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COUNTY DEPARTMENT AGENDA REQUEST

Department/Division: Planning & Zoning/Community Dev.

Department Head: Peter A. Frisina

Presenter, if needed: Dennis Dutton/Pete Frisina

Preferred Meeting Date: Thursday, June 26, 2008

Wording for the Agenda:

This is a land exchange of 1.03 acres between Heron's Landing Homeowners Association, Inc. and Jamie Oden. This land exchange will involve a rezoning from C-S to A-R; a rezoning from A-R to C-S; and a Revised Development Plan and a Revised Final Plat, both to remove 1.03 acres and to add 1.03 acres.

Background/History/Details:

Consideration of Petition No. 1209-08, Heron's Landing Homeowners Association, Inc., Owners, and Eddie Wilkerson, Agent, request to rezone 1.03 acres from C-S to A-R to add to an adjacent lot zoned A-R and Petition No. 1210-08, Jamie Oden, Owner, and Eddie Wilkerson, Agent, request to rezone 1.03 acres from A-R to C-S to add as Conservation Area to Heron's Landing Subdivision. These properties are located in Land Lot 29 of the 5th District and fronts on Old Senoia Road. And, consideration of Petition No. RP-042-08 and Petition No. RDP-009-08, Heron's Landing Homeowners Association, Inc., Owners, and Eddie Wilkerson, Agent, request to revise the Recorded Final Plat and the approved Development Plan of Heron's Landing Subdivision to remove 1.03 acres and to add 1.03 acres to Heron's Landing Subdivision. These properties are located in Land Lots 4 and 29 of the 5th District and fronts on Old Senoia Road.

What action are you seeking from the Board of Commissioners?

Final Vote (The individual petitions will not work independently of each other so all four petitions will need to be approved or all four petitions will need to be denied.)
STAFF RECOMMENDED APPROVAL SUBJECT TO TWO (2) RECOMMENDED CONDITIONS. THE P.C. RECOMMENDED APPROVAL SUBJECT TO TWO (2) RECOMMENDED CONDITIONS 5-0.

If this item requires funding, please describe:

N/A

Has this issue come before the Commissioners in the past? Yes

If so, when? Thursday, February 24, 2005

Do you need audio-visual for the presentation? Yes

Back-up Material Submitted? Yes

STAFF USE ONLY

Approved by Finance? Yes

Reviewed by Legal? Yes

Approved by Purchasing? Yes

Approved by Administrative Staff? Yes

Staff Notes

Administrator's Approval Yes

Confirmed Meeting Date Thursday, June 26, 2008

- ○ Recognition/ Presentation
- ◉ Public Hearing
- ○ Old Business
- ○ New Business
- ○ Consent
- ○ Report
- ○ Other

[redacted]

PETITION NO. 1134-04:
Director of Zoning Aaron Wheeler read Petition No. 1134-04, Clayton O. Carmack, Owner, and Mukut Gupta, President of Crown Development, Agent, request to rezone 40.55 acres from A-R to C-S to develop a single-family residential subdivision consisting of 18 lots. He said this property was located in Land Lots 4 and 29 of the 5th District and fronted on Old Senoia Road. He said the Planning Commission recommended approval subject to one (1) recommended condition (4-0-1) and Staff recommended approval subject to one (1) recommended condition. He remarked that this item was tabled from the January 13, 2005 Commissioners' meeting and also from the February 10, 2005 Commissioners' meeting.

Jumbo Gupta remarked that he was present on behalf of Crown Development.

Chairman Dunn interjected that this was the continuation of a public hearing that was started at the last Commission meeting. He said all of the public comment parts of this were over. He said the Board had asked Mr. Gupta to go back and consider some changes for the Board. He noted that Jumbo Gupta was bringing those back to the Board tonight. He said after reviewing these, the Board would be voting on what to do with this request. He remarked that there would be no more citizens speaking in favor or against the rezoning request. He said this was merely the final stage of the public hearing from the last Commission meeting.

Jumbo Gupta remarked that the Board had previously received the information that was requested. He said the wetland delineation seemed to be a concern to a lot of people. He said they had hired a soil scientist to go out and delineate all of the wetlands and locate those and then overlay it with the existing plan that they had. He said the wetlands pretty much run along the creek and did not really run anywhere else on the property. He said one of the other concerns that was raised was having a lot directly on the street and along with the comments from staff which were not having a direct access on Old Senoia Road which they had not planned on doing. He said they had gone ahead and decided to pull that lot back so that there was more green space and more privacy in addition to not having a lot up closer to the street.

Commissioner Wells remarked that she appreciated how much Mr. Gupta had worked with the Board. She said that it showed the intent of Crown Development to do a good project for the community. She said she appreciated the fact that Crown Development had been willing to work with the county and to do a project that was good for the community. She

said it might not be something that people want right there but she felt Crown Development had done an excellent job of addressing everyone's concerns.

Chairman Dunn asked Mr. Gupta to put up the first map and also the latest map side by side on the screen so that they could be viewed by the Board and the public. He said there were two major concerns that he had last week and that was that there was not a good foot print of the wetlands. He said now there was a very good idea of the wetlands. He pointed out that Dennis Chase was in the audience and Mr. Chase agreed that this wetland was properly delineated now. He said Crown Development had hired an engineer to do this as well and Mr. Chase did agree with both of these individuals. He said everyone was in agreement now as to where the wetlands were on this piece of property. He said there was a plat now that would not destroy any of those wetlands. He commented that there was one lot and that was Lot #1 that had a very small piece of wetland in it. He pointed out to Mr. Gupta that they would not be able to go near that and Mr. Gupta agreed that he was aware of that.

Chairman Dunn remarked that the other issue that was of major concern to many people in that region of the county was that all of the other homes out there were several hundred feet away from the road. He said during the summer time their houses were not even visible. He said what was initially going to be done to the lot on Senoia Road would be a detriment to everybody in the area. He stated although the Board was not in a position to require Crown Development to do this, the Board did asked Mukut Gupta to take a serious look at that and see if he could help the people in that region feel a little bit more comfortable with this. He said he wanted to specifically thank him for doing that. He said this made it a lot easier for him to support this. He said quite frankly he would prefer to have nothing in there. He said this was such beautiful property and this was Mr. Carmack's third time back before the Board. He said Mr. Carmack was going to develop that land. He felt this was the best project for this piece of property. He remarked that now there were no homes near the road and none of the houses would be seen from the road. He said this was about as good as it was going to get. He thanked Mr. Gupta for his patience and his willingness to work with the community in that area.

On motion made by Commissioner Wells, seconded by Commissioner VanLandingham to approve Petition No. 1134-04 with one recommended condition. The motion carried 4-1 with Commissioner Pfeifer voting in opposition. A copy of the recommended condition, Staff's Analysis and Investigation, identified as "Attachment No. 1", follows these minutes and is made an official part hereof. A copy of the Ordinance and Resolution approving Petition No. 1134-04, identified as "Attachment No. 2", follows these minutes and are made an official part hereof.

