

**BOARD OF APPEALS**

Marsha A. Hopkins, Chair  
Tom Waller, Vice-Chair  
Therol Brown  
John Tate  
Bill Beckwith

**STAFF**

Pete Frisina, Director  
Chanelle Blaine, Zoning Administrator  
Howard Johnson, P & Z Coordinator

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**AGENDA**

**Fayette County Zoning Board of Appeals  
Fayette County Administrative Complex  
Public Meeting Room  
November 23, 2020  
7:00 P.M.**

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1. Consideration of the Minutes of the Meeting held on October 26, 2020.

**PUBLIC HEARING**

2. Petition No. A-743-20, Shawn and Susan Brooks, request the following:
  - 1) Variance to Sec. 110-125 A-R, (d) (6) to reduce the side yard setback from 50 feet to 45 feet to allow an existing pole barn to remain.
  - 2) Variance to Sec. 110-125 A-R, (d) (5) to reduce the rear yard setback from 75 feet to 60 feet to allow an existing pole barn to remain.The subject property is located in Land Lot 93 of the 4th District and fronts on Morgan Mill Road.
3. Petition No. A-744-20 A-E, Ridgeside Professional Properties, LLC, Owner, and George Harper, Agent, request the following:
  - 1) Variance to Sec. 110-142. O-I, (f) (4) (B), to reduce the front yard setback from 55 feet to 25 feet along Grand Oak Drive.
  - 2) Variance to Sec. 110-142. O-I, (f) (5) (a), to reduce the side yard setback from 15 feet to 10 feet.
  - 3) Variance to Sec. 110-173. Transportation corridor overlay zone, (d) (1) Architectural standards, to allow a flat roof instead of a pitched peaked roof.
  - 4) Variance to Sec. 110-173. Transportation corridor overlay zone, (d) (3) Architectural standards, to allow a more modern style building to include modern construction materials.
  - 5) Variance to Sec. 110-173. Transportation corridor overlay zone, (d) (4) Architectural standards, to modify framed doors and windows of a residential character to allow modern floor to ceiling type windows and doors.The subject property is located in Land Lot 39 of the 7<sup>th</sup> District and fronts on State Road 54 and Grand Oak Drive.

This Public Hearing will be live-streamed

at: <https://livestream.com/accounts/4819394?query=fayette%20county&cat=account>.

The call-in number of 770-305-5277 is provided for those who would like to make public comment during this Public Hearing.

**PETITION NO. A-743-20**  
**Shawn & Susan Brooks**  
**256 Morgan Mill Road**  
**Brooks, GA 30214**  
**Public Hearing Date November 23, 2020**

The subject property is located at 256 Morgan Mill Road, Fayetteville, GA 30205 and is zoned A-R. The applicant is requesting a Variance as follows:

- 1) Variance to Sec. 110-125 A-R, (d) (6) to reduce the side yard setback from 50 feet to 45 feet to allow an existing pole barn to remain.
- 2) Variance to Sec. 110-125 A-R, (d) (5) to reduce the rear yard setback from 75 feet to 60 feet to allow an existing pole barn to remain.

**History:** The survey for 256 Morgan Mill Road was recorded on August 6, 2003. Tax Assessor's records indicate that the house was built in 2004 and the applicant purchased the property in 2020.

As part of the pool permit process, a site plan is required. Through the permitting process staff discovered the potential violation. The site plan given shows the barn to be 45 feet from the side property line and 60 feet from the rear property line. Staff was unable to find any permits associated with the existing barn.

**DEPARTMENTAL COMMENTS**

**ENGINEERING:** No Engineering comments or variance request side and rear yard setback.

**ENVIRONMENTAL HEALTH:** This department has no objection to proposed variance and is in position to sign off on a final plat for recording purposes.

**ENVIRONMENTAL MANAGEMENT:** No comment.

**FIRE MARSHAL:** Approved.

**WATER SYSTEM:** No comment.

The applicant provides the following information:

## VARIANCE SUMMARY

**Provide a detailed and specific summary of each request. If additional space is needed, please attach a separate sheet of paper.**

The pole barn is 45 feet from the side property line and needs a 5 foot variance. It is also is 75 feet from the rear property line and needs a 15 foot variance.

## JUSTIFICATION OF REQUEST

- 1. There are extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape or topography.**

The pole barn has not caused any issues the few years it has been on the property.

- 2. The application of these regulations to this particular piece of property would create a practical difficulty or unnecessary hardship; and,**

Without the pole barn there would be not an area to store farm equipment and hay throughout the winter. With sun damage the summer weather the equipment needs repairs more often.

- 3. Such conditions are peculiar to the particular piece of property involved; and,**

The pole barn is in the only place available on the property due to limited area to build due to house, and septic with field lines and on atypical property shape. And is still not an area to cause issue.

- 4. Relief, if granted, would not cause substantial detriment to the public good or impair the purposes and intent of these regulations; provided, however, no variance may be granted for a use of land or building or structure that is prohibited by this Ordinance; and,**

The pole barn has been on the property with no issue.

- 5. A literal interpretation of this Ordinance would deprive the applicant of any rights that others in the same District are allowed.**

We feel that the pole barn is needed on the property to help store farm equipment needed to maintain the property.

Morgan Mill Road

**A-743-20  
Aerials**



**SUBJECT  
PROPERTY**



VARIANCE APPLICATION TO THE ZONING BOARD OF APPEALS

PROPERTY OWNERS: Shawn + Susan Brooks

MAILING ADDRESS: 256 Morgan Mill Rd, Brooks, GA 30205

PHONE: 678-614-2626 E-MAIL: susbrooks1212@gmail.com

AGENT FOR OWNERS: N/A

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

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

PROPERTY LOCATION: LAND LOT 93 LAND DISTRICT 4 PARCEL 0412043

TOTAL NUMBER OF ACRES OF SUBJECT PROPERTY: 5.51

ZONING DISTRICT: R4 A-R

ZONING OF SURROUNDING PROPERTIES: R4 A-R

PRESENT USE OF SUBJECT PROPERTY: Residential

PROPOSED USE OF SUBJECT PROPERTY: \_\_\_\_\_

(THIS AREA TO BE COMPLETED BY STAFF): PETITION NUMBER: A-743-20

[ ] Application Insufficient due to lack of:

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

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

by Staff: [Signature] Date: 10/19/2020

DATE OF ZONING BOARD OF APPEALS HEARING: November 23, 2020

Received from SHAWN P & SUSAN BROOKS a check in the amount of \$ 200<sup>00</sup>

for application filing fee, and \$ 200<sup>00</sup> for deposit on frame for public hearing sign(s).

Date Paid: 10/8/2020 Receipt Number: 008041 - Suxer

A 745 20

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:

Shawn Brooks Susan R Brooks
Please Print Names

Property Tax Identification Number(s) of Subject Property: 0412043

(I am) (we are) the sole owner(s) of the above-referenced property. Subject property is located in Land Lot(s) of the 4th District, and (if applicable to more than one land district) Land Lot(s) 93 of the District, and said property consists of a total of 5.51 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 request. As Agent, they have the authority to agree to any and all conditions of approval which may be imposed by the Board.

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

Signature of Property Owner 1

256 Morgan Mill Rd Brooks, GA

Signature of Property Owner 2

256 Morgan Mill Rd Brooks, GA 30205

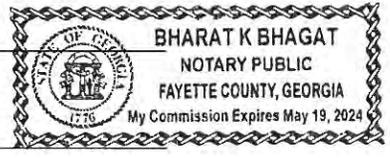


Signature of Notary Public

10-8-2020

Signature of Notary Public

10/8/2020



Signature of Authorized Agent

Address

Signature of Notary Public

Date

### VARIANCE INFORMATION

Complete the chart below with the information pertaining to each request. If additional space is needed, please provide the information on a separate sheet of paper.

