

BOARD MEMBERS

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Arnold L. Martin, III, Vice-Chairman
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Al Gilbert
Brian Haren

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Peter A. Frisina, Director of Community Services
Chanelle Blaine, Planning and Zoning Coordinator

AGENDA

FAYETTE COUNTY PLANNING COMMISSION MEETING

140 STONEWALL AVENUE WEST

December 1, 2016

7:00 pm

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

1. Consideration of the Minutes of the meeting held on November 17, 2016.

NEW BUSINESS

2. Consideration of a Minor Subdivision Plat within the Final Plat for Woodbridge Farms Subdivision for Lots 6A and 6B. The property is located in Land Lots 133 and 156 of the 4th District.
3. Consideration of a Variance from the Fayette County Subdivision Regulations, Sec. 104-598. - Minimum requirements, (k) Utilities, to allow the approval of the Final Plat for Elysian Fields Subdivision prior to installation of utilities.

PUBLIC HEARING

4. Consideration of Petition TA-001-16 to amend Article V, Section 110-169, d, Animal hospital, kennel, and/or veterinary clinic to reduce the 300 foot setback for all structures, pens, runs, or enclosures from any A-R or residential zoning district to 100 feet.

To: Fayette County Planning Commission
From: Dennis. Dutton, Zoning Administrator
Date: November 22, 2016
Subject: Minor Subdivision Plat to be considered on December 1, 2016

MINOR SUBDIVISION PLAT

Lot 6A and Lot 6B Woodbridge Farms at
Matthews Plantation Phase One

OWNER/APPLICANT

George Cocolos

Recommend **APPROVAL** of the Final Plat received 10/20/2016.



Approved by Fayette County Environmental Health Department.

Date _____ Signed _____
Environmental Health Specialist

Approved by Fayette County Stormwater Management Department.

Date _____ Signed _____
Stormwater Department

Approved by Fayette County Zoning Administrator.

Date _____ Signed _____
Zoning Administrator

Approved by The Fayette County Engineer

Date _____ Signed _____
County Engineer

Approved by Fayette County Fire Marshal, All Fire Hydrant(s)
located as shown.

Date _____ Signed _____
Fire Marshal

OWNER'S ACKNOWLEDGMENT:

The owner of the land shown on this plat and whose name is subscribed hereto, and in person or through a duly authorized agent, acknowledges that this plat was made from an actual survey, and that he or she is aware and acknowledges the changes shown on this plat.

Owner/Agent: George Cocoles George Cocoles
PRINTED NAME
Owner/Agent: Anne Cocoles ANNE COCOLES
PRINTED NAME
Date: 11/10/2016

WE, THE UNDERSIGNED OWNER(S) OF LOT 6 (LOT 6A AND 6B), WOODBRIDGE FARMS AT MATTHEWS PLANTATION, PHASE ONE, HEREBY DEDICATE THE RIGHT-OF-WAY FOR PUBLIC USE, AND/OR RESERVE FOR PUBLIC USE THE EASEMENTS AND OTHER GROUNDS SHOWN ON THIS PLAT.

Owner/Agent: George Cocoles George Cocoles 11/10/2016
DATE PRINTED NAME
Owner/Agent: Anne Cocoles ANNE COCOLES 11/10/16
DATE PRINTED NAME

NOTES:

- THIS IS A RETRACEMENT SURVEY OF AN EXISTING LOT TO SUBDIVIDE INTO TWO LOTS. THIS LOT WAS PREVIOUSLY RECORDED IN PLAT BOOK 42, PAGES 126-130, FAYETTE COUNTY, GEORGIA RECORDS.
- CURRENT OWNER: GEORGE P. AND ANNE COCOLES PER DEED BOOK 2290, PAGE 577, FAYETTE COUNTY RECORDS AS OF 04/11/06.
- THIS SURVEY WAS AUTHORIZED BY GEORGE COCOLES.
- ALL DISTANCES ARE HORIZONTAL GROUND DISTANCES.
- RECORD BEARING APPLIED TO WEST PROPERTY LINE.



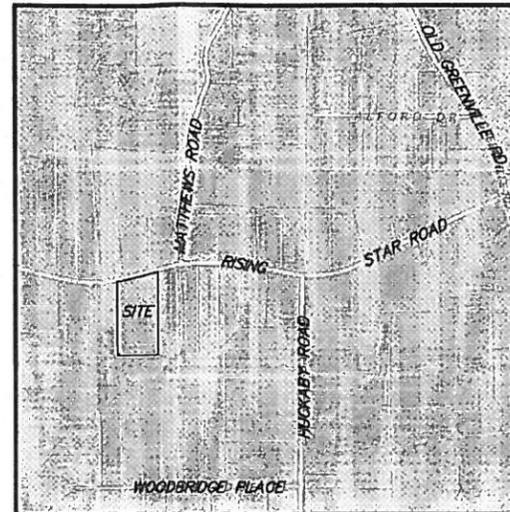
The field data upon which this survey is based has been computed for closure by latitudes and departures and has a closure precision of one foot in 19,034 ft. and an angular error of 10 seconds per angle point, and is UNADJUSTED. A GEOMETRY CHECK WAS USED TO OBTAIN LINEAR AND ANGULAR MEASUREMENTS.

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 67,634 feet.

This plat was prepared for the exclusive use of the person, persons or entity named hereon. Said plat does not extend to any unnamed person, persons or entity without a recertification by the surveyor naming said person, persons or entity.

MINOR SUBDIVISION PLAT LOT 6A AND LOT 6B WOODBIDGE FARMS AT MATTHEWS PLANTATION PHASE ONE

THE PURPOSE OF THIS MINOR SUBDIVISION PLAT IS TO DIVIDE LOT 6 INTO TWO LOTS (LOT 6A AND LOT 6B). LOT 6 WAS PREVIOUSLY RECORDED IN PLAT BOOK 42, PAGES 126-130, FAYETTE COUNTY, GEORGIA RECORDS.



VICINITY MAP (NOT TO SCALE)

SHEET INDEX

- SHEET 1: COVER SHEET
- SHEET 2: LOT CONFIGURATION AND LEVEL III SOIL SURVEY

THIS IS TO CERTIFY THAT THIS SURVEY WAS PREPARED IN CONFORMITY WITH THE TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN CHAPTER 180-7 OF THE RULES OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN THE GEORGIA PLAT ACT O.C.G.A. 15-6-67.

PER THE STATE BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS RULE 180-6-.09 THE TERM CERTIFICATION AS USED IN BOARD RULE 180-6-.09(2) AND (3) AND RELATING TO PROFESSIONAL ENGINEERING OR LAND SURVEYING SERVICES SHALL MEAN A SIGNED STATEMENT BASED UPON FACTS AND KNOWLEDGE KNOWN TO THE REGISTRANT AND IS NOT A GUARANTEE OR WARRANTY, EITHER EXPRESS OR IMPLIED.