PLANNING COMMISSION REZONING REPORT

PETITION NO.: 1209-08 - Heron's Landing Homeowners Association, Inc., Owners, and Eddie Wilkerson, Agent, request to rezone 1.03 acres from C-S to A-R which will be added to the adjacent property belonging to Jamie Oden.

PETITION NO.: 1210-08 - Jamie Oden, Owner, and Eddie Wilkerson, Agent, request to rezone 1.03 acres from A-R to C-S which will be added to Heron's Landing Subdivision as conservation area.

PETITION NO.: RDP-009-08 - Eddie Wilkerson, Applicant, requests to revise the Development Plan for Heron's Landing Subdivision for a 1.03 acre land exchange.

PETITION NO.: RP-042-08 - Eddie Wilkerson, Applicant, requests to revise the Final Plat for Heron's Landing Subdivision for a 1.03 acre land exchange

REQUEST: This is a land exchange of 1.03 acres between Heron's Landing Homeowners Association, Inc. and Jamie Oden. This land exchange will involve a rezoning from C-S to A-R; a rezoning from A-R to C-S; and a Revised Development Plan and a Revised Final Plat, both to remove 1.03 acres and to add 1.03 acres.

STAFF RECOMMENDATION: APPROVE

PLANNING COMMISSION HEARING: June 5, 2008

PLANNING COMMISSION RECOMMENDATION: APPROVE SUBJECT TO TWO (2) RECOMMENDED CONDITIONS 5-0

BOARD OF COMMISSIONERS HEARING: June 26, 2008

COMMISSION DECISION: _____

LOCATION: Land Lots 4 and 29 of the 5th District and fronts on Old Senoia Road

ZONING OF SURROUNDING PROPERTY: A-R and C-S

LAND USE PATTERN: Low Density Residential (1 unit/1 to 2 acres)

PLANNING COMMISSION HEARING NOTES:

See Attached Minutes.

MOTION AND VOTE OF PLANNING COMMISSION:

Al Gilbert made a motion to approve all four (4) petitions subject to the following recommended conditions:

1. If rezoning Petition No. 1209-08 to rezone 1.03 acres from C-S to A-R is approved by the Board of Commissioners, a revised Warranty Deed and survey for the Oden property, which indicates and describes the outer perimeter of the reconfigured five (5) acre tract, must be submitted to the Planning & Zoning Department for review within ninety (90) days after the Board of Commissioners Public Hearing prior to being recorded at the Clerk of Superior Court Office. *(This condition is to ensure that a revised Warranty Deed and survey are approved and recorded in a reasonable length of time.)*

2. If rezoning Petition No. 1210-08 to rezone 1.03 acres from A-R to C-S, and the Revised Final Plat Petition No. RP-042-08 and Revised Development Plan Petition No. RDP-009-08 for Heron's Landing Subdivision are approved by the Board of Commissioners, a Revised Final Plat and a Revised Conservation Easement must be submitted to the Planning & Zoning Department within ninety (90) days after the Board of Commissioners Public Hearing. *(This condition is to ensure that a Revised Final Plat and Revised Conservation Easement are approved and recorded in a reasonable length of time.)*

Jim Graw seconded the motion. The motion unanimously passed 5-0.

REASON(S) FOR RECOMMENDATION:

In compliance with the Fayette County Comprehensive Plan.
Compatible with the surrounding area.

PLANNING COMMISSION RECOMMENDATION

DATE: June 5, 2008

TO: Fayette County Commissioners

The Fayette County Planning Commission recommends that Petition No. 1209-08, the application of Heron's Landing Homeowners Association, Inc., to rezone 1.03 acres from C-S to A-R, be:

✓ Approved 5-0 _____ Withdrawn _____ Disapproved

_____ Tabled until _____

This is forwarded to you for final action.

DOUGLAS L. POWELL, CHAIRMAN

AL GILBERT, VICE-CHAIRMAN

BILL BECKWITH

TIM THOMS

JIM GRAW

Remarks:

_____

_____

_____

PLANNING COMMISSION RECOMMENDATION

DATE: June 5, 2008

TO: Fayette County Commissioners

The Fayette County Planning Commission recommends that Petition No. 1210-08, the application of Jamie Oden to rezone 1.03 acres from A-R to C-S, be:

✓ Approved 5-0 _____ Withdrawn _____ Disapproved

_____ Tabled until _____

This is forwarded to you for final action.

Douglas L. Powell

DOUGLAS L. POWELL, CHAIRMAN

AL GILBERT, VICE-CHAIRMAN

BILL BECKWITH

TIM THOMS

JIM GRAW

Remarks:

_____

_____

_____

PLANNING COMMISSION RECOMMENDATION

DATE: June 5, 2008

TO: Fayette County Commissioners

The Fayette County Planning Commission recommends that Petition No. RP-042-08, the application of Heron's Landing Homeowners Association, Inc., to revise the Final Plat of Heron's Landing Subdivision to add a 1.03 acre tract and remove a 1.03 acre tract, be:

✓ Approved 5-0 _____ Withdrawn _____ Disapproved

_____ Tabled until _____

This is forwarded to you for final action.

Douglas L. Powell

DOUGLAS L. POWELL, CHAIRMAN

AL GILBERT, VICE-CHAIRMAN

BILL BECKWITH

TIM THOMS

JIM GRAW

Remarks:

_____

_____

_____

PLANNING COMMISSION RECOMMENDATION

DATE: June 5, 2008

TO: Fayette County Commissioners

The Fayette County Planning Commission recommends that Petition No. RDP-009-08, the application of Heron's Landing Homeowners Association, Inc., to revise the Development Plan of Heron's Landing Subdivision to add a 1.03 acre tract and remove a 1.03 acre tract, be:

✓ Approved 5-0 _____ Withdrawn _____ Disapproved

_____ Tabled until _____

This is forwarded to you for final action.

Douglas L. Powell
DOUGLAS L. POWELL, CHAIRMAN

AL GILBERT, VICE-CHAIRMAN

William A Beckwith
BILL BECKWITH

TIM THOMS

Jim E Graw
JIM GRAW

Remarks:

_____

_____

_____

Fayette County GEORGIA

Where Quality Is A Lifestyle

To: Fayette County Board of Commissioners

From: Dennis S. Dutton, Fayette County Planning & Zoning DSD

Date: June 9, 2008

Subject: Board of Commissioners Public Hearing, June 26, 2008

The attached report is submitted for your consideration and contains the Staff's and the Planning Commission's Recommendations on the rezoning applications, the revised final plat application, and revised development plan application scheduled for public hearing on June 26, 2008.

