Print Form

COUNTY DEPARTMENT AGENDA REQUEST

Department/Division: Planning & Zoning/Community Dev.

Department Head: Peter A. Frisina

Presenter, if needed: Dennis Dutton/Peter Frisina

Preferred Meeting Date: Thursday, March 27, 2008

Wording for the Agenda:

Consideration of Petition No. 1207-08, 54 Prop LLC, Owner, Winn F. Martin, Manager and Laura Mehl and Tammie Sullenberger of Prudential GA Realty and Attorney L. J. Overman, Agents, request to rezone 0.54 acres from A-R to O-I to be added to the adjacent 4.76 acre tract zoned O-I. This property is located in Land Lot 58 of the 7th District and fronts on S.R. 54 West.

Background/History/Details:

On April 26, 2007, the B.O.C. approved the rezoning of the adjacent 4.76 acres (Petition No. 1194-07) from R-40 and A-R to O-I to develop O-I uses. The 0.54 acres lies between the 4.76 acre tract and S.R. 54 West.

What action are you seeking from the Board of Commissioners?

Consideration of Petition No. 1207-08.
Staff recommended approval subject to one (1) recommended condition. The P.C. recommended approval (5-0) subject to the following recommended condition: The 0.54 acre tract shall be combined with the 4.76 acre tract by a revised Warranty Deed. Said Warranty Deed shall be recorded prior to the submittal of a Site Plan as proposed by the applicant.

If this item requires funding, please describe:

N/A

Has this issue come before the Commissioners in the past? No

If so, when? Thursday, March 27, 2008

Do you need audio-visual for the presentation? No

Back-up Material Submitted? Yes

STAFF USE ONLY

- (●) Finance Review Complete
- (●) Purchasing Review Complete
- (●) Legal Review Complete
- (●) Administrative Staff Review Complete

Administrator's Approval Yes

Confirmed Meeting Date Thursday, March 27, 2008

- ( ) Recognition/ Presentation
- (●) Public Hearing
- ( ) Old Business
- ( ) New Business
- ( ) Consent
- ( ) Report
- ( ) Other

PETITION NO. 1194-07:
Director of Community Development Pete Frisina read Petition No. 1194-07, Winn Martin, Manager of 54 Prop, LLC, Owner, and Laura Mehl and Tammi Sullenberger of Prudential Georgia Realty-Fayette and Ricky Gaskins of Delta Surveyors, Inc., Agents, request to rezone 4.76 acres from R-40 and A-R to O-I to develop O-I uses. He said this property was located in Land Lot 58 of the 7th District and fronted on S.R. 54 West. He said the Planning Commission recommended approval 5-0 and Staff recommended approval.

Chairman Smith asked if the petitioner was present tonight for this hearing.

Tammi Sullenberger of Prudential Georgia Realty-Fayette said she was the Agent for the petitioner. She said at the Planning Commission meeting the surveyor from Delta Surveyors, Inc. was present. She said there were drawings indicating the existing two buildings that would remain and be made into dental or doctors' offices. She said the ingress and the egress were also shown on the drawing. She asked if the Board had any questions about any of the drawings or anything else relating to this rezoning request.

Chairman Smith asked if anyone wished to speak in favor of this petition. Hearing none, he asked if anyone wished to speak in opposition to the petition. Hearing none, he said he would end the public hearing at this point. He asked the Commissioners for their pleasure in this request.

On motion made by Commissioner Frady, seconded by Commissioner Horgan to approve Petition No. 1194-07 as recommended by staff. The motion carried 5-0. A copy of Staff's Analysis and Investigation, identified as "Attachment No. 1", follow these minutes and are made an official part hereof. A copy of the Ordinance and Resolution approving Petition No. 1194-07, identified as "Attachment No. 2", follow these minutes and are made an official part hereof.

PLANNING COMMISSION REZONING REPORT

PETITION NO.: 1207-08

APPLICANT: 54 Prop LLC Winn F. Martin, Manager
4377 Paran Place, NW
Atlanta, GA 30327

STAFF RECOMMENDATION: **APPROVE WITH ONE (1) RECOMMENDED CONDITION**

PLANNING COMMISSION HEARING: March 6, 2008

PLANNING COMMISSION RECOMMENDATION: **APPROVE WITH ONE (1) RECOMMENDED CONDITION (5-0)**

BOARD OF COMMISSIONERS HEARING: March 27, 2008

COMMISSION DECISION: _____

REQUEST: Request to rezone 0.54 acres from A-R to O-I to add to adjacent 4.76 acre tract zoned O-I.

PARCEL SIZE: 0.54 acres

EXISTING USE: Vacant

PROPOSED USE: Add to adjacent 4.76 acre tract zoned O-I

LOCATION: Land Lot 58 of the 7th District and fronts on S.R. 54 West

ZONING OF SURROUNDING PROPERTY: O-I and A-R

LAND USE PATTERN: Low Density Residential (1 unit/1 to 2 acres)/S.R. 54 West Overlay Zone

PLANNING COMMISSION HEARING NOTES:

See Attached Minutes.