THIS SURVEY WAS DONE WITHOUT THE BENEFIT OF A TITLE REPORT. THEREFORE, THE UNDERSIGNED SURVEYOR AND W.D. GRAY AND ASSOCIATES, INC. MAKE NO GUARANTEES, REPRESENTATIONS, OR WARRANTY REGARDING INFORMATION SHOWN HEREON PERTAINING TO RIGHTS-OF-WAY, EASEMENTS, RESTRICTIONS, RESERVATIONS, AGREEMENTS, SETBACK LINES, BUFFERS, AND OTHER SIMILAR MATTERS. NO LIABILITY IS ASSUMED FOR LOSS RELATING TO ANY MATTER THAT MIGHT BE DISCOVERED BY AN ABSTRACT OR TITLE SEARCH OF THE PROPERTY.

THIS PROPERTY IS SUBJECT TO ALL EASEMENTS, RESTRICTIONS, COVENANTS, ZONING ORDINANCES, ENVIRONMENTAL RESTRICTIONS, AND RIGHTS-OF-WAY SHOWN OR NOT SHOWN, RECORDED OR NOT RECORDED.

W.D. GRAY AND ASSOCIATES, INC. HAS MADE NO INVESTIGATION AS TO THE EXISTENCE OR NON-EXISTENCE OF UNDERGROUND UTILITIES AND/OR STRUCTURES. BEFORE ANY LAND DISTURBANCE ACTIVITY BEGINS, UNDERGROUND UTILITIES SHOULD BE IDENTIFIED AND LOCATED. W.D. GRAY AND ASSOCIATES, INC. ASSUMES NO LIABILITY FOR LOSS OR DAMAGES CAUSED BY THE DISCOVERY OF OR DISTURBANCE OF UNDERGROUND UTILITIES AND/OR STRUCTURES.

LEVEL III SOIL SURVEY

I, Eric Hamilton do hereby certify that the Level III Soil Survey information provided on this plat was performed by Applied Environmental Sciences, Inc. in accordance with the procedures specified in the Georgia Department of Human Resources current Manual for On-Site Sewage Management Systems.

ERIC HAMILTON
Georgia DHR Soil Classifier, Professional Geologist, Professional Engineer
Registration No. 224

90F Glenda Trace, Suite 327
Newnan, Ga. 30265
Phone No. 678-262-4050



FINAL SURVEYOR'S CERTIFICATE:

It is hereby certified that this plat is true and correct and was prepared from an actual survey of the property made by me or under my supervision; that all monuments shown hereon actually exist or are marked as "future" and their location, size, type and material are correctly shown. This plat conforms to all requirements of the Georgia Plat Act.

By: [Signature]
Georgia Registered Land Surveyor
No. 2343

Date: 11-9-16

NOTES:

- ZONING PER REFERENCED PLAT: AR
MINIMUM LOT AREA = 5.00 ACRES
MINIMUM LIVING SPACE: 1500 SQ. FT.
FRONT SETBACK: 100' ALONG RISING STAR ROAD
MINIMUM LOT WIDTH AT BUILDING LINE 250'
SIDE SETBACK: 50'
REAR SETBACK: 75'
TOTAL AREA OF SUBJECT PROPERTY = 10.389
TOTAL NUMBER OF LOTS = 2
- LOTS TO BE SERVED BY INDIVIDUAL SEPTIC SYSTEMS.
- LOTS TO BE SERVED BY FAYETTE COUNTY WATER SYSTEM.
- 1/2" REBARS SET WITH YELLOW CAP STAMPED "M4 LSF 000701".
- FAYETTE COUNTY DOES NOT ACCEPT THE OWNERSHIP, MAINTENANCE OR RESPONSIBILITY FOR ANY DRAINAGE EASEMENT OR OVERALL DRAINAGE PLAN, OR THE LACK OF ONE, INDICATED ON THIS PLAT.
- NO NEW STREETS ARE CREATED.
- THIS PLAT WAS DONE WITHOUT THE BENEFIT OF A TITLE REPORT. OTHER ENCUMBRANCES MAY EXIST THAT A CURRENT TITLE REPORT PREPARED BY A QUALIFIED TITLE EXAMINER WOULD REVEAL.
- THIS PROPERTY IS SUBJECT TO ALL EASEMENTS, RESTRICTIONS AND RIGHTS-OF-WAY SHOWN OR NOT SHOWN, RECORDED OR NOT RECORDED.
- PER THE REFERENCED RECORDED REVISED FINAL PLAT OF WOODBRIDGE FARMS AT MATTHEWS PLANTATION, PHASE ONE THERE ARE NO WETLANDS ON THIS LOT.
- ONLY ABOVE GROUND, VISIBLE UTILITIES AND STRUCTURES WERE LOCATED BY THIS OFFICE DURING THE COURSE OF THIS SURVEY. W.D. GRAY AND ASSOCIATES, INC. HAS MADE NO INVESTIGATION AS TO THE EXISTENCE OR NON-EXISTENCE OF UNDERGROUND UTILITIES AND/OR STRUCTURES.
- FROM A CASUAL OBSERVANCE OF THE PROPERTY, THERE IS NO EVIDENCE OR RECORDS OF CEMETARIES LOCATED ON SAID PROPERTY.
- EACH BUILDABLE LOT HAS A MINIMUM CONTIGUOUS AREA OF 2.00 ACRES THAT IS FREE AND CLEAR OF ZONING BUFFERS AND SETBACKS, WATERSHED PROTECTION BUFFERS AND SETBACKS, JURISDICTIONAL WETLANDS AND EASEMENTS OF ANY KIND.
- SITE BENCHMARK: TOP OF 1/2" REBAR, SOUTH SIDE OF RISING STAR ROAD BETWEEN LOT 6B AND LOT 7. ELEVATION = 834.28 (NAVD88) BASED OFF STATIC GPS READING AND OPUS CORRECTION.
- THERE ARE NO STATE WATERS ON THESE LOTS.
- PER THE U.S. FISH AND WILDLIFE SERVICE NATIONAL WETLANDS INVENTORY WEB SITE THERE ARE NO WETLANDS ON THESE LOTS.
- THESE LOTS ARE NOT IN A GROUND WATER RECHARGE AREA PER FAYETTE COUNTY GIS WEB SITE.
- 10' FENCE EASEMENT SHALL REMAIN.
- ALL THAT PROPERTY CONTAINED WITHIN THE REQUIRED RIGHT-OF-WAY OF RISING STAR ROAD HAVING A MINIMUM REQUIRED 80 FOOT RIGHT-OF-WAY: 10 FEET SHALL BE DEDICATED TO CREATE A MINIMUM 40 FOOT RIGHT-OF-WAY AS MEASURED FROM THE CENTERLINE. SAID RIGHT-OF-WAY SHALL BE INDICATED HEREON AND ARE HEREBY DEEDED TO FAYETTE COUNTY, A POLITICAL SUBDIVISION OF THE STATE OF GEORGIA, AT NO COST TO FAYETTE COUNTY, UPON RECORDATION OF SAID MINOR SUBDIVISION PLAT INTO THE FAYETTE COUNTY CLERK OF SUPERIOR COURT RECORDS.
- A VARIANCE FOR THE GARAGE IS REQUIRED WITHIN 180 DAYS UNLESS A BUILDING PERMIT FOR A PRINCIPLE STRUCTURE IS APPLIED FOR.