PAGE	PETITION NUMBER	LOCATION/ REQUEST	STAFF RECOMMENDATION	PLANNING COMMISSION RECOMMENDATION
1-1	1209-08/ 1210-08/ RP-042-08/ RDP-009-08	Old Senoia Road/ 1.03 acre Land Exchange for a Single-Family Residential Subdivision and a 5 acre tract	**APPROVE WITH TWO (2) RECOMMENDED CONDITIONS**	**APPROVE WITH TWO (2) RECOMMENDED CONDITIONS 5-0**

DSD/rsw

cc: Peter A. Frisina, Director of Community Development
Tom Williams, Assistant Director of Planning & Zoning
Robyn S. Wilson, P.C. Secretary/Zoning Coordinator

PETITION NO.: 1209-08

Heron's Landing Homeowners Association, Inc., Owners, and Eddie Wilkerson, Agent, request to rezone 1.03 acres from C-S (Conservation Subdivision) to A-R (Agricultural-Residential) which will be added to the adjacent property belonging to Jamie Oden.

PETITION NO.: 1210-08

Jamie Oden, Owner, and Eddie Wilkerson, Agent, request to rezone 1.03 acres from A-R (Agricultural-Residential) to C-S (Conservation Subdivision) which will be added to Heron's Landing Subdivision as Conservation Area.

PETITION NO.: RDP-009-08

Eddie Wilkerson, Applicant, requests to revise the Development Plan for Heron's Landing Subdivision for a 1.03 acre land exchange.

PETITION NO.: RP-042-08

Eddie Wilkerson, Applicant, requests to revise the Final Plat for Heron's Landing Subdivision for a 1.03 acre land exchange

LOCATION: Old Senoia Road

DISTRICT/LAND LOT(S): 5th District/Land Lot(s) 4 and 29

PLANNING COMMISSION PUBLIC HEARING: June 5, 2008

BOARD OF COMMISSIONERS PUBLIC HEARING: June 26, 2008

This is a land exchange of 1.03 acres between Heron's Landing Homeowners Association, Inc. and Jamie Oden. This land exchange will involve a rezoning from C-S to A-R; a rezoning from A-R to C-S; and a Revised Development Plan and a Revised Final Plat, both to remove 1.03 acres and to add 1.03 acres.

The Staff Analysis consists of a combination of all four (4) applications. In order for the land exchange to take place, all four (4) applications must be approved.

APPROVE WITH TWO (2) CONDITIONS

INVESTIGATION

A. PROPERTY SITE

The subject property is Heron's Landing Subdivision, zoned C-S, consisting of 40.539 acres with 18 single-family dwelling lots, and fronts on Old Senoia Road. The other subject property, owned by Jamie Oden, is zoned A-R and consists of five (5) acres and fronts Old Senoia Road. Old Senoia Road is classified as a Collector per the Fayette County Thoroughfare Plan.

This request is a land exchange involving the removal of a 1.03 acre tract from the Conservation Area of Heron's Landing Subdivision and the addition of a 1.03 acre tract to the Conservation Area. Given this, the required acreage for the Conservation Area will remain the same.

History: On 02/24/04, the B.O.C. approved the rezoning Petition No. 1134-04 to rezone 40.55 acres from A-R to C-S. Since the property was rezoned to C-S, a Development Plan was also approved which consisted of 18 single-family dwelling lots, 17.4 acres of Conservation Area/Open Space, and 0.9 acres in the detention pond.

C. GENERAL SITUATION

The general situation is a 5.00 acre tract zoned A-R and a 40.539 acre tract developed as Heron's Landing Subdivision zoned C-S in an area that is primarily single-family residential with scattered subdivisions amid some large vacant tracts and agricultural properties.

B. SURROUNDING ZONING AND USES

The subject properties are bound by the following adjacent zoning districts and uses:

North: A vacant 46 acre tract zoned A-R.
South: Eight (8) nonconforming lots of record zoned A-R ranging in size from 0.90 acres to 3.6 acres all with single-family residences.
East: Across Old Senoia Road, and further east across Old Senoia Road Whippoorwill Ridge Subdivision which is also bounded by S.R. 85 South and zoned R-40 in 1978 consisting of 29 lots which range in size from 6.2 acres to 1.6 acres.
West: A 135 acre tract zoned A-R containing a single-family residence.

C. COMPREHENSIVE PLAN

The subject properties lie within an area designated for Low Density Residential (1 unit/1 to 2 acres). The requests comply with designation of the Fayette County Comprehensive Plan.

D. PLATTING

Oden Property: The 1.03 acre tract from Heron's Landing Subdivision and the remaining 4.00 acre tract (Oden property) must be combined as one (1) tract to be in compliance with the requirements of the five (5) acre minimum lot size of the A-R zoning district. To assure that a revised Warranty Deed and revised survey for the Oden property is approved and recorded in a reasonable length of time; both shall be submitted to the Planning & Zoning Department for review within ninety (90) days after the Board of Commissioners Public Hearing prior to being recorded at the Clerk of Superior Court Office.

Heron's Landing Subdivision: A Revised Final Plat and a Revised Conservation Easement must be submitted to the Planning & Zoning Department, within ninety (90) days after the Board of Commissioners Public Hearing. This will ensure that the 1.03 acre tract (C-S to A-R) is removed and the 1.03 acre tract (A-R to C-S) is added as Conservation Area to Heron's Landing Subdivision.

E. REVISION OF A DEVELOPMENT PLAN

A Development Plan shall establish the layout and uses planned for the development. Any substantial change in the approved Concept/Development Plan must be reviewed and approved by the Board of Commissioners upon the recommendation of the Planning Commission. Since the revision is to remove 1.03 acres from the Conservation Area in one location and to add 1.03 acres to the Conservation Area in another location, the Conservation Area/Open Space will maintain the required acreage.

F. DEPARTMENTAL COMMENTS

Water System

No comments.

Engineering

Drainage easement from pond outfall should extend to edge of new/proposed property line.

Environmental Health Department

No comments.

Fire and EMS

Approved.

Public Works

No Public Works comments.

Board of Education

See attached comments from Dr. John DeCotis.

STAFF ANALYSIS

This request is based on the petitioner's intent to rezone said property from A-R to C-S (Petition No. 1210-08) and C-S to A-R (Petition No. 1209-08) for the purpose of a land exchange. Per Section 11-10 of the Fayette County Zoning Ordinance, Staff makes the following evaluations:

1. The request for rezoning from A-R to C-S and the request for rezoning from C-S to A-R are consistent with the Fayette County Comprehensive Plan.

2. The proposed rezonings will not adversely affect the existing use or usability of adjacent or nearby property.

3. The proposed rezonings will not result in a burdensome use of roads, utilities, or schools.

4. Existing conditions and the area's continuing development as a single-family residential district support this petition.