MOTION AND VOTE OF PLANNING COMMISSION:

Al Gilbert made a motion to approve the petition subject to the following recommended condition: The 0.54 area tract shall be combined with the 4.76 acre tract by a revised Warranty Deed. Said Warranty Deed shall be recorded prior to the submittal of a Site Plan as proposed by the applicant. 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: March 6, 2008

TO: Fayette County Commissioners

The Fayette County Planning Commission recommends that Petition No. 1207-08, the application of 54 Prop LLC, Owner, and Winn F. Martin, Manager to rezone 0.54 acres from A-R to O-I, be:

__✓__ Approved _____ Withdrawn _____ Disapproved

_____ Tabled until _____

This is forwarded to you for final action. 5-0

DOUGLAS L. POWELL, CHAIRMAN

AL GILBERT, VICE-CHAIRMAN

BILL BECKWITH

TIM THOMS

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

Date: March 11, 2008

Subject: Board of Commissioners Public Hearing, March 27, 2008

The attached report is submitted for your consideration and contains the Staff's and the Planning Commission's Recommendations on the rezoning applications scheduled for public hearing on March 27, 2008.

PAGE	PETITION NUMBER	LOCATION/ REQUEST	STAFF RECOMMENDATION	PLANNING COMMISSION RECOMMENDATION
1-1	1205-08	S.R. 279 and S.R. 314/Real Estate Brokers Office and Business Offices	**DENY**	**DENY (5-0)**
2-1	1206-08	S.R. 279 and S.R. 314/ Convenience Store with Gasoline Sales	**DENY C-C APPROVE O-I**	**APPROVE O-I WITH ONE (1) CONDITION (4-1)**
3-1	1207-08	S.R. 54 West/0.54 acres to be added to adjacent 5.31 acre tract zoned O-I	**APPROVE WITH ONE (1) CONDITION**	**APPROVE WITH ONE (1) CONDITION (5-0)**

DSD/rsw

cc: Jack Krakeel, Interim County Administrator
Scott Bennett, County Attorney
Peter A. Frisina, Director of Planning & Zoning
Tom Williams, Assistant Director of Planning & Zoning
Robyn S. Wilson, P.C. Secretary/Zoning Coordinator

REQUESTED ACTION: A-R (Agricultural-Residential) to O-I (Office-Institutional)

PROPOSED USE: Add the 0.54 acre tract to the adjacent 4.76 acre tract zoned O-I

EXISTING USE: Vacant

LOCATION: S.R. 54 West

DISTRICT/LAND LOT(S): 7th District, Land Lot(s) 58

OWNER: 54 Prop LLC, Owner and Winn F. Martin, Manager

APPLICANT: Laura Mehl and Tammi Sullenberger of Prudential GA Realty and Attorney L. J. Overman

PLANNING COMMISSION PUBLIC HEARING: March 6, 2008

BOARD OF COMMISSIONERS PUBLIC HEARING: March 27, 2008

APPLICANT'S INTENT

Applicant proposes to add the 0.54 acres to the adjacent 4.76 acre tract zoned O-I.

STAFF RECOMMENDATION

APPROVE WITH ONE (1) CONDITION

INVESTIGATION

A. PROPERTY SITE

The subject property is a 0.54 acre tract fronting on S.R. 54 West in Land Lot(s) 58 of the 7th District. S.R. 54 West is classified as a Major Arterial road on the Fayette County Thoroughfare Plan. The subject property is undeveloped and currently zoned A-R.

History: On April 26, 2007, the B.O.C. approved the rezoning of the adjacent 4.76 acres (Petition 1194-07) from R-40 and A-R to O-I to develop O-I uses. The 0.54 acres lies between the 4.76 acre tract and S.R. 54 West.

B. SURROUNDING ZONING AND USES

The general situation is a 0.54 acre tract that is zoned A-R. In the vicinity of the subject property is land which is zoned O-I and A-R. See the following table and also the attached Zoning Location Map.

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

Direction	Acreage	Zoning	Use	Comprehensive Plan
North and East	4.76	O-I	Two (2) Single-Family Dwellings	Low Density Residential (1 unit/1 to 2 acres) and S.R. 54 West Overlay Zone
South (across S.R. 54 West)	95.90	A-R	Single-Family Dwelling	Low Density Residential (1 unit/1 to 2 acres) and S.R. 54 West Overlay Zone
	1.50	A-R	Vacant	Low Density Residential (1 unit/1 to 2 acres) and S.R. 54 West Overlay Zone
West	8.50	A-R	Church	Low Density Residential (1 unit/1 to 2 acres) and S.R. 54 West Overlay Zone

C. COMPREHENSIVE PLAN

The subject property lies within an area designated for Low Density Residential (1 unit/1 to 2 acres) and the S.R. 54 West Overlay District. The intent of the S.R. 54 West Overlay District is to offer existing tracts of five (5) acres (+/-) the option to convert to office-institutional uses. This request conforms to the intent of the Fayette County Comprehensive Plan.