In my professional opinion, this property does not lie within the 100 year flood plain as shown on the FLOOD INSURANCE RATE MAP.
Map Number: 13113C0155E
Dated: SEPTEMBER 26, 2008

W.D. Gray and Associates, Inc.
LSF000701

land surveyors - planners
160 GREENCASTLE ROAD SUITE B TYRONE
GEORGIA 30290
PH. 770-486-7552 FAX 770-486-0496

PREPARED FOR:

GEORGE COCOLES
135 VILLAGE LAKE COURT
BROOKS, GA. 30205
PHONE: 678-907-7057

LAND LOTS: 133 & 156

4th DISTRICT

FAYETTE COUNTY, GA.

SCALE: 1" = 100'

DATE OF SURVEY: 10-05-16

DATE OF DRAWING: 10-11-16
REVISED: 11-08-16
COUNTY COMMENTS

SHEET 1 OF 2

JOB NO. 0704033

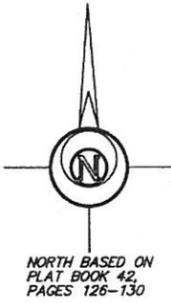
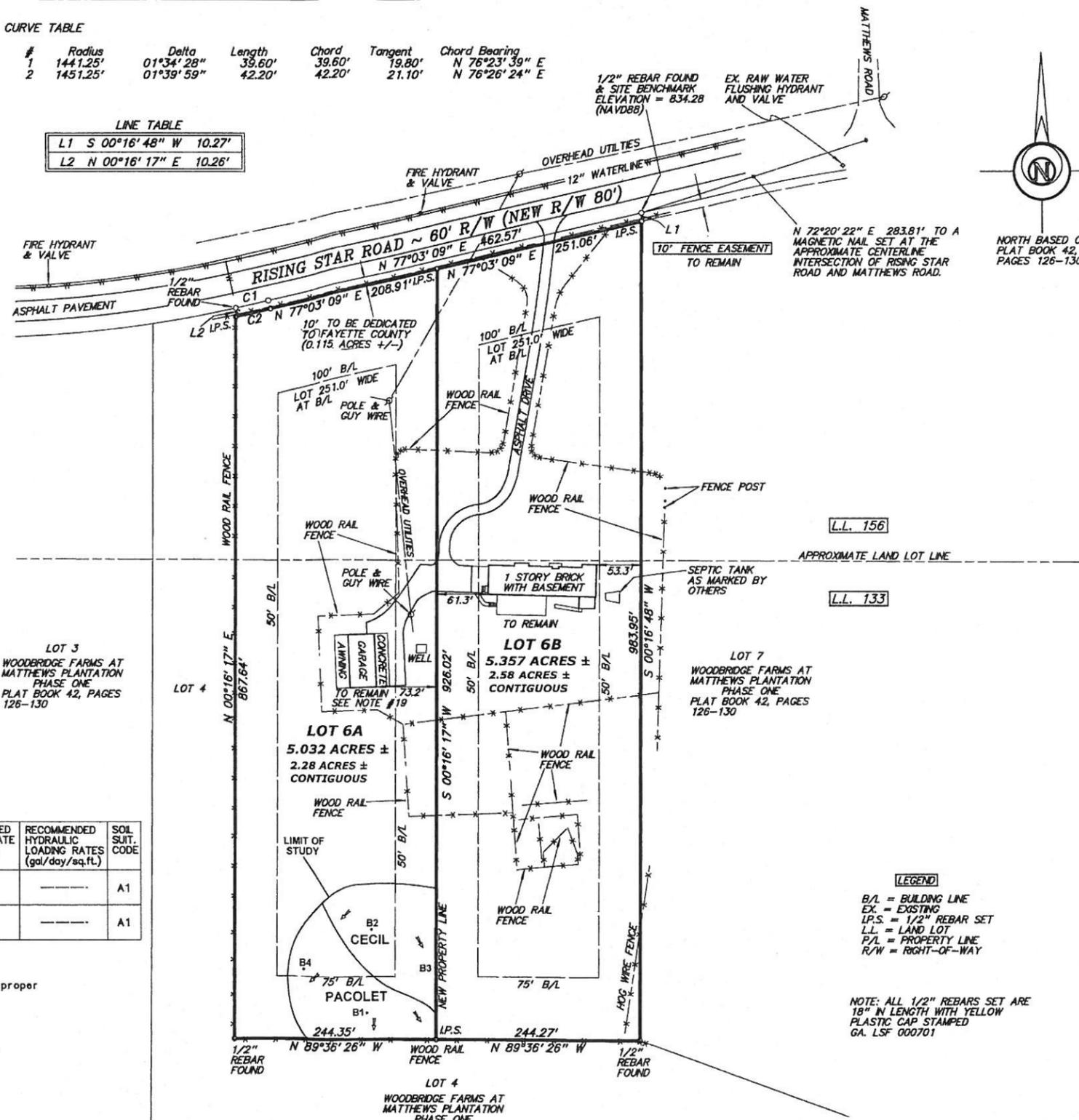
MINOR SUBDIVISION PLAT
LOT 6A AND LOT 6B
WOODBIDGE FARMS AT
MATTHEWS PLANTATION
PHASE ONE

CURVE TABLE

#	Radius	Delta	Length	Chord	Tangent	Chord Bearing
1	1441.25'	01°34'28"	39.60'	39.60'	19.80'	N 76°23'39" E
2	1451.25'	01°39'59"	42.20'	42.20'	21.10'	N 76°26'24" E

LINE TABLE

L1	S 00°16'48" W	10.27'
L2	N 00°16'17" E	10.26'



SOIL INFORMATION SHOWN WAS TAKEN FROM A LEVEL II SOIL STUDY FOR WOODBRIDGE FARMS AT MATTHEWS PLANTATION, PHASE ONE LOT 6A PREPARED BY AES, INC. DATED 10-19-16.

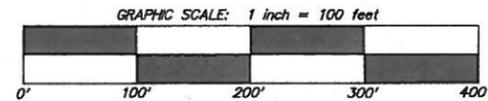
SOIL INTERPRETIVE DATA

SOIL UNITS	DEPTH TO BEDROCK (in)	DEPTH TO SEASONAL HIGH WATER TABLE INDICATORS (in)	SLOPE GRADIENT (PERCENT)	RECOMMENDED TRENCH DEPTH (in)	ESTIMATED PERC RATE (min/in)	RECOMMENDED HYDRAULIC LOADING RATES (gal/day/sq.ft.)	SOIL SUIT. CODE
CECIL	>72	>72	2-8	36-48	60	-----	A1
PACOLET	>72	>72	2-8	36-48	45	-----	A1

SOIL SUITABILITY CODE LEGEND

A1 Soils are typically suitable for conventional absorption field with proper design, installation and maintenance.