Ordinance/Section	Requirement	Proposed	Variance Amount
Sec 110-125 A-R (d)(6)	Side yard setback 50 ft	45 ft	5 ft
Sec 110-125 AR(d)(5)	Rear yard setback 75 ft	60	15 ft

### VARIANCE SUMMARY

Provide a detailed and specific summary of each request. If additional space is needed, please attach a separate sheet of paper.

The Pole Barn is 45 ft from the property line and need a 5 ft variance.

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JUSTIFICATION OF REQUEST

The Fayette County Zoning Ordinance, Section 110-242 (b) states that in order to grant a variance, the Zoning Board of Appeals shall and must find that all five (5) conditions below exist. Please read each standard below and then address each standard with a detailed response. Attach additional information/documentation as necessary.

- 1. There are extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape or topography.

The pole barn as not caused any issues the few years it has been on the property.

- 2. The application of these regulations to this particular piece of property would create a practical difficulty or unnecessary hardship.

Without the Pole Barn there would be not an area to store farm equipment and hay throughout the winter. With the Sun damage the summer weather the equipment needs repairs more often.

- 3. Such conditions are peculiar to the particular piece of property involved.

The pole barn is in the only place available on the property due to limited area to build due to house, and septic w/ field lines and an atypical property shape. And is still not an area to cause issue.

4. Relief, if granted, would not cause substantial detriment to the public good or impair the purposes and intent of these regulations; provided, however, no variance may be granted for a use of land, building, or structure that is prohibited herein.

The Pole Barn has been on the property  
with no issue.

5. A literal interpretation of this Ordinance would deprive the applicant of any rights that others in the same zoning district are allowed.

We feel that the Pole Barn is needed on  
the property to help store farm equipment needed  
to maintain the property.

*Deed*  
*A-743 20*

Record and return to:  
**Glover & Davis, P.A.**  
200 Westpark Drive, Suite 130  
Peachtree City, GA 30269  
05P14197,  
Brooks

**QUIT-CLAIM DEED**

STATE OF GEORGIA  
COUNTY OF FAYETTE

IN CONSIDERATION OF Love and Affection and other valuable consideration, receipt whereof is hereby acknowledged, **Shawn Brooks**, first party, does hereby remise, release and forever quit-claim unto **Shawn Brooks and Susan R. Brooks**, second party, as joint tenants with right of survivorship and not as tenants in common, their successors and assigns, all of the rights, title, interest, and equity first party owns or has in and to the following described property, to-wit:

ALL THAT TRACT or parcel of land lying and being in Land Lot 93 of the 4th District of Fayette County, Georgia and being all of Lot 2 of the Jim & Sharon Brown Subdivision, as shown by that certain plat of subdivision, prepared by Roland McCann, G.R.L.S. No. 1752, dated August 4, 2003 and as recorded in Plat Book 38, Page 66, Fayette County, Georgia Records which plat is incorporated herein by this reference.

together with all rights, privileges and appurtenances thereto belonging in fee simple.

TO HAVE AND TO HOLD said property, so that neither first party, nor his successors or assigns, nor any other person holding under first party, shall have any right, title, interest or equity in same.

IN WITNESS WHEREOF, the said first party has hereunto set his hand and seal and delivered these presents this 12<sup>th</sup> of August 2005.

Signed, sealed and delivered  
in the presence of:

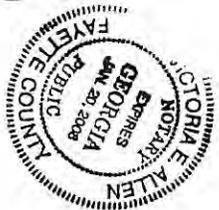
Carol B. Walley  
Witness

Shawn Brooks (SEAL)

[Signature]  
Notary Public

\_\_\_\_\_ (SEAL)

My commission expires:  
(SEAL)



**PETITION NO. A-744-20 A-E**  
**Ridgeside Professional Properties, LLC**  
**Parcel #s: 071305003/071305004/071305005/071306004/0713005**  
**Fayetteville, GA 30214**  
**Public Hearing Date November 23, 2020**

The subject property is located at 256 Morgan Mill Road, Fayetteville, GA 30205 and is zoned A-R. The applicant is requesting a Variance as follows:

- 1) Variance to Sec. 110-142. O-I, (f) (4) (B), to reduce the front yard setback from 55 feet to 25 feet along Grand Oak Drive.
- 2) Variance to Sec. 110-142. O-I, (f) (5) (a), to reduce the side yard setback from 15 feet to 10 feet.
- 3) Variance to Sec. 110-173. Transportation corridor overlay zone, (d) (1) Architectural standards, to allow a flat roof instead of a pitched peaked roof.
- 4) Variance to Sec. 110-173. Transportation corridor overlay zone, (d) (3) Architectural standards, to allow a more modern style building to include modern construction materials.
- 5) Variance to Sec. 110-173. Transportation corridor overlay zone, (d) (4) Architectural standards, to modify framed doors and windows of a residential character to allow modern floor to ceiling type windows and doors.

**Sec. 110-173. - Transportation corridor overlay zone.**

6. (1) *SR 54 West Overlay Zone.* All property and/or development which have road frontage and/or access on SR 54 West with nonresidential use or zoning shall be subject to the following regulations, in addition to the zoning district requirements, and other development regulations which apply. The intent of the overlay is to set standards specifically to Hwy 54 from Fayetteville to Peachtree City.
  - a. The purpose of the SR 54 West Overlay Zone is to achieve the following:
    1. To promote and maintain orderly development and an efficient traffic flow in highway corridors;
    2. **To maintain a non-urban separation between Fayetteville and Peachtree City along SR 54 West; and**

3. To protect the aesthetics for existing and future residential areas in this highway corridor.
- d. **Architectural standards. Structures shall maintain a residential character.** Elevation drawings denoting compliance with the following requirements shall be submitted as part of the site plan:
  1. **A pitched peaked (gable or hip) roof with a minimum pitch of 4.5 inches in one foot, including gasoline canopies and accessory structures and shall be of a type and construction complimentary to the facade. A pitched mansard roof facade with a minimum pitch of 4.5 inches in one foot, and a minimum height of eight feet around the entire perimeter of the structure can be used if the structure is two stories or more or the use of a pitched peaked roof would cause the structure to not meet the applicable height limit requirements. The mansard roof facade shall be of a residential character with the appearance of shingles, slate or terra cotta;**
  3. **All buildings shall be constructed in a residential character of fiber-cement siding (i.e., Hardiplank), wood siding, wood textured vinyl siding, brick/brick veneer, rock, stone, cast-stone, or stucco (including synthetic stucco);**
  4. **Framed doors and windows of a residential character.** To maintain a residential character, large display windows shall give the appearance of smaller individual panes and framing consistent with the standard residential grid pattern for doors and windows. This does not apply to stained glass windows for a church or other place of worship. Large display or storefront windows shall have a minimum two foot high knee wall consisting of fiber-cement siding (i.e., Hardiplank), wood siding, wood textured vinyl siding, brick/brick veneer, rock, stone, cast-stone, or stucco (including synthetic stucco); and

**History:** Rezoning petition 1075-01, A-R to O-I, was approved by the Board of Commissioners on April 26, 2001. The rezoning Resolution and Board minutes do not indicate any conditions regarding the rezoning. The Final Plat of Grand Oaks Professional Park was recorded on July 21, 2008 and was approved and signed by all County Departments. Tax Assessor's records indicate that the applicant purchased the property in 2012.

A meeting was held with the agent in October 2020 to discuss with staff potential concerns for the proposed medical office. During that meeting staff addressed the agent's concerns and informed him of the current ordinances. After the meeting the agent decided to request variances for the proposed medical office potential encroachment of setbacks and modification to architectural standards.