D. ZONING/REGULATORY REVIEW

The applicant seeks to rezone from A-R to O-I for the purpose of adding the 0.54 acres to the adjacent 4.76 acre tract zoned O-I to create a 5.31 acre tract.

Setbacks and Buffers

Zoning District	Zoning Setbacks	Minimum Lot Size	Minimum House Size	Lot Width at Building Line	Buffer
A-R (existing zoning district)	F - 100' Arterial F - 100' Collector F - 75' Minor S - 50' Side R - 75' Rear	5 Acres	1,200 sq ft	250'	N/A
O-I (proposed zoning district)	F – 100' Arterial F - 70' Collector F - 55" Minor S - 15' Side R - 15' Rear	1 Acre* 0.50 Acres**	N/A	125'	30' buffer required adjacent to residential or A-R zoning districts

* A minimum lot size of one (1) acre where a central water distribution system is provided.

** One-half (.50) acre where a central sanitary sewage and central water distribution systems are provided.

State Route Overlay

Due to the frontage on State Route 54 West, development of the property is subject to the requirements of the State Route 54 West Overlay Zone. The Overlay Zone requirements are in addition to the zoning district requirements and any Conditional Use requirements, and in cases where there is a conflict between requirements, the most restrictive regulation applies. Overlay Zone requirements include, but are not limited to, the following: a 100 foot setback from the right-of-way of SR 54, a 50 foot setback for impervious surfaces from right-of-way of SR 54, and architectural standards for buildings which require a residential character including a pitched peaked roof, a residential façade, and doors and windows of a residential character.

Platting

Should this request be approved, the applicant is reminded that before a Site Plan can be submitted, a revised Warranty Deed must be recorded to add the 0.54 acre tract to the adjacent 4.76 acre tract zoned O-I.

Right-of-Way Requirements

S.R. 54 West is classified as a Major Arterial road (major thoroughfare) on the Fayette County Thoroughfare Plan. This being a State Route, any dedication will be the responsibility of the Georgia Department of Transportation (GDOT) to secure from the property owner and must be indicated on the Site Plan.

Access

The Concept Plan submitted indicates access from S.R. 54 West via the 4.76 acre adjacent tract.

Site Plan

Should this petition be approved, the owner/developer must submit a Site Plan as required by Section 8-26., c. of the Development Regulations. Access must comply with the provisions of Section 8-53. of the Development Regulations and the Georgia D.O.T., as appropriate. The subject property must comply with Fayette County ordinances including but not limited to: Section 5-18. Screening Required and Section 5-19. Screening Standards of the Fayette County Zoning Ordinance and Section 8-159. Fayette County Landscape and Buffer Requirements, Article VI. Tree Retention, Protection, and Replacement, and Article VIII. Off-Street Parking and Service Requirements of the Fayette County Development Regulations.

E. TRAFFIC AND TRIP GENERATION

The trip generation figures for the rezoning (Petition 1194-07) of the adjacent 4.76 acre tract was as follows:

Per the Planning & Zoning Department, the average trip generation for 1,000 square feet of a general office building is 11.01 trips per day on weekdays, 2.37 trips per day on Saturday, and 0.98 trips per day on Sunday, based on trip generation rates provided in "Trip Generation, 6th edition volume 2 of 3". It is proposed that the subject property will consist of a minimum of at least two (2) general office buildings estimated from the concept plan. Using the average daily trips for a weekday per general office building at 2,500 square feet each, there would be an average trip generation of 55.05 (+/-) per day with two (2) general office buildings at 5,000 square feet (5,000/1,000 x 11.01) per day. On Saturday, there would be an average trip generation per day of 11.85 (+/-) (5,000/1,000 x 2.37) and on Sunday the trip generation average per day would be 4.90 (+/-) (5,000/1,000 x 0.98).

An alternate scenario for future growth is based on the available acreage. This scenario is based on a Floor Area Ratio (F.A.R.) for the S.R. 54 Overlay Zone since 1997, and uses a F.A.R. of 0.2. The application of this F.A.R. to this site acreage would indicate a future

development potential of 41,500 square feet of useable floor area. The site could potentially accommodate five (5) new buildings at 8,300 square feet each with two (2) stories on 4,150 square foot footprints. Using this scenario, the average daily trips for weekday traffic would be 456.92 (+/-) based on 41,500 square feet (41,500/1,000 x 11.01). On Saturday there would be an average daily trip generation of 98.36 (+/-) (41,500/1,000 x 2.37) and on Sunday the average daily trips would be 40.67 (+/-) (41,500/1,000 x 0.98).

The addition of the 0.54 acres to the adjacent 4.76 acres will have no effect on these trip generation estimates due to the subject property lying within the 100 foot setback required by the S.R. 54 West Overlay Zone.

Per the Engineering Department, any entrance road work along S.R. 54 West is subject to Georgia Department of Transportation (GDOT) approval and permitting.

F. REVIEW OF CONCEPT PLAN

The applicant is advised that the Concept Plan is for illustration purposes only. Any deficiencies must be addressed at the time of submittal of the Preliminary Plat, Final Plat, and/or Site Plan.