Based on the foregoing Investigation and Staff Analysis, Staff recommends **APPROVAL WITH TWO (2) RECOMMENDED CONDITIONS.**

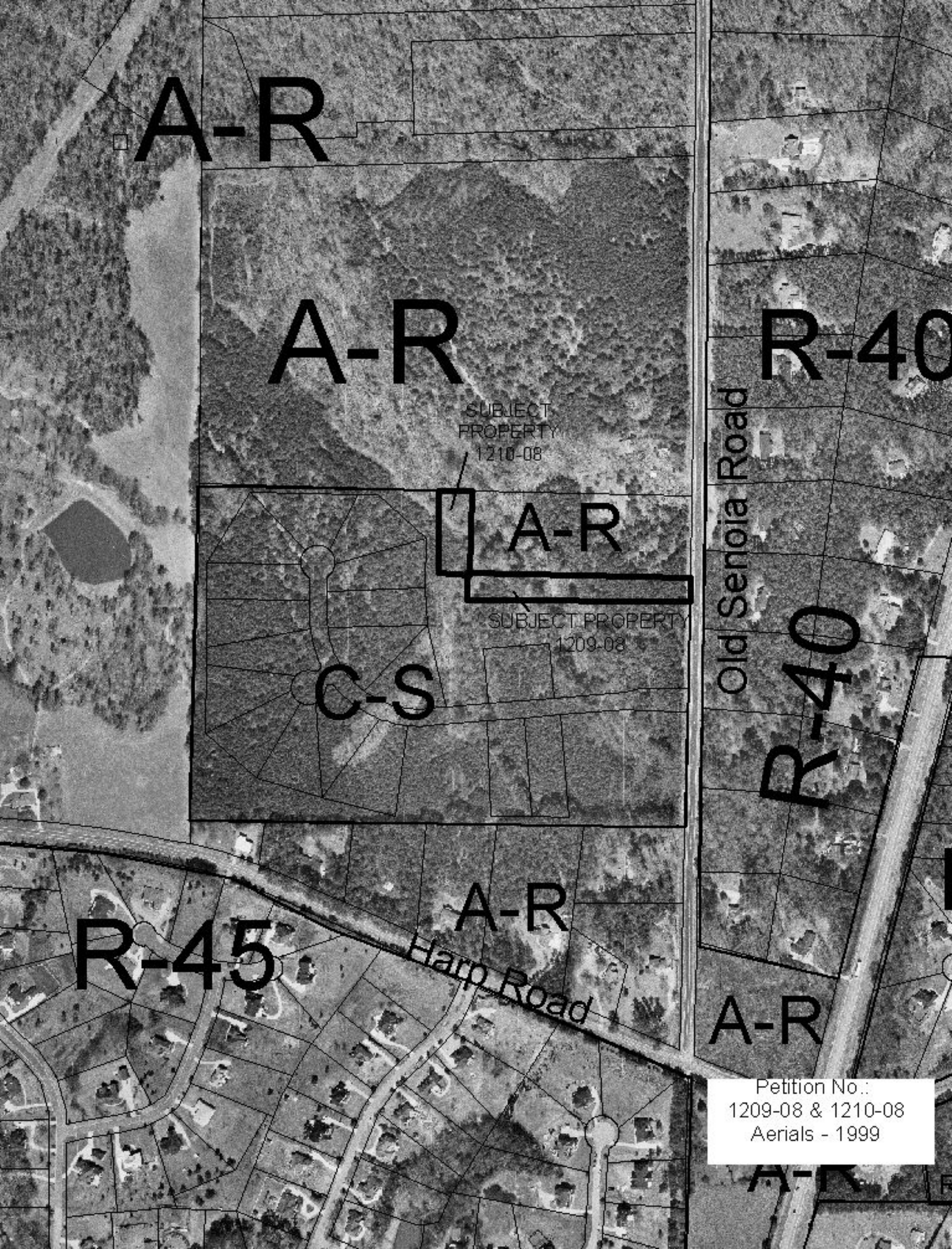
RECOMMENDED CONDITIONS

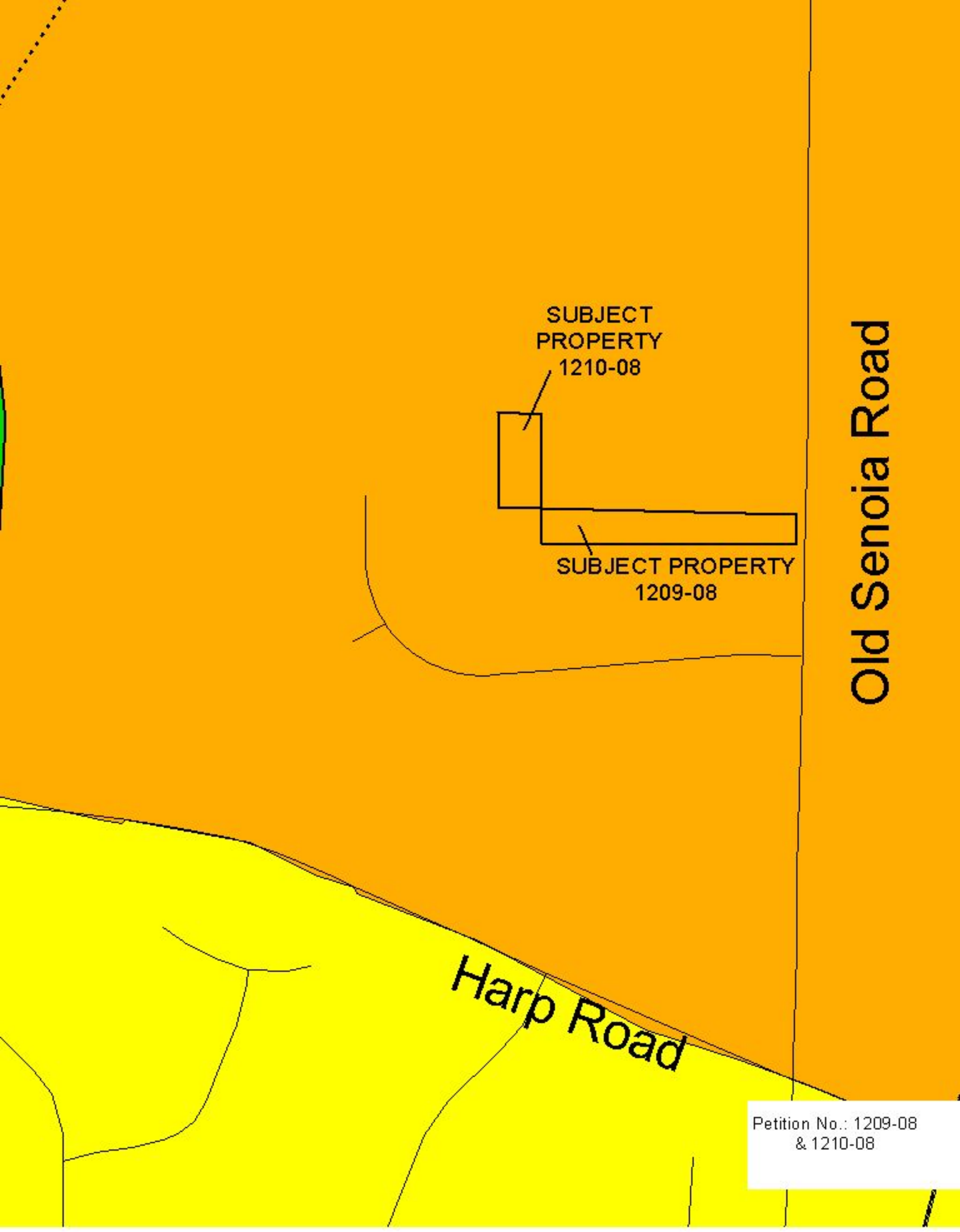
If these petitions are approved by the Board of Commissioners, they should be approved **CONDITIONAL** subject to the following enumerated conditions. Where these conditions conflict with the provisions of the Zoning Ordinance, these conditions shall supersede unless otherwise specifically stipulated by the Board of Commissioners.