NOTES:
 Absorption fields should not be installed on concave slopes.
 Surface drainage should be diverted away from absorption field lines.
 Estimated percolation rates are based on full-sized system performance.
 However, no guarantee is given or implied as to the performance of any particular system installed.



This plat was prepared for the exclusive use of the person, persons or entity named hereon. Said plat does not extend to any unnamed person, persons or entity without a recertification by the surveyor naming said person, persons or entity.

W.D. Gray and Associates, Inc.
 LSF000701

land surveyors - planners
 160 GREENCASTLE ROAD SUITE B TYRONE
 GEORGIA 30290
 PH. 770-486-7552 FAX 770-486-0496

PREPARED FOR:

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 135 VILLAGE LAKE COURT
 BROOKS, GA. 30205
 PHONE: 678-907-7057

LAND LOTS: 133 & 156

4th DISTRICT

FAYETTE COUNTY, GA.

SCALE: 1" = 100'

DATE OF SURVEY: 10-05-16

DATE OF DRAWING: 10-11-16

REVISED: 11-08-16
 COUNTY COMMENTS

SHEET 2 OF 2

JOB NO. 0704033

To: Planning Commission
From: Pete Frisina
Date: November 22, 2016
Subject: Elysian Fields Subdivision Variance Request (VA 013-16)

Fland Land, LLC, Owner, requests a Variance from the Fayette County Subdivision Regulations, Sec. 104-598. - Minimum requirements, (k) Utilities, as needed to approve a Final Subdivision Plat (see attached application). Sec. 104-598. - Minimum requirements, (k) Utilities, of the Fayette County Subdivision Regulations states:

- (k) Utilities. The subdivider shall provide all applicable utilities to the subdivision in accordance with all applicable county requirements. The utilities shall be located as specified by the development regulations. Power and water utilities must be installed, if available in the area, prior to final plat approval. All of the minimum improvements listed in this section of the article must be completed and inspected prior to final plat approval with the exceptions of the installation of utilities in nonresidential subdivisions.

The Planning Commission may grant a Variance from requirements of the Subdivision Regulations. Section 8-510 of the Fayette County Subdivision Regulations states:

Variance or Appeal. In cases of undue hardship under this Ordinance, the property owner may petition the Planning Commission for a Variance or an Appeal from the decision of any of the aforementioned appropriate departments with regard to interpretation, administration, and enforcement. If the Planning Commission does not grant the variance or appeal, the property owner may then appeal to the Board of Commissioners.

The subject property is zoned C-S, approved on April 23, 2015. Elysian Fields Preliminary Plat was approved on September 3, 2015. The applicant indicates that Coweta Fayette EMC is the power company.

The applicant provides the following support for approval of the variance:

- We anticipate completion of the power installation in approximately 8 weeks.
- The final plat is well into the final review process with only a few items remaining. (a specific list of any remaining items can be provided at the time of the hearing.)
- Home construction can begin without power, but cannot get near a certificate of occupancy without it, so there is no risk of having a homeowner without power.
- We have over \$4 million dollars invested in land and development costs.

- Until the plat is recorded, we cannot begin to recoup our costs through lot sales.
- Having a completed, approved subdivision sitting waiting for power installation costs over \$900 per day.
- If the plat is not recorded by the end of the year, next year's tax collection will be based on raw land value, rather than finished lot value - a loss for the County.

**FINAL SUBDIVISION PLAT FOR
ELYSIAN FIELDS
LAND LOTS 49, 79 & 80, 7th DISTRICT
FAYETTE COUNTY, GEORGIA**

DEVELOPMENT DATA

REFERENCES

- DEED BOOK 1148 PAGE 186, FAYETTE COUNTY RECORDS.
- DEED BOOK 1810 PAGE 703-704, FAYETTE COUNTY RECORDS.
- DEED BOOK 2079 PAGE 161, FAYETTE COUNTY RECORDS.
- DEED BOOK 2612 PAGE 222-224, FAYETTE COUNTY RECORDS.
- PLAT BOOK 8 PAGE 45, FAYETTE COUNTY RECORDS.
- BOUNDARY SURVEY FOR UNITED COMMUNITY BANK, PREPARED BY WATTS & BROWNING ENGINEERS, INC. DATED 11/27/13.

FLOOD NOTE

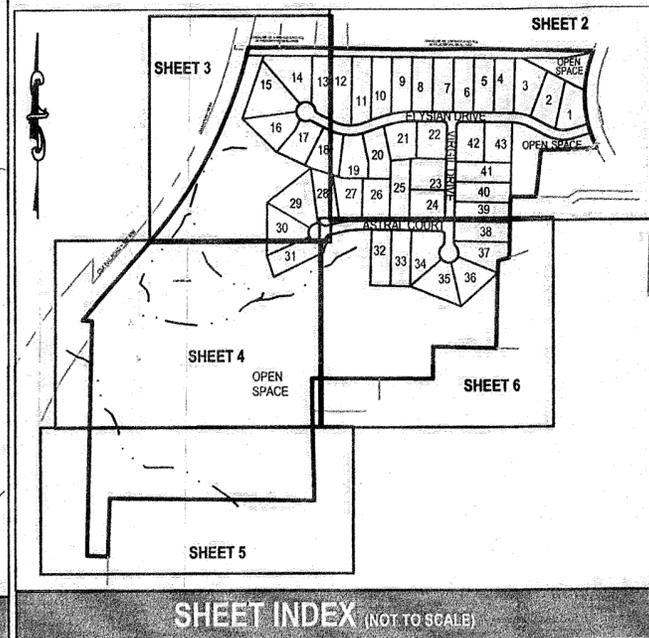
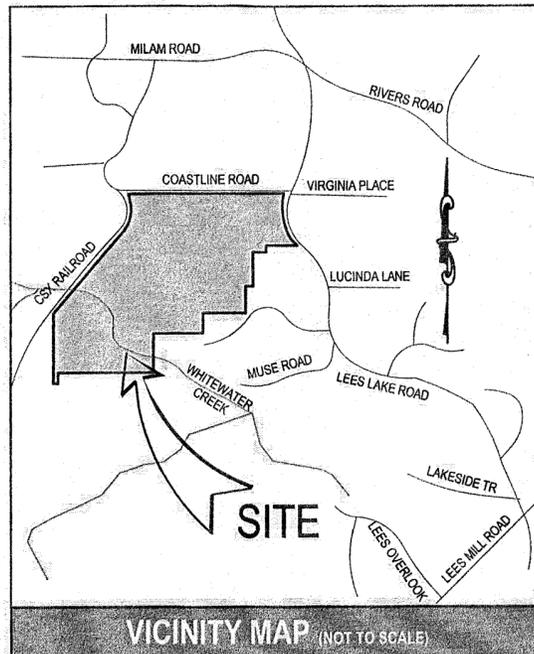
ACCORDING TO FEMA FLOOD PANEL NUMBER 13113C0018E OF FAYETTE COUNTY, GEORGIA DATED 2-6-13, THIS PROPERTY IS LOCATED IN A FLOOD ZONE "AE" AND CONTAINS FLOODWAY.