Per the Planning and Zoning Department, the concept plan is deficient of, but not limited to following:

1. The front yard setback for the proposed buildings is shown as 75 feet. The S.R. 54 West Overlay Zone requires a minimum of 100 feet from the right-of-way.

2. Required side and rear yard buffers not indicated on the Concept Plan. The O-I zoning district requires 30 foot buffers when adjacent to A-R and all residential zoning districts, in addition to, the 15 foot building line setbacks.

3. S.R. 54 West Overlay Zone requires no more than 50% of the required parking may be located in the front yard. All impervious surfaces, other than approved access drive, shall be located at least 50 feet setback from the State Route right-of-way.

G. DEPARTMENTAL COMMENTS

Water System

Water is available.

Engineering

Floodplain:

The property does not contain floodplain per FEMA FIRM panel 13113C0080D.

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 water bodies on the property per the USGS Tyrone Quadrangle (Photo revised 1982).

Groundwater Recharge Area:

Part of the property is within the groundwater recharge area, as delineated on the Georgia Department of Natural Resources' 1992 Ground-Water Pollution Susceptibility Map of Georgia (Hydrologic Atlas 20). The minimum lot size and width requirements of the Groundwater Recharge Area Protection Ordinance for lots with public water supply systems would be satisfied by the proposed O-I zoning requirements.

Environmental Health Department

No comments regarding the rezoning request.

Fire and EMS

The Bureau of Fire Prevention will neither approve nor deny requests that fall outside the scope of Fire Prevention Code requirements.

Public Works

No comments

Board of Education

If this application is approved, school system data shows it will not impact the school system with additional students.

Georgia Department of Transportation

No comments.

STAFF ANALYSIS

This request is based on the petitioner's intent to rezone said property from A-R to O-I for the purpose of adding the 0.54 acre tract to the adjacent 4.76 acre tract zoned O-I. Per Section 11-10 of the Fayette County Zoning Ordinance, Staff makes the following evaluations:

1. The intent of the S.R. 54 West Overlay Zone District is to offer existing tracts of five (5) acres (+/-) the option to convert to office-institutional uses. This request is in keeping with the intent of the Fayette County Comprehensive Plan.

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

3. The proposed rezoning 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 and an office/institutional district support this petition.

Based on the foregoing Investigation and Staff Analysis, Staff recommends **APPROVAL WITH ONE (1) CONDITION.**

RECOMMENDED CONDITIONS

If this petition is approved by the Board of Commissioners, it should be approved O-I **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. The 0.54 area tract shall be combined with the 4.76 acre tract by a revised Warranty Deed. Said Warranty Deed shall be recorded prior to the submittal of a Site Plan as proposed by the applicant. *(The purpose of this condition is to ensure that the properties are legally combined.)*

   The applicant agreed to the one (1) recommended condition. The P.C. recommended approval subject to the one (1) recommended condition (5-0).

January 31, 2008

Dear Fayette County Commissioners,

I currently own property at 1691 and 1697 Hwy 54 West in Fayetteville. The property has been surveyed as one parcel, attached, and is zoned 0-I (Resolution N. 1194-07).

I recently acquired 0.54 acres located between the properties above on Hwy 54 West (survey attached). The entire property has been resurveyed to one parcel of 5.31 Acres (legal description and survey attached).

However, the 0.54 acres property was previously zoned AR and I would like to change the zoning to O-I to be consistent with the current zoning of the 4.76 acres. The additional 0.54 acres fronts Highway 54 West.

Thank you,

Winn F. Martin

Winn F. Martin, manager
54 Prop, LLC

FEB -

A-R
R-40
A-R
Flat Creek Trail
O-I
A-R
R-40
A-R
O-I
SR 54
SUBJECT
PROPERTY
R-40
A-R
A-R
O-I
EBENEZER
Petition No.: 1207-07
Aerials - 1999

Flat Creek Trail
SR 54
SUBJECT
PROPERTY
SR 54 West Overlay District
and Overlay Zone
Ebenezer Road
Petition No.: 1207-07

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

THE FOLLOWING ITEMS WILL BE CONSIDERED BY THE PLANNING COMMISSION ON MARCH 6, 2008 AND BY THE BOARD OF COMMISSIONERS ON MARCH 27, 2008.

Chairman Powell advised that the remaining agenda items would be heard in reverse order.

6. **Consideration of Petition No. 1207-08, 54 Prop LLC, Owner, Winn F. Martin, Manager, and Laura Mehl and Tammi Sullenberger of Prudential GA Realty and Attorney L. J. Overman, Agents, request to rezone 0.54 acres from A-R to O-I to be added to the adjacent 4.76 acre tract zoned O-I. This property is located in Land Lot 58 of the 7th District and fronts on S.R. 54 West.** *Staff recommended approval with one (1) recommended condition.*

Laura Mehl made the following comments:

1. Presented three (3) plats, which were a part of the original application, to the P.C. indicating the subject property, the adjacent property, and the subject property joined with the adjacent property.
2. Requesting to rezone the 0.54 acre tract to add to the adjacent 4.76 acre tract so that, when combined, the entire tract would be zoned O-I.

