 Galleria Parkway SE, Atlanta, GA 30339

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

Chris Poholek 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 $ 400 to cover all expenses of public hearing. He/She petitions the above named to change its classification to Commercial Highway

This property includes: (check one of the following)

[X] 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 November 6, 20 25 at 7:00 P.M.

PUBLIC HEARING to be held by the Board of Commissioners of Fayette County on the day of December 11, 20 25 at 2:00 P.M.

SWORN TO AND SUBSCRIBED BEFORE ME THIS 26th DAY OF August, 2025

CK 138 LLC, a Georgia limited liability company
By: Childress Klein Properties, Inc., its Manager

By: _____
Christopher D. Poholek, Vice President

_____
NOTARY PUBLIC

SUSANNE G. DAVIS NOTARY PUBLIC COBB COUNTY, GEORGIA MY COMMISSION EXPIRES AUGUST 12, 2026

AGREEMENT TO DEDICATE PROPERTY FOR FUTURE RIGHT-OF-WAY

I/We, CK 138 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 SR 138 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 26th day of August, 2025.

CK 138 LLC, a Georgia limited liability company
By: Childress Klein Properties, Inc., its Manager

By: Christopher D Poholek

Christopher D. Poholek, Vice President

Susanne G. Davis

NOTARY PUBLIC

SUSANNE G. DAVIS NOTARY PUBLIC COBB COUNTY, GEORGIA MY COMMISSION EXPIRES AUGUST 12, 2026

DEVELOPMENTS OF REGIONAL IMPACT (DRI)

Rezoning Applicant:

A. Please review the attached "Developments of Regional Impact Tiers and Development Thresholds" established by the Georgia Department of Community Affairs (DCA) to determine if the proposed project meets or exceeds these thresholds. If the proposed project does not meet the established thresholds (is less than those listed) then skip to section C. below and complete.

B. If the project does meet or exceed the established thresholds for the type of development proposed, the Georgia Department of Community Affairs (DCA) "Developments of Regional Impact: Request for Review Form" is available online at the following website address: www.dca.state.ga.us/DRI/.

C. I have reviewed and understand the attached "Thresholds: Developments of Regional Impact".

[X] 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 26th day of August, 2025.

CK 138 LLC, a Georgia limited liability company, By: Childress Klein Properties, Inc., its Manager

By: Christopher D Poholek

Christopher D. Poholek, Vice President

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.

Parker Poe

Dakota Carruthers
[redacted]

Atlanta, GA
Charleston, SC
Charlotte, NC
Columbia, SC
Greenville, SC
Raleigh, NC
Spartanburg, SC
Washington, DC

September 9, 2025

Via Hand Delivery
Via Email [dbell@fayettecountyga.gov]

Deborah Bell
Director, Planning and Zoning
Fayette County, GA
140 Stonewall Avenue West, Suite 202
Fayetteville, Georgia 30214

Re: Rezoning Application ("**Application**") by CK 138, LLC ("**Applicant**") with respect to approximately 15.73 acres commonly known as 2290 Highway 138, Fayette County, Georgia, Fayette County Tax Parcel Number 1306 023 (the "**Property**")

Letter of Intent

Dear Debbie:

This law firm has the pleasure of representing Applicant with respect to the Application. Applicant respectfully submits for consideration the Application, seeking a rezoning of the Property from the R-40 single-family residential district to the C-H Highway Commercial district[1] to allow for the development of the Property with a self-storage facility and future retail.

Background and Existing Zoning

The Property is an approximately 15.73 acre currently unimproved parcel. Applicant acquired the Property in 2021, along with the neighboring parcel (tax parcel 1306 128), previously one 22 acre parent parcel (the "**Parent Parcel**"). Applicant first identified the Parent Parcel as a prime location for a self-storage facility, and worked with the County to obtain text amendments to The Zoning Ordinance of Fayette County, Georgia, as amended from time to time (the "**Ordinance**"), which were passed by the Fayette County Board of Commissioners on March 25, 2021, to allow for a mix of type of self-storage facility to be located within certain zoning districts and with varying architectural and design controls. Following the ordinance amendment, Applicant rezoned the neighboring parcel and subsequently developed it as a multi-building self-storage facility with internal and external access.

[1] If the Application is approved, Applicant will still need to apply for and obtain administrative approval from the County for the self-storage facility conditional use of the Property.

Applicant intends to develop the Property for an expansion of the single-level external access units and RV parking at the rear of the property, as shown on the concept plan submitted with this Application. 2.285 acres of the property, against Highway 138 will be left undisturbed and marketed for retail use. The existing zoning of the Property is R-40, and is located within the SR138 and North SR314 Overlay Zone of the County's Transportation Corridor Overlay Zone. The Property is designated as General Commercial designation on the County's comprehensive plan future land use map. Parcels immediately to the west and south of the Property is zoned R-40 and several of the parcels to the east of the Property across Highway 314 are zoned CC and C-H. Directly across Highway 138 to the north are properties in Clayton County, all of which are zoned General Business.

Proposed Rezoning

As the County has seen in the past couple of years, this is a rapidly growing sector and Applicant has strategically positioned themselves as a leader in the rapidly expanding self-storage sector across the Southeast. Applicant has developed a multitude of properties and now manages 7 self-storage facilities totaling just under 1 million square feet.

The proposed self-storage facility, as more particularly shown on the concept plan included with the Application, will meet all of the Ordinance requirements for self-storage facilities without variance. Specifically, the development will include expansion of the existing external access storage buildings with four new buildings totaling roughly 34,000 square feet and approximately 50 RV storage spaces to accommodate demand. Approval of the application would activate a now vacant property, allow for a future retail serving use along a highway corridor while screening the low intensity self-storage use at the rear yard. Exterior elevations for the proposed self-storage will match those of the existing buildings at the neighboring developed property and Applicant will meet all of the other design criteria specified in the Ordinance as applicable to self-storage facilities, including those architectural standards included in the Transportation Corridor Overlay Zone.

The Application meets the standards for rezoning as set forth in Ordinance Section 110-300, and an analysis of the four (4) factors that Planning and Zoning Department, the Planning Commission and the Board of Commissioners shall consider when evaluating the Application reveals that the Application should be granted. Specifically, as outlined above, the Application is in conformity with the Comprehensive Plan Future Land Use Map and policies contained therein. Additionally, the self-storage facility use of the Property is a relatively low intense use of Property, placing minimal demands on parking, hours of operation, and infrastructure needs (for example, the Property does not have access to public sewer; instead, low occupancy levels mean septic service is sufficient). Moreover, there is no impact on neighboring schools.

Application Requirements

Pursuant to Article IX of the Ordinance, Applicant seeks to rezone the Property[2] as described above and, in support of the Application, Applicant submits the following (one of each unless otherwise indicated):

---

[2] Applicant notifies Fayette County of its constitutional concerns with respect to its Application. If the Fayette County Board of Commissioners (the "***Board***") denies the Application in whole or in part, then the Property does not have a

1. Signed Application form with applicable and required attachments.
2. A metes and bounds legal description of the Property.
3. Survey.
4. Deed.
5. Concept plan.
6. This Letter of Intent.
7. Application fee in the amount of $350.00.

The Application, including this Letter of Intent, support Applicant's request for rezoning. Applicant respectfully requests that the Planning and Zoning Department (the "**Department**") recommend approval of the Application to the Planning Commission and the Board of Commissioners. Applicant is happy to answer questions or provide any additional information that the Department and the County may have with regard to this Application.

Sincerely,

Dakota Carruthers
Entitlements Manager

DC/dc/ews
cc: Chris Poholek
Ellen W. Smith, Esq.

---

reasonable economic use under the Fayette County Zoning Ordinance. Moreover, the Application meets the test set out by the Georgia Supreme Court to be used in establishing the constitutional balance between private property rights and zoning and planning as an expression of the government's police power. *See Guhl vs. Holcomb Bridge Road*, 238 Ga. 322 (1977). If the Board denies the Application in whole or in part, such an action will deprive Applicant and Owner of the ability to use the Property in accordance with its highest and best use. Similarly, if the Board rezones the Property to some classification other than GB or with conditions not requested by Applicant, and either without Applicant's consent, then such approval would deprive Applicant and Owner of any reasonable use and development of the Property. Any such action is unconstitutional and will result in a taking of property rights in violation of the just compensation clause of the Constitution of the State of Georgia (*see Ga. Const. 1983, Art. I, § 3, para. 1(a)*), and the just compensation clause of the Fifth Amendment to the United States Constitution (*see U.S. Const. Amend. 5*). To the extent that the Fayette County Zoning Ordinance allows such an action by the Board, the Zoning Ordinance is unconstitutional. Any such denial or conditional approval would discriminate between Applicant and Owner and owners of similarly situated property in an arbitrary, capricious, unreasonable and unconstitutional manner in violation of Article I, Section I, Paragraph 2 of the Georgia Constitution and the Equal Protection Clause of the Fourteenth Amendment to the United States Constitution. Also, a failure to grant the Application or a conditional approval of the Application (with conditions not expressly approved by Applicant) would constitute a gross abuse of discretion and would constitute an unconstitutional violation of Applicant's and Owner's rights to substantive and procedural due process as guaranteed by the Georgia Constitution (*see Ga. Const. 1983, Art. I, § 1, para. 1*) and the Fifth and Fourteenth Amendments of the United States Constitution (*see U.S. Const. Amend. 5 and 14*). Nevertheless, Applicant remains optimistic that Fayette County's consideration of the Application will be conducted in a constitutional manner.

MINOR REVISION TO THE MINOR FINAL PLAT FOR
CK 138, LLC
LOCATED IN
LAND LOT 198
13TH DISTRICT
FAYETTE COUNTY, GEORGIA

LEGEND

A ~ ARC	(L) ~ CURVE TO THE LEFT
AC ~ ACRE(S)	LA ~ LIMIT OF ACCESS
AE ~ ACCESS EASEMENT	LF ~ LENGTH OF CHORD
AGLC ~ ATLANTA GAS LIGHT COMPANY	LL1 ~ LAND LOT LINE
ASP ~ ASPHALT	LPF ~ LAMP POST/LIGHT POLE
BR ~ BOTTOM OF BANK	LS ~ LANDSCAPED AREA
BC ~ BACK OF CURB	MB ~ MAIL BOX
BIC ~ BUILDING CORNER	MFE ~ MINIMUM FLOOR ELEVATION
B.F.E ~ BASE FLOOD ELEVATION	MFN ~ METROMEDIA FIBRE NETWORK
BL ~ BUILDING SETBACK LINE	MH ~ MANHOLE
BM ~ BENCH-MARK	MNP ~ MAG NAIL PLACED
BPF ~ BLUE PIN FLAG	MW ~ MONITORING WELL
BPM ~ BLUE PAINT MARK	NF ~ NAIL FOUND
BS ~ BOTTOM OF SLOPE	NFF ~ NOW OR FORMERLY
BSO ~ BELLSOUTH TELEPHONE CO.	OCS ~ OUTLET CONTROL STRUCTURE
BSOBR ~ BELLSOUTH CABLE RARKER	OPF ~ ORANGE PIN FLAG
BSOMH ~ BELLSOUTH MANHOLE	OPM ~ ORANGE PAINT MARK
BW ~ BOTTOM OF WALL	OT ~ OPEN TOP PIPE
B/W ~ BARBED WIRE	P ~ POWER LINE
CB ~ CATCH BASIN	PB ~ PLAT BOOK
CCA ~ CORNER CONCRETE APRON	PB ~ POWER BOX
CCW ~ CORNER CONCRETE WALK	PG ~ PAGE(S)
CL ~ CURB INLET	PIV ~ POST INDICATOR VALVE
CL ~ CENTER LINE	PL ~ PROPERTY LINE
CL/L ~ CHAIN LINK	POB ~ POINT OF BEGINNING
CM ~ CONCRETE MONUMENT FOUND	POC ~ POINT OF COMMENCING
CMP ~ CORRUGATED METAL PIPE	PM ~ POWER METER
CO ~ CLEANOUT	PP ~ POWER POLE
COMM ~ COMMUNICATION	PS ~ PARKING SPACE(S)
CT ~ CRIMPED TOP PIPE	PVC ~ POLYVINYLCHLORIDE PIPE
CTV ~ CABLE TELEVISION	R ~ RADIUS
C/W ~ CONCRETE WALK	(R) ~ CURVE TO THE RIGHT
DB ~ DEED BOOK	RB ~ RE-BAR
DE ~ DRAINAGE EASEMENT	RCP ~ REINFORCED CONCRETE PIPE
DI ~ DROP INLET	RPF ~ RED PIN FLAG
DIP ~ DUCTILE IRON PIPE	RPM ~ RED PAINT MARK
DNR ~ DEPT.OF NATURAL RESOURCES	RR ~ RAILROAD
DNRMS ~ DNR MONUMENT SET	R/T ~ RETAINING
DR ~ DRIVE	R/W ~ RIGHT OF WAY
EB ~ ELECTRIC BOX	SF ~ SQUARE FEET
EMC ~ ELECTRIC MEMBERSHIP CORP.	SAP ~ SERVICE POLE
EP ~ EDGE OF PAVEMENT	SR ~ SOLID ROD
FC ~ FACE OF CURB	SS ~ SANITARY SEWER
FD ~ FOUND	SSE ~ SANITARY SEWER EASEMENT
FDC ~ FIRE DEPARTMENT CONNECTION	S/W ~ SIDEWALK
FFE ~ FINISHED FLOOR ELEVATION	TB ~ TELEPHONE BOX
FH ~ FIRE HYDRANT	TB ~ TRAFFIC SIGNAL BOX
FL ~ FENCE LINE	T/D ~ TWINGTH DRAIN
FOCM ~ FIBRE OPTIC CABLE MARKER	TBM ~ TEMPORARY BENCHMARK
FP ~ FENCE POST	T/C ~ TOP OF CURB
FP ~ FLAG POLE	T/P ~ TELEPHONE POLE
GLMP ~ GAS LINE MARKER POST	TP ~ TRAFFIC POLE
GM ~ GAS METER	TRANS ~ TRANSMISSION
GP ~ GATE POST	T/S ~ TRAFFIC SIGNAL
GP ~ GUY POLE	TSB ~ TRAFFIC SIGN
GPC ~ GEORGIA POWER COMPANY	T/W ~ TOP OF WALL
GR ~ GUARD RAIL	T/W ~ TEST WELL
GV ~ GAS VALVE	UG ~ UNDERGROUND
GW ~ GUY WIRE	VB ~ VALVE BOX
HDPE ~ HIGH DENSITY POLYETHYLENE	VMP ~ VALVE MARKER POST
H/C ~ HANDICAP PARKING SPACE	W ~ WATER LINE
HVP ~ HIGH VOLTAGE POWER POLE	WF ~ WHITE LAND FLAG
I ~ IRRIGATION	WM ~ WROUGHT IRON FENCE
IRV ~ IRRIGATION CONTROL VALVE	WM ~ WATER METER
INV ~ INVERT	WV ~ WATER VALVE
IPF ~ IRON PIN FOUND	X ~ CORNER
IPF ~ IRON PIN FLAGGED 1/2" RB W/ CAP	YI ~ YARD INLET
IRF ~ INTERMEDIATE REGIONAL FLOOD	YPF ~ YELLOW PIN FLAG
JB ~ JUNCTION BOX	YPM ~ YELLOW PAINT MARK

SYMBOL LEGEND

A/C	AIR CONDITIONING UNIT	IRV	IRRIGATION CONTROL VALVE	UB	UTILITY BOX
BFP	BACKFLOW PREVENTOR	IPF	IRON PIN FOUND	UM	UTILITY MANHOLE
BOL	BOLLARD	IPM	IRON PIN SET	UP	UTILITY POLE
BSO	BSO MANHOLE	JB	JUNCTION BOX	VMP	VALVE MARKER POST
BSOMH	BSO MANHOLE	LP	LAMP POST/LIGHT POLE	WLMP	WATER LINE MARKER POST
CMF	CONCRETE MONUMENT FOUND	MB	MAIL BOX/BOX	WM	WATER MANHOLE
CO	CLEANOUT	MW	MONITORING WELL	WM	WATER METER
CON	CONDUIT	PARKING	UNITY PARTY MARK	WV	WATER VALVE
CTV	CABLE TV BOX	PMKR	PARKING METER	XP	CROSS PARK SIGNAL POLE
DI	DROP INLET	PMON	POWER CONDUIT	---DTV---	CABLE TV
FMON	FIBER OPTIC CABLE MARKER	PB	POWER ELEC BOX	---FENCE---	FENCE LINE
FO	FIBER OPTIC CONNECTION	PP	POWER POLE	---POWERLINE---	POWERLINE
FH	FIRE HYDRANT	PM	POWER MARKER	---TRANSMISSION---	TRANSMISSION LINE
GLMP	GAS LINE MARKER POST	PM	POWER METER	---POWER & TELEPHONE---	POWER & TELEPHONE
GMH	GAS MANHOLE	SSMH	SANITARY SEWER MANHOLE	---GAS---	GAS LINE
GM	GAS METER	SSCO	SSCO	---SANITARY SEWER LINE---	SANITARY SEWER LINE
GV	GAS VALVE	TB	TRAFFIC SIGNAL BOX	---STORMLINE---	STORMLINE
GUY	GUYWIRE ANCHOR	TP	TRAFFIC POLE	---TELEPHONE LINE---	TELEPHONE LINE
GL	GROUND LIGHT	TS	TRAFFIC SIGNAL	---UG POWER---	UG POWER
GP	GUY POLE	TRANS	TRANSFORMER	---UG TEL---	UG TEL
GW	GUY WIRE	TREE	TREE	---WATER LINE---	WATER LINE

REFERENCE MATERIALS

1. PLAT: ALTA/NSPS LAND TITLE SURVEY FOR CHILDRESS KLEIN AND FIRST AMERICAN TITLE INSURANCE COMPANY, LOCATED IN LAND LOT 198, 13TH DISTRICT, FAYETTE COUNTY, GEORGIA, DATED FEBRUARY 7, 2021, LAST REVISED MARCH 10, 2021.

2. CAMPBELL ENVIRONMENTAL, INC SITE REVIEW FOR WATERS OF THE UNITED STATES AND STATE WATERS, DATED MAY 5, 2021.

3. SITE PLAN FOR HWY 138-SELF STORAGE, LOCATED IN LAND LOT 198, 13, DISTRICT, FAYETTE COUNTY, GEORGIA, PREPARED BY ATWELL DATED AUGUST 24, 2021.

4. AGENDA OF ACTIONS FOR THE FAYETTE COUNTY BOARD OF COMMISSIONERS MEETING, HELD MAY 27, 2021, AT 6:30 PM. CONSIDERATION OF PETITION NO.1395-2.

REVISION # 1

THIS PLAT SUPERSEDES THE PLAT RECORDED IN PLAT BOOK 101, PAGE 88 OF FAYETTE COUNTY RECORDS, GEORGIA.