## DEPARTMENTAL COMMENTS

**ENGINEERING:** No Engineering Dept. comments to the requested variances for setbacks and architectural standards

**ENVIRONMENTAL HEALTH:** No objection to proposed variance.

**ENVIRONMENTAL MANAGEMENT:** The existing stormwater drainage system will need to be modified in order to meet the concept plan.

**FIRE MARSHAL:** Approved.

**WATER SYSTEM:** No comment.

The applicant provides the following information:

## VARIANCE SUMMARY

**Provide a detailed and specific summary of each request. If additional space is needed, please attach a separate sheet of paper.**

1. 30 feet front setback reduction – the developer has purchased all the lots in the Grand Oaks Professional Park. The park will be used for a medical complex. The front setback along Grand Oaks Drive needs to be reduced to accommodate the proposed building.
2. 15 feet side setback reduction – there is an existing 30’ Buffer along the east property line in addition to a 100’ stream buffer and a 150’ impervious setback. Due to the shape of the lot, a slight side setback reduction is required to accommodate the proposed building.
3. Modification of Architectural Standards-
  1. Modification to allow a flat roof instead of pitched peak roof.
  2. Modification of residential character requirement to allow a more modern style building to include modern construction materials.
  3. Modification of framed doors and windows of residential character to allow modern floor to ceiling type windows and doors.

## JUSTIFICATION OF REQUEST

- 1. There are extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape or topography.**

Due to the shape of the property including the 30' buffer along the east property line as well as the stream buffers, a setback reduction along Grand Oaks Drive and the side property line is required. Also this site is located in the Transportation Corridor Overlay Zone which requires a residential character type building and materials. Due to the use of this facility being a high-tech use, a more modern type facility is desired.

- 2. The application of these regulations to this particular piece of property would create a practical difficulty or unnecessary hardship; and,**

The developer of this facility is purchasing all the lots in the Grand Oaks Professional Park. Therefore, no adjacent properties will be affected by the setback reductions. This site includes the 100' front setback, the 50' highway corridor overlay along the front, a 30' buffer and 150' impervious setback along the east property line which all shrink the buildable area.

- 3. Such conditions are peculiar to the particular piece of property involved; and,**

The location of this site being included in the Transportation Corridor Overlay Zone restricts the type of building materials to a residential character. However, this facility will be used for a high tech medical facility doing cutting edge procedures.

The owners feel that with the high tech procedures the look and feel of the facility needs to be high tech and modern as well as they are competing with other more modern facilities for patients.

- 4. Relief, if granted, would not cause substantial detriment to the public good or impair the purposes and intent of these regulations; provided, however, no variance may be granted for a use of land or building or structure that is prohibited by this Ordinance; and,**

It is our understanding that an update to the current Transportation Corridor Overlay Zone architectural requirements is being proposed. We feel that this site would be a good example to show an updated version of the regulations to include more modern building materials and styles. There will be no detriment to the public good due to the construction of this facility, in

fact quite the contrary.

**5. A literal interpretation of this Ordinance would deprive the applicant of any rights that others in the same District are allowed.**

Due to the fact that this site is located in the Transportation Corridor Overlay Zone, the applicant is restricted on the architectural type facility he can construct. If this property were not located in the overlay zone, there would be no restrictions on the type of materials or style of building he could construct. Furthermore, there are several examples located in the county (city) to include the Piedmont facility at Pinewood Forest that are of similar style as being requested.

**A-744-20**

**Grand Oaks Drive**

**SUBJECT  
PROPERTY**

**SR 54**

**Huiet Drive**



# FINAL PLAT OF GRAND OAKS PROFESSIONAL PARK

## LAND LOT 39 OF THE 7TH DISTRICT FAYETTE COUNTY, GEORGIA

### STORMWATER MANAGEMENT INSPECTION & MAINTENANCE

THE PROPERTY CONVEYED HEREIN IS SUBJECT TO THE RESTRICTIVE COVENANTS OF THE HOMEOWNERS ASSOCIATION AND AN INSPECTION AND MAINTENANCE AGREEMENT FOR STORMWATER MANAGEMENT CONTROLS RECORDED IN DEED BOOK PAGE FAILURE TO SATISFY THE INSPECTION AND MAINTENANCE REQUIREMENTS OF THE ABOVE-REFERENCED AGREEMENT MAY RESULT IN ENFORCEMENT ACTION BY THE COUNTY INCLUDING BUT NOT LIMITED TO, JUDGEMENT LIENS AGAINST THE PROPERTY OWNERS AND/OR HOMEOWNERS ASSOCIATION. THE INSPECTION AND MAINTENANCE AGREEMENT IS RECORDED WITH THE CLERK OF COURTS. A COPY OF THE AGREEMENT IS AVAILABLE AT THE FAYETTE COUNTY ENGINEERING DEPARTMENT.

### OWNER'S CERTIFICATE

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

OWNER: Paul Snellings DATE: 7/2/08 MORTGAGEE: \_\_\_\_\_ 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.

BY: W.D. Gray #2984 DATE: 07/01/07  
GEORGIA REGISTERED LAND SURVEYOR SIGNATURE AND NUMBER DATE

### ENGINEER'S CERTIFICATE

I HEREBY CERTIFY THAT ACCEPTED ENGINEERING PRACTICES AND DESIGN METHODS WERE USED TO ESTABLISH THE LAYOUT OF THIS DEVELOPMENT, THAT THE STREETS, DRAINAGE STRUCTURES AND OTHER DESIGN FEATURES HAVE BEEN CONSTRUCTED ACCORDING TO THE DEVELOPMENT'S APPROVED CONSTRUCTION DRAWINGS, AND THAT ALL APPLICABLE REQUIREMENTS OF FAYETTE COUNTY'S DEVELOPMENT REGULATIONS HAVE BEEN FULLY COMPLIED WITH.

BY: W.A. Brundage #18705 DATE: 7/17/08  
GEORGIA PROFESSIONAL ENGINEER SIGNATURE AND LICENSE NUMBER DATE

### APPROVALS:

Approved by Department of Public Health, Fayette County, Georgia.  
Date 7-9-08 Signed Richard P. John  
Environmental Health Specialist

Final Plat approved by County Engineer of Fayette County.  
All as-built construction plans have been approved.  
Date 7/9/08 Signed P. Mallon  
County Engineer

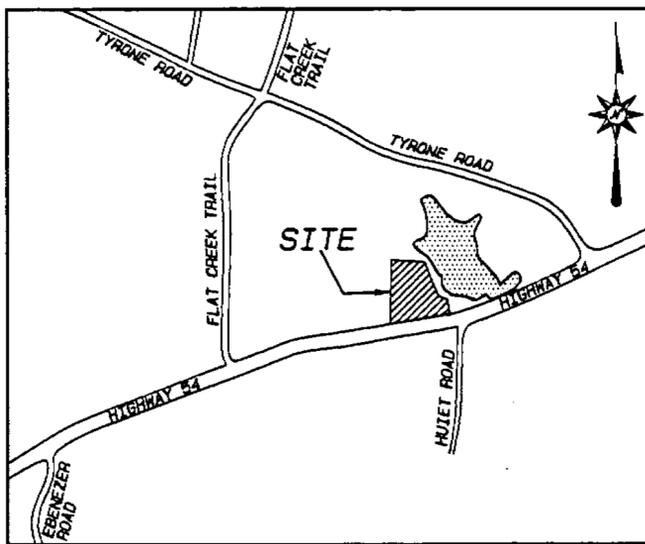
Approved by the Fayette County Planning Commission.  
Date 7-21-08 Signed Robyn S. Wilson  
Secretary

Approved by Fayette County Zoning Administrator.  
Date 7-21-08 Signed [Signature]  
Zoning Administrator

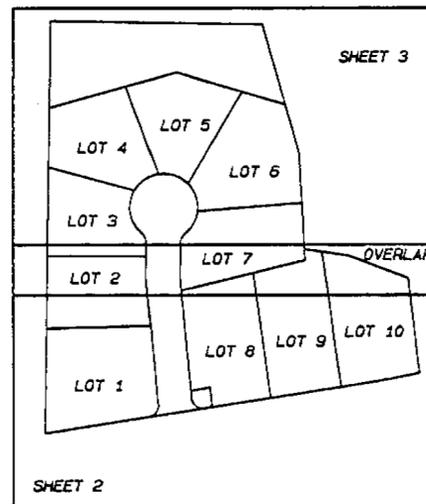
Approved by Fayette County Fire Marshal. All fire hydrant(s) located as shown.  
Date 7/9/08 Signed [Signature]  
Fire Marshal

The field data upon which this survey is based has been computed for closure by latitudes and departures and has a closure precision of one foot in 31,454 ft. and an angular error of 05" per angle point, and is UNADJUSTED. A STS 303 was used to obtain linear and angular measurements.

It is my professional opinion, that this plat is true and correct representation of the land platted, has been prepared to meet the minimum standards and requirements of law, and has been computed for closure and has been found to be accurate within one foot in 100,000 ft.



VICINITY MAP  
(NOT TO SCALE)



RIGHT-OF-WAY LINE TABLE

LINE	BEARING	DISTANCE
L1	N00°41'58"E	26.46'
L2	N00°41'58"E	23.40'
L3	S05°18'20"E	15.27'
L4	S03°01'13"E	20.00'
L5	S81°01'52"W	100.20'
L6	N05°18'20"W	13.68'
L7	N81°01'52"E	35.00'
L8	S05°18'20"E	35.00'
L9	S81°01'52"W	13.68'
L10	S06°33'29"E	5.02'

RIGHT-OF-WAY CURVE TABLE

LINE	ARC	CHORD BEARING	RADIUS	DELTA	CHORD	TANGENT
C1	30.14'	N97°51'46"E	20.00'	86°20'12"	27.37'	18.76'
C2	26.20'	S02°18'11"E	250.00'	6°00'18"	26.19'	13.11'
C3	21.68'	S24°08'26"E	25.00'	49°40'47"	21.00'	11.57'
C4	82.44'	N09°37'10"W	60.00'	78°43'19"	76.10'	49.22'
C5	53.47'	S55°16'10"W	60.00'	51°03'22"	51.71'	28.65'
C6	56.52'	S72°12'55"E	60.00'	53°58'27"	54.45'	30.55'
C7	55.23'	N18°51'26"W	60.00'	52°44'31"	53.30'	29.75'
C8	44.89'	S28°56'47"W	60.00'	42°51'56"	43.85'	23.55'
C9	21.68'	S25°32'22"W	25.00'	49°40'47"	21.00'	11.57'
C10	19.91'	S02°18'11"E	190.00'	6°00'18"	19.90'	9.97'
C11	32.69'	N52°08'14"W	20.00'	93°39'48"	29.17'	21.32'
C12	109.39'	N79°36'55"E	2196.83'	2°51'11"	109.39'	54.71'

Doc ID: 007855300003 Type: PLT  
Filed: 07/21/2008 at 02:44:00 PM  
Fee Amt: \$24.00 Page 1 of 3  
Fayette, Ga. Clerk Superior Court  
Sheila Studdard Clerk of Court  
BK 45 PG 146-148



### NOTES:

- OWNER/DEVELOPER: OFFICE PARK 54, LLC, 1485 HIGHWAY 34 EAST, NENNAH, GEORGIA 30265, 770-253-1761, CONTACT: PAUL SNELLINGS
- ENGINEER: BRUNDAGE ENGINEERING, INC., P.O. BOX 1926, FAYETTEVILLE, GEORGIA 30214, 770-719-0433, CONTACT: BILLY BRUNDAGE
- SITE AREA = 8.019 ACRES, TOTAL NUMBER OF LOTS = 10, AVERAGE IN LOTS = 6.227 AC, AVERAGE IN COMMON AREAS = 1.093 AC, AVERAGE IN RIGHT-OF-WAY = 0.699 AC.
- ZONING: O1, PETITION NUMBER 1075-01, APPROVED 4/26/2001
  - MINIMUM LOT AREA = 0.50 ACRES (WHERE CENTRAL SANITARY SEWERAGE AND CENTRAL WATER DISTRIBUTION SYSTEMS ARE PROVIDED)
  - MINIMUM LOT WIDTH = 125 FEET
  - FRONT SETBACK-ARTERIAL (HIGHWAY 54) - 100' UNLESS OTHERWISE NOTED
  - FRONT SETBACK-MINOR (COMMON OAK DRIVE) - 55' UNLESS OTHERWISE NOTED
  - SIDE SETBACK - 15' UNLESS OTHERWISE NOTED
  - REAR SETBACK - 15' UNLESS OTHERWISE NOTED
  - BUFFER - 30' (ADJACENT TO RESIDENTIAL OR AR ZONING)
- THIS PROPERTY LIES WITHIN THE SR 54 WEST CORRIDOR OVERLAY ZONE.
  - ALL IMPERVIOUS SURFACES, OTHER THAN APPROVED ACCESS DRIVES, SHALL BE LOCATED AT LEAST 50' FROM THE STATE ROUTE RIGHT-OF-WAY.
  - SETBACK ALONG SR 54 = 100'
  - HEIGHT LIMIT = 35'
  - IMPERVIOUS SURFACE IS LIMITED TO 50 PERCENT.
- BOUNDARY AND TOPOGRAPHIC SURVEY BY W.D. GRAY AND ASSOCIATES.
- WATER SERVICE WILL BE PROVIDED BY FAYETTE COUNTY WATER SYSTEM.
- SANITARY SEWER SERVICE WILL BE PROVIDED BY A COMMUNITY ONSITE SEWAGE MANAGEMENT SYSTEM THAT WILL BE OWNED AND OPERATED BY AN ASSOCIATION OF THE LOT OWNERS.
- IN MY OPINION, THIS PROPERTY DOES NOT CONTAIN A FLOOD HAZARD AREA ACCORDING TO FIRM PANEL NUMBER: 13113C0080 D, DATED: MARCH 18, 1996
- NO LOTS WILL HAVE VEHICULAR ACCESS TO HIGHWAY 54.
- NO SIDEWALKS OR CART PATHS ARE PROPOSED.
- LENGTH OF STREET = 450' (E/P TO END OF CUL-DE-SAC).
- THERE ARE NO WETLANDS ON THIS PROPERTY PER CONSTRUCTION PLANS BY BRUNDAGE ENGINEERING, INC. TITLED "SITE DEVELOPMENT DRAWINGS FOR COMMON OAK", DATED AUGUST 24, 2006. EXISTENCE OR NON-EXISTENCE OF WETLANDS WAS NOT VERIFIED BY THIS OFFICE.
- PRELIMINARY PLAT APPROVED SEPTEMBER 1, 2005
- COMMON AREAS WILL BE OWNED BY AND THE RESPONSIBILITY OF COMMON OAK OFFICE OWNERS ASSOCIATION, ONCE FORMED.
- NORMAL POOL ELEVATION AND 100 YEAR FLOOD ELEVATION PER STUDY DONE BY BILLY BRUNDAGE, GEORGIA REGISTERED ENGINEER.
- WATER METERS AT ENTRANCE OF SUBDIVISION INSTALLED FOR IRRIGATION PURPOSES.
- 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 PLAN.
- THIS PROPERTY WILL BE SERVICED BY AN OFFSITE STORMWATER MANAGEMENT AREA.
- THERE ARE NO STATE WATERS ON THIS PROPERTY.
- 1/2" REBARS SET AT ALL LOT CORNERS, UNLESS OTHERWISE NOTED.
- SITE BENCHMARK - TOP OF CATCHBASIN A-4 ELEVATION: 947.55'