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

Al Gilbert read the one (1) recommended condition to the audience and asked Ms. Mehl if she agreed to the recommended condition.

Ms. Mehl agreed to the recommended condition.

Al Gilbert made a motion to approve the petition subject to the following one (1) recommended condition: The 0.54 area tract shall be combined with the 4.76 acre tract by a revised Warranty Deed. Said Warranty Deed shall be recorded prior to the submittal of a Site Plan as proposed by the applicant. Jim Graw seconded the motion.

Chairman Powell stated that the request conforms to the Comprehensive Plan. He pointed out the deficiencies of the Concept Plan to Ms. Mehl.

Hearing no further comments, Chairman Powell called for the vote. The motion unanimously passed 5-0.

NAME: MR. WINN MARTIN PETITION NUMBER: 1207.08

ADDRESS: 4377 PARAN PLACE, N.W. ATLANTA, GA 30327

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

Winn F Martin affirms that he is the owner or the specifically authorized agent of the property described below. Said property is located in a(n) A-R Zoning District. He/She respectfully petitions the County to rezone the property from its present classification and tenders herewith the sum of $ 270.00 to cover all expenses of public hearing. He/She petitions the above named to change its classification to OI.

This property includes: (check one of the following)

[✓] See attached legal description on recorded Warranty 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 6TH day of MARCH, 20 08 at 7:00 P.M.

PUBLIC HEARING to be held by the Board of Commissioners of Fayette County on the 27TH day of MARCH, 20 08 at 7:00 P.M.

SWORN TO AND SUBSCRIBED BEFORE ME THIS 31st DAY OF Jan, 20 08.

NOTARY PUBLIC

STEPHEN R. OTT
MY COMMISSION EXPIRES
MARCH 14, 2011
FAYETTE CO., GA
NOTARY PUBLIC

54 PROP LLC
Winn F Martin

APPLICANT'S SIGNATURE

Petition No.: 1207-08

EXHIBIT "A"

All that tract and parcel of land being in the Land Lot 58, 7th District, Fayette County, Georgia, being more particularly described as follows. Beginning at the intersection of the western right of way of Flat Creek Trail and the northern right of way of Georgia Highway 54 westerly along the northern right of way of Georgia Highway 54 a distance of 477.80 feet to an iron pin found, being the Point of Beginning , thence South 69 degrees 58 minutes 07 seconds West along said right of way a distance of 397.82 feet to an iron pin set, thence North 01 degrees 26 minutes 19 seconds West a distance of 125.74 feet to an iron pin found, thence North 88 degrees 23 minutes 41 seconds East a distance of 377.05 feet to the point of beginning, containing 0.54 acres as depicted in plat of survey for 54 PROP, LLC by Delta Surveyors, Inc., dated January 29, 2008., which is referenced herein and made a part thereof.

AGREEMENT TO DEDICATE PROPERTY FOR FUTURE RIGHT-OF-WAY

I/We, MR. WINN MARTIN 54 Prop, 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 31st day of Jan., 2008.

54 Prop, LLC
Winn F Martin

SIGNATURE OF PROPERTY OWNER

SIGNATURE OF PROPERTY OWNER

NOTARY PUBLIC

STEPHEN D. OTT
MY COMMISSION EXPIRES
MARCH 14, 2011
FAYETTE CO., GA
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 31st day of January, 2008.

54 PROP, LLC

William F. Martin, MANAGER

APPLICANT'S SIGNATURE

January 31, 2008

Dear Fayette County Commissioners,

I currently own property at 1691 and 1697 Hwy 54 West in Fayetteville. The property has been surveyed as one parcel, attached, and is zoned 0-I (Resolution N. 1194-07).

I recently acquired 0.54 acres located between the properties above on Hwy 54 West (survey attached). The entire property has been resurveyed to one parcel of 5.31 Acres (legal description and survey attached).