ZONING CONDITIONS

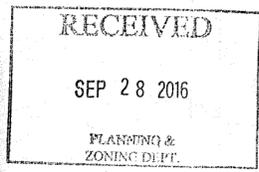
ZONING PETITION NO. 1243-15 WAS APPROVED BY THE FAYETTE COUNTY BOC ON APRIL 23, 2015 WITH ONE (1) CONDITION. THE CONDITION IS AS FOLLOWS:

THE OWNER/DEVELOPER SHALL PROVIDE, AT NO COST TO FAYETTE COUNTY, QUIT CLAIM DEED FOR 40 FEET OF RIGHT OF WAY AS MEASURED FROM THE CENTERLINE OF COASTLINE ROAD PRIOR TO THE APPROVAL OF THE FINAL PLAT AND SAID DEDICATION AREA SHALL BE SHOWN ON THE FINAL PLAT. (THIS CONDITION IS TO ENSURE THE PROVISION OF ADEQUATE RIGHT OF WAY FOR FUTURE ROAD IMPROVEMENTS.)

RESIDENTIAL DEVELOPMENT PLAN (RDP-012-15) WAS REVISED AND APPROVED ON JUNE 25, 2015.



- SUBDIVIDER: FLAND LAND, LLC
A. ADDRESS: 270 N. JEFF DAVIS DRIVE, FAYETTEVILLE, GA
B. TELEPHONE NUMBER: (770) 461-0478
- PROPERTY OWNER: FLAND LAND, LLC
A. ADDRESS: 270 N. JEFF DAVIS DRIVE, FAYETTEVILLE, GA
B. TELEPHONE NUMBER: (770) 461-0478
- SURVEYOR: MOORE BASS CONSULTING, INC.
A. ADDRESS: 1350 KEYS FERRY COURT, MCDONOUGH, GA 30253
B. TELEPHONE NUMBER: (770) 914-9394
- SUBDIVISION CONFIGURATION:
A. SOURCE OF DATA: BOUNDARY SURVEY PERFORMED BY MOORE BASS CONSULTING, INC. JUNE, 2015
B. LOCATION: FAYETTE COUNTY, GA
C. TAX ID #S: 049-0709-010, 049-0709-087, 049-0709-049, 080-0724-004,
D. ZONING: C-S (CONSERVATION SUBDIVISION)
E. TYPE OF SUBDIVISION: SINGLE-FAMILY RESIDENTIAL
F. TOTAL PARCEL AREA: 133.25 ACRES
OPEN SPACE PROVIDED: 52.86 ACRES (40.0%)
OPEN SPACE REQUIRED: 76.09 ACRES (57.1%)
G. PROPOSED NUMBER OF LOTS: 43 LOTS
GROSS DENSITY: 43 LOTS / 133.25 ACRES = 0.32 LOTS / ACRE
H. NET DENSITY CALCULATION:
TOTAL PARCEL AREA: 133.25 ACRES
RIGHT-OF-WAY AREA: 5.35 ACRES
SWMF AREA: 3.13 ACRES
OPEN SPACE AREA: 76.09 ACRES
NET DEVELOPABLE AREA: 48.68 ACRES
NET DENSITY: 43 LOTS / 48.68 ACRES = 0.88 LOTS / ACRE
I. TOPOGRAPHIC SOURCE: FAYETTE COUNTY GIS
J. CONTOUR INTERVAL: 2 FOOT
K. TYPE OF STREETS: PUBLIC
L. R/W WIDTH: 60'
M. R/W AREA: 5.35 ACRES - 3,656 LF.
N. PAVEMENT WIDTH: 28' B.O.C.
O. STREET MAINTENANCE: FAYETTE COUNTY
P. MINIMUM LOT SIZE: 1.0 AC (MIN.)
Q. MINIMUM LOT WIDTH: 125' (AT BUILDING SETBACK)
R. MINIMUM STREET FRONTAGE: 100' (50' ON CUL-DE-SAC)
S. MINIMUM FLOOR AREA: 2,100 S.F.
T. BUILDING SETBACKS: FRONT: 50'
REAR: 30'
SIDE: 20'
- UTILITIES:
A. WATER: FAYETTE COUNTY WATER DEPARTMENT
B. SANITARY SEWER: INDIVIDUAL ON SITE SEPTIC SYSTEMS
C. ELECTRIC: COWETA-FAYETTE EMC



SURVEY NOTES

- THE UNDERSIGNED SURVEYOR DOES NOT GUARANTEE THAT ALL EASEMENTS WHICH MAY AFFECT THIS PROPERTY ARE SHOWN.
- LINEAR AND ANGULAR MEASUREMENTS WERE OBTAINED USING A TRIMBLE S6 ROBOTIC TOTAL STATION AND CHAMPION TKO DUAL FREQUENCY GPS RECEIVER AVERAGING POSITIONS COLLECTED UTILIZING eGPS NETWORK ADJUSTED RTK. THE FIELDWORK WAS COMPLETED JULY 13, 2015.
- THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 20,625 + FEET, AND AN ANGULAR ERROR OF 02" PER ANGLE. IT WAS A CLOSED LOOP TRAVERSE AND WAS ADJUSTED USING THE COMPASS RULE.
- THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND HAS BEEN FOUND ACCURATE WITHIN ONE FOOT IN 479,447 FEET.
- UTILITIES SHOWN ARE LOCATIONS OF GROUND IDENTIFIABLE ITEMS. ADDITIONAL UTILITIES MAY EXIST ABOVE OR BELOW GROUND. THE SURVEYOR ACCEPTS NO RESPONSIBILITY FOR THE COMPLETENESS OF THIS DATA.
- THIS SURVEY IS BASED ON THE NAD83 (1994) HORIZONTAL DATUM & NAVD 88 VERTICAL DATUM.
- THIS PROPERTY IS SUBJECT TO ALL RIGHTS OF WAYS AND EASEMENTS SHOWN OR NOT SHOWN, RECORDED OR UNRECORDED.
- EACH RESIDENTIAL BUILDING LOT HAS A MINIMUM CONTIGUOUS AREA THAT IS FREE AND CLEAR OF ZONING SETBACKS, WATERSHED PROTECTION BUFFERS AND SETBACKS, JURISDICTIONAL WETLANDS, AND EASEMENTS OF ANY KIND.