1. If rezoning Petition No. 1209-08 to rezone 1.03 acres from C-S to A-R is approved by the Board of Commissioners, a revised Warranty Deed and survey for the Oden property, which indicates and describes the outer perimeter of the reconfigured five (5) acre tract, must be submitted to the Planning & Zoning Department for review within ninety (90) days after the Board of Commissioners Public Hearing prior to being recorded at the Clerk of Superior Court Office. *(This condition is to ensure that a revised Warranty Deed and survey are approved and recorded in a reasonable length of time.)*

2. If rezoning Petition No. 1210-08 to rezone 1.03 acres from A-R to C-S, and the Revised Final Plat Petition No. RP-042-08 and Revised Development Plan Petition No. RDP-009-08 for Heron's Landing Subdivision are approved by the Board of Commissioners, a Revised Final Plat and a Revised Conservation Easement must be submitted to the Planning & Zoning Department within ninety (90) days after the Board of Commissioners Public Hearing. *(This condition is to ensure that a Revised Final Plat and Revised Conservation Easement are approved and recorded in a reasonable length of time.)*

The applicant agreed to the two (2) recommended conditions. The P.C. recommended Approval of all four (4) petitions subject to the recommended conditions 5-0.


A-R
A-R
R-40
SUBJECT
PROPERTY
1210-08
A-R
SUBJECT PROPERTY
1209-08
C-S
Old Senoia Road
R-40
A-R
R-45
Harp Road
A-R
Petition No.:
1209-08 & 1210-08
Aerials - 1999


SUBJECT
PROPERTY
1210-08
SUBJECT PROPERTY
1209-08
Old Senoia Road
Harp Road
Petition No.: 1209-08
& 1210-08

LAND USE

- AGRICULTURAL RESIDENTIAL (1 Unit/5 Acres, 5 Acre Min.)
- RURAL RESIDENTIAL (1 Unit/2 to 3 Acres)
- LOW DENSITY RESIDENTIAL (1 Unit/1 to 2 Acres)
- LOW MEDIUM DENSITY RESIDENTIAL (1 to 2 Units/1 Acre)
- MEDIUM DENSITY RESIDENTIAL (2 to 4 Units/1 Acre)
- HIGH DENSITY RESIDENTIAL (5 Units/1 Acre)
- MOBILE HOME PARK
- OFFICE
- COMMERCIAL
- LIGHT INDUSTRIAL
- HEAVY INDUSTRIAL
- PUBLIC FACILITIES/INSTITUTIONAL
- CONSERVATION AREAS
- PARKS AND RECREATION
- TRANS., UTIL., & COMMUNICATIONS

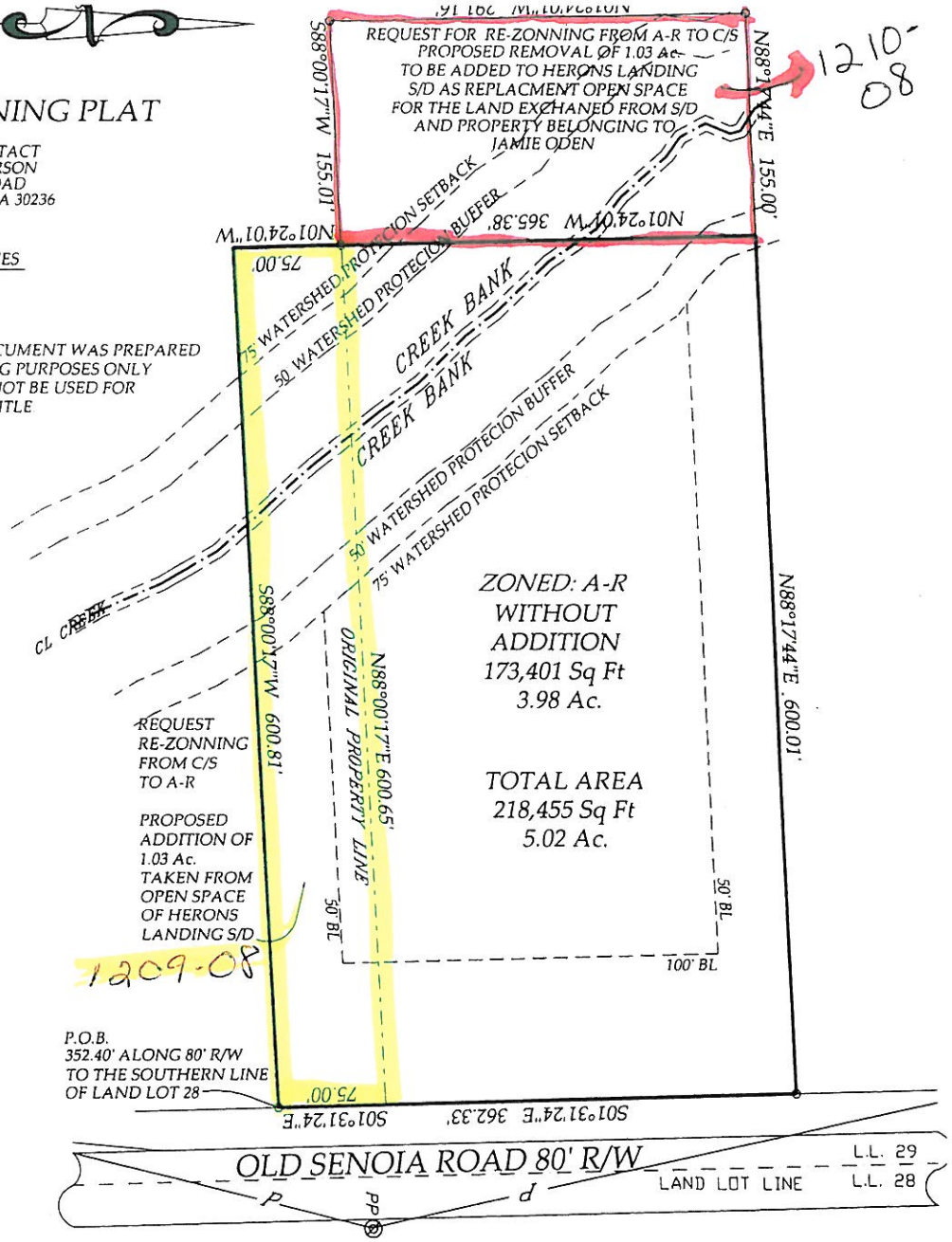
MAGNETIC

RE-ZONING PLAT

24 HOUR CONTACT
EDDIE WILKERSON
9255 FLOYD ROAD
JONESBORO, GA 30236
678-776-2522

BUILDING LINES
FRONT - 100'
SIDE - 50'
REAR - 75'