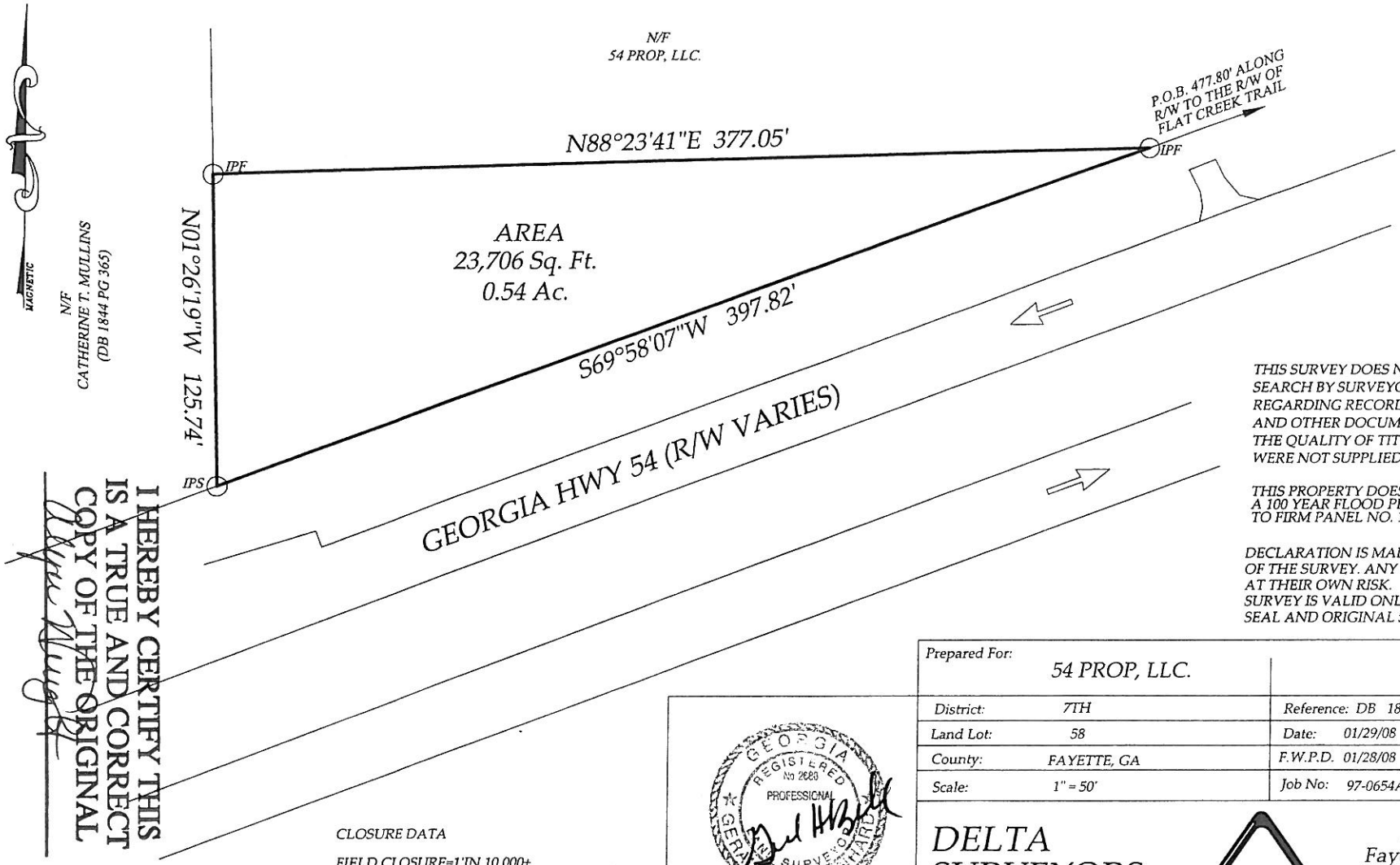
However, the 0.54 acres property was previously zoned AR and I would like to change the zoning to O-I to be consistent with the current zoning of the 4.76 acres. The additional 0.54 acres fronts Highway 54 West.

Thank you,

Winn F. Martin

Winn F. Martin, MANAGER
54 Prop, LLC

RECEIVED
FEB - 1 2008
ZONING DEPT.



LEGEND
IPF=IRON PIN FOUND
IPS=IRON PIN SET
P.L. =PROPERTY LINE
C.L. =CENTERLINE
L.L.=LAND LOT
L.L.L.=LAND LOT LINE
EP= EDGE OF PAVEMENT
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 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.

THIS PROPERTY DOES NOT LIE WITHIN A 100 YEAR FLOOD PLAIN ACCORDING TO FIRM PANEL NO. 13113C0080D.

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.

I HEREBY CERTIFY THIS IS A TRUE AND CORRECT COPY OF THE ORIGINAL

GRAPHIC SCALE
0 25 50 100

CLOSURE DATA

FIELD CLOSURE=1'IN 10,000+
ANGLE POINT ERROR=< 20"
EQUIPMENT USED=E.D.M. & THEODOLITE
ADJUSTMENT METHOD=COMPASS RULE
PLAT CLOSURE=1'IN 100,000+

GEORGIA REGISTERED No 2828 PROFESSIONAL LAND SURVEYOR GERALD H. BERNHARD

Prepared For:	54 PROP, LLC.	
District:	7TH	Reference: DB 1844 PG 365
Land Lot:	58	Date: 01/29/08
County:	FAYETTE, GA	F.W.P.D. 01/28/08
Scale:	1" = 50'	Job No: 97-0654A