STORM STRUCTURE PIPE CHART

STRUCTURE	TOP ELEVATION	INVERT IN	IN PIPE SIZE AND TYPE	INVERT OUT	LINEAR FEET
HW #A7	946.85'	943.65'	24" CORRUGATED METAL PIPE		TO #A6 - 122' +/-
DI #A6	946.21'	941.65'	24" CORRUGATED METAL PIPE	941.62'	TO #A5 - 22' +/-
DWCB #A5	947.81'	941.31'	24" CORRUGATED METAL PIPE	941.30'	TO #A4 - 31' +/-
DWCB #A4	947.55'	940.90'	24" REINFORCED CONCRETE PIPE	940.88'	TO #A3 - 16' +/-
JB #A3	946.50'	941.02'	30" CORRUGATED METAL PIPE	940.96'	TO #A2 - 73' +/-
JB #A2	944.62'	940.09'	30" CORRUGATED METAL PIPE	940.01'	TO #A1 - 116' +/-
HW #A1	942.97'		30" CORRUGATED METAL PIPE	938.84'	

STRUCTURE	TOP ELEVATION	INVERT IN	IN PIPE SIZE AND TYPE	INVERT OUT	LINEAR FEET
FES #C2	947.37'	945.82'	18" REINFORCED CONCRETE PIPE		TO #C1 - 204' +/-
FES #C1	945.71'			944.17'	

**W.D. Gray and Associates, Inc.**

land surveyors - planners

P.O. Box 3847 Peachtree City, GA 30269  
(770) 486-7552 Fax (770) 486-0496

OWNER/DEVELOPER  
**OFFICE PARK 54, LLC**  
1485 HIGHWAY 34 EAST  
NENNAH, GEORGIA 30265  
770-253-1761  
CONTACT: PAUL SNELLINGS

Land Lot: 39	DATE OF SURVEY: 08-20-03 - 07-01-07
DISTRICT: 7TH DISTRICT	DATE OF DRAWING: 07-01-07
County: FAYETTE, GA.	Job No: 0308020
Scale: 1" = 40'	SHEET: 1 OF 3

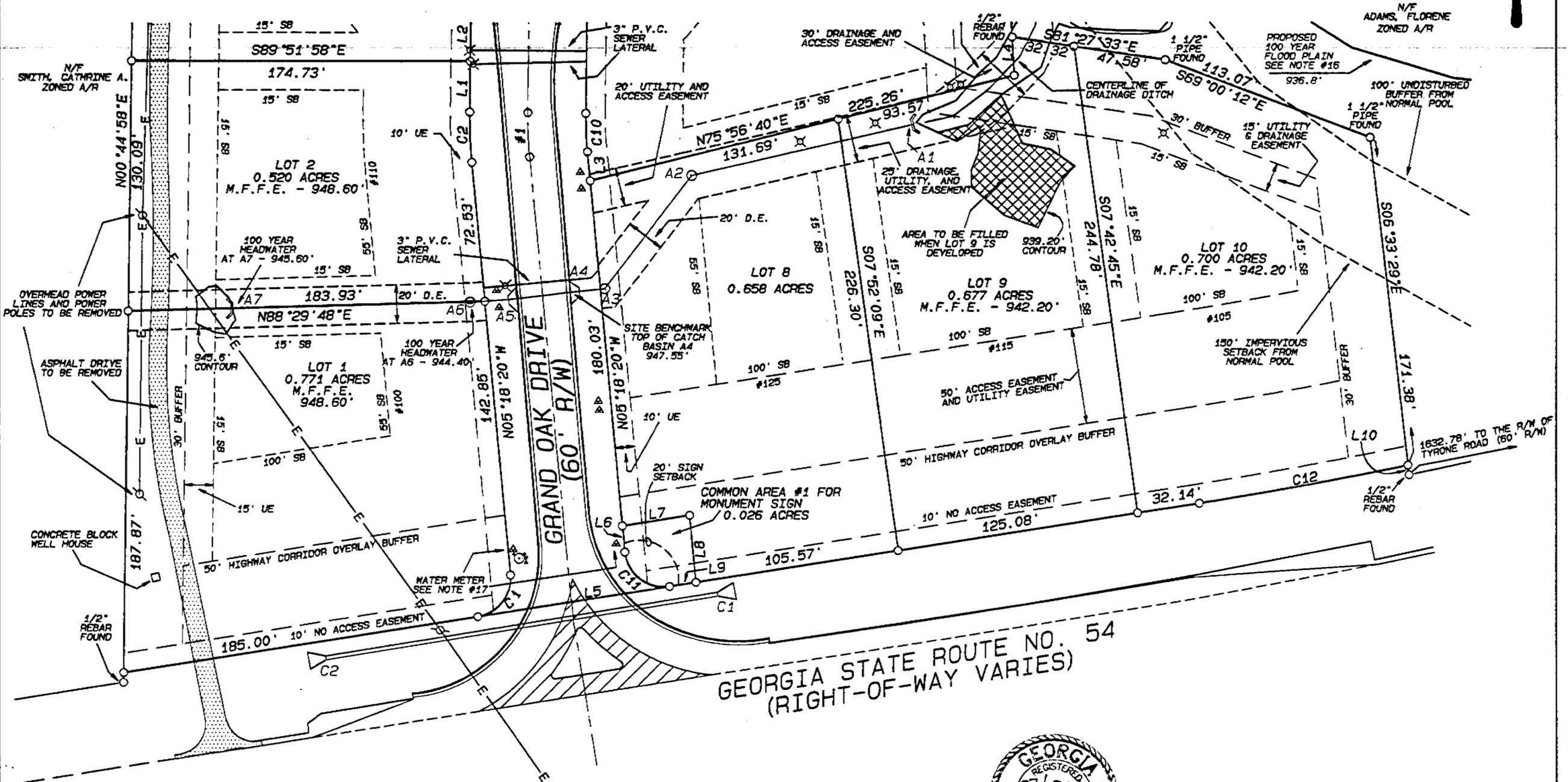
# FINAL PLAT OF GRAND OAKS PROFESSIONAL PARK

NORTH BASED ON  
P.B. 28, PG. 189



- LEGEND**
- X SANITARY SEWER CLEAN OUT
  - △ FIRE HYDRANT
  - △ WATER METER
  - I WATER VALVE
  - N/F NOW OR FORMERLY
  - R/W RIGHT-OF-WAY
  - F.I.R.M. FLOOD INSURANCE RATE MAP
  - M.F.F.E. MINIMUM FINISHED FLOOR ELEVATION
  - SB SETBACK
  - UE UTILITY EASEMENT
  - POWER POLE
  - E- OVERHEAD ELECTRIC

SEE SHEET 3



CENTERLINE CURVE TABLE

LINE	ARC	CHORD BEARING	RADIUS	DELTA	CHORD	TANGENT
#1	23.06'	N02°18'11"W	220.00'	6°00'18"	23.05'	11.54'

GEORGIA STATE ROUTE NO. 54  
(RIGHT-OF-WAY VARIES)



Doc ID: 007855300003 Type: PLT  
Filed: 07/21/2008 at 02:44:00 PM  
Fee Amt: \$24.00 Page 1 of 3  
Fayette, Ga., Clerk Superior Court  
Shelia Studdard Clerk of Court  
BK 45 PG 146-148

GRAPHIC SCALE 1"=40'



**W.D. Gray and  
Associates, Inc.**

land surveyors - planners

160 Greencastle Road Suite B  
Tyrone City, GA 30290

(770) 486-7552 Fax (770) 486-0496

Prepared For:

**OFFICE PARK 54, LLC**

1485 HIGHWAY 34 EAST  
NEWMAN, GEORGIA 30265  
770-253-1761  
CONTACT: PAUL SNELLINGS

Land Lot: 39

DATE OF SURVEY: 08-20-03 -  
07-01-07

DISTRICT: 7TH DISTRICT

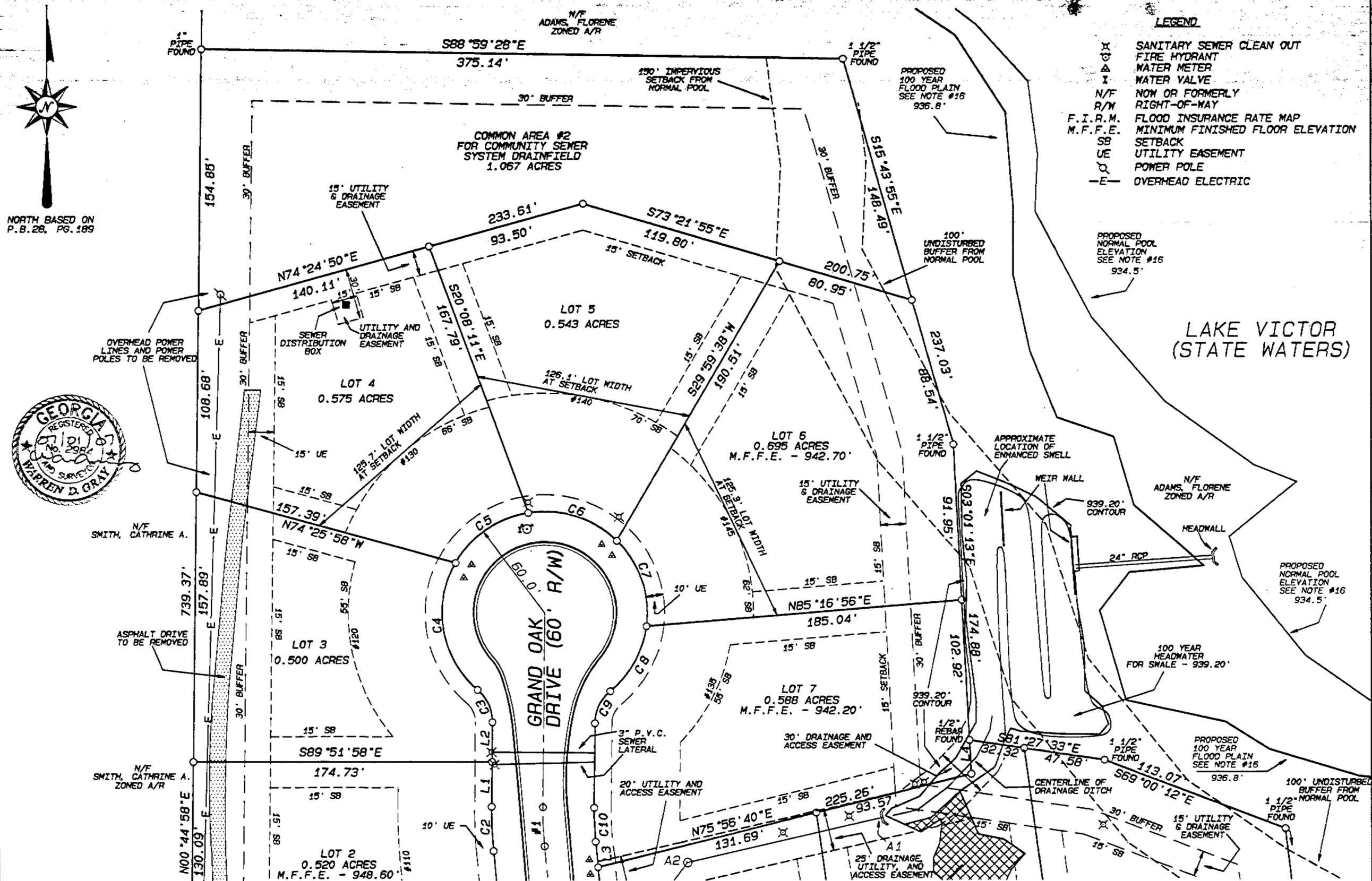
DATE OF DRAWING: 07-01-07

County: FAYETTE, GA.

Job No: 0308020

Scale: 1" = 40'

SHEET 2 OF 3



# FINAL PLAT OF GRAND OAKS PROFESSIONAL PARK

**W.D. Gray and Associates, Inc.**

land surveyors - planners  
160 Greencastle Road Suite B  
Tyrone City, GA 30290  
(770) 486-7552 Fax (770) 486-0496

Prepared For:  
**OFFICE PARK 54, LLC**  
1485 HIGHWAY 34 EAST  
NEWNAN, GEORGIA 30265  
770-253-1761  
CONTACT: PAUL SNELLINGS

Doc ID: 00785300003 Type: PLT  
Filed: 07/21/2008 at 02:44:00 PM  
Fee Amt: \$24.00 Page 1 of 3  
Fayette, Ga. Clerk Superior Court  
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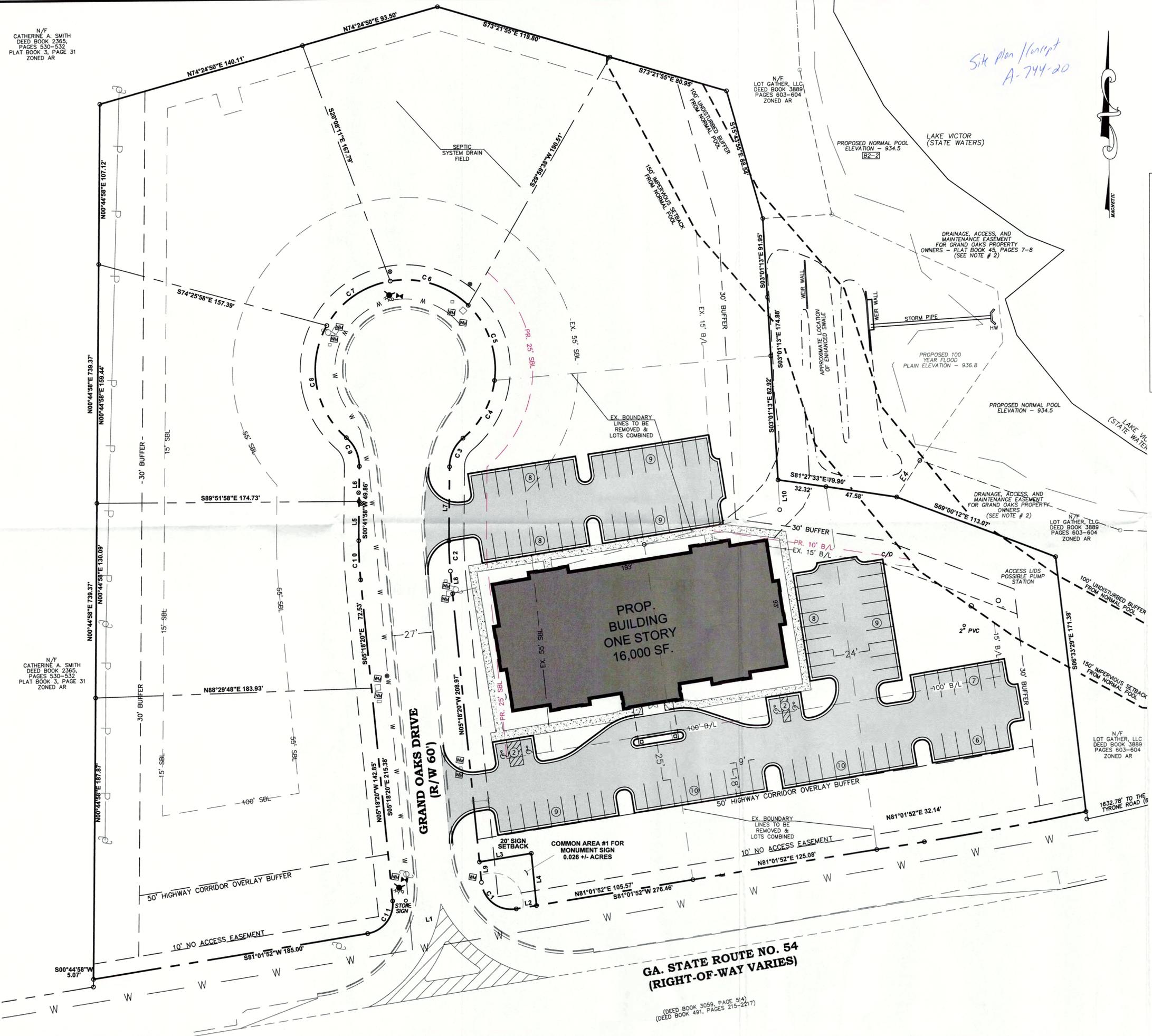
Land Lot: 39	DATE OF SURVEY: 08-20-03 - 07-01-07
DISTRICT: 7TH DISTRICT	DATE OF DRAWING: 07-01-07
County: FAYETTE, GA.	Job No: 0308020
Scale: 1" = 40'	SHEET 3 OF 3