NOTE: THIS DOCUMENT WAS PREPARED FOR PERMITTING PURPOSES ONLY AND SHOULD NOT BE USED FOR TRANSFER OF TITLE



GRAPHIC SCALE
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CLOSURE DATA
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ANGLE POINT ERROR=< 20"
EQUIPMENT USED=E.D.M. & THEODOLITE
ADJUSTMENT METHOD=COMPASS RULE
PLAT CLOSURE=1'IN 100,000+

LEGEND
IPF=IRON PIN FOUND
IPS=IRON PIN SET
R/W=RIGHT OF WAY
MAG= MAGNETIC
P.O.B.=POINT OF BEGINNING
B/L=BUILDING LINE
D.E =DRAINAGE EASEMENT
N/F=NOW OR FORMERLY
F.W.P.D.=FIELD WORK PERFORMED DATE

THIS PROPERTY DOES NOT LIE WITHIN A 100 YEAR FLOOD PLAIN ACCORDING TO REFERENCE PLAT.

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

DECLARATION IS MADE TO ORIGINAL PURCHASE 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.

Prepared For:	JAMIE ODEN		
Subdivision:	N/A		
Lot:		Date:	12/27/07
Land Lot:	29	District:	5 th
County	FAYETTEVILLE, GA	F.W.P.D.	
Scale:	1" = 100'	Job No:	07-0435

GEORGIA REGISTERED No. 2628 PROFESSIONAL LAND SURVEYOR GERALD H. BERRYMAN

DELTA SURVEYORS INC.™

P.O. BOX 571
Fayetteville, GA 30214
770-460-9342
(fax) 770-460-7114

JOHN 3:16

D

MAGNETIC

RE-ZONING PLAT

24 HOUR CONTACT
EDDIE WILKERSON
9255 FLOYD ROAD
JONESBORO, GA 30236
678-776-2522

BUILDING LINES
FRONT - 100'
SIDE - 50'
REAR - 75'

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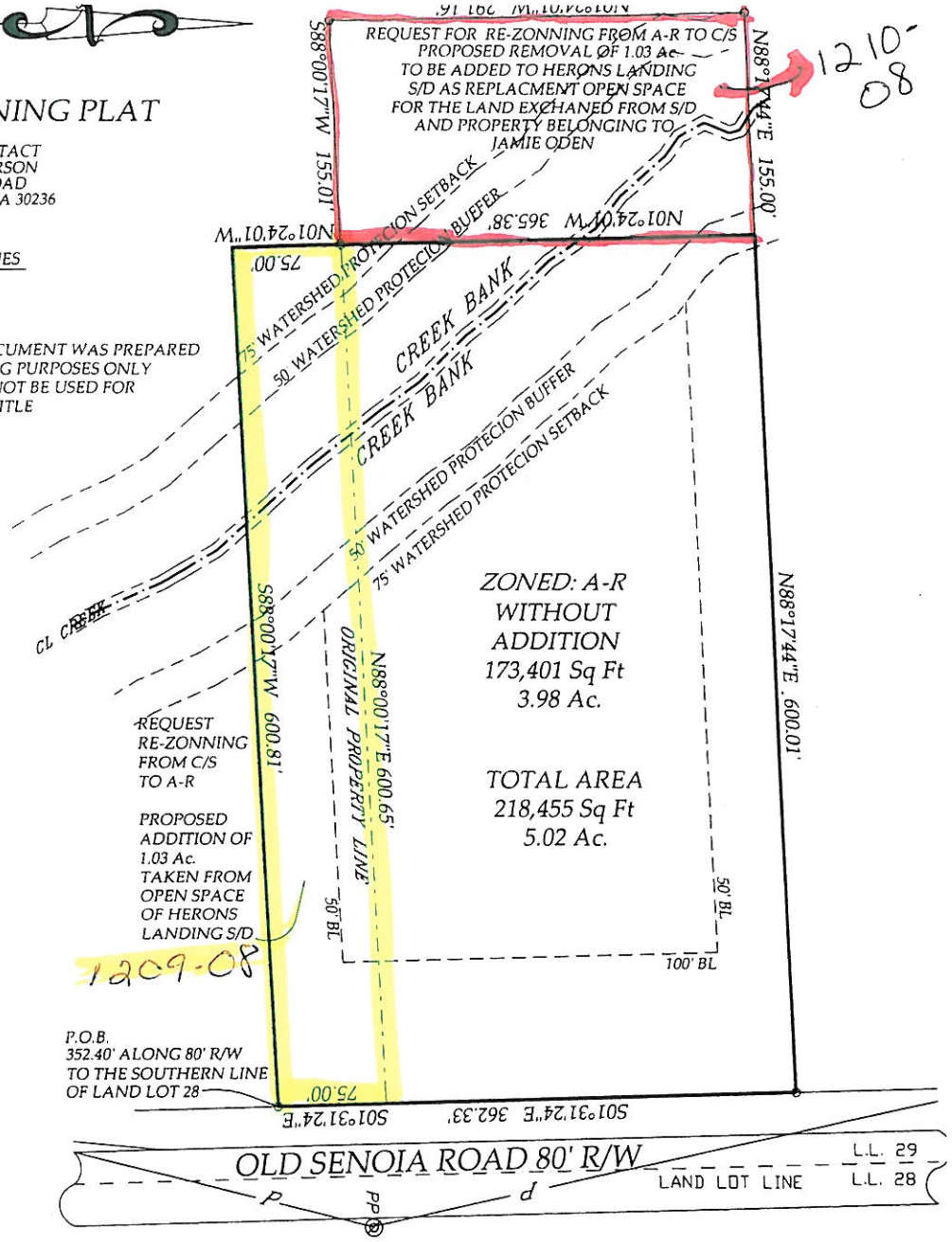

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Prepared For:	JAMIE ODEN		
Subdivision:	N/A		
Lot:		Date:	12/27/07
Land Lot:	29	District:	5 th
County:	FAYETTEVILLE, GA	F.W.P.D.	
Scale:	1" = 100'	Job No:	07-0435

GEORGIA REGISTERED No. 2628 PROFESSIONAL LAND SURVEYOR GERALD H. BERNHARD

DELTA SURVEYORS INC.™
P.O. BOX 571
Fayetteville, GA 30214
770-460-9342
(fax) 770-460-7114