DELTA SURVEYORS INC.™

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

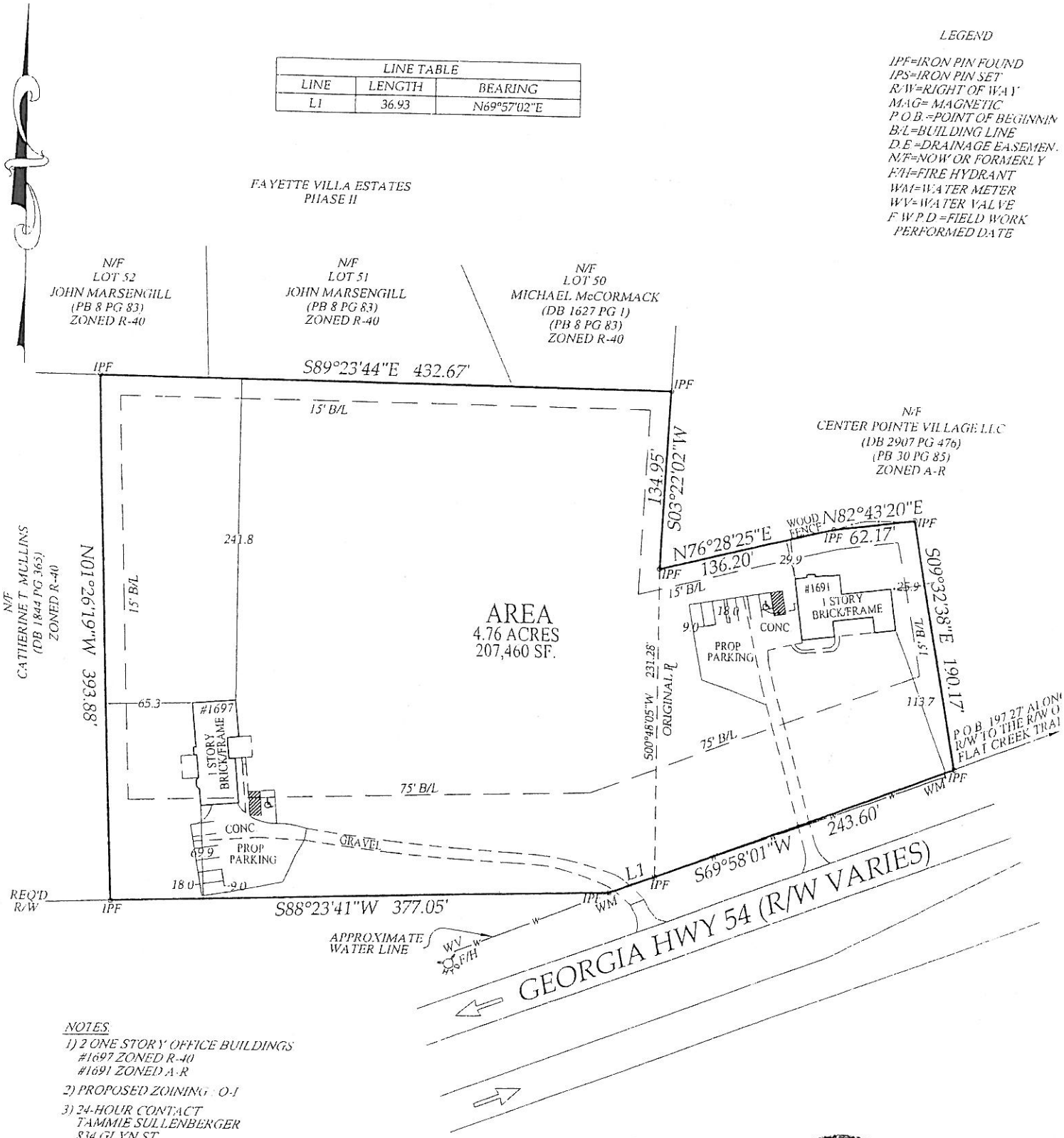
JOHN 3:16

RDG

LINE TABLE		
LINE	LENGTH	BEARING
L1	36.93	N69°57'02"E

LEGEND

IPF=IRON PIN FOUND
IPS=IRON PIN SET
R/W=RIGHT OF WAY
MAG= MAGNETIC
P.O.B.=POINT OF BEGINNIN
B/L=BUILDING LINE
D.E.=DRAINAGE EASEMEN.
N/F=NOW OR FORMERLY
F/H=FIRE HYDRANT
WM=WATER METER
WV=WATER VALVE
F.W.P.D.=FIELD WORK PERFORMED DATE



NOTES:

1) 2 ONE STORY OFFICE BUILDINGS
#1697 ZONED R-40
#1691 ZONED A-R

2) PROPOSED ZOINING : O-I

3) 24-HOUR CONTACT
TAMMIE SULLENBERGER
834 GLYN ST
FAYETTEVILLE GA 30214
678-409-6690

4) OFFICE SPACE #1697 2,261 S.F.
6 STANDARD PARKING SPACES
1 HANDI-CAP SPACE
7 TOTAL SPACES

5) OFFICE SPACE #1691 2,405 S.F.
6 STANDARD PARKING SPACES
1 HANDI-CAP SPACE
7 TOTAL SPACES

6) WATER LINE SHOWN HEREON IS BASED ON ACTUAL PHYSICAL STRUCTURES THAT WERE FIELD LOCATED BY THIS OFFICE. THERE WAS UTILITY LOCATION AT THE TIME OF THIS SURVEY.