N/F  
CATHERINE A. SMITH  
DEED BOOK 2365,  
PAGES 530-532  
PLAT BOOK 3, PAGE 31  
ZONED AR



REV.	DATE:	DESCRIPTION:

PROJECT: **Grand Oaks Professional Park**  
SHEET: **CONCEPTUAL SITE PLAN**  
L.L. 39  
FAYETTE COUNTY  
DRAWN BY: GPH  
DATE: 10-16-20  
SCALE: 1" = 30'



Site plan/Concept  
A-744-20

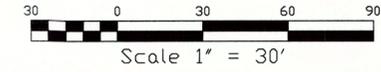
**SITE DATA:**  
PROPERTY ADDRESS: GA. 54, FAYETTE COUNTY  
EXISTING ZONING: OI  
LOT SIZE: 8.019 AC. (TOTAL)  
EXISTING SETBACKS: FRONT- 100' (HWY. 54) / 55' (GRAND OAK DRIVE),  
SIDE & REAR- 15'.  
PROP. BUILDING USE: MEDICAL OFFICE BUILDING.  
PROP. VARIANCES:  
1. 30' FRONT SETBACK REDUCTION ALONG GRAND OAK DR.  
2. 5' SIDE SETBACK REDUCTION ALONG THE SOUTHEAST  
PROPERTY LINE AS SHOWN.  
3. VARIANCE TO OVERLAY DISTRICT ARCHITECTURAL  
REQUIREMENTS.

LINE	BEARING	DISTANCE
L1	N81°01'52"E	100.20'
L2	S81°01'52"W	13.68'
L3	N81°01'52"E	35.00'
L4	S05°18'20"E	35.00'
L5	S00°41'58"W	26.46'
L6	S00°41'58"W	23.40'
L7	N00°41'58"E	49.86'
L8	N05°18'20"W	15.27'
L9	N05°18'20"W	13.68'
L10	N03°01'13"W	20.00'

LINE	ARC	CHORD BEARING	RADIUS	CHORD
C1	32.69'	N52°08'14"W	20.00'	29.17'
C2	19.91'	N02°18'11"W	190.00'	19.90'
C3	21.68'	N25°32'22"E	25.00'	21.00'
C4	44.89'	N28°56'47"E	60.00'	43.85'
C5	55.23'	N18°51'26"W	60.00'	53.30'
C6	56.52'	N72°12'55"W	60.00'	54.45'
C7	53.47'	S55°16'10"W	60.00'	51.71'
C8	82.44'	S09°37'10"E	60.00'	76.10'
C9	21.68'	S24°08'26"E	25.00'	21.00'
C10	26.20'	S02°18'11"E	250.00'	26.19'
C11	30.14'	S37°51'46"W	20.00'	27.37'

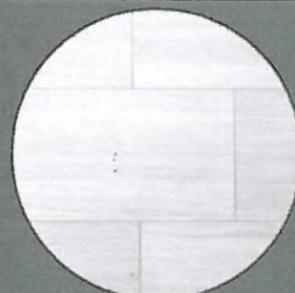
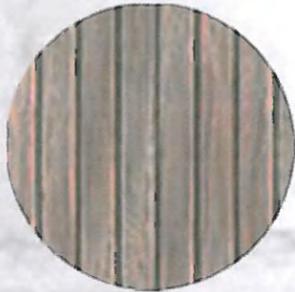
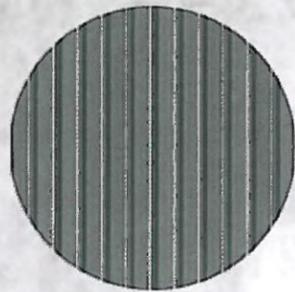
**LEGEND**

P.O.B.	POINT OF BEGINNING	EXISTING	EX.
P.O.R.	POINT OF REFERENCE	PROPOSED	PR.
O.T.P.	OPEN TOP PIPE	TREE PROTECTION FENCING	TPF
I.P.F.	IRON PIN FOUND	PR. FIRE HYDRANT	PR.
I.P.S.	IRON PIN SET	EX. FIRE HYDRANT	EX.
P.L.	PROPERTY LINE	EX. WATER VALVE	EX.
C.M.F.	CONCRETE MONUMENT FOUND	PR. WATER VALVE	PR.
L.L.L.	LAND LOT LINE	WATER METER	WM
B.O.C.	BACK OF CURB	ELECTRIC BOX	EB
E.O.P.	EDGE OF PAVEMENT	FLARED END SECTION	FES
T.W.	TOP OF WALL	SANITARY SEWER LINE	SS
B.W.	BOTTOM OF WALL	SANITARY SEWER LINE	SS
D.E.	DRAINAGE EASEMENT	WATER LINE	WL
S	SANITARY SEWER MANHOLE - SA	SIGN	S
J.B.	JUNCTION BOX (JB)	FENCE	F
D.W.C.B.	DOUBLE-WING CATCHBASIN (DWCB)	LT-DUTY ASPHALT PAVING	LT-AP
S.W.C.B.	SINGLE-WING CATCHBASIN (SWCB)	HEAVY-DUTY ASPHALT PAVING	HD-AP
D.I.	DROP INLET (DI)		
H.	HEADWALL		
D.F.	DRAINAGE FLOW		
L.P.	LIGHT POLE (LP)		
P.P.	POWER POLE (PP)		



GA. STATE ROUTE NO. 54  
(RIGHT-OF-WAY VARIES)  
(DEED BOOK 3059, PAGE 514)  
(DEED BOOK 491, PAGES 215-2217)

GEORGIA BONE & JOINT



MASS ELEVATION  
STUDY +  
PRELIMINARY  
MATERIALS



# GEORGIA BONE AND JOINT

Fayetteville, GA

11.03.20



EXTERIOR WOOD



EXTERIOR STUCCO



EXTERIOR STUCCO



EXTERIOR STONE



WINDOW MULLION





A-144-20

VARIANCE APPLICATION TO THE ZONING BOARD OF APPEALS

PROPERTY OWNERS: Ridgeside Professional Properties, LLC.

ATTN: KURT FAIRES

MAILING ADDRESS: 605 Chestnut St., Ste. 1700, Chattanooga, TN. 37450

PHONE: 423-757-0226

E-MAIL: kfares@chamblesslaw.com

AGENT FOR OWNERS: George Harper- Paramount Engineering

MAILING ADDRESS: PO Box 71912, Newnan, GA. 30271

PHONE: 770-473-9576

E-MAIL: george@paramountengineering.com

PROPERTY LOCATION: LAND LOT 39 LAND DISTRICT 7 PARCEL See attached

TOTAL NUMBER OF ACRES OF SUBJECT PROPERTY: 8.019

ZONING DISTRICT: OI

ZONING OF SURROUNDING PROPERTIES: A/R

PRESENT USE OF SUBJECT PROPERTY: VACANT DEVELOPED LOTS

PROPOSED USE OF SUBJECT PROPERTY: MEDICAL OFFICE FACILITY

(THIS AREA TO BE COMPLETED BY STAFF): PETITION NUMBER: A-744-20

Application Insufficient due to lack of:

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

Application and all required supporting documentation is Sufficient and Complete

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

DATE OF ZONING BOARD OF APPEALS HEARING: November 23, 2020

Received from Paramount Engineering a check in the amount of \$ 225

for application filing fee, and \$ 120 for deposit on frame for public hearing sign(s).

Date Paid: 10/16/20 Receipt Number: 4038

PARCEL NOS. FOR GRAND OAKS DRIVE VARIANCE

- 071305003
- 071305004
- 071305005
- 071306005
- 071306004

A-744-20

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:

RIDGESIDE PROFESSIONAL PROPERTIES, LLC
Please Print Names

Property Tax Identification Number(s) of Subject Property: See attached

(I am) (we are) the sole owner(s) of the above-referenced property. Subject property is located in Land Lot(s) of the 7th District, and (if applicable to more than one land district) Land Lot(s) 39 of the District, and said property consists of a total of 8.019 acres (legal description corresponding to most recent recorded plat for the subject property is attached herewith).

(I (We) hereby delegate authority to George Harper to act as (my) (our) Agent in this request. As Agent, they have the authority to agree to any and all conditions of approval 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.

GEORGIA MASTER PROPERTIES, LLC, Sole Member

By: Kit J. James, VP
Signature of Property Owner 1
605 Chestnut St. #1700
Chattanooga, TN 37450
Address

H. Melissa Schmidt
Signature of Notary Public
10/16/20
Date

MY COMMISSION EXPIRES
JUNE 13, 2022



Signature of Property Owner 2

Signature of Notary Public

Address
Signature of Authorized Agent

Date
Signature of Notary Public

11 E. Broad St., Newnan, GA. 30263
Address

10-16-2020
Date

### VARIANCE INFORMATION

Complete the chart below with the information pertaining to each request. If additional space is needed, please provide the information on a separate sheet of paper.

	Ordinance/Section	Requirement	Proposed	Variance Amount
1.	Sec. 110-142(f)4	55 ft. Front setback along Grand Oaks Dr.	25 ft. Front setback along Grand Oaks Dr.	30 ft. Reduction
2.	Sec. 110-142(f)5	15 Side Setback	10 ft. side setback along southeast p/l	5 ft. reduction
3.	Sec. 110-173(1)d 1,3,4	1. Pitched Roof 3. Residential Character 4. Residential Character	1. Flat Roof 3. Modern Character 4. Modern Character	See attached sketches

### VARIANCE SUMMARY

Provide a detailed and specific summary of each request. If additional space is needed, please attach a separate sheet of paper.

- 30ft Front Setback Reduction- The developer has purchased all the lots in the Grand Oaks Professional Park. The park will be used for a medical complex. The front setback along Grand Oaks Dr. needs to be reduced to accommodate the proposed building.
- 15 ft. Side Setback Reduction- There is an existing 30' Buffer along the east property line in addition to a 100' stream buffer and a 150' impervious setback. Due to the shape of the lot, a slight side setback reduction is required to accommodate the proposed building.

- Modification of Architectural Standards-
  - Modification to allow a flat roof instead of pitched peak roof.
  - Modification of residential character requirement to allow a more modern style building to include modern construction materials.
  - Modification of framed doors and windows of residential character to allow modern floor to ceiling type windows and doors.

### JUSTIFICATION OF REQUEST

The Fayette County Zoning Ordinance, Section 110-242 (b) states that in order to grant a variance, the Zoning Board of Appeals shall and must find that all five (5) conditions below exist. Please read each standard below and then address each standard with a detailed response. Attach additional information/documentation as necessary.

- 1. There are extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape or topography.

Due to the shape of the property including the 30' buffer along the east property line as well as the stream buffers, a setback reduction along Grand Oaks Dr. and the side property line is required. Also this site is located in the Transportation Corridor Overlay Zone which requires a residential character type building and materials. Due to the use of this facility being a high-tech use, a more modern type facility is desired.

- 2. The application of these regulations to this particular piece of property would create a practical difficulty or unnecessary hardship.

The developer of this facility is purchasing all the lots in the Grand Oaks Professional Park. Therefore, no adjacent properties will be affected by the setback reductions. This site includes the 100' front setback, the 50' highway corridor overlay along the front, a 30' buffer and 150' impervious setback along the east property line which all shrink the buildable area.

- 3. Such conditions are peculiar to the particular piece of property involved.

The location of this site being included in the Transportation Corridor Overlay Zone restricts the type of building materials to a residential character. However, this facility will be used for a high tech medical facility doing cutting edge procedures. The owners feel that with the high tech procedures the look and feel of the facility needs to be high tech and modern as well as they are competing with other more modern facilities for patients.

- 4. Relief, if granted, would not cause substantial detriment to the public good or impair the purposes and intent of these regulations; provided, however, no variance may be granted for a use of land, building, or structure that is prohibited herein.

---

It is our understanding that an update to the current Transportation Corridor Overlay Zone architectural requirements is being proposed. We feel that this site would be a good example to show an updated version of the regulations to include more modern building materials and styles. There will be no detriment to the public good due to the construction of this facility, in fact quite the contrary.

---

- 5. A literal interpretation of this Ordinance would deprive the applicant of any rights that others in the same zoning district are allowed.

---

Due to the fact that this site is located in the Transportation Corridor Overlay Zone, the applicant is restricted on the architectural type facility he can construct. If this property were not located in the overlay zone, there would be no restrictions on the type of materials or style of building he could construct. Furthermore, there are several examples located in the county (city) to include the Piedmont facility at Pinewood Forest that are of similar style as being requested.

---

A 744 20

**EXHIBIT A**

**LEGAL DESCRIPTION**

All that tract or parcel of land situate, lying and being in Land Lot 39 of the 7<sup>th</sup> Land District, Fayette County, Georgia, and containing 8.10 acres and being more particularly described on that certain Plat of Survey issued September 12, 1996, and printed November 27, 1996, entitled "Plat of Survey for: Margaret B. Phillips & Joyce A. Phillips", prepared by W.S. Bodkin, RLS #2580, recorded in Plat Book 28, Page 189, Fayette County, Georgia Records. Said plat and its descriptive data are incorporated herein by reference to same.