JOHN 3:16

D

OWNER/DEVELOPER
CROWN DEVELOPMENT
PO BOX 2649
PEACHTREE CITY, GA 30269
770-487-9224

REQUEST FOR RE-ZONNING FROM A-R TO C/S
PROPOSED REMOVAL OF 1.03 Ac.
TO BE ADDED TO HERONS LANDING
S/D AS REPLACMENT OPEN SPACE
FOR THE LAND EXCHANED FROM S/D
AND PROPERTY BELONGING TO
JAMIE ODEN

INSERT A
WEIR DETAIL

TOP CONCRETE	ELEV. 844.64
	844.24
	843.54
3'	839.54
CONCRETE	838.04
ORFICE (1)	837.04
	836.49

REQUEST
RE-ZONNING
FROM C/S
TO A-R

PROPOSED
ADDITION OF
1.03 Ac.
TAKEN FROM
OPEN SPACE
OF HERONS
LANDING S/D

N/F LOUIS ROBERTS
ZONED: A-R

N/F
JAMIE ODEN
ZONED: A-R

ZONED: A-R
N/F PAUL L. BOWLDEN

N/F PAUL L. BOWLDEN
ZONED: A-R

ZONED: A-R
N/F SUBDIVISION PLAT FOAR WARREN YOUNG

ZONED: R-40

OLD SENOIA ROAD 80' R/W

Elise Way 60' R/W

Hauden Court - 60' R/W

TOTAL AREA
40.539 AC.
1,765,898 S.F.

LOT 1 43,700 sq.ft. 1.003 acres
LOT 2 44,950 sq.ft. 1.018 acres
LOT 3 46,528 sq.ft. 1.068 acres
LOT 4 56,860 sq.ft. 1.305 acres
LOT 5 43,560 sq.ft. 1.00 acres
LOT 6 43,627 sq.ft. 1.002 acres
LOT 7 43,706 sq.ft. 1.003 acres
LOT 8 43,954 sq.ft. 1.009 acres
LOT 9 43,790 sq.ft. 1.005 acres
LOT 10 48,720 sq.ft. 1.118 acres
LOT 11 43,693 sq.ft. 1.003 acres
LOT 12 46,460 sq.ft. 1.067 acres
LOT 13 43,775 sq.ft. 1.005 acres
LOT 14 43,778 sq.ft. 1.005 acres
LOT 15 43,997 sq.ft. 1.010 acres
LOT 16 44,573 sq.ft. 1.023 acres
LOT 17 43,835 sq.ft. 1.006 acres
LOT 18 44,330 sq.ft. 1.018 acres

OPEN SPACE
OPEN SPACE 17.4 AC.
OPEN SPACE
OPEN SPACE
OPEN SPACE

NO A-R VARIANCE
PERMITTED

HOA SHALL OWN PROPERTY
AND MAINTAIN LANDSCAPING
AND THE SIGN WITHIN ISLAND.

WEIR TOP 844.84
SEE INSERT A WEIR DETAIL

21' L.F. 48" CMP
HW ELEV. 836.23

DET. AREA 41,000 S.F.

LIMITS 100 YR PONDING 842.75

20' D.E. & ACCESS EASEMENT

HEADWATERS 100 YR FLOOD ELEV. 853.34

HEADWATERS 100 YR FLOOD ELEV. 845.30

WETLANDS

75' WATERSHED PROTECTION SETBACK
50' WATERSHED PROTECTION BUFFER

CREEK BANKS

ORIGINAL PROPERTY LINE

2,636.65' TO THE NORTH LINE OF LAND LOT 29

L.L. 29
L.L. 28
L.L. 5
L.L. 4

LAND LOT LINE

UTILITIES PROTECTION CENTER
Call FREE
IN METRO ATLANTA
525-8000
THROUGHOUT GEORGIA
1-800-282-7411
THREE WORKING DAYS BEFORE YOU DIG

LEGEND

IPF=IRON PIN FOUND
IPS=IRON PIN SET
R/W=RIGHT OF WAY
MAG= MAGNETIC
P.O.B.=POINT OF BEGINNING
B/L=BUILDING LINE
D.E.=DRAINAGE EASEMENT
N/F=NOW OR FORMERLY
F.W.P.D.=FIELD WORK PERFORMED DATE

THIS PROPERTY DOES NOT LIE WITHIN A 100 YEAR FLOOD PLAIN ACCORDING TO REFRENCE PLAT. 13115C0085D 9/18/96.

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.

CLOSURE DATA

FIELD CLOSURE=1' IN 62,120+
ANGLE POINT ERROR=< 03"
EQUIPMENT USED=E.D.M. & THEODOLITE
ADJUSTMENT METHOD=COMPASS RULE
PLAT CLOSURE=1' IN 100,000+

100 0 100 200 300 Feet
Graphic Scale: 1" = 100'

PREPARED FOR:
HERONS LANDING HOME OWNERS ASSOCIATION

SUBDIVISION: HERONS LANDING
LOT: LAND LOT 29 & 4
BLOCK: DISTRICT: 5 TH
SCALE: 1"=100' COUNTY: FAYETTE, GA
DATE: 01/04/08
FIELD WORK DATE: 03/06/06
JOB NO. 05-0159

P.O. BOX 571 FAYETTEVILLE, GA. 30214
770\460\9342 FAX 770\460\7714

DELTA SURVEYORS, INC.

JOHN 3:16

GEORGIA REGISTERED LAND SURVEYOR
DONALD F. REDMOND

OWNER/DEVELOPER
CROWN DEVELOPMENT
PO BOX 2649
PEACHTREE CITY, GA. 30269
770-487-9224

MAGNETIC

N/F LOUIS ROBERTS
ZONED: A-R

REQUEST FOR RE-ZONNING FROM A-R TO C/S
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TO BE ADDED TO HERONS LANDING
S/D AS REPLACMENT OPEN SPACE
FOR THE LAND EXCHANED FROM S/D
AND PROPERTY BELONGING TO
JAMIE ODEN

INSERT A
WEIR DETAIL

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	844.24
	843.54
3'	839.54
CONCRETE	838.04
ORFICE (1)	837.04
	836.49

REQUEST
RE-ZONNING
FROM C/S
TO A-R

PROPOSED
ADDITION OF
1.03 Ac.
TAKEN FROM
OPEN SPACE
OF HERONS
LANDING S/D

N/F
JAMIE ODEN
ZONED: A-R

2,636.65' TO THE NORTH
LINE OF LAND LOT 29.

ORIGINAL PROPERTY LINE

NO A-R VARIANCE
PERMITTED

N88°60'17"E 600.03'

OPEN SPACE

WETLANDS

L.L. 29

HOA SHALL OWN PROPERTY
AND MAINTAIN LANDSCAPING
AND THE SIGN WITHIN ISLAND.