THE PURPOSE FOR THESE REVISIONS ARE:

- TO ADJUST BOUNDARY LINES BETWEEN TRACTS 1 AND 2,

APPROVED BY: _____ DATE _____
FAYETTE COUNTY ZONING ADMINISTRATOR

APPROVED BY: _____ DATE _____
ENVIRONMENTAL HEALTH,

APPROVED BY: _____ DATE _____
ENVIRONMENTAL HEALTH,

WATTS & BROWNING ENGINEERS, INC. HAS EXAMINED THE NATIONAL FLOOD INSURANCE PROGRAM (NFIP) FLOOD INSURANCE RATE MAP (FIRM) AND, BY GRAPHICALLY PLOTTING THE LOCATION OF THE SUBJECT PROPERTY ONTO FAYETTE COUNTY FIRM MAP NUMBER 13113C0025E DATED 09/26/2008 THE REFERENCED PROPERTY IS LOCATED IN THE ZONE LISTED BELOW.

ZONE X (UNSHADED): AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN.

THE FLOOD LINE, IF SHOWN, IS APPROXIMATE AND THE ACTUAL LIMITS OF FLOOD LINE BASED ON SURVEYED ELEVATIONS MAY EXTEND BEYOND THOSE SHOWN HEREON.

NOTE: 2013 FAYETTE COUNTY DEWBERRY FLOOD STUDY DOES INDICATE THAT A PORTION OF TRACT TWO LIES WITHIN AN AREA OF FLOOD HAZARD AS SHOWN ON SURVEY, THE LIMITS OF DEWBERRY FOOD LINES WERE FURNISHED BY FAYETTE COUNTY ENVIRONMENTAL DEPARTMENT.

ZONING INFORMATION:

SOURCE: FAYETTE COUNTY, GEORGIA - CODE OF ORDINANCES, CHAPTER 110 - ZONING, SECTION 110-37, R-40, SINGLE FAMILY RESIDENTIAL.
https://library.municode.com/ga/fayette_county/codes/code_of_ordinances?nodeId=PTICOCO_CH110ZO

ZONING CLASSIFICATION: R-40 (SINGLE FAMILY RESIDENTIAL)
ZONING PETITION~1395-21 (R-40 TO C-H)

SETBACK REQUIREMENTS:
FRONT: 60 FEET (ARTERIAL)
SIDE: 15 FEET
REAR: 30 FEET
HEIGHT RESTRICTIONS: 35 FEET
FLOOR SPACE RESTRICTIONS: 1,500 SQUARE FEET
LOT SIZE: 43,560 SQUARE FEET (1 ACRE)
BUILDING LINE: 150 FEET

SOURCE: SITE PLAN FOR HWY 138-SELF STORAGE, LOCATED IN LAND LOT 198, 13, DISTRICT, FAYETTE COUNTY, GEORGIA, PREPARED BY ATWELL DATED AUGUST 24, 2021.

ZONING CLASSIFICATION: C-H (HIGHWAY COMMERCIAL)
ZONING PETITION~1395-21 (R-40 TO C-H)
SR 138 & NORTH SR 314

OVERLAY DISTRICT:
SETBACK REQUIREMENTS:
FRONT: 100 FEET (PER OVERLAY)
SIDE: 15 FEET
REAR: 15 FEET
HEIGHT RESTRICTIONS: 35 FEET
FLOOR SPACE RESTRICTIONS: N/A
LOT SIZE: 43,560 SQUARE FEET (1 ACRE)
LOT WIDTH AT BUILDING LINE: 125 FEET
BUFFER: 50 FEET REQUIRED ADJACENT TO RESIDENTIAL OR A-R ZONING DISTRICTS.

SURVEYORS NOTES:

1. THE DISTANCES SHOWN HEREON ARE HORIZONTAL GROUND DISTANCES.

2. THIS SURVEY IS PREPARED FOR THE EXCLUSIVE USE OF THE ENTITIES NAMED IN THE CERTIFICATION HEREON, SAID CERTIFICATION DOES NOT EXTEND TO ANY UNNAMED ENTITIES WITHOUT AN EXPRESSED RECERTIFICATION BY THE SURVEYOR NAMING SAID ENTITIES.

3. ABOVE GROUND UTILITY LOCATIONS WERE OBTAINED FROM FIELD OBSERVATIONS, WATTS & BROWNING HAS NOT RESEARCHED UNDERGROUND UTILITY LOCATIONS. INFORMATION SHOWN HEREON REGARDING THE EXISTENCE, SIZE, TYPE AND LOCATION OF UNDERGROUND UTILITIES IS BASED ON MARKINGS BY THE FIELD AND INFORMATION FURNISHED BY OTHERS AND WATTS & BROWNING ENGINEERS IS UNABLE TO CERTIFY TO THE ACCURACY OR COMPLETENESS OF THIS INFORMATION. INDICATED LOCATIONS SHOULD BE CONFIRMED IN THE FIELD WITH UTILITY COMPANIES PRIOR TO PROCEEDING WITH PLANNING, DESIGN OR CONSTRUCTION.

4. ANY DEPICTION OF GROUNDWATER FEATURES (RIVERS, STREAMS, CREEKS, SPRINGS, DITCHES, PONDS, LAKES), NATURAL OR OTHERWISE, SHOWN ON THIS SURVEY ARE MERELY OBSERVATIONS AT THE TIME OF THE SURVEY AND NOT A STATEMENT AS TO THE EXISTENCE OR NON-EXISTENCE OF ANY ENVIRONMENTAL CONDITION. WATTS & BROWNING ENGINEERS, INC. SURVEY PERSONNEL ARE NOT ENVIRONMENTAL PROFESSIONALS. WATTS & BROWNING ENGINEERS, INC. OFFERS NO CERTIFICATION AS TO EXISTENCE OR NONEXISTENCE OF ANY ENVIRONMENTAL CONDITION, WATTS & BROWNING ENGINEERS, INC. SURVEY PERSONNEL ARE NOT ENVIRONMENTAL PROFESSIONALS. WATTS & BROWNING ENGINEERS, INC. OFFERS NO CERTIFICATION AS TO EXISTENCE OR NONEXISTENCE OF ANY ENVIRONMENTAL CONDITION.

Type: WD
Recorded: 7/1/2021 8:06:00 AM
Fee Amt: $850.00 Page 1 of 9
Transfer Tax: $825.00
Fayette, Ga. Clerk Superior Court
Sheila Studdard Clerk of Court

Participant ID: 3646931975

BK 5314 PG 538 - 546

After recording please return to:
Ryan C. Pulley, Esq.
Holt Ney Zatcoff & Wasserman, LLP
100 Galleria Parkway, Suite 1800
Atlanta, Georgia 30339

Parcel ID: 1306 023

GENERAL WARRANTY DEED

THIS INDENTURE is made as of the 30th day of June, 2021, among **JOSEPH SCOTT WOOD, ERNEST R. WOOD, YANCEY LEE WOOD, GAYLA EVONNE BLIZZARD aka GAYLA YVONNE BLIZZARD**, and **WAYNE H. WOOD**, each an individual resident of the State of Georgia (collectively, "***Grantor***") and **CK 138, LLC**, a Georgia limited liability company ("***Grantee***") (the words "Grantor" and "Grantee" include all genders, plural and singular, and their respective heirs, successors and assigns where the context requires or permits).

W I T N E S S E T H: That

Grantor, for and in consideration of the sum of Ten and No/100 Dollars ($10.00) and other good and valuable consideration, in hand paid at and before the sealing and delivery of these presents, the receipt and sufficiency whereof are hereby acknowledged, has granted, sold, aliened, conveyed and confirmed, and by these presents does hereby grant, bargain, sell, alien, convey and confirm unto the said Grantee, all that tract of land in Fayette County, Georgia, described on **Exhibit A** attached hereto and made a part hereof (the "***Property***").

TO HAVE AND TO HOLD the said Property, 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 absolute forever. Grantor will warrant and forever defend the right and title to the Property unto the said Grantee against the lawful claims of all persons whomsoever, except for those matters set forth in **Exhibit "B"** attached hereto and made a part hereof.

IN WITNESS WHEREOF, Grantor has caused this General Warranty Deed to be signed, sealed and delivered as of the day and year first above written.

Unofficial Witness

Joseph Scott Wood (SEAL)

Joseph Scott Wood

Notary Public

My Commission Expires: 5-7-2024

(NOTARY SEAL)

Unofficial Witness

Wayne H. Wood (SEAL)

Wayne H. Wood, as Attorney in Fact for Ernest R. Wood pursuant to that certain Georgia General Durable Power of Attorney dated December 3, 2020 and attached hereto as **Exhibit C**

Notary Public

My Commission Expires: 5/7/24

(NOTARY SEAL)

Unofficial Witness

Yancey Lee Wood (SEAL)

Yancey Lee Wood

Notary Public

My Commission Expires: 5/7/24

(NOTARY SEAL)

Unofficial Witness

Gayla Yvonne Blizzard (SEAL)

Gayla Evonne Blizzard aka Gayla Yvonne Blizzard

Notary Public

My Commission Expires: 5/7/24

(NOTARY SEAL)

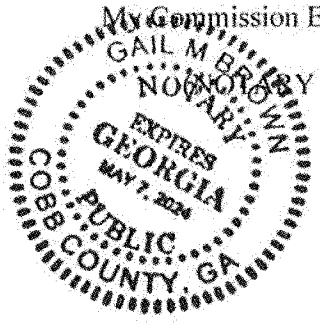
Unofficial Witness

Wayne H. Wood (SEAL)

Notary Public

My Commission Expires: 5-7-24

(NOTARY SEAL)



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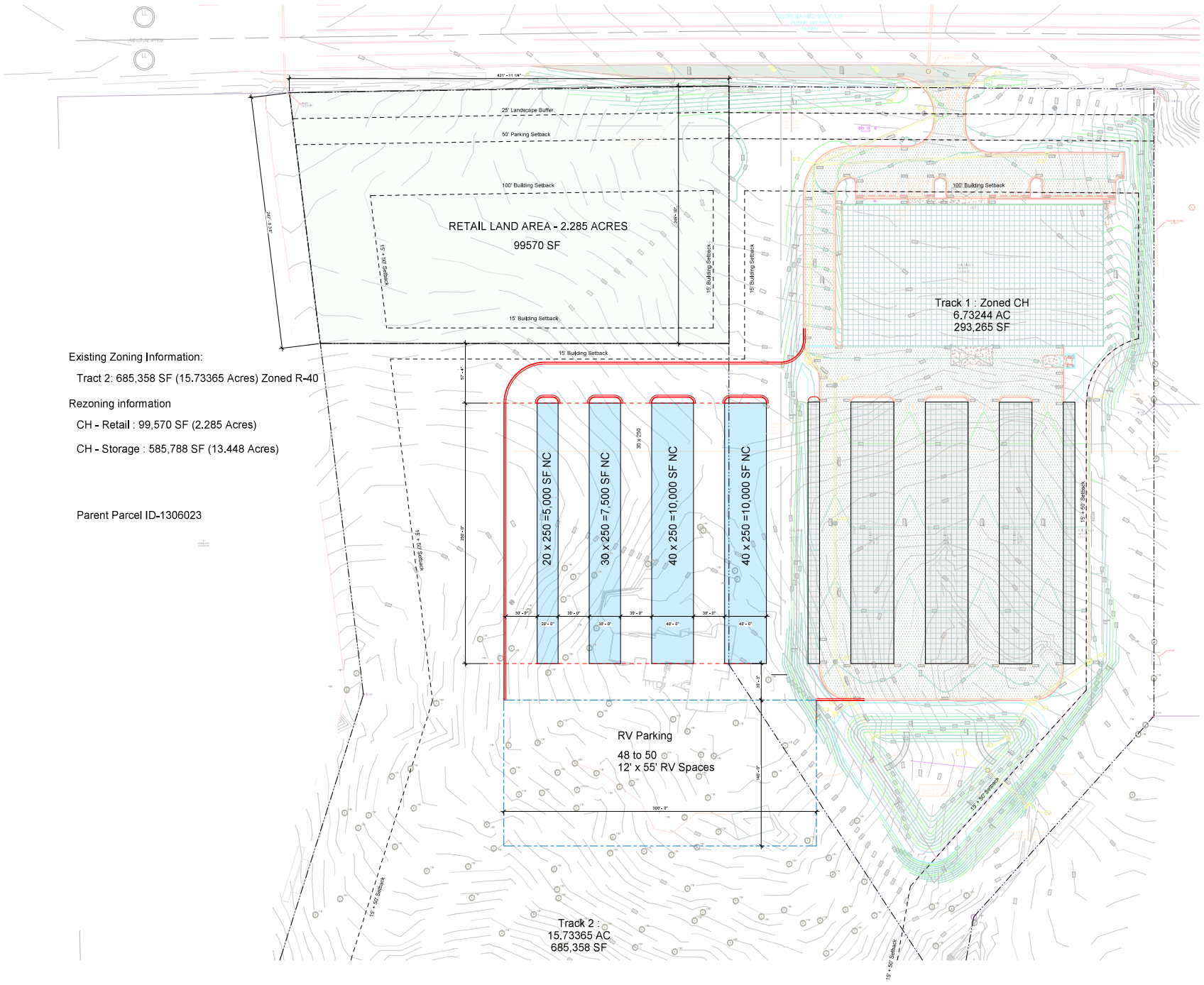

Existing Zoning Information:

Tract 2: 685,358 SF (15.73365 Acres) Zoned R-40

Rezoning information

CH - Retail : 99,570 SF (2.285 Acres)

CH - Storage : 585,788 SF (13.448 Acres)

Parent Parcel ID-1306023

Zoning Site Plan
1" = 30'-0"

Shamrock
Building Systems, Inc.

No.	Description	Date

CK 138, LLC

Zoning Site Plan
Enlarged

Project Number

Date

Drawn By

Checked By

SBS 1

Scale 1" = 30'-0"

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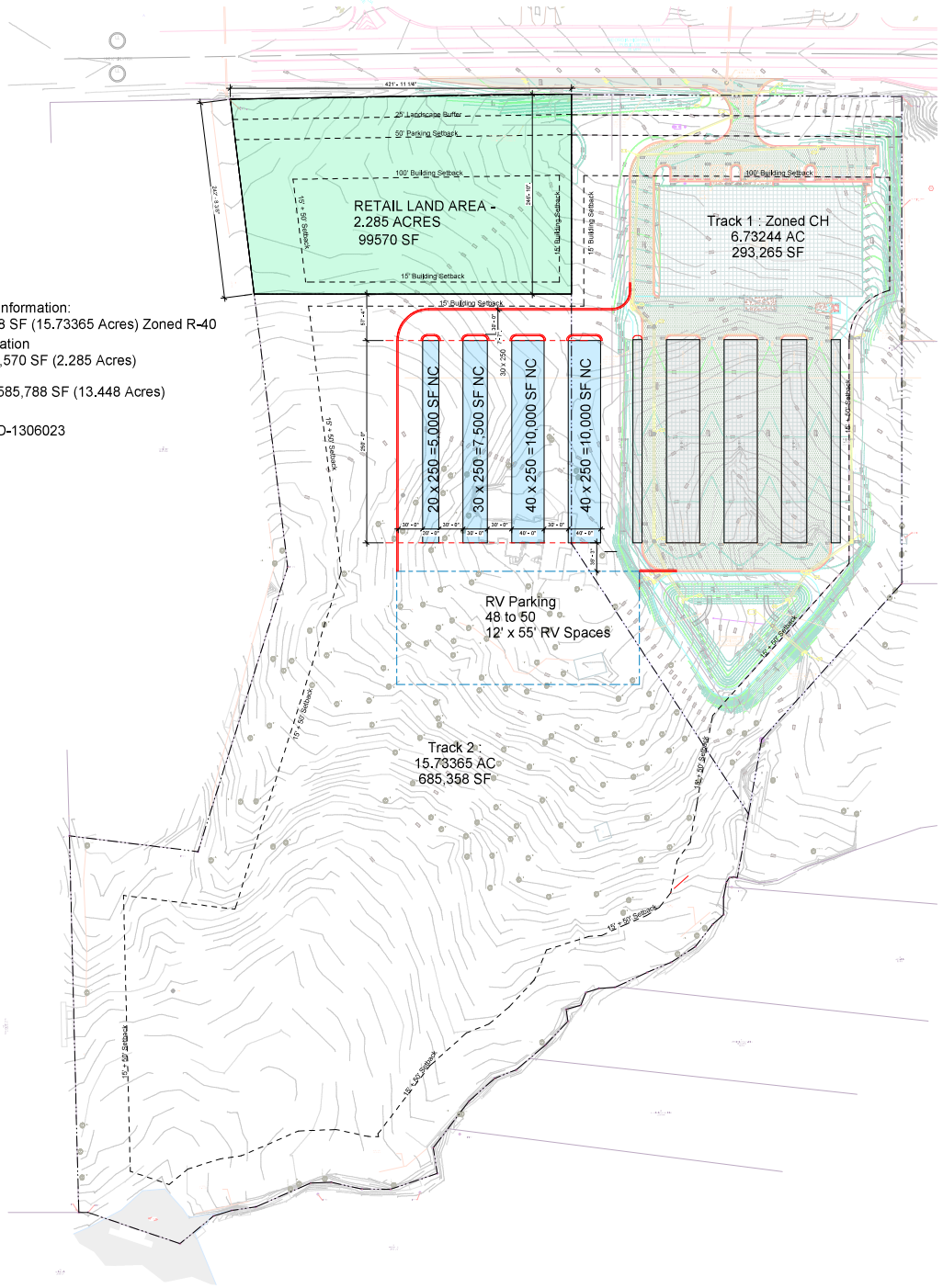

Existing Zoning Information:
Tract 2: 685,358 SF (15.73365 Acres) Zoned R-40
Rezoning information
CH - Retail : 99,570 SF (2.285 Acres)

CH - Storage : 585,788 SF (13.448 Acres)

Parent Parcel ID-1306023

1 Zoning Site Plan Overall
SBS 2 1" = 50'-0"

Shamrock
Building Systems, Inc.