OWNER'S CERTIFICATE

WE, THE UNDERSIGNED OWNER(S) OF THE ELYSIAN FIELDS SUBDIVISION, HEREBY DEDICATE THE RIGHTS-OF-WAY FOR PUBLIC USE, AND/OR RESERVE FOR PUBLIC USE THE EASEMENTS AND OTHER GROUND SHOWN ON THIS PLAT.
WE, THE UNDERSIGNED OWNERS, UNDERSTAND THIS FINAL PLAT AND ANY MAINTENANCE BOND AND/OR IRREVOCABLE LETTER-OF-CREDIT SHALL EXPIRE AND THUS BECOME VOID IF THE FINAL PLAT IS NOT RECORDED INTO THE FAYETTE COUNTY CLERK OF SUPERIOR COURT RECORDS WITHIN 90 CALENDAR DAYS () OF THE DATE OF APPROVAL BY THE PLANNING COMMISSION.

OWNER _____ 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 AND SUBDIVISION REGULATIONS HAVE BEEN FULLY COMPLIED WITH.

BY: SEAN SHANKS, GA PROFESSIONAL ENGINEER, NO.031558 DATE _____

COUNTY NOTE

- SOIL BOUNDARIES AND STATE WATERS LOCATIONS PROVIDED BY APPLIED ENVIRONMENTAL SCIENCES
- THE EXISTING POND LOCATED ON THIS PROPERTY WILL PROVIDE DETENTION AND STREAM CHANNEL PROTECTION VOLUMES FOR A THE DEVELOPED AREAS. WATER QUALITY WILL BE PROVIDED USING MICRO-POOL TYPE BASINS OR OTHER APPROVED METHODS.
- THE OVERALL PRE-DEVELOPED ON FOR THIS SITE IS 57
- WETLANDS EXIST ON THE SUBJECT PROPERTY AND ARE LOCATED WITHIN THE 100-YEAR FLOODPLAIN LIMITS.
- ALL STRUCTURES ON THE SUBJECT PROPERTY ARE TO BE REMOVED.
- THERE ARE NO EASEMENTS ASSOCIATED WITH THIS PROPERTY.
- WATER TO BE PROVIDED BY FAYETTE COUNTY WATER DEPARTMENT.
- PER FAYETTE COUNTY ENGINEERING DEPARTMENT, THERE ARE NO GROUNDWATER RECHARGE AREAS ON THIS SITE.
- FAYETTE COUNTY DOES NOT ACCEPT THE OWNERSHIP, MAINTENANCE OR RESPONSIBILITY FOR ANY DRAINAGE EASEMENT OR OVERALL DRAINAGE PLAN, OR THE LACK OF ONE, INDICATED BY THIS PLAT.
- 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, JUDGMENT 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 STORMWATER MANAGEMENT DEPARTMENT.
- NO CEMETERIES ARE LOCATED WITHIN SUBDIVISION.

SOILS CERTIFICATE

I, _____ DO HEREBY CERTIFY THAT THE LEVEL III SOIL SURVEY INFORMATION PROVIDED ON THIS PLAT WAS PERFORMED BY _____ IN ACCORDANCE WITH THE PROCEDURES SPECIFIED IN THE GA DEPT OF HUMAN RESOURCES' CURRENT MANUAL FOR ON-SITE SEWAGE MANAGEMENT SYSTEMS.

BY: _____ P.E. NO. _____
SOIL CLASSIFIER _____ ADDRESS: _____

WETLAND CERTIFICATE

I, _____ OF _____ DO HEREBY CERTIFY THAT I HAVE FIELD INSPECTED THE PROPERTY KNOWN AS ELYSIAN FIELDS ON _____ AND DETERMINED THAT THE PROPERTY CONTAINS _____ DOES NOT CONTAIN JURISDICTIONAL WETLANDS AS DEFINED BY THE U.W. ARMY CORPS OF ENGINEERS.

BY: _____ WETLAND DELINEATOR COMPANY ADDRESS & PHONE _____

FAYETTE COUNTY APPROVAL

APPROVED BY DEPARTMENT OF PUBLIC HEALTH, FAYETTE COUNTY, GEORGIA,

DATE _____ SIGNED _____ ENVIRONMENTAL HEALTH SPECIALIST
FINAL PLAT APPROVED BY COUNTY ENGINEER OF FAYETTE COUNTY. ALL AS-BUILT CONSTRUCTION PLANS HAVE BEEN APPROVED.

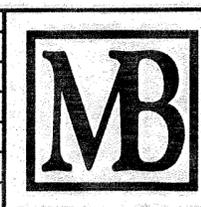
DATE _____ SIGNED _____ COUNTY ENGINEER
APPROVED BY THE FAYETTE COUNTY PLANNING COMMISSION.

DATE _____ SIGNED _____ SECRETARY
APPROVED BY THE FAYETTE COUNTY ZONING ADMINISTRATOR.

DATE _____ SIGNED _____ ZONING ADMINISTRATOR
APPROVED BY FAYETTE COUNTY FIRE MARSHAL. ALL FIRE HYDRANT(S) LOCATED AS SHOWN.

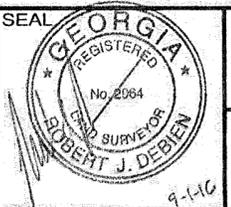
DATE _____ SIGNED _____ FIRE MARSHAL

DATE	9/1/16	REVISIONS
FILE #	15-113	
CONTRACT #	A41.025	
DRAWN BY	PC	
CHECKED BY	RJD	



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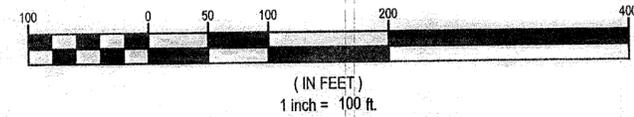
SHEET TITLE
FINAL SUBDIVISION PLAT
LL 49, 79 & 80-7TH DIST.
FAYETTE COUNTY, GA