L.L. 28

L.L. 5

L.L. 4

ZONED R-40

N88°17'44"E 1104.28'

S88°14'01"W 373.93 30'58

S88°14'01"W 70.29

LOT 13
43,775 sq.ft.
1.005 acres

LOT 12
46,460 sq.ft.
1.067 acres

M.F.F.E.=845.8
LOT 14
43,778 sq.ft.
1.005 acres

M.F.F.E.=845.8
LOT 15
43,997 sq.ft.
1.010 acres

LOT 11
43,693 sq.ft.
1.003 acres

LOT 16
44,573 sq.ft.
1.023 acres

LOT 10
48,720 sq.ft.
1.118 acres

LOT 17
43,835 sq.ft.
1.006 acres

LOT 9
43,780 sq.ft.
1.005 acres

LOT 18
44,330 sq.ft.
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43,954 sq.ft.
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1.018 acres

WEIR
TOP
844.84
SEE INSERT
A
WEIR DETAIL

21' L.F.
48" CMP
INV ELEV.
836.29

DET. AREA
41,000 S.F.

LIMITS 100 YR
PONDING 842.75

TOTAL AREA
40.539 AC.
1,765,898 S.F.

D.E. & ACCESS
EASEMENT

Hayden Court - 60' R/W

Elise Way 60' R/W

HEADWATERS
100 YR
FLOOD
ELEV.
845.30

HEADWATERS
100 YR
FLOOD
ELEV.
855.38

75' WATERSHED
PROTECTION SETBACK
50' WATERSHED
PROTECTION BUFFER

50' WATERSHED
PROTECTION BUFFER
75' WATERSHED
PROTECTION SETBACK

CREEK BANKS

OPEN SPACE
17.4 AC.

OPEN SPACE

OPEN SPACE

OPEN SPACE

N/F PAUL L. BOWLDEN
ZONED: A-R

N/F PAUL L. BOWLDEN
ZONED: A-R

N/F SUBDIVISION PLAT FOAR WARREN YOUNG
ZONED: A-R

S87°36'31"W 389.06'

AXLE

S87°25'09"W 296.28'

1" OTP

S87°30'38"W 253.50'

1" OTP

S87°27'07"W 237.11'

1" PIPE

S87°55'28"W 126.58'

1" OTP

S86°29'20"W 273.91'

1/2" IPS

1/2" IPF

PAP (TYP)

2X2
FLAT BAR

UTILITIES PROTECTION CENTER
Call FREE
IN METRO ATLANTA
335-8000
THROUGHOUT GEORGIA
1-800-282-7411
THREE WORKING DAYS BEFORE YOU DIG

LEGEND

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PERFORMED DATE

THIS PROPERTY DOES NOT LIE WITHIN
A 100 YEAR FLOOD PLAIN ACCORDING
TO REFRENCE PLAT 15119C0085D 3/18/96.

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100 0 100 200 300 Feet
Graphic Scale: 1" = 100'

PREPARED FOR
HERONS LANDING HOME OWNERS ASSOCIATION

SUBDIVISION HERONS LANDING		P.B.	PG.
LOT	LAND LOT 29 & 4	DATE 01/04/06	
BLOCK	DISTRICT 5 TH	REF. 04/07/06	
SCALE 1"=100'	COUNTY FAYETTE, GA	JOB NO. 05-0159	

P.O. BOX 579 FAYETTEVILLE, GA. 30214
770\460\9542 FAX 770\460\7714
DELTA SURVEYORS, INC.
JOHN 3:16
MSN

GEORGIA REGISTERED LAND SURVEYOR
RONALD T. BURNETTE

4. **This is a land exchange of 1.03 acres between Heron's Landing Homeowners Association, Inc. and Jamie Oden. This land exchange will involve a rezoning from C-S to A-R; a rezoning from A-R to C-S; and a Revised Development Plan and a Revised Final Plat, both to remove 1.03 acres and to add 1.03 acres.**

   Consideration of Petition No. 1209-08, Heron's Landing Homeowners Association, Inc., Owners, and Eddie Wilkerson, Agent, request to rezone 1.03 acres from C-S to A-R to add to an adjacent lot zoned A-R and Petition No. 1210-08, Jamie Oden, Owner, and Eddie Wilkerson, Agent, request to rezone 1.03 acres from A-R to C-S to add as Conservation Area to Heron's Landing Subdivision. These properties are located in Land Lot 29 of the 5th District and fronts on Old Senoia Road. And, consideration of Petition No. RP-042-08 and Petition No. RDP-009-08, Heron's Landing Homeowners Association, Inc., Owners, and Eddie Wilkerson, Agent, request to revise the Recorded Final Plat and the approved Development Plan of Heron's Landing Subdivision to remove 1.03 acres and to add 1.03 acres to Heron's Landing Subdivision. These properties are located in Land Lots 4 and 29 of the 5th District and fronts on Old Senoia Road. *Staff recommended Approval subject to two (2) Recommended Conditions.*

Chairman Powell explained that the individual petitions will not work independently of each other so all four (4) petitions will need to be approved or all four (4) petitions will need to be denied. He stated that he would entertain a single motion for all four (4) petitions.

Eddie Wilkerson thanked Staff for all of their assistance with the four (4) petitions. He commented that while the transaction is a simple land exchange, it had generated four (4) separate petitions. He stated he was constructing a house for Ms. Oden which will be approximately 7,000 to 8,000 square feet and approximately 130 feet long from side to side. He said he approached the Homeowner Association for approval of the 1.03 land exchange which would make the Oden property wider. He confirmed that he got all of the property owners in Heron's Landing subdivision to agree and sign the paperwork, as well as, the Revised Final Plat. He pointed out that the required acreage for the Heron's Landing conservation area would remain the same.

Chairman Powell asked if there was anyone to speak in favor of the petitions. Hearing none, he asked if there was anyone to speak in opposition of the petitions. Hearing none and with no rebuttal required, he closed the floor from public comments.

Al Gilbert read the recommended conditions to the audience and asked Mr. Wilkerson if he agreed to the recommended conditions.

Mr. Wilkerson agreed to the recommended conditions.

Tim Thoms advised that the C-S zoning district has very strict guidelines and cautioned the P.C. about not setting a precedent. He pointed out that while this request is for an even acreage land exchange, future petitions should be reviewed closely and should have to stand on their own merits.

Mr. Thoms asked if a yield plan would apply.

Mr. Frisina explained that a yield plan determined the number of lots. He said that the land exchange was not changing the number of lots or the acreage in the conservation area. He stated that there is nothing to be gained by preparing a yield plan because the subdivision has been developed. He added that the Revised Development Plan is one (1) of the petitions being considered tonight.

Mr. Gilbert commented that a C-S Development Plan is similar to a PUD and there have been petitions for revisions in the past which were reviewed and approved on their own merits.

Al Gilbert made a motion to approve all four (4) petitions subject to the two (2) recommended conditions. Jim Graw seconded the motion. The motion unanimously passed 5-0.