No.	Description	Date

CK 138, LLC

Zoning Site Plan Overall

Project Number	
Date	
Drawn By	
Checked By	

SBS 2

Scale 1" = 50'-0"

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Continued from page B2

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, November 6, 2025, at 7:00 P.M, and before the Fayette County Board of Commissioners on Thursday, December 11, 2025, at 2:00 P.M, in the Fayette County Administrative Complex, 140 Stonewall Avenue West, Public Meeting Room, First Floor, Fayetteville, Georgia.
Petition No: 1371-25
Parcel No:1306 023
Owner:CK 138, LLC
Agent(s): Dakota Carruthers
Zoning District: R-40
Area of Property:15.73365 acres
Land Lot(s)/District:Land Lot 198 of the 13th District
Fronts on: Highway 138
Proposed: Applicant proposes the following: To rezone Parcel No. 1306 023, consisting of 15.73365 acres, from R-40 (Single-Family Residential) to C-H (Highway Commercial).
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.
DESCRIPTION OF PROPERTY
TRACT 2
ALL OF THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 198 OF THE 13TH DISTRICT OF FAYETTE COUNTY, GEORGIA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: TO REACH THE POINT OF BEGINNING, COMMENCE FROM THE NORTHWESTERLY MOST POINT OF A MITERED RIGHT OF WAY INTERSECTION, FORMED BY THE WESTERLY RIGHT OF WAY LINE TO GEORGIA HIGHWAY 314, ALSO KNOWN AS FAYETTEVILLE ROAD, (A 117 FOOT RIGHT OF WAY) WITH THE SOUTHERLY RIGHT OF WAY LINE TO GEORGIA HIGHWAY 138 (A 100 FOOT RIGHT OF WAY), THENCE PROCEED ALONG THE SOUTHERLY RIGHT OF WAY LINE TO GEORGIA HIGHWAY 138 (A 100 FOOT RIGHT OF WAY) THE FOLLOWING COURSES AND DISTANCES: (1) NORTH 89°32'14" WEST, A DISTANCE OF 393.50 FEET TO AN IRON PIN FOUND (1/2 INCH REBAR); (2) THENCE NORTH 89°40'10" WEST FOR A DISTANCE OF 368.41 FEET TO THE TRUE POINT OF BEGINNING. FROM THE POINT OF BEGINNING THUS ESTABLISHED, THENCE DEPART THE AFORESAID SOUTHERLY RIGHT OF WAY LINE TO GEORGIA HIGHWAY 138, AND PROCEED SOUTH 00°19'50" WEST, A DISTANCE OF 540.90 FEET TO AN IRON PIN PLACED (1/2 INCH REBAR W/CAP); THENCE SOUTH 27°35'34" EAST FOR A DISTANCE OF 392.89 FEET TO AN IRON PIN PLACED (1/2 INCH REBAR W/CAP); THENCE SOUTH 10°01'47" WEST FOR A DISTANCE OF 80.29 FEET TO A POINT ON THE CENTERLINE OF A DITCH; THENCE PROCEED ALONG THE CENTERLINE OF A DITCH, SAID CENTERLINE OF DITCH BEING THE TRUE PROPERTY LINE, THE FOLLOWING COURSES AND DISTANCES:
1)NORTH 76°52'35" WEST FOR A DISTANCE OF 4.48 FEET TO A POINT;
2)THENCE SOUTH 80°10'01" WEST FOR A DISTANCE OF 5.28 FEET TO A POINT;
3)THENCE SOUTH 35°03'27" WEST FOR A DISTANCE OF 6.59 FEET TO A POINT;
4)THENCE SOUTH 11°21'43" WEST FOR A DISTANCE OF 19.06 FEET TO A POINT;
5)THENCE SOUTH 00°27'24" EAST FOR A DISTANCE OF 21.50 FEET TO A POINT;
6)THENCE SOUTH 47°37'26" WEST FOR A DISTANCE OF 18.12 FEET TO A POINT;
7)THENCE SOUTH 38°12'04" WEST FOR A DISTANCE OF 35.02 FEET TO A POINT;
8)THENCE SOUTH 57°08'25" WEST FOR A DISTANCE OF 35.34 FEET TO A POINT;
9)THENCE SOUTH 67°02'13" WEST FOR A DISTANCE OF 32.16 FEET TO A POINT;
10)THENCE SOUTH 64°59'47" WEST FOR A DISTANCE OF 43.87 FEET TO A POINT;
11)THENCE SOUTH 86°02'36" WEST FOR A DISTANCE OF 20.13 FEET TO A POINT;
12)THENCE SOUTH 72°26'13" WEST FOR A DISTANCE OF 16.64 FEET TO A POINT;
13)THENCE SOUTH 21°55'13" WEST FOR A DISTANCE OF 16.85 FEET TO A POINT;
14)THENCE SOUTH 74°20'20" WEST FOR A DISTANCE OF 18.74 FEET TO A POINT;
15)THENCE SOUTH 07°14'26" EAST FOR A DISTANCE OF 15.05 FEET TO A POINT;
16)THENCE SOUTH 43°20'34" WEST FOR A DISTANCE OF 40.54 FEET TO A POINT;
17)THENCE SOUTH 10°40'26" WEST FOR A DISTANCE OF 4.00 FEET TO A POINT;
18)THENCE SOUTH 68°28'48" WEST FOR A DISTANCE OF 28.76 FEET TO A POINT;
19)THENCE SOUTH 48°14'08" WEST FOR A DISTANCE OF 42.55 FEET TO A POINT;
20)THENCE SOUTH 37°21'16" WEST FOR A DISTANCE OF 72.43 FEET TO A POINT;
21)THENCE SOUTH 08°48'50" EAST FOR A DISTANCE OF 32.11 FEET TO A POINT;
22)THENCE SOUTH 71°21'46" WEST FOR A DISTANCE OF 61.31 FEET TO A POINT;
23)THENCE NORTH 89°16'04" WEST FOR A DISTANCE OF 35.15 FEET TO A POINT;
24)THENCE NORTH 77°40'37" WEST FOR A DISTANCE OF 38.90 FEET TO A POINT;
25)THENCE SOUTH 87°40'06" WEST FOR A DISTANCE OF 25.58 FEET TO A POINT;
26)THENCE SOUTH 66°26'57" WEST FOR A DISTANCE OF 73.77 FEET TO A POINT;
27)THENCE SOUTH 82°01'59" WEST FOR A DISTANCE OF 29.80 FEET TO A POINT;
28)THENCE SOUTH 72°29'08" WEST FOR A DISTANCE OF 23.80 FEET TO A POINT;
29)THENCE SOUTH 50°30'08" WEST FOR A DISTANCE OF 53.53 FEET TO A POINT IN A LAKE; THENCE NORTH 71°19'58" WEST FOR A DISTANCE OF 120.00 FEET TO AN IRON PIN FOUND (1/2 INCH REBAR); THENCE NORTH 89°59'52" WEST FOR A DISTANCE OF 11.58 FEET TO AN IRON PIN PLACED (1/2 INCH REBAR W/CAP); THENCE NORTH 01°24'53" WEST FOR A DISTANCE OF 465.96 FEET TO AN IRON PIN FOUND (1 INCH OPEN TOP PIPE); THENCE SOUTH 82°58'20" EAST FOR A DISTANCE OF 160.06 FEET TO A POINT AN IRON PIN FOUND (1/2 INCH REBAR); THENCE NORTH 17°28'57" EAST FOR A DISTANCE OF 369.26 FEET TO AN IRON PIN FOUND (1/2 INCH REBAR); THENCE NORTH 07°00'39" WEST FOR A DISTANCE OF 582.36 FEET TO AN IRON PIN PLACED (1/2 INCH REBAR W/CAP) AT THE AFORESAID SOUTHERLY RIGHT OF WAY LINE TO GEORGIA HIGHWAY 138; THENCE PROCEED ALONG THE SOUTHERLY RIGHT OF WAY LINE TO GEORGIA HIGHWAY 138 (A 100 FOOT RIGHT OF WAY) THE FOLLOWING COURSES AND DISTANCES:
1)NORTH 88°59'31" EAST FOR A DISTANCE OF 322.46 FEET TO A POINT;
2)THENCE 65.77 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 2814.85 FEET AND BEING SUBTENDED BY A CHORD OF NORTH 89°39'41" EAST, 65.77 FEET TO A POINT;
3)THENCE SOUTH 89°40'10" EAST FOR A DISTANCE OF 73.61 FEET TO THE TRUE POINT OF BEGINNING.
SAID TRACT OR PARCEL CONTAINING 15.73365 ACRES, OR 685,358 SQUARE FEET.
10/29

PETITION NO: 1372-25-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): 13th 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: November 6, 2025, 7:00 PM

BOARD OF COMMISSIONERS PUBLIC HEARING: December 11, 2025, 2:00 PM

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 1372-25-A is a request to rezone Parcel No. 1306-011, 45.412 acres, from R-40 to A-R.

Petition 1372-25-B is a request to rezone Parcel No. 1306-117, 4.738 acres from R-40 to A-R.

STAFF RECOMMENDATION

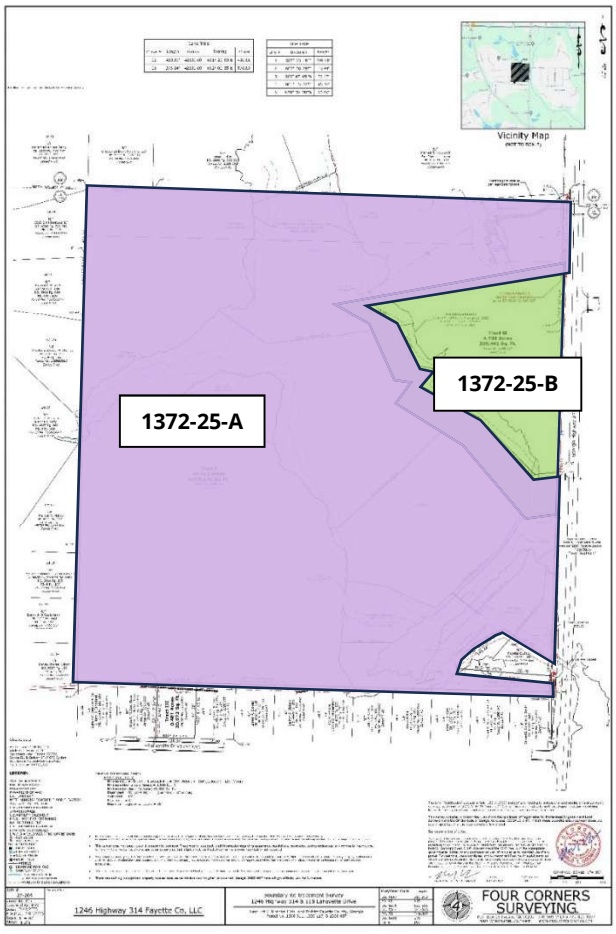
As defined in the Fayette County Comprehensive Plan's Future Land Use Plan, Low Density Residential is designated for this area, so the request for A-R zoning, which is a lower density district, is appropriate. Parcel 1306-117 does not meet the minimum lot size for the A-R zoning. Therefore, a condition 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:

1372-25-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.

1372-25-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. 1372-25-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. 1372-25-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:

Direction	Acreage	Zoning	Use	Comprehensive Plan/Future Land Use Map
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 Count 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.

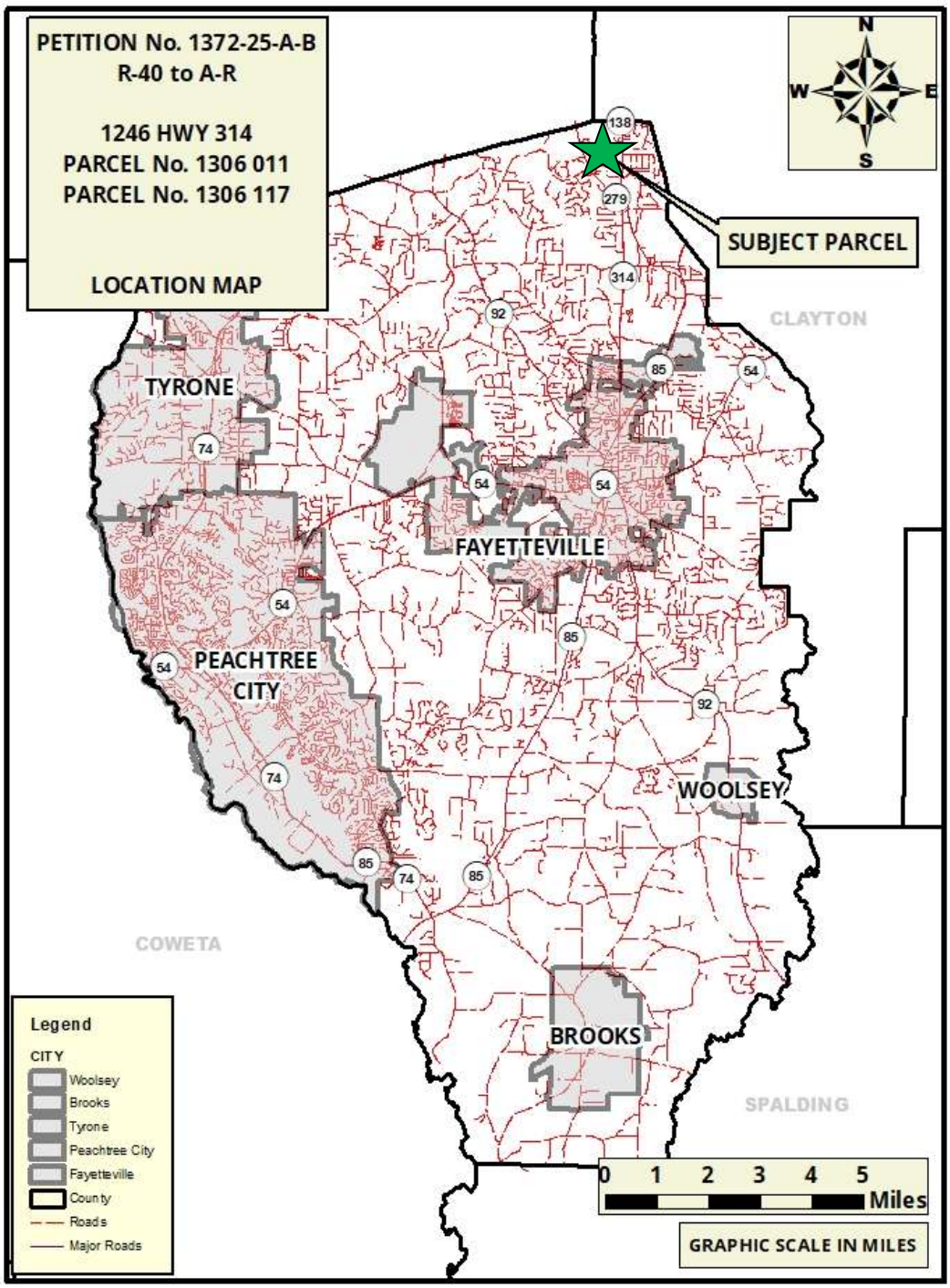
(2) Conditional uses allowed.

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.


PETITION No. 1372-25-A-B
R-40 to A-R
1246 HWY 314
PARCEL No. 1306 011
PARCEL No. 1306 117
LOCATION MAP
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SUBJECT PARCEL
CLAYTON
TYRONE
FAYETTEVILLE
PEACHTREE CITY
WOOLSEY
BROOKS
COWETA
SPALDING
138
279
314
92
85
54
74
Legend
CITY
Woolsey
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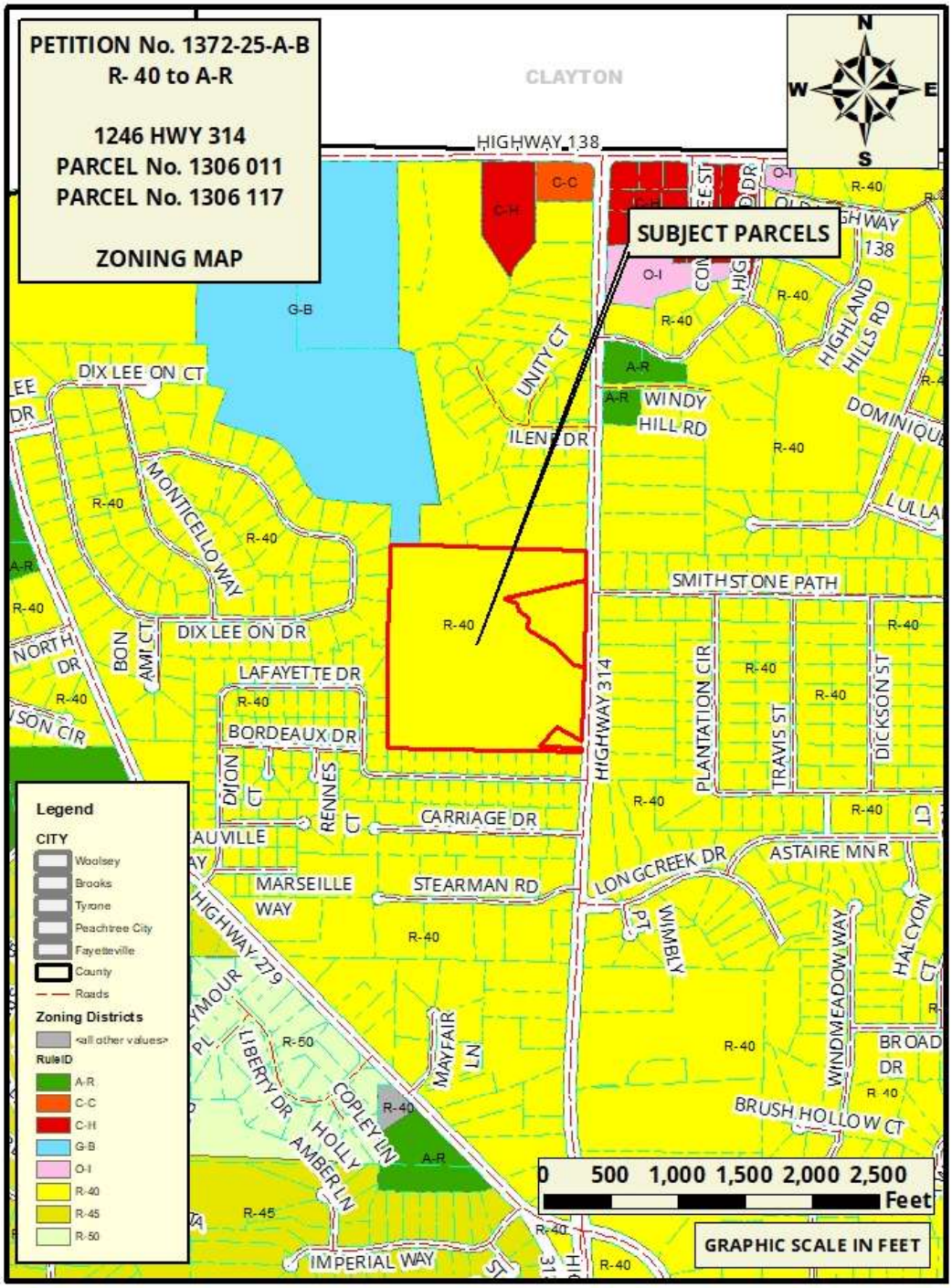
Peachtree City
Fayetteville
County
Roads
Major Roads
0 1 2 3 4 5 Miles
GRAPHIC SCALE IN MILES


PETITION No. 1372-25-A-B
R- 40 to A-R
1246 HWY 314
PARCEL No. 1306 011
PARCEL No. 1306 117
ZONING MAP
SUBJECT PARCELS
CLAYTON
HIGHWAY 138
N
W
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S
Legend
CITY
Woolsey
Brooks
Tyrone
Peachtree City
Fayetteville
County
Roads
Zoning Districts
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RuleID
A-R
C-C
C-H
G-B
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R-40
R-45
R-50
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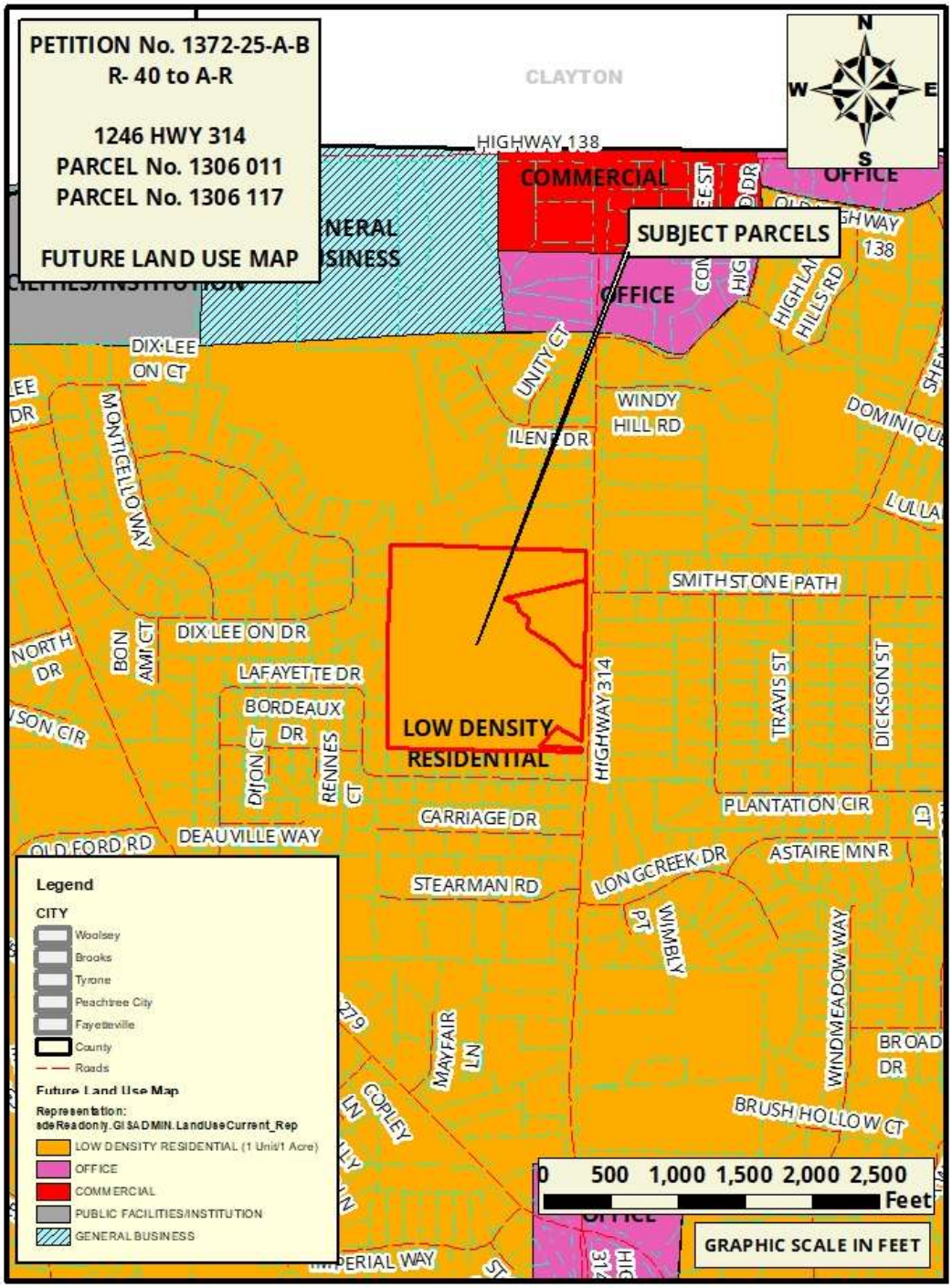
GRAPHIC SCALE IN FEET


PETITION No. 1372-25-A-B
R- 40 to A-R
1246 HWY 314
PARCEL No. 1306 011
PARCEL No. 1306 117
FUTURE LAND USE MAP
CLAYTON
HIGHWAY 138
COMMERCIAL
OFFICE
SUBJECT PARCELS
LOW DENSITY RESIDENTIAL
HIGHWAY 314
DIX LEE ON CT
UNITY CT
WINDY HILL RD
ILENE DR
MONTICELLO WAY
SMITH STONE PATH
DIX LEE ON DR
LAFAYETTE DR
BORDEAUX DR
DIJON CT
RENNES CT
BON AMI CT
NORTH DR
TRAVIS ST
DICKSON ST
PLANTATION CIR
CARRIAGE DR
DEAUVILLE WAY
STEARMAN RD
LONGCREEK DR
ASTAIRE MNR
WINDMEADOW WAY
BROAD DR
BRUSH HOLLOW CT
MAYFAIR LN
COPLEY LN
Legend
CITY
Woolsey
Brooks
Tyrone
Peachtree City
Fayetteville
County
Roads
Future Land Use Map
LOW DENSITY RESIDENTIAL (1 Unit/1 Acre)
OFFICE
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PUBLIC FACILITIES/INSTITUTION
GENERAL BUSINESS
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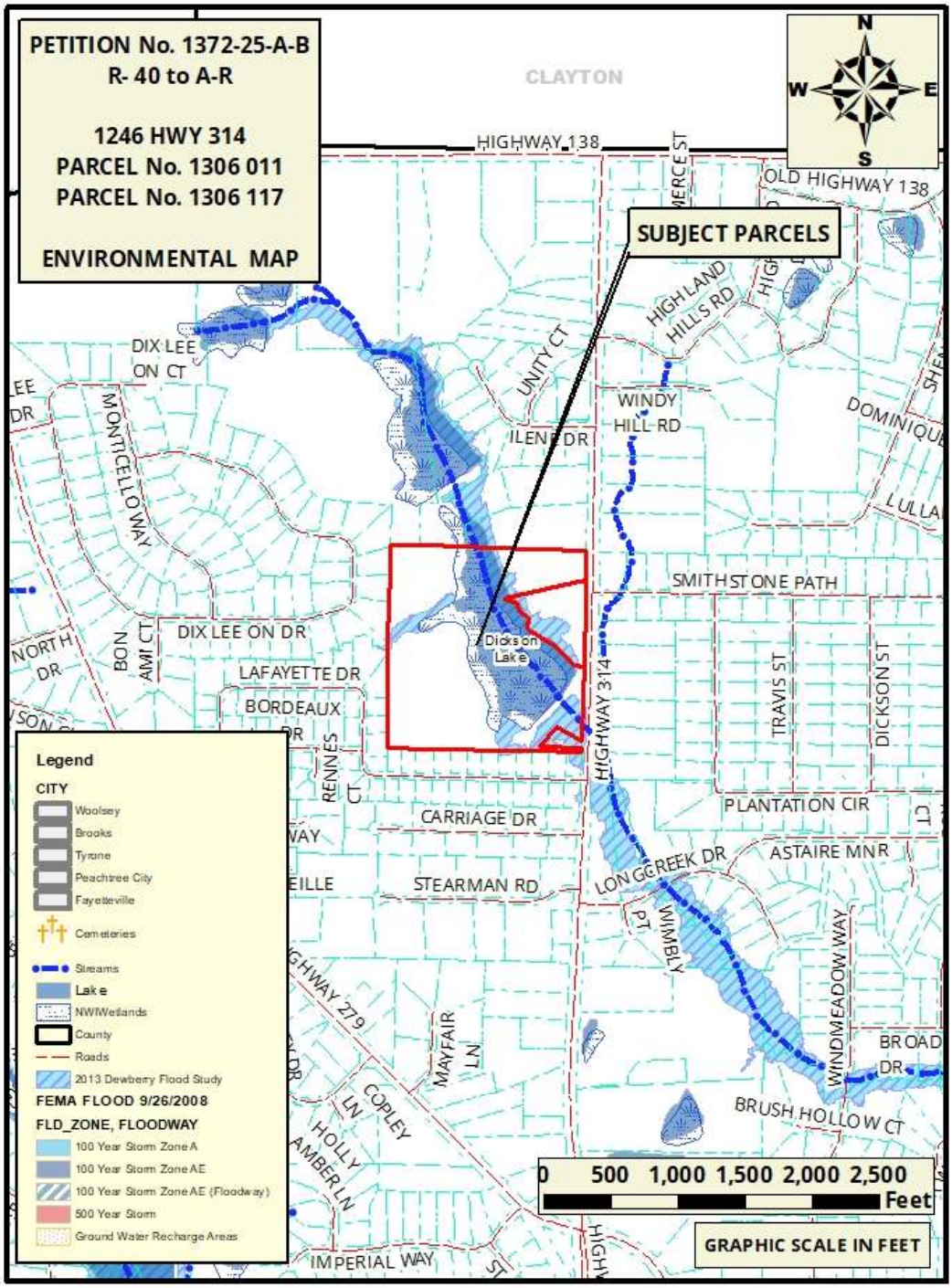
PETITION No. 1372-25-A-B
R- 40 to A-R
1246 HWY 314
PARCEL No. 1306 011
PARCEL No. 1306 117
ENVIRONMENTAL MAP
CLAYTON
HIGHWAY 138
OLD HIGHWAY 138
SUBJECT PARCELS
HIGHLAND HILLS RD
WINDY HILL RD
UNITY CT
DIX LEE ON CT
MONTICELLO WAY
DOMINIQUE
SMITHSTONE PATH
Dickson Lake
DIX LEE ON DR
LAFAYETTE DR
BORDEAUX
BON AMI CT
NORTH DR
HIGHWAY 314
TRAVIS ST
DICKSON ST
RENNES CT
CARRIAGE DR
PLANTATION CIR
ASTAIRE MNR
LONG CREEK DR
STEARMAN RD
WIMBLY PT
WINDMEADOW WAY
BROAD DR
BRUSH HOLLOW CT
HIGHWAY 279
MAYFAIR LN
COPLEY LN
HOLLY AMBER LN
IMPERIAL WAY
Legend
CITY
Woolsey
Brooks
Tyrone
Peachtree City
Fayetteville
Cemeteries
Streams
Lake
NWIWetlands
County
Roads
2013 Dewberry Flood Study
FEMA FLOOD 9/26/2008
FLD_ZONE, FLOODWAY
100 Year Storm Zone A
100 Year Storm Zone AE
100 Year Storm Zone AE (Floodway)
500 Year Storm
Ground Water Recharge Areas
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GRAPHIC SCALE IN FEET
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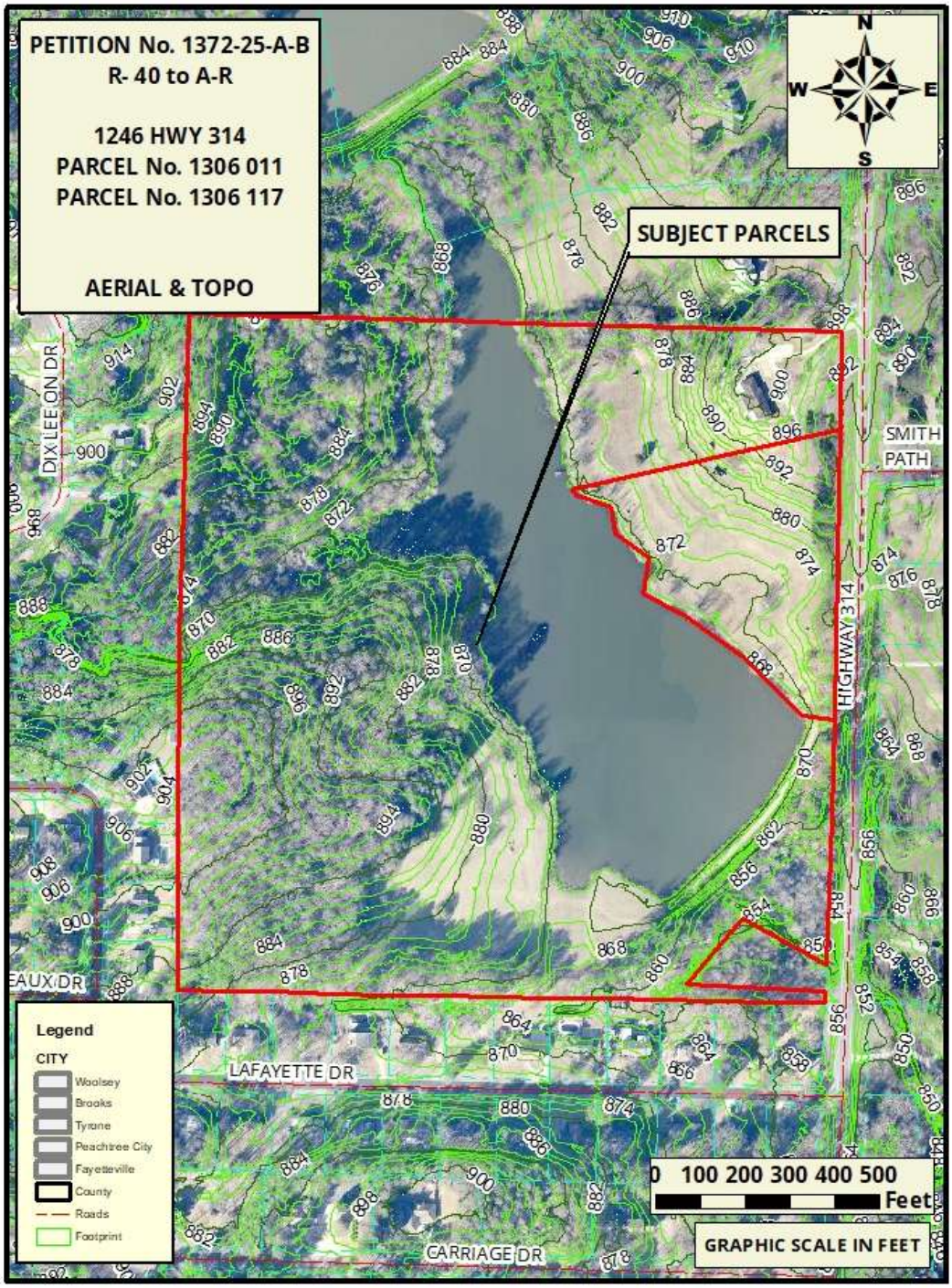
PETITION No. 1372-25-A-B
R- 40 to A-R
1246 HWY 314
PARCEL No. 1306 011
PARCEL No. 1306 117
AERIAL & TOPO
SUBJECT PARCELS
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SMITH PATH
HIGHWAY 314
LAFAYETTE DR
CARRIAGE DR
EAUX DR
Legend
CITY
Woolsey
Brooks
Tyrone
Peachtree City
Fayetteville
County
Roads
Footprint
0 100 200 300 400 500
Feet
GRAPHIC SCALE IN FEET

SURVEY

NOTE: Tract III is NOT part of this petition.

1372-25-A-B

PETITION No (s).: ~~1368-25-A-B~~

STAFF USE ONLY

SAGES REFERENCE No.: _____

APPLICANT INFORMATION

Name Xavier Hill

Address 1246 Hwy 314

City Fayetteville

State GA Zip 30214

Email [redacted]

Phone [redacted]

PROPERTY OWNER INFORMATION

Name 1246 Hwy 314 Fayette Co, 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: Maria Binns Date: 09/08/2025

DATE OF PLANNING COMMISSION HEARING: November 6th, 2025

DATE OF COUNTY COMMISSIONERS HEARING: December 11, 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: 09/08/25 Receipt Number: MISCPZ-09-2025-09024

1372-25-A

PETITION No.: ~~1368-25-A B~~ **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 Road Classification: arterial

Existing Use: Single family residence Proposed Use: ~~243.8~~ A-R

Structure(s): SFD Type: Size in SF: ~3,400 1941

Existing Zoning: R40 Proposed Zoning: A-R

Existing Land Use: vacant land Proposed Land Use:

Water Availability: yes Distance to Water Line: Distance to Hydrant:

PETITION No.: ~~1364-25-B~~ 1372-25-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 Fayetteville Co LLC
(Please Print)

Property Tax Identification Number(s) of Subject Property: 1246 Hwy 314 Fayetteville, GA
(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) 189 of the 13 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
Maria T. B. — Signature of Notary Public
1246 Hwy 314 Fayetteville, GA — Address
09/08/2025 — Date

MARIA TERESA BINNS NOTARY PUBLIC COWETA COUNTY, GEORGIA MY COMMISSION EXPIRES MAY 05, 2026

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

1372-25-A-B

PETITION No.: ~~1368-25-A-B~~

OWNER'S AFFIDAVIT

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

NAME: 1246 Hwy 314 Fayette 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 Fayette Co, LLC / Xavier Hill 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 _____.

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 November 6, 2025 at 7:00 P.M.

PUBLIC HEARING to be held by the Board of Commissioners of Fayette County on the day of December 11, 2025 at ~~5:00~~ 2:00 PM P.M.

SWORN TO AND SUBSCRIBED BEFORE ME THIS 8th DAY OF September, 2025

Xavier Hill

SIGNATURE OF PROPERTY OWNER

_____

SIGNATURE OF PROPERTY OWNER

Maria T. Binns

NOTARY PUBLIC May 05, 2026

MARIA TERESA BINNS NOTARY PUBLIC COWETA COUNTY, GEORGIA MY COMMISSION EXPIRES MAY 05, 2026

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 _____ 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 8 day of September, 20 25.

SIGNATURE OF PROPERTY OWNER

SIGNATURE OF PROPERTY OWNER

NOTARY PUBLIC May 05, 2026

MARIA TERESA BINNS
NOTARY PUBLIC
COWETA COUNTY, GEORGIA
MY COMMISSION EXPIRES
MAY 05, 2026

DEVELOPMENTS OF REGIONAL IMPACT (DRI)

Rezoning Applicant:

A. Please review the attached "Developments of Regional Impact Tiers and Development Thresholds" established by the Georgia Department of Community Affairs (DCA) to determine if the proposed project meets or exceeds these thresholds. If the proposed project does not meet the established thresholds (is less than those listed) then skip to section C. below and complete.

B. If the project does meet or exceed the established thresholds for the type of development proposed, the Georgia Department of Community Affairs (DCA) "Developments of Regional Impact: Request for Review Form" is available online at the following website address: www.dca.state.ga.us/DRI/.

C. I have reviewed and understand the attached "Thresholds: Developments of Regional Impact".

[ ] The proposed project related to this rezoning request DOES NOT meet or exceed the established DRI thresholds .

[ ] The proposed project related to this rezoning request DOES meet or exceed the established DRI thresholds and documentation regarding the required DRI Request for Review Form is attached.

Signed this 8th day of Sept, 2025.

Karen Lutz

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: ___X___ **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 1st 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.

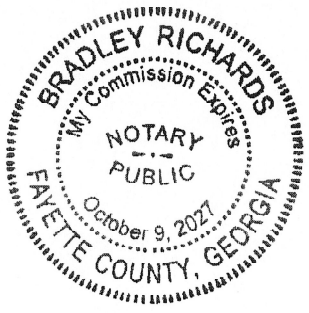
Signed, sealed and delivered
in the presence of:

Unofficial Witness

WILLIAM F. JOHNSTON, III (SEAL)

Notary Public

(NOTARY SEAL)

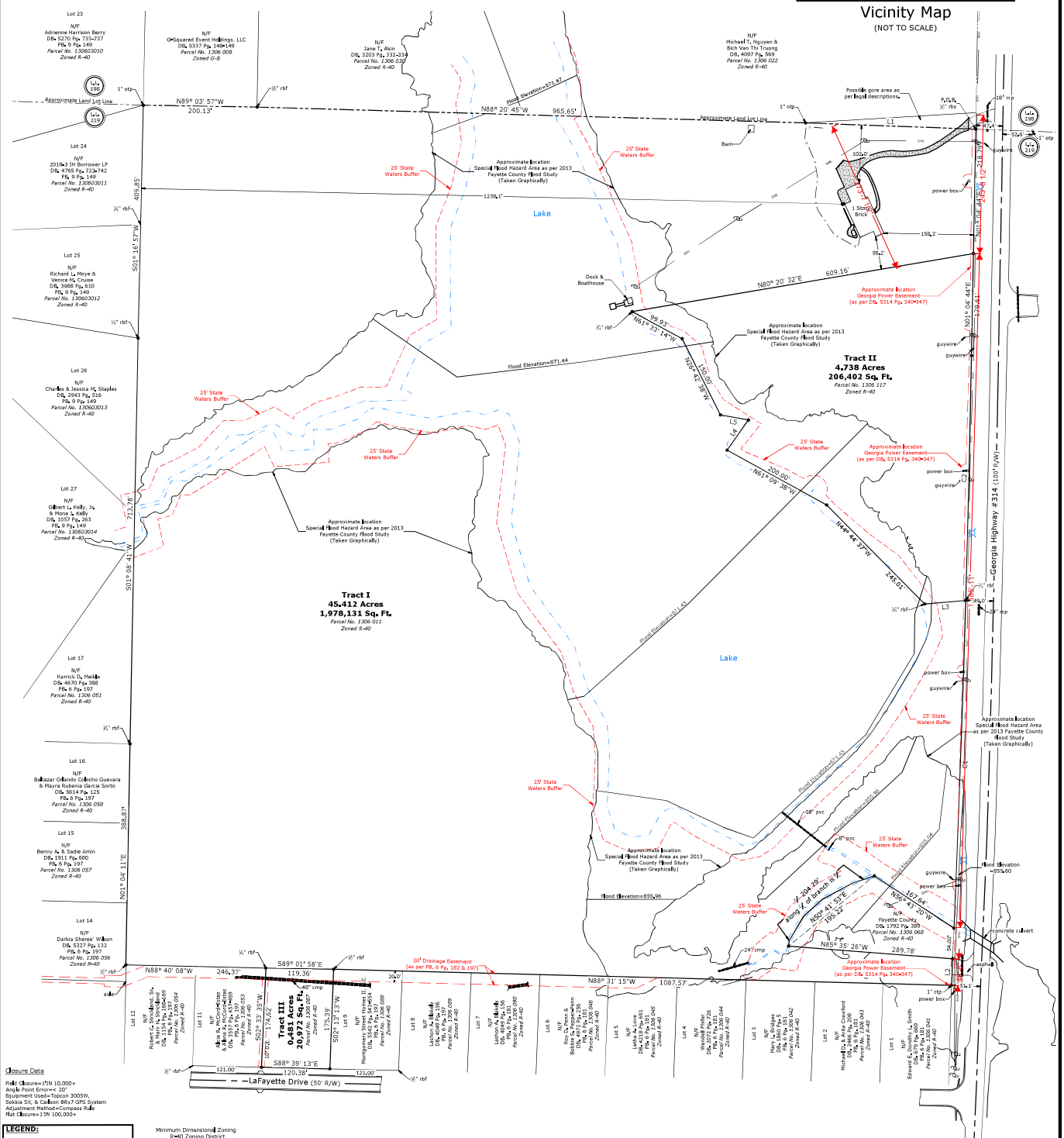


This Box reserved for the Clerk of the Superior Courts.

Curve Table				
Curve #	Length	Radius	Bearing	Chord
C2	430.81'	42330.60'	N01° 22' 00"E	430.81'
C1	576.84'	42330.60'	N02° 02' 55"E	576.83'

Line Table		
Line #	Direction	Length
L1	S87° 53' 18"E	299.68'
L2	N02° 26' 29"E	46.44'
L3	S85° 07' 08"W	72.52'
L4	N35° 15' 22"E	65.00'
L5	N79° 32' 38"W	50.00'

Vicinity Map
(NOT TO SCALE)



Closure Data

Field closure=1'IN 10,000+
Angle Point Error=< 20"
Equipment Used=Topcon 300SW,
Sokkia SX, & Carlson BRx7 GPS System
Adjustment Method=Compass Rule
Plat Closure=1'IN 100,000+

LEGEND:

OTP=OPEN TOP PIPE
RBF=REBAR FOUND
RBS=REBAR SET
R/W=RIGHT OF WAY
L#=LAND LOT
MFFE=MINIMUM FINISHED FLOOR ELEVATION
A.E.=ACCESS EASEMENT
D.E.=DRAINAGE EASEMENT
S/W=SIDEWALK
U.E.=UTILITY EASEMENT
P.O.B.=POINT OF BEGINNING
B/L=BUILDING LINE
D.E.=DRAINAGE EASEMENT
N/F=NOW OR FORMERLY
W/M.F.F.=FIELD WORK PERFORMED DATE
=GAS VALVE
=WATER METER
=UTILITY POLE
=DROP INLET
=FIRE HYDRANT
=WATER VALVE
=LIGHT POLE
=FENCE
=DRAINAGE MANHOLE
=SANITARY SEWER
=WATER EASEMENT
=DRAINAGE EASEMENT
=SANITARY SEWER EASEMENT

Minimum Dimensional Zoning
R-40 Zoning District
Minimum lot width at front setback line = 150' (Arterial) - 150' (Collector) - 125' (Minor)
Minimum floor area of house = 1,500 Sq. Ft.
Minimum lot size = (1 Acres) 43,560 Sq. Ft.
Front yard = 60' (Arterial) - 60' (Collector) - 40' (Local)
Side yard = 15'
Rear yard = 30'
Maximum height of structure = 35'

- In my opinion a portion of this property appears to lie within a Special Flood Hazard Area, according to Fayette County's MNGWPD 2013 Limited Detail Study. It appears not to lie within a Special Flood Hazard Area according to FEMA Flood Insurance Rate Map for Fayette County unincorporated areas dated September 26, 2008 Map #13113C0037E.
- 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, rights-of-ways, adjoiners, and other documents that might affect the tract shown or not shown, recorded or not recorded.
- Four Corners Surveying, LLC 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. Four Corners Surveying, LLC assumes no liability for loss or damages caused by the discovery of or disturbance of underground utilities and/or structures.
- 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.
- There was nothing on adjoiners property located because permission was not given or obtained. Georgia DOES NOT have a Right of Entry Law for Surveyors.

The term "Certification" as used in Rule "180-6-.09(2) and (3)" and relating to professional engineering or land surveying services, as defined in O.C.G.A. 43-15-2(6) and(11), 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)15-6-67, in that where a conflict exists between those two sets of specifications, the requirements of law prevail.

Surveyor's Certificate:

As required by subsection (d) of O.C.G.A. Section 15-6-67, this plat has been prepared by a land surveyor and approved by all applicable local jurisdictions for recording as evidenced by approval certificates, signatures, stamps, or statements hereon. Such approvals or affirmations should be confirmed with the appropriate governmental bodies by any purchaser or user of this plat as to intended use of any parcel. Furthermore, the undersigned land surveyor certifies that this plat complies with the minimum technical standards for property surveys in Georgia as set forth in the rules and regulations of the Georgia Board of Registration for Professional Engineers and Land Surveyors and as set forth in O.C.G.A. Section 15-6-67.

GEORGIA REGISTERED PROFESSIONAL LAND SURVEYOR RONALD T. GODWIN

By: _____ GA R.L.S. Ronald T. Godwin | 2696 License NO. | 12/11/2023 Date

GRAPHIC SCALE 1"= 80'
0 40 80 160

Job #:	23-206
Drawn By:	JCB
Reviewed By:	RTG
Date:	12/11/2023
F.W.Q.:	1/10,000+
Scale:	1" = 80'
Sheet:	1 of 1

Prepared For:

1246 Highway 314 Fayette Co, LLC

Boundary Re-tracement Survey
1246 Highway 314 & 119 LaFayette Drive

Land Lot 219 of the 13th Land District Fayette County, Georgia
Parcel No. 1306 011, 1306 117, & 1306 087

Plat/Deed Book	Page:
DB. 4147	311-313
PB. 13	135
DB. 5671	552-555
DB. 5314	340-343
DB. 5314	344-347
DB. 5668	276
PB. 6	197

FOUR CORNERS SURVEYING, llc
P.O. BOX 15 Tyrone, GA 30290 770-560-3910 & 770-623-9377
FOUR_CORNERS@BELLSOUTH.NET 4CORNERSSURVEYING@GMAIL.COM

Continued from page B2

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, November 6, 2025, at 7:00 P.M, and before the Fayette County Board of Commissioners on Thursday, December 11, 2025, at 2:00 P.M, in the Fayette County Administrative Complex, 140 Stonewall Avenue West, Public Meeting Room, First Floor, Fayetteville, Georgia.

Petition No: 1372-25-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 comer 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* District of Fayette County, 1Georgia 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 Une of Georgia State Highway No, 314 at the POINT OF BEGINNING, ell as shown on a plat of survey' dated April 11, 1970 as prepared by Lee Engineering Company.

10/29

PETITION No. 1373-25

REQUESTED ACTION: Rezone 7.745 acres from A-R to R-78

PARCEL NUMBER: 0504 049

EXISTING ZONING: A-R

PROPOSED ZONING: R-78

EXISTING USE: Single-Family Residential

PROPOSED USE: Single-Family Residential

LOCATION: 211 Harp Road

LOT SIZE: 7.745 Acres

DISTRICT/LAND LOT(S): 5th District, Land Lot(s) 26

OWNER(S): Kyle D. Weishaar and Laura S. Weishaar

APPLICANT(S): Kyle D. Weishaar and Laura S. Weishaar

AGENT(S): Mark Wiggins

PLANNING COMMISSION PUBLIC HEARING: November 6, 2025, at 7:00 PM

BOARD OF COMMISSIONERS PUBLIC HEARING: December 11, 2025, at 2:00 PM

REQUEST

The applicant is requesting to rezone the property from A-R to R-78.

STAFF ASSESSMENT & RECOMMENDATION

The lot is a legal nonconforming lot and meets or exceeds all the requirements of the R-78 zoning district. The Future Land Use Map designates this area as Rural Residential-2, which has a 2-acre minimum parcel size. The request to rezone to R-78 is consistent with the Future Land Use Map and the Comprehensive Plan. At 4161 SF, the existing house on the parcel DOES meet/exceed the dimensional requirements for R-78 for minimum floor area and it meets all building setback requirements.

Staff recommends **CONDITIONAL APPROVAL** of the request to rezone from A-R to R-78, subject to the following condition:

1. 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 Harp Road for the full width of the

parcel. Submittal of all warranty deed(s) and legal descriptions for said right-of-way dedication(s) shall be provided to the County within 90 days of the approval of the rezoning request, or prior to the submittal of permit applications, whichever comes first.

INVESTIGATION

A. GENERAL PROPERTY INFORMATION

The subject property is currently zoned A-R, Agricultural-Residential. The property is currently developed with a single-family residence. As determined by staff previously, the lot is a legal nonconforming lot and meets or exceeds all the requirements of the R-78 zoning district. The lot does not meet the minimum lot width for A-R, but it will meet the requirements of the R-78 zoning district so this rezoning will resolve the nonconformity.

The Future Land Use Map designates this area as Rural Residential-2, which has a 2-acre minimum parcel size. The request to rezone to R-78 is consistent with the Future Land Use Map and the Comprehensive Plan.

The existing house on the parcel DOES meet the dimensional requirements for R-78 for building setbacks and minimum floor area.

B. ADJACENT ZONING AND FUTURE LAND USE

The parcels surrounding the subject property are zoned R-70, having been part of the aforementioned blanket rezoning in 1973. Many other parcels in the general area are zoned A-R. 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	25+	A-R	Single Family Residential	Rural Residential-2 (1 unit /2 acres)
East	25+	A-R	Single Family Residential	Rural Residential-2 (1 unit /2 acres)
South	20 100+	A-R R-40	Single Family Residential	Rural Residential-2 (1 unit /2 acres)
West	25+	A-R	Single Family Residential	Rural Residential-2 (1 unit /2 acres)

C. DEPARTMENTAL COMMENTS

- ☐ **Water System** – No objections.
- ☐ **Public Works/Environmental Management** – No objections.
  - **Road Frontage Right of Way Dedication --** Harp Road is a Minor Arterial, 50 from CL right of way is required per the Fayette County Thorough Fare Plan.
  - **Traffic Data --** There is no existing traffic data for Harp Road.
  - **Sight Distance and access --** The speed limit on Harp Road is 40 MPH, requiring 445 ft. of sight distance. If a new driveway permit is required, it must be permitted through EMD.

- **Floodplain Management** – The property **DOES NOT** contain additional floodplain delineated in the FC 2013 Future Conditions Flood Study. The property **DOES NOT** contain floodplain per FEMA FIRM panel 13113C0114E dated September 26, 2008.
- **Wetlands --** The property **DOES NOT** contain wetlands per the U.S. Department of the Interior, Fish and Wildlife Service 1994 National Wetland Inventory Map. 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 NOT** state waters located on the subject property, and it **WILL BE** subject to the Fayette County Article VII Watershed Protection Ordinance.
- **Groundwater** -- The property **IS NOT** within a groundwater recharge area.
- **Post Construction Stormwater Management** -- This development **WILL BE** subject to the Post-Development Stormwater Management Ordinance if re-zoned and developed with more than 5,000 square feet of impervious surface.

☐ **Fire** – No comments.

☐ **Environmental Health** - This office has no objection to the proposed rezoning.

☐ **GDOT** – Not applicable, not on State Route.

STANDARDS

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

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

(1) Whether the zoning proposal is in conformity with the land use plan and policies contained therein;

(2) Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property;

(3) Whether the zoning proposal will result in a use which will or could cause an excessive or burdensome use of existing or planned streets, utilities, or schools;

(4) Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the zoning proposal.

STAFF ANALYSIS

1. The subject property lies within an area designated for Rural Residential-2 Uses. This request does conform to the Fayette County Comprehensive Plan.
2. The area around the subject property is an area that already has various residential and agricultural uses. Staff does not anticipate that this rezoning will have an adverse impact on the adjacent parcels.
3. It is staff's opinion that the zoning proposal will not have an excessive or burdensome impact on streets, utilities, or schools.
4. The proposal is consistent in character and use with the surrounding uses as rural residential.

ZONING DISTRICT STANDARDS

Sec. 110-130. - R-78, Single-Family Residential District.

(a) *Description of district.* This district is composed of certain lands and structures, having a low density single-family character and is designed to protect against the depreciating effects of small lot development and those uses incompatible with such a residential environment.

(b) *Permitted uses.* The following uses shall be permitted in the R-78 zoning district:

(1) Single-family dwelling;

(2) Residential accessory structures and uses (see article III of this chapter); and

(3) Growing crops, gardens.

(c) *Conditional uses.* The following conditional uses shall be allowed in the R-78 zoning district provided that all conditions specified in article V of this chapter are met:

(1) Church and/or other place of worship;

(2) Developed residential recreational/amenity areas;

(3) Home occupation;

(4) Horse quarters; and

(5) Private school, including, but not limited to: classrooms, administration, playground, housing, athletic fields, gymnasium, and stadium.

(d) *Dimensional requirements.* The minimum dimensional requirements in the R-78 zoning district shall be as follows:

(1) Lot area per dwelling unit: 87,120 square feet (two acres).

(2) Lot width: 125 feet.

(3) Floor area: 3,000 square feet.

(4) Front yard setback:

a. Major thoroughfare:

1. Arterial: 100 feet.

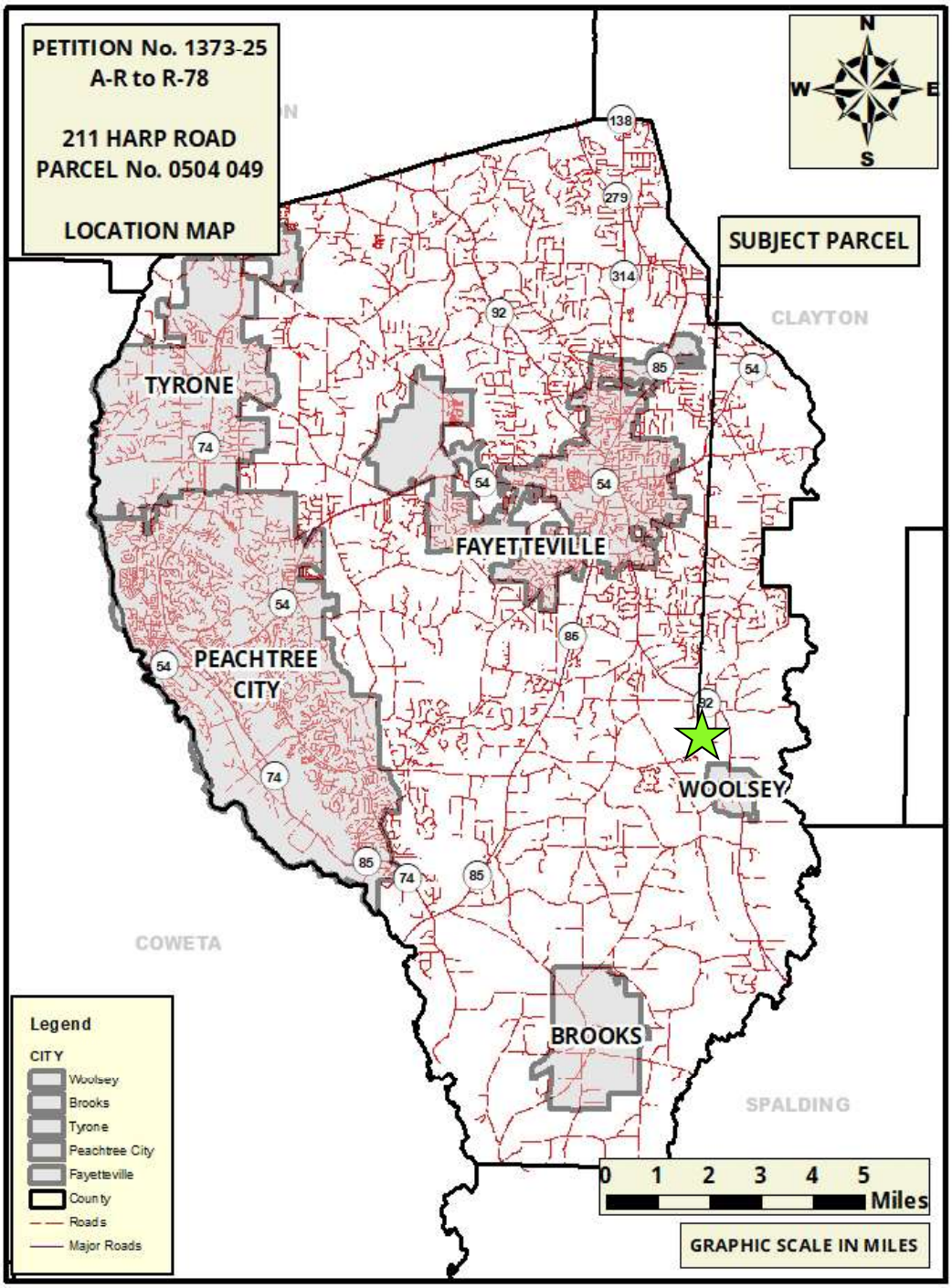
2. Collector: 75 feet.

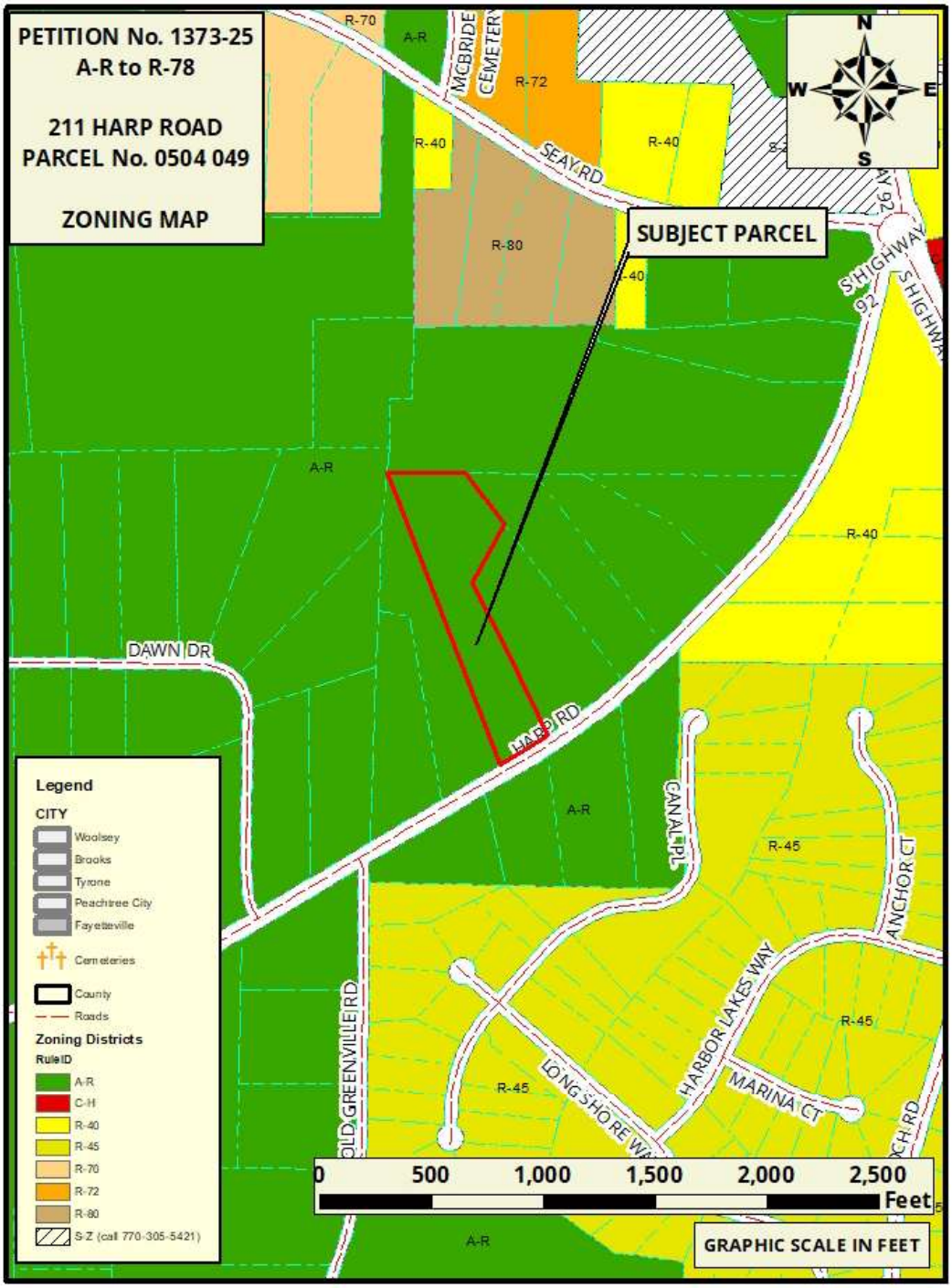
b. Minor thoroughfare: 50 feet.

(5) Rear yard setback: 50 feet.

(6) Side yard setback: 25 feet.

(7) Height limit: 35 feet.


PETITION No. 1373-25
A-R to R-78
211 HARP ROAD
PARCEL No. 0504 049
LOCATION MAP
N
W
E
S
SUBJECT PARCEL
CLAYTON
TYRONE
FAYETTEVILLE
PEACHTREE CITY
WOOLSEY
BROOKS
COWETA
SPALDING
138
279
314
92
85
54
74
86
Legend
CITY
Woolsey
Brooks
Tyrone
Peachtree City
Fayetteville
County
Roads
Major Roads
0 1 2 3 4 5
Miles
GRAPHIC SCALE IN MILES


PETITION No. 1373-25
A-R to R-78
211 HARP ROAD
PARCEL No. 0504 049
ZONING MAP
SUBJECT PARCEL
N
W
E
S
R-70
A-R
MCBRIDE CEMETERY
R-72
R-40
SEAY RD
R-80
S HIGHWAY 92
A-R
R-40
DAWN DR
HARP RD
A-R
CANAL PL
R-45
ANCHOR CT
HARBOR LAKES WAY
R-45
R-45
LONG SHORE WAY
MARINA CT
OLD GREENVILLE RD
A-R
Legend
CITY
Woolsey
Brooks
Tyrone
Peachtree City
Fayetteville
Cemeteries
County
Roads
Zoning Districts
RuleID
A-R
C-H
R-40
R-45
R-70
R-72
R-80
S-Z (call 770-305-5421)
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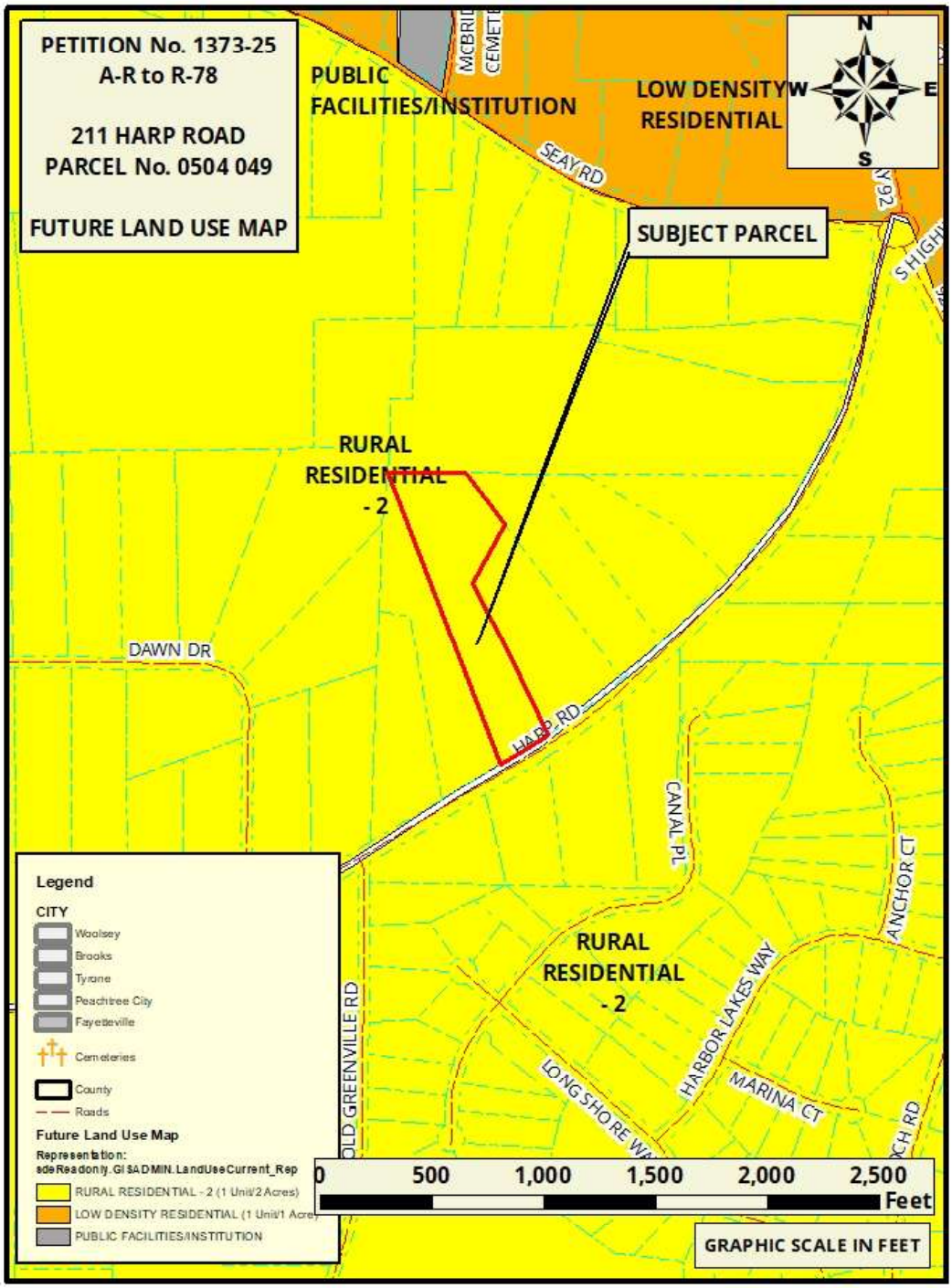
Feet
GRAPHIC SCALE IN FEET


PETITION No. 1373-25
A-R to R-78
211 HARP ROAD
PARCEL No. 0504 049
FUTURE LAND USE MAP
PUBLIC FACILITIES/INSTITUTION
LOW DENSITY RESIDENTIAL
SEAY RD
SUBJECT PARCEL
RURAL RESIDENTIAL - 2
DAWN DR
HARP RD
CANAL PL
ANCHOR CT
OLD GREENVILLE RD
HARBOR LAKES WAY
MARINA CT
RURAL RESIDENTIAL - 2
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Roads
Future Land Use Map
Representation:
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RURAL RESIDENTIAL - 2 (1 Unit/2 Acres)
LOW DENSITY RESIDENTIAL (1 Unit/1 Acre)
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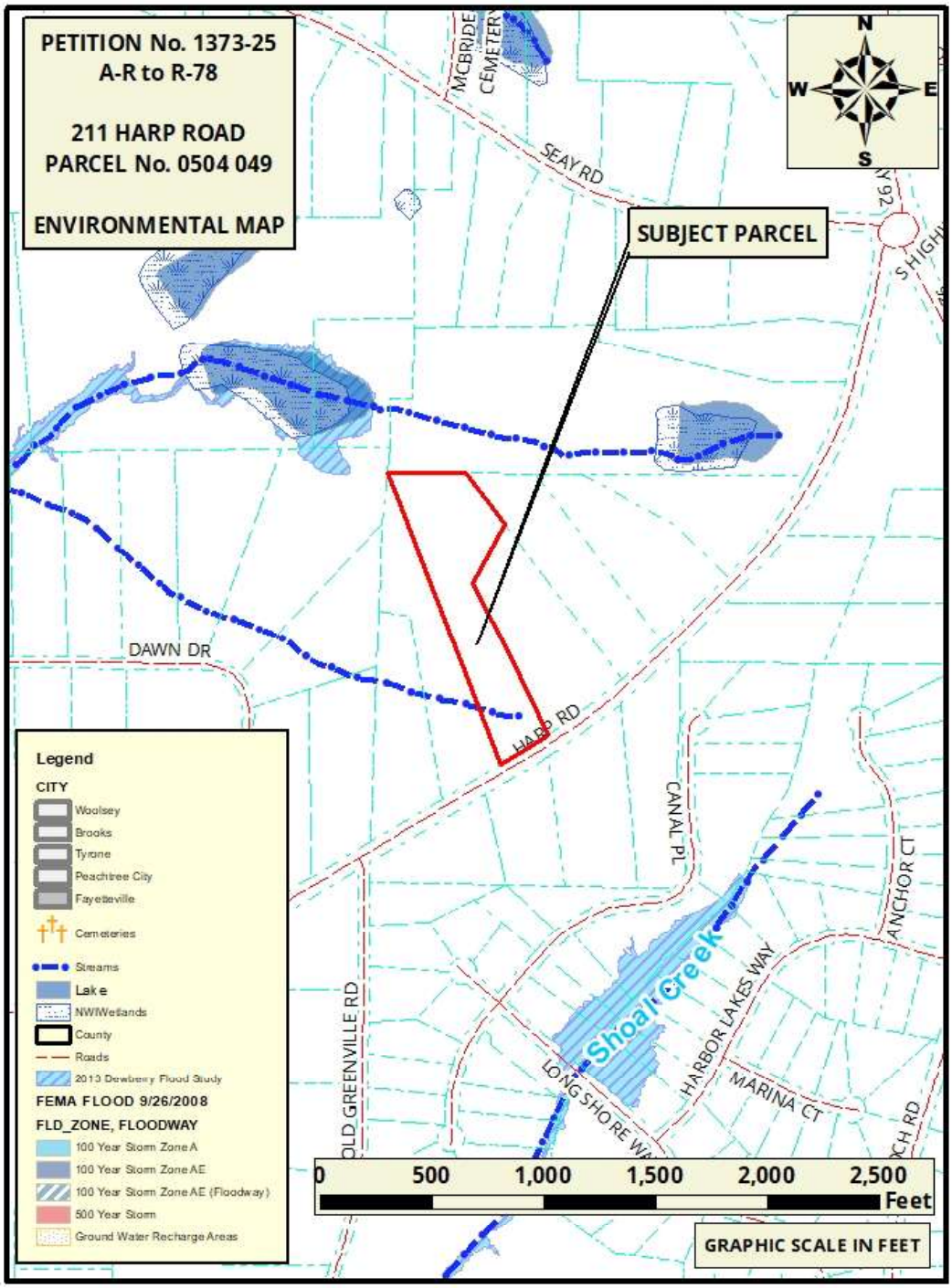
GRAPHIC SCALE IN FEET


PETITION No. 1373-25
A-R to R-78
211 HARP ROAD
PARCEL No. 0504 049
ENVIRONMENTAL MAP
SUBJECT PARCEL
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MCBRIDE CEMETERY
SEAY RD
DAWN DR
HARP RD
CANAL PL
ANCHOR CT
OLD GREENVILLE RD
Shoal Creek
HARBOR LAKES WAY
MARINA CT
LONG SHORE WA
Legend
CITY
Woolsey
Brooks
Tyrone
Peachtree City
Fayetteville
Cemeteries
Streams
Lake
NWIWetlands
County
Roads
2013 Dewberry Flood Study
FEMA FLOOD 9/26/2008
FLD_ZONE, FLOODWAY
100 Year Storm Zone A
100 Year Storm Zone AE
100 Year Storm Zone AE (Floodway)
500 Year Storm
Ground Water Recharge Areas
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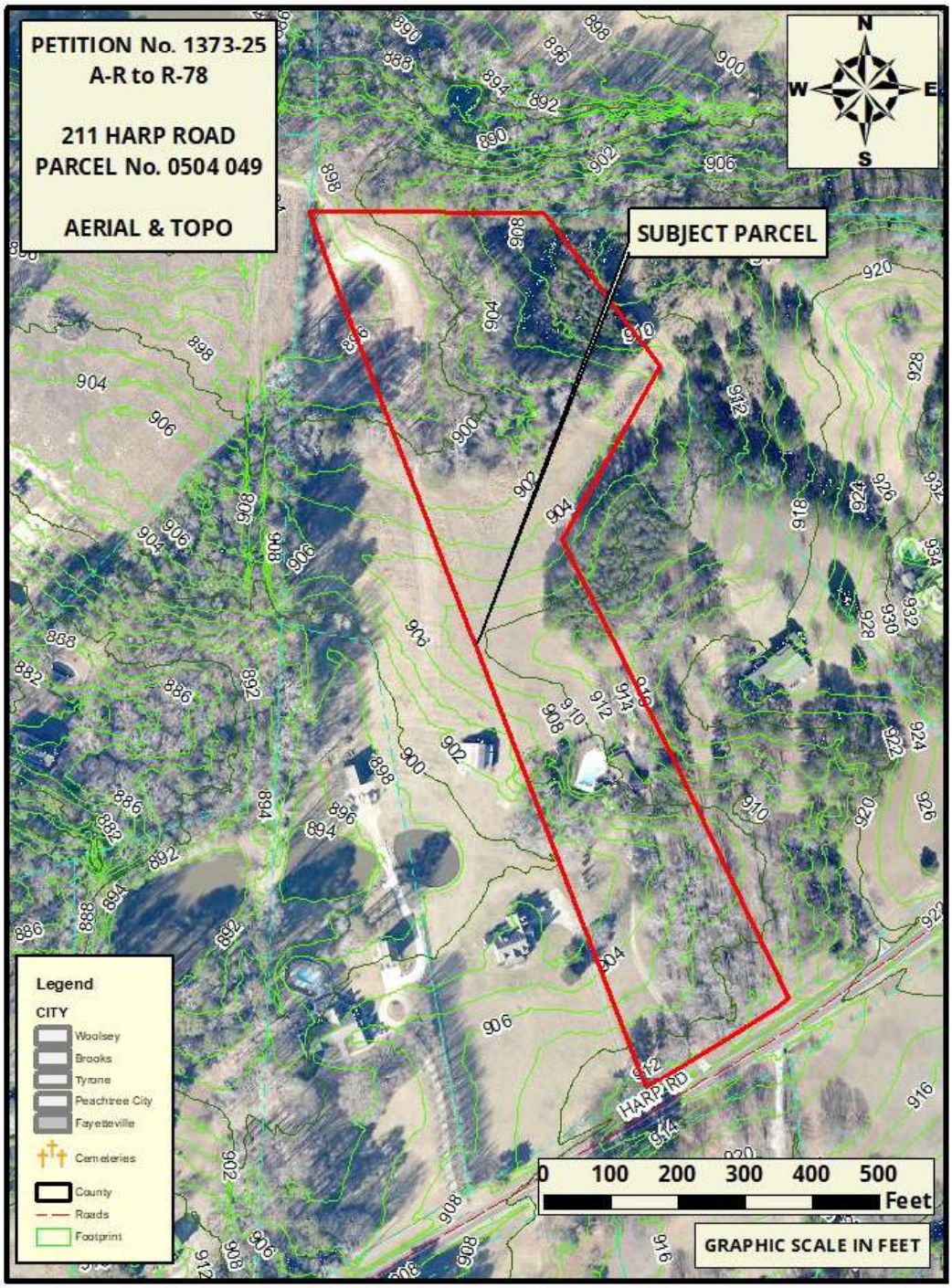
PETITION No. 1373-25
A-R to R-78
211 HARP ROAD
PARCEL No. 0504 049
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HARP RD
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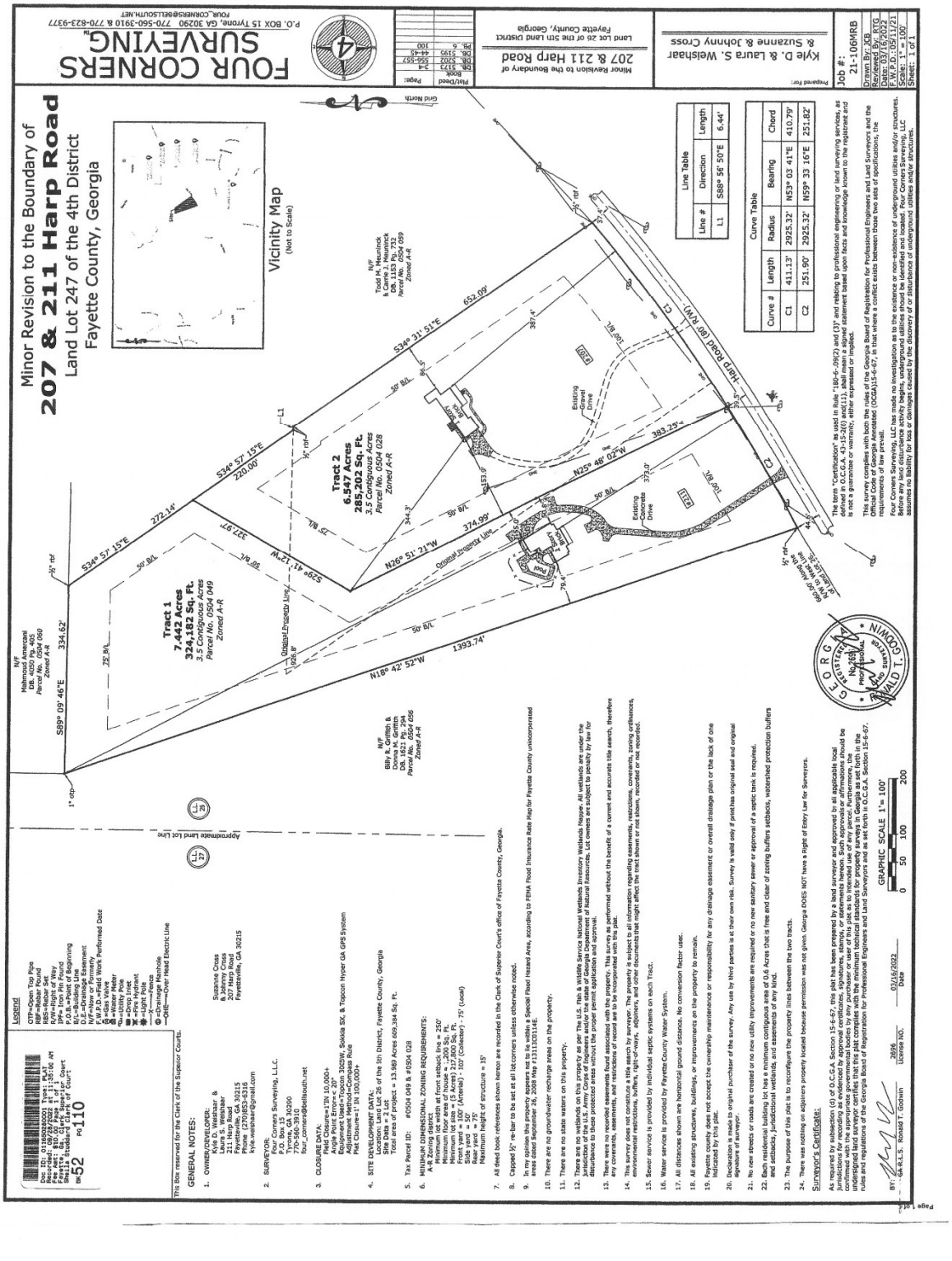
Feet
GRAPHIC SCALE IN FEET


Minor Revision to the Boundary of
207 & 211 Harp Road
Land Lot 247 of the 4th District
Fayette County, Georgia
Vicinity Map
(Not to Scale)
Tract 1
7.442 Acres
324,182 Sq. Ft.
3.5 Contiguous Acres
Parcel No. 0504 049
Zoned A-R
Tract 2
6.547 Acres
285,202 Sq. Ft.
3.5 Contiguous Acres
Parcel No. 0504 028
Zoned A-R
Harp Road (80' R/W)
Existing Gravel Drive
Existing Concrete Drive
Original Property Line
Original Property Line
Legend
Line Table
Curve Table
GRAPHIC SCALE 1"= 100'
FOUR CORNERS SURVEYING
Kyle D. & Laura S. Welshaar
& Suzanne & Johnny Cross
Job #: 21-106MRB
Drawn By: KCB
Reviewed By: KYG
Date: 03/16/2022
F.W.P.D.: 05/11/21
Scale: 1" = 100'
Sheet: 1 of 1

SURVEY

FAYETTE County
Create Your Story!

Planning and Zoning
140 Stonewall Avenue West, Ste 202
Fayetteville, GA 30214
Phone: 770-305-5421
www.fayettecountyga.gov

Date: March 16, 2022

To: Fayette County Clerk of Superior Court

From: Chanelle Blaine, Fayette County Zoning Administrator

Re: Parcel ID #0540-049
211 Harp Road
Kyle & Laura Weishaar
Lot 1: 7.442 acres
Land Lot 26 of the 5th District

Parcel ID #0504-028
207 Harp Road
Johnny & Suzanne Cross
Lot 2: 6.547 acres
Land Lot 26 of the 5th District

The recording of this survey is for two existing tracts of land consisting of a 7.442-acre lot for Lot 1 and 6.547-acre lot for Lot 2. No new streets or roads have been created; therefore, approval by the Planning Commission is not required.

Respectfully,

Chanelle Blaine, AICP
Zoning Administrator

APPROVAL OF REVISED PLAT OF EXISTING PARCELS

PETITION No (s).: 1373-25

STAFF USE ONLY

SAGES REFERENCE No.:

APPLICANT INFORMATION

Name Kyle Weishaar

Address 211 Harp Rd

City Fayetteville

State GA Zip 30215

Email [redacted]

Phone [redacted]

PROPERTY OWNER INFORMATION

Name Kyle and Laura Weishaar

Address 211 Harp Rd

City Fayetteville

State GA Zip 30215

Email [redacted]

Phone [redacted]

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

Name Mark Wiggins

Address [redacted]

City [redacted]

State GA Zip [redacted]

Email [redacted]

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: _____ Date: _____

DATE OF PLANNING COMMISSION HEARING: _____

DATE OF COUNTY COMMISSIONERS HEARING: _____

Received from Kyle Weishaar a check in the amount of $ 350.00 for application filing fee, and $ 20.00 for deposit on frame for public hearing sign(s).

Date Paid: 10/13/2025 Receipt Number: 25449

MiscPZ-10-25-090544

PETITION No.: B73-25 **Fees Due:** $350.00 **Sign Deposit Due:** $20.00

STAFF USE ONLY

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

Parcel # (Tax ID): 0504 049 Acreage: 7.442

Land District(s): 26th Land Lot(s): 5th

Road Name/Frontage L.F.: Harp Road Classification: Major Collector

Existing Use: Residential/Agricultural Proposed Use: Residential/Agricultural

Structure(s): 1 Type: Residential Size in SF: 4161

Existing Zoning: A-R Proposed Zoning: R - 78

Existing Land Use: Residential Proposed Land Use: 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:
Kyle and Laura Weishaar
(Please Print)

Property Tax Identification Number(s) of Subject Property: 0504 049

(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) 26th 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 7.442 acres (legal description corresponding to most recent recorded plat for the subject property is attached herewith).

(I) (We) hereby delegate authority to Mark Wiggins 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) _____ Deborah M Sims
Signature of Property Owner 1 Signature of Notary Public
Deborah M Sims NOTARY PUBLIC Coweta County, GEORGIA My Commission Expires 01/09/2027

211 Harp Rd Fayetteville GA 30215 10/13/2025
Address Date

_____ Deborah M Sims
Signature of Property Owner 2 Signature of Notary Public
Deborah M Sims NOTARY PUBLIC Coweta County, GEORGIA My Commission Expires 01/09/2027

211 Harp Rd. Fayetteville, GA 30215 10/13/2025
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.: 1373-25

OWNER'S AFFIDAVIT

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

NAME: Kyle Weishaar and Laura Weishaar

ADDRESS: 211 Harp Rd, Fayetteville, GA 30215

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

Kyle Weishaar and Laura Weishaar 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 $ 350.00 to cover all expenses of public hearing. He/She petitions the above named to change its classification to R - 78.

This property includes: (check one of the following)

[x] 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 November 6th, 2025 at 7:00 P.M.

PUBLIC HEARING to be held by the Board of Commissioners of Fayette County on the day of December 11th, 2025 at 7:00 P.M.

SWORN TO AND SUBSCRIBED BEFORE ME THIS 13th DAY OF October, 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

AGREEMENT TO DEDICATE PROPERTY FOR FUTURE RIGHT-OF-WAY

I/We, Kyle Weishaar, Laura Weishaar, 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 Harp Rd 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 13th day of October, 2025.

SIGNATURE OF PROPERTY OWNER

SIGNATURE OF PROPERTY OWNER

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

NOTARY PUBLIC

DEVELOPMENTS OF REGIONAL IMPACT (DRI)

Rezoning Applicant:

A. Please review the attached "Developments of Regional Impact Tiers and Development Thresholds" established by the Georgia Department of Community Affairs (DCA) to determine if the proposed project meets or exceeds these thresholds. If the proposed project does not meet the established thresholds (is less than those listed) then skip to section C. below and complete.

B. If the project does meet or exceed the established thresholds for the type of development proposed, the Georgia Department of Community Affairs (DCA) "Developments of Regional Impact: Request for Review Form" is available online at the following website address: www.dca.state.ga.us/DRI/.

C. I have reviewed and understand the attached "Thresholds: Developments of Regional Impact".

[X] 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 13th day of October, 2025.

APPLICANT'S SIGNATURE

DISCLOSURE STATEMENT

(Please check one)
Campaign contributions: **X 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).

(1)

Doc ID: 011116800002 Type: WD
Recorded: 01/26/2021 at 11:15:00 AM
Fee Amt: $25.00 Page 1 of 2
Fayette, Ga. Clerk Superior Court
Sheila Studdard Clerk of Court
BK 5202 PG 556-557

[redacted]
Doc ID: 011077650002 Type: WD
Recorded: 12/10/2020 at 11:20:00 AM
Fee Amt: $640.00 Page 1 of 2
Transfer Tax: $615.00
Fayette, Ga. Clerk Superior Court
Sheila Studdard Clerk of Court
BK 5173 PG 3-4

Return Recorded Document to:
Wessels & Gerber, P.C.
500 Northlake Dr., Suite 101
Peachtree City, GA 30269
File 20P-0150

JOINT TENANCY WITH SURVIVORSHIP
WARRANTY DEED

STATE OF GEORGIA
COUNTY OF FAYETTE

THIS INDENTURE, made this 1st day of December, 2020, between Charles Wyatt Martin, Jr. and Delton Bruce Payne, County of FAYETTE and State of Georgia, of the first part, hereinafter called Grantors, and Kyle D. Weishaar and Laura S. Weishaar, as joint tenants with survivorship and not as tenants in common, as parties of the second part, hereinafter called Grantees (the words "Grantors" and "Grantees" to include their respective heirs, successors and assigns where the context requires or permits).

W I T N E S S E T H that: Grantors, 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 receipts whereof is hereby acknowledged, have granted, bargained, sold, aliened, conveyed and confirmed, and by these presents do grant, bargain, sell, alien, convey and confirm unto the said Grantees, as joint tenants and not as tenants in common, for and during their joint lives, and upon the death of either of them, then to the survivor of them, in fee simple, together with every contingent remainder and right of reversion, and to the heirs and assigns of said survivor, the following described property:

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 26 OF THE 5TH LAND DISTRICT OF FAYETTE COUNTY, GEORGIA, AND BEING THAT 7.745 ACRES, MORE OR LESS TRACT OF LAND SHOWN ON A PLAT OF SURVEY DATED AUGUST 31, 1987, PREPARED BY LUM C. HALL, REGISTERED LAND SURVEYOR FOR RON AND BRENDA HENSON AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE NORTHWESTERLY RIGHT-OF-WAY LINE OF HARP ROAD, 660 FEET AS MEASURED NORTHEASTERLY ALONG THE NORTHWESTERLY RIGHT-OF-WAY LINE OF HARP ROAD FROM THE INTERSECTION OF THE NORTHWESTERLY RIGHT-OF-WAY OF HARP ROAD AND THE WEST LINE OF LAND LOT 26; RUNNING THENCE NORTH 19 DEGREES 29 MINUTES 28 SECONDS WEST, 1398.20 FEET TO AN IRON PIN; RUNNING THENCE SOUTH 89 DEGREES 54 MINUTES 19 SECOND EAST 334.32 FEET TO A POINT; RUNNING THENCE SOUTH 35 DEGREES 45 MINUTES 00 SECONDS EAST 497.12 FEET TO A POINT; RUNNING THENCE NORTH 89 DEGREES 30 MINUTES 10 SECONDS WEST 444.84 FEET TO A POINT; RUNNING

THENCE SOUTH 35 DEGREES 45 MINUTES 00 SECONDS EAST 925 FEET TO AN IRON PIN ON THE NORTHWESTERLY RIGHT-OF-WAY LINE OF HARP ROAD; RUNNING THENCE SOUTH 58 DEGREES 28 MINUTES 49 SECONDS ALONG THE NORTHWESTERLY RIGHT-OF-WAY LINE OF HARP ROAD AND FOLLOWING THE CURVATURE THEREOF 303.67 FEET TO THE POINT OF BEGINNING.

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

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

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

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

IN WITNESS WHEREOF, the Grantors have hereunto set Grantors' hand and seal this day and year first above written.

Signed this 1st day of December, 2020,
in the presence of:

Becky Crawford
Unofficial Witness

Notary Public
My commission expires: 8/6/23

LEANNE D SEARS
NOTARY PUBLIC
My Commission Expires
08-06-2023
COWETA COUNTY, GEORGIA

Charles Wyatt Martin, Jr.
Charles Wyatt Martin, Jr.

Delton Bruce Payne

Type: AGRE
Recorded: 12/20/2024 1:01:00 PM
Fee Amt: $25.00 Page 1 of 3
Fayette, Ga. Clerk Superior Court
Sheila Studdard Clerk of Court

Participant ID: 1232691668

BK 5789 PG 132 - 134

AFTER RECORDING RETURN TO:
Slepian & Schwartz
42 Eastbrook Bend
Peachtree City, Georgia 30269
Kerensa Davis

STATE OF GEORGIA
COUNTY OF FAYETTE

BOUNDARY LINE AGREEMENT

THIS AGREEMENT, made and entered into this 16 day of Dec, 2024, by and between **SUZANNE CROSS and JOHNNY CROSS** (hereinafter, referred to as "**Cross**") and **KYLE D. WEISHAAR and LAURA S. WEISHAAR** (hereinafter, referred to as "**WEISHAAR**") (the "Agreement").

WITNESSETH:

WHEREAS, Cross is the owner of a certain tract or parcel of land lying and being in Land Lot 26, 5th Land District, Fayette County, Georgia and more particularly described in Deed Book 5195, Page 44, Fayette County, Georgia records (the "Cross Property"); and,

WHEREAS, WEISHAAR is the owner of a certain tract or parcel of land lying and being in Land Lot 26, 5th Land District, Fayette County, Georgia and more particularly described in Deed Book 5202, Page 556, Fayette County, Georgia records (the "WEISHAAR Property"); and

WHEREAS, a survey depicting the original property lines between the Cross Property and the WEISHAAR Property and the new property lines between the Cross property and the WEISHAAR property prepared by Ronald T. Goodwin, Ga RLS 2696, of Four Corners Surveying, dated March 16, 2022 and is filed at Plat Book 52, Page 110, Fayette County, Georgia records and attached here as Exhibit "A" (the "Survey"); and

WHEREAS, the parties hereto desire to revise the southwestern property line of the Cross Property and the northwestern property line of the Cross Property as shown on the Survey; and

WHEREAS, on the same date herewith, Cross is transferring a portion of the Cross Property to WEISHAAR and WEISHAAR is transferring a portion of the WEISHAAR Property to Cross; and

NOW, THEREFORE, for and in consideration of the sum of Ten ($10.00) Dollars, cash in hand paid, and other good and valuable consideration the receipt and sufficiency of which are hereby acknowledged, the parties hereto agree as follows:

1. The property lines shown in bold on the Survey are hereby established as the new property lines of the Cross Property (the "Common Boundary Lines").

2. Cross and WEISHAAR each quitclaim, remise and release to the other such areas respectively adjoining said Common Boundary Liness as may be required to establish the Common Boundary Lines.

No modification of this Agreement or any waiver of any provision hereof shall be effective unless the same is in writing and signed by both parties.

This Agreement shall be binding upon and inure to the benefit of the parties hereto and their respective heirs, executors, administrators, personal representatives, successors or assigns.

IN WITNESS WHEREOF, the parties hereto have set their hands and seals on the day and year first above written.

Signed, sealed and delivered in the presence of:

Unofficial Witness

Notary Public
My Commission expires:
[Notary Seal]

DEANNA L NEWTON NOTARY PUBLIC FAYETTE COUNTY, GEORGIA MY COMMISSION EXPIRES 4TH DAY OF SEPTEMBER 2027

CROSS:

Suzanne Cross (SEAL)
SUZANNE CROSS

Johnny Cross (SEAL)
JOHNNY CROSS

Signed, sealed and delivered in the presence of:

Unofficial Witness

Notary Public
My Commission expires:
[Notary Seal]

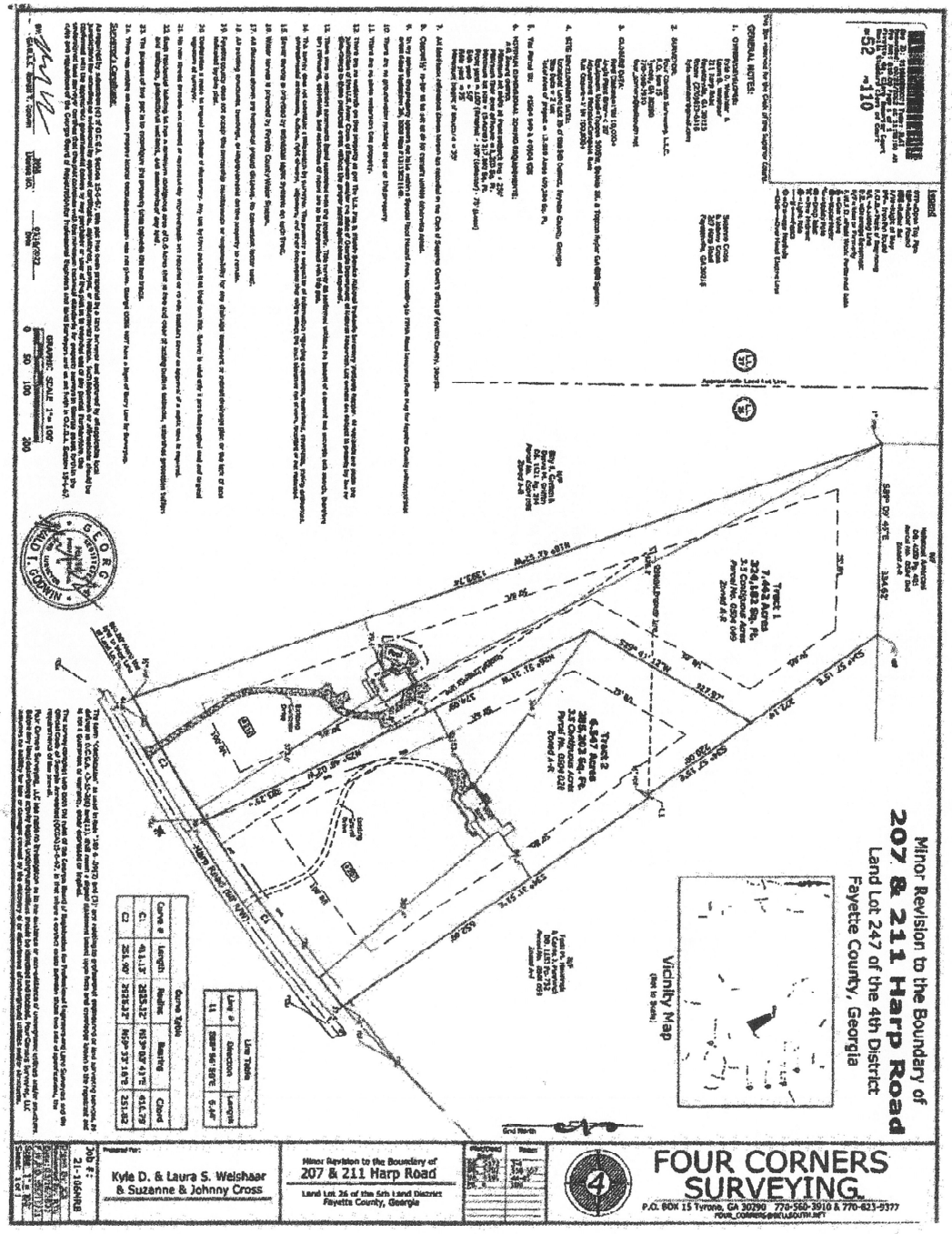
DEBORAH A. BISHOP NOTARY PUBLIC COWETA COUNTY, GEORGIA MY COMMISSION EXPIRES 12TH DAY OF DECEMBER 2027

WEISHAAR:

(SEAL)
KYLE D. WEISHAAR

Laura S. Weishaar (SEAL)
LAURA S. WEISHAAR

EXHIBIT A
Survey



Type: AGRE
Recorded: 12/20/2024 1:01:00 PM
Fee Amt: $25.00 Page 1 of 3
Fayette, Ga. Clerk Superior Court
Sheila Studdard Clerk of Court

Participant ID: 1232691668

BK 5789 PG 132 - 134

AFTER RECORDING RETURN TO:
Slepian & Schwartz
42 Eastbrook Bend
Peachtree City, Georgia 30269
Kerensa Davis

STATE OF GEORGIA
COUNTY OF FAYETTE

BOUNDARY LINE AGREEMENT

THIS AGREEMENT, made and entered into this 16 day of Dec, 2024, by and between **SUZANNE CROSS and JOHNNY CROSS** (hereinafter, referred to as "**Cross**") and **KYLE D. WEISHAAR and LAURA S. WEISHAAR** (hereinafter, referred to as "**WEISHAAR**") (the "Agreement").

WITNESSETH:

WHEREAS, Cross is the owner of a certain tract or parcel of land lying and being in Land Lot 26, 5th Land District, Fayette County, Georgia and more particularly described in Deed Book 5195, Page 44, Fayette County, Georgia records (the "Cross Property"); and,

WHEREAS, WEISHAAR is the owner of a certain tract or parcel of land lying and being in Land Lot 26, 5th Land District, Fayette County, Georgia and more particularly described in Deed Book 5202, Page 556, Fayette County, Georgia records (the "WEISHAAR Property"); and

WHEREAS, a survey depicting the original property lines between the Cross Property and the WEISHAAR Property and the new property lines between the Cross property and the WEISHAAR property prepared by Ronald T. Goodwin, Ga RLS 2696, of Four Corners Surveying, dated March 16, 2022 and is filed at Plat Book 52, Page 110, Fayette County, Georgia records and attached here as Exhibit "A" (the "Survey"); and

WHEREAS, the parties hereto desire to revise the southwestern property line of the Cross Property and the northwestern property line of the Cross Property as shown on the Survey; and

WHEREAS, on the same date herewith, Cross is transferring a portion of the Cross Property to WEISHAAR and WEISHAAR is transferring a portion of the WEISHAAR Property to Cross; and

NOW, THEREFORE, for and in consideration of the sum of Ten ($10.00) Dollars, cash in hand paid, and other good and valuable consideration the receipt and sufficiency of which are hereby acknowledged, the parties hereto agree as follows:

1. The property lines shown in bold on the Survey are hereby established as the new property lines of the Cross Property (the "Common Boundary Lines").

2. Cross and WEISHAAR each quitclaim, remise and release to the other such areas respectively adjoining said Common Boundary Liness as may be required to establish the Common Boundary Lines.

No modification of this Agreement or any waiver of any provision hereof shall be effective unless the same is in writing and signed by both parties.

This Agreement shall be binding upon and inure to the benefit of the parties hereto and their respective heirs, executors, administrators, personal representatives, successors or assigns.

IN WITNESS WHEREOF, the parties hereto have set their hands and seals on the day and year first above written.

Signed, sealed and delivered in the presence of:

Unofficial Witness

Notary Public
My Commission expires:
[Notary Seal]

DEANNA L NEWTON NOTARY PUBLIC FAYETTE COUNTY, GEORGIA MY COMMISSION EXPIRES 4TH DAY OF SEPTEMBER 2027

CROSS:

(SEAL)
SUZANNE CROSS

(SEAL)
JOHNNY CROSS

Signed, sealed and delivered in the presence of:

Unofficial Witness

Notary Public
My Commission expires:
[Notary Seal]

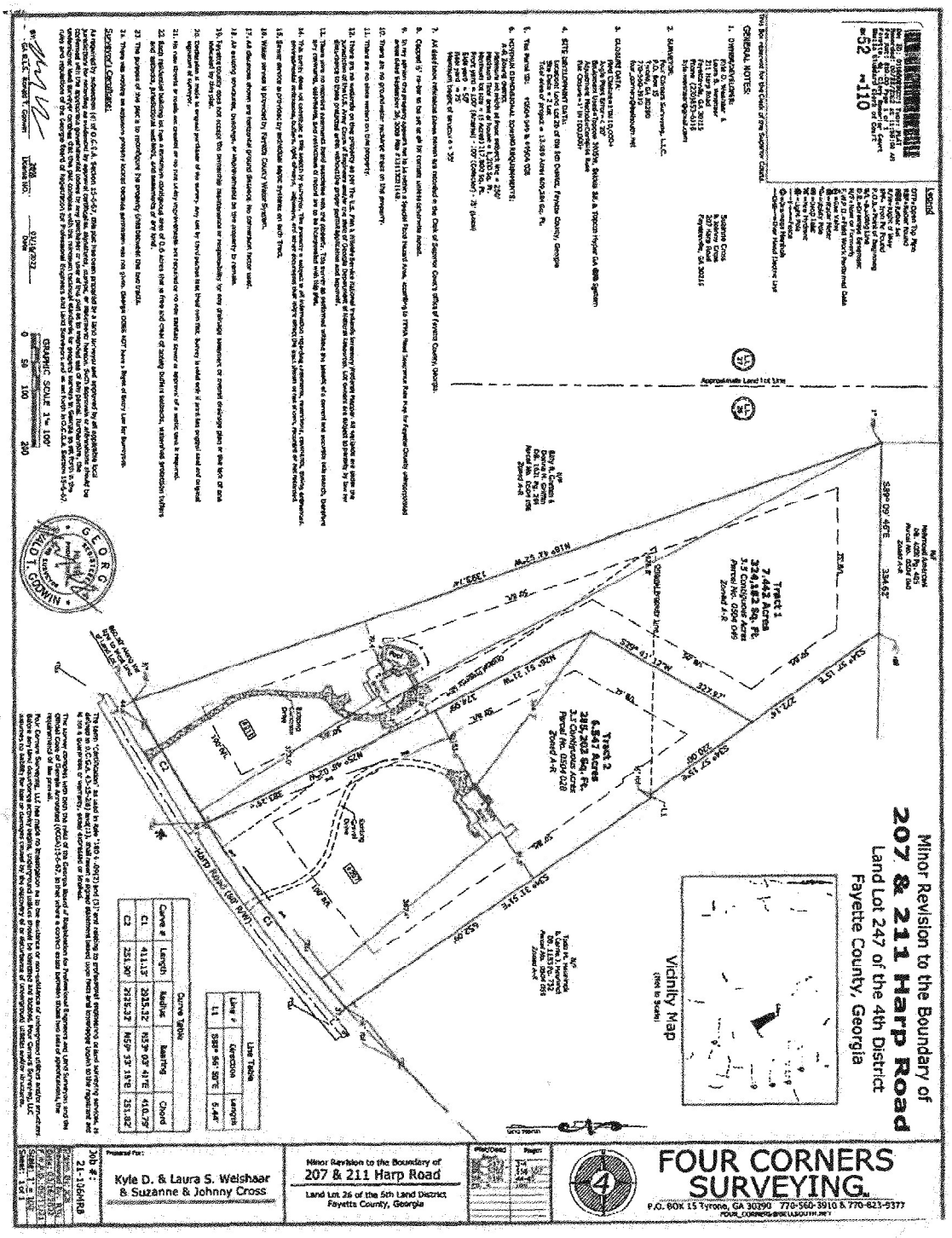
DEBORAH A. BISHOP NOTARY PUBLIC COWETA COUNTY, GEORGIA MY COMMISSION EXPIRES 12TH DAY OF DECEMBER 2027

WEISHAAR:

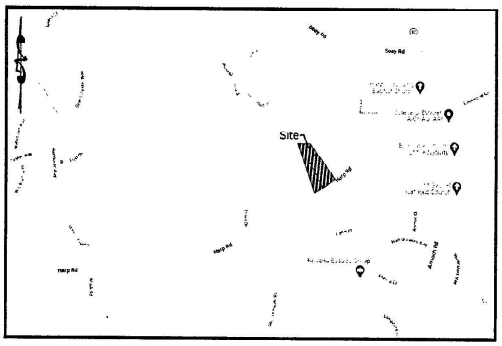
(SEAL)
KYLE D. WEISHAAR

(SEAL)
LAURA S. WEISHAAR

EXHIBIT A
Survey



Land Lot 247 of the 4th District
Fayette County, Georgia



Vicinity Map
(Not to Scale)

Mahmoud Amercani
DB. 4050 Pg. 405
Parcel No. 0504 060
Zoned A-R

S89° 09' 46"E 334.62'

1" otp

½" rbf

Approximate Land Lot Line

L.L. 26

75' B/L

50' B/L

Tract 1
7.442 Acres
324,182 Sq. Ft.
3.5 Contiguous Acres
Parcel No. 0504 049
Zoned A-R

S34° 57' 15"E 272.14'

S34° 57' 15"E 220.00'

327.97'

S29° 41' 12"W 926.8'

Original Property Line

L1

½" rbf

Tract 2
6.547 Acres
285,202 Sq. Ft.
3.5 Contiguous Acres
Parcel No. 0504 028
Zoned A-R

N/F
Billy R. Griffith &
Donna M. Griffith
DB. 1621 Pg. 294
Parcel No. 0504 056
Zoned A-R

N18° 42' 52"W 1393.74'

N/F
Todd M. Meuninck
& Carrie J. Meuninck
DB. 1153 Pg. 732
Parcel No. 0504 059
Zoned A-R

S34° 31' 51"E 652.09'

N26° 51' 21"W 374.99'

344.3'

86.5'

Underground Powerline

1 Story Brick

153.9'

55.0'

Pool

2 Story Brick

50.8'

79.4'

Septic

387.4'

Existing Gravel Drive

#207

N25° 48' 02"W 383.25'

37.4'

½" rbf

100' B/L

Existing Concrete Drive

373.0'

#211

Harp Road (80' R/W)

39.5'

C1

C2

153'

20'

44.6'

85'

½" rbf

660.00' Along the R/W to West Line of Land Lot 26.

Grid North

Line Table		
Line #	Direction	Length
L1	S88° 56' 50"E	6.44'

Curve Table				
Curve #	Length	Radius	Bearing	Chord
C1	411.13'	2925.32'	N53° 03' 41"E	410.79'
C2	251.90'	2925.32'	N59° 33' 16"E	251.82'

GRAPHIC SCALE 1"= 100'

0 50 100 200

The term "Certification" as used in Rule "180-6-.09(2) and (3)" and relating to professional engineering or land surveying services, as defined in O.C.G.A. 43-15-2(6) and(11), 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)15-6-67, in that where a conflict exists between those two sets of specifications, the requirements of law prevail.

Four Corners Surveying, LLC 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. Four Corners Surveying, LLC assumes no liability for loss or damages caused by the discovery of or disturbance of underground utilities and/or structures.

(1)

Doc ID: 011116800002 Type: WD
Recorded: 01/26/2021 at 11:15:00 AM
Fee Amt: $25.00 Page 1 of 2
Fayette, Ga. Clerk Superior Court
Sheila Studdard Clerk of Court
BK5202 PG556-557

[redacted]
Doc ID: 011077650002 Type: WD
Recorded: 12/10/2020 at 11:20:00 AM
Fee Amt: $640.00 Page 1 of 2
Transfer Tax: $615.00
Fayette, Ga. Clerk Superior Court
Sheila Studdard Clerk of Court
BK5173 PG3-4

Return Recorded Document to:
Wessels & Gerber, P.C.
500 Northlake Dr., Suite 101
Peachtree City, GA 30269
File 20P-0150

JOINT TENANCY WITH SURVIVORSHIP WARRANTY DEED

STATE OF GEORGIA
COUNTY OF FAYETTE

THIS INDENTURE, made this 1st day of December, 2020, between Charles Wyatt Martin, Jr. and Delton Bruce Payne, County of FAYETTE and State of Georgia, of the first part, hereinafter called Grantors, and Kyle D. Weishaar and Laura S. Weishaar, as joint tenants with survivorship and not as tenants in common, as parties of the second part, hereinafter called Grantees (the words "Grantors" and "Grantees" to include their respective heirs, successors and assigns where the context requires or permits).

W I T N E S S E T H that: Grantors, 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 receipts whereof is hereby acknowledged, have granted, bargained, sold, aliened, conveyed and confirmed, and by these presents do grant, bargain, sell, alien, convey and confirm unto the said Grantees, as joint tenants and not as tenants in common, for and during their joint lives, and upon the death of either of them, then to the survivor of them, in fee simple, together with every contingent remainder and right of reversion, and to the heirs and assigns of said survivor, the following described property:

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 26 OF THE 5TH LAND DISTRICT OF FAYETTE COUNTY, GEORGIA, AND BEING THAT 7.745 ACRES, MORE OR LESS TRACT OF LAND SHOWN ON A PLAT OF SURVEY DATED AUGUST 31, 1987, PREPARED BY LUM C. HALL, REGISTERED LAND SURVEYOR FOR RON AND BRENDA HENSON AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE NORTHWESTERLY RIGHT-OF-WAY LINE OF HARP ROAD, 660 FEET AS MEASURED NORTHEASTERLY ALONG THE NORTHWESTERLY RIGHT-OF-WAY LINE OF HARP ROAD FROM THE INTERSECTION OF THE NORTHWESTERLY RIGHT-OF-WAY OF HARP ROAD AND THE WEST LINE OF LAND LOT 26; RUNNING THENCE NORTH 19 DEGREES 29 MINUTES 28 SECONDS WEST, 1398.20 FEET TO AN IRON PIN; RUNNING THENCE SOUTH 89 DEGREES 54 MINUTES 19 SECOND EAST 334.32 FEET TO A POINT; RUNNING THENCE SOUTH 35 DEGREES 45 MINUTES 00 SECONDS EAST 497.12 FEET TO A POINT; RUNNING THENCE NORTH 89 DEGREES 30 MINUTES 10 SECONDS WEST 444.84 FEET TO A POINT; RUNNING

THENCE SOUTH 35 DEGREES 45 MINUTES 00 SECONDS EAST 925 FEET TO AN IRON PIN ON THE NORTHWESTERLY RIGHT-OF-WAY LINE OF HARP ROAD; RUNNING THENCE SOUTH 58 DEGREES 28 MINUTES 49 SECONDS ALONG THE NORTHWESTERLY RIGHT-OF-WAY LINE OF HARP ROAD AND FOLLOWING THE CURVATURE THEREOF 303.67 FEET TO THE POINT OF BEGINNING.

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

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

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

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

IN WITNESS WHEREOF, the Grantors have hereunto set Grantors' hand and seal this day and year first above written.

Signed this 1st day of December, 2020,
in the presence of:

Becky Crawford
Unofficial Witness

Notary Public
My commission expires: 8/6/23

LEANNE D. SEARS
NOTARY PUBLIC
My Commission Expires
08-06-2023
COWETA COUNTY, GEORGIA

Charles Wyatt Martin, Jr.

Delton Bruce Payne

Continued from page B2

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, November 6, 2025, at 7:00 P.M., and before the Fayette County Board of Commissioners on Thursday, December 11, 2025, at 2:00 P.M., in the Fayette County Administrative Complex, 140 Stonewall Avenue West, Public Meeting Room, First Floor, Fayetteville, Georgia.

Petition No: 1373-25

Parcel No:0504 049

Owner:Kyle D. and Laura S. Weishaar

Agent(s): Mark Wiggins

Zoning District: A-R

Area of Property:7.442 acres

Land Lot(s)/District:Land Lot 26 of the 5th District

Fronts on: Harp Road

Proposed: Applicant proposes the following: To rezone 7.442 acres from A-R (Agricultural Residential Single Family) to R-78 (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

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 26 OF THE 5TH LAND DISTRICT OF FAYETTE COUNTY, GEORGIA, AND BEING THAT 7.745 ACRES, MORE OR LESS TRACT OF LAND SHOWN ON A PLAT OF SURVEY DATED AUGUST 31, 1987, PREPARED BY LUM C. HALL, REGISTERED LAND SURVEYOR FOR RON AND BRENDA HENSON AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE NORTHWESTERLY RIGHT-OF-WAY LINE OF HARP ROAD, 660 FEET AS MEASURED NORTHEASTERLY ALONG THE NORTHWESTERLY RIGHT-OF-WAY LINE OF HARP ROAD FROM THE INTERSECTION OF THE NORTHWESTERLY RIGHT-OF-WAY OF HARP ROAD AND THE WEST LINE OF LAND LOT 26; RUNNING THENCE NORTH 19 DEGREES 29 MINUTES 28 SECONDS WEST, 1398.20 FEET TO AN IRON PIN; RUNNING THENCE SOUTH 89 DEGREES 54 MINUTES 19 SECOND EAST 334.32 FEET TO A POINT; RUNNING THENCE SOUTH 35 DEGREES 45 MINUTES 00 SECONDS EAST 497.12 FEET TO A POINT; RUNNING THENCE NORTH 89 DEGREES 30 MINUTES 10 SECONDS WEST 444.84 FEET TO A POINT; RUNNING THENCE SOUTH 35 DEGREES 45 MINUTES 00 SECONDS EAST 925 FEET TO AN IRON PIN ON THE NORTHWESTERLY RIGHT-OF-WAY LINE OF HARP ROAD; RUNNING THENCE SOUTH 58 DEGREES 28 MINUTES 49 SECONDS ALONG THE NORTHWESTERLY RIGHT-OF-WAY LINE OF HARP ROAD AND FOLLOWING THE CURVATURE THEREOF 303.67 FEET TO THE POINT OF BEGINNING.

10/29

2026 PLANNING COMMISSION MEETING DATES

Fayette County, Georgia

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

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

PUBLIC HEARING

January 15, 2026

February 5, 2026

March 5, 2026

April 2, 2026

May 7, 2026

June 4, 2026

July 16, 2026

August 6, 2026

September 3, 2026

October 1, 2026

November 5, 2026

December 3, 2026

January 7, 2027

February 4, 2027

DRAFT

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