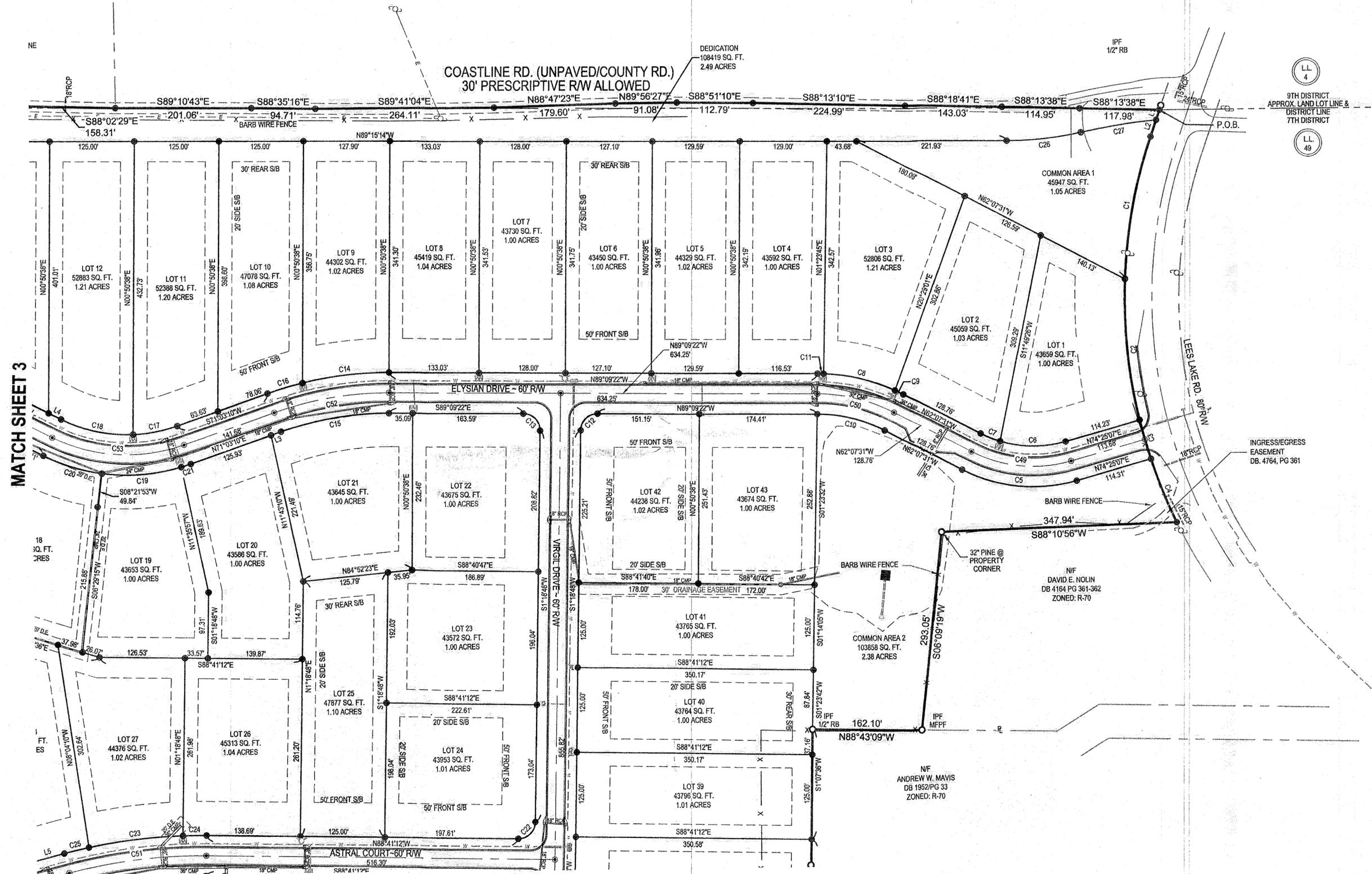
PROJECT
ELYSIAN FIELDS
CLIENT NAME
FLAND LAND, LLC
270 N. JEFF DAVIS DR.
FAYETTEVILLE, GA 30214

Moore Bass
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TALLAHASSEE ATLANTA
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1350 KEYS FERRY CT. MCDONOUGH, GA 30253 PH:(770)914-9394
LS 1179

GRAPHIC SCALE



CALISTO 2008
R.D. 1000



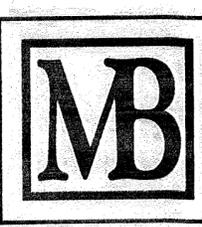
9TH DISTRICT
APPROX. LAND LOT LINE &
DISTRICT LINE &
7TH DISTRICT

LL 4
LL 49

INGRESS/EGRESS
EASEMENT
DB. 4764, PG 361

DATE	9/1/16
FILE #	15-113
CONTRACT #	A41.025
DRAWN BY	PC
CHECKED BY	RJD
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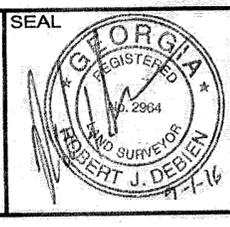
REVISIONS



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SHEET TITLE
FINAL
SUBDIVISION
PLAT

LL 49, 79 & 80-7TH DIST.
FAYETTE COUNTY, GA



PROJECT
ELYSIAN
FIELDS

CLIENT NAME
FLAND LAND, LLC
270 N. JEFF DAVIS DR.
FAYETTEVILLE, GA 30214

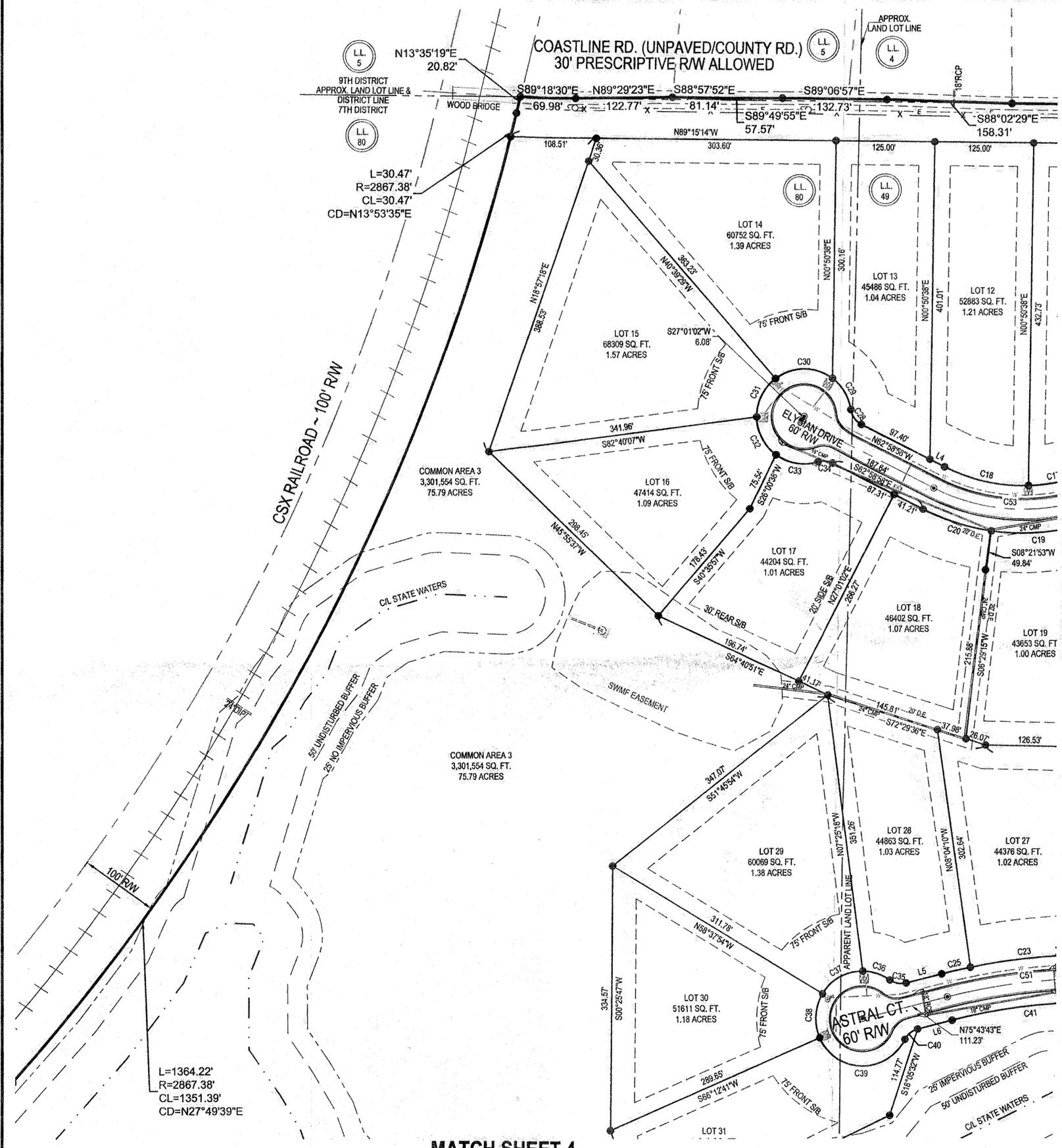
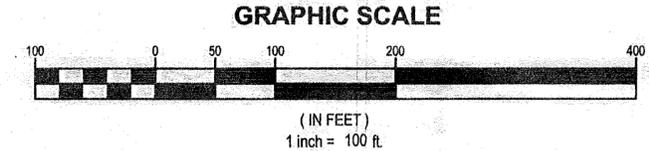
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SHEET **2** OF **7**
LS 1179

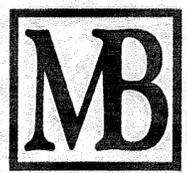


MATCH SHEET 4

MATCH SHEET 2

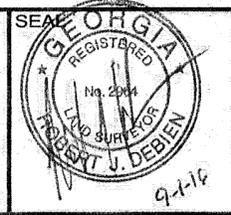
DATE	9/1/16
FILE #	15-113
CONTRACT #	A41.025
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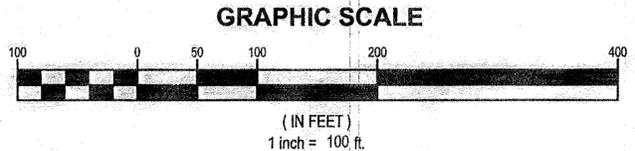
SHEET TITLE
FINAL SUBDIVISION PLAT
 LL 49, 79 & 80-7TH DIST. FAYETTE COUNTY, GA



PROJECT
 ELYSIAN FIELDS
 CLIENT NAME
 FLAND LAND, LLC
 270 N. JEFF DAVIS DR.
 FAYETTEVILLE, GA 30214

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SHEET
3
 OF
7
 LS 1179



MATCH SHEET 4

MATCH SHEET 6

N/F
DR. CREFLO A. DOLLAR & TAFFIL L. DOLLAR
DB 2652 PG 712
PB 43 PG 178-180
ZONED: R-70

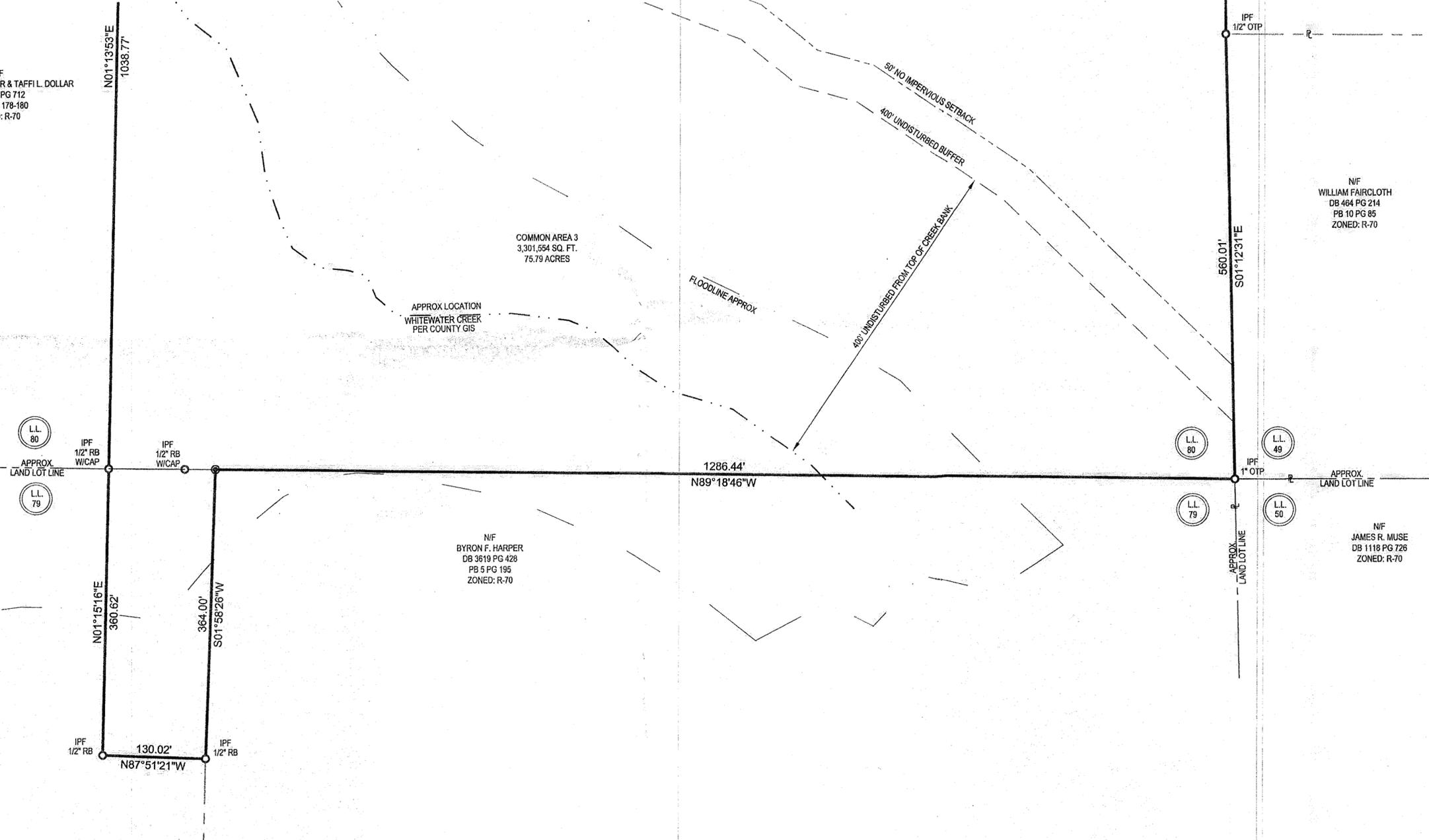
COMMON AREA 3
3,301,554 SQ. FT.
75.79 ACRES

APPROX LOCATION
WHITEWATER CREEK
PER COUNTY GIS

N/F
WILLIAM FAIRCLOTH
DB 464 PG 214
PB 10 PG 85
ZONED: R-