UTILITIES PROTECTION CENTER
CALL BEF
IN METRO ATLANTA

CLOSURE DATA
FIELD CLOSURE=1'IN 10,000+

LINE TABLE		
LINE	LENGTH	BEARING
L1	36.93	N69°57'02"E

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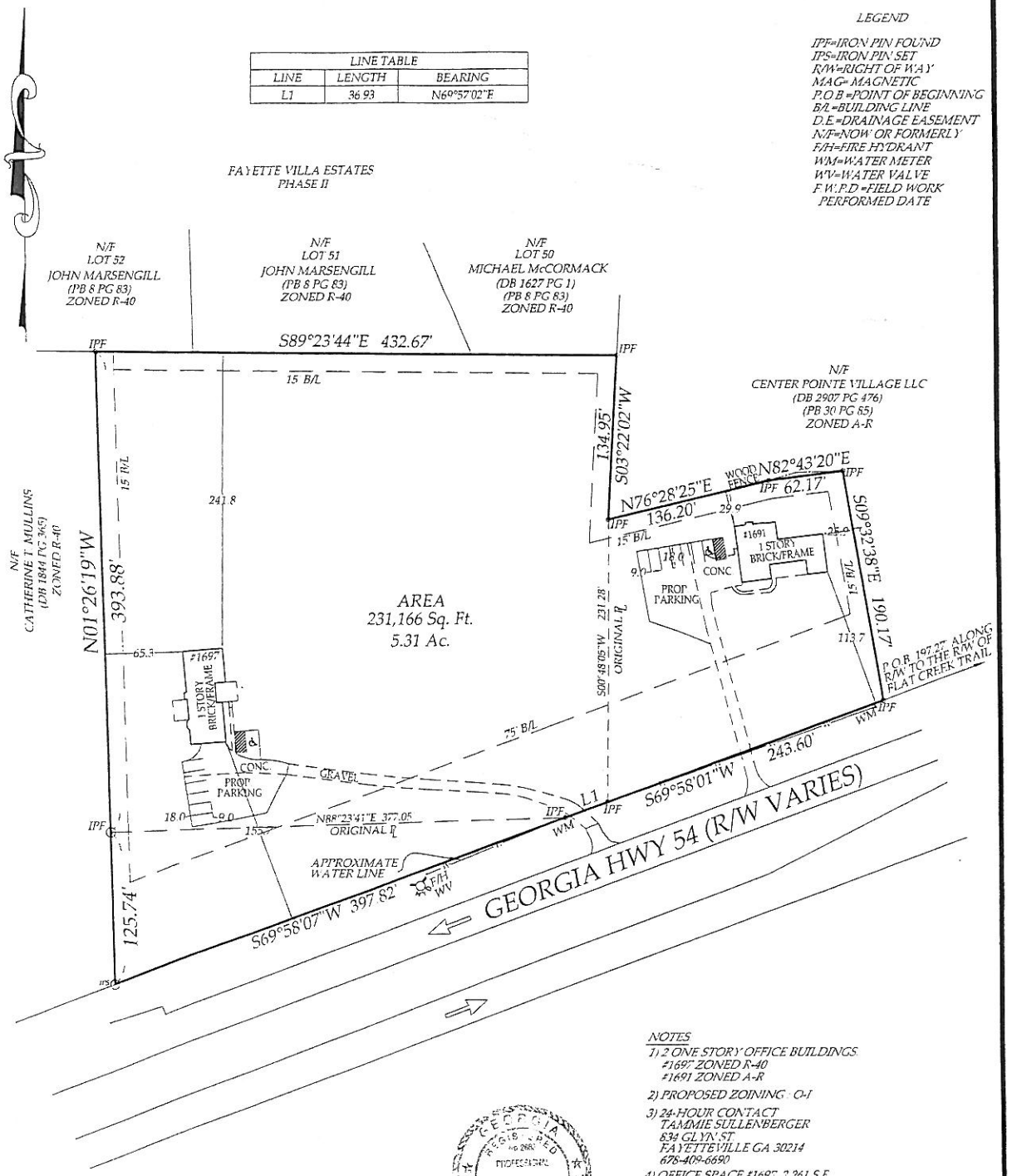

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CLOSURE DATA
FIELD CLOSURE=1'IN 10,000+
ANGLE POINT ERROR=< 20"
EQUIPMENT USED=E.D.M. & THEODOLITE
ADJUSTMENT METHOD=COMPASS RULE
PLAT CLOSURE=1'IN 100,000+

UTILITIES PROTECTION CENTER
CALL FREE
IN METRO ATLANTA
811
THROUGHOUT GEORGIA
(800) 282-7411
THREE WORKING DAYS BEFORE YOU DIG

80 0 80 160 240
Graphic Scale: 1" = 80

THIS PROPERTY DOES NOT LIE WITHIN A 100 YEAR FLOOD PLAIN ACCORDING TO FIRM PANEL NO. 13113C0080D

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.

PREPARED FOR
54 PROP, LLC.

LOT N/A	LAND LOT 55	DATE 02/22/07
BLOCK	DISTRICT 7th	REV 01/30/08
SCALE 1"=80'	COUNTY Fayette GA	JOB NO 97-0654B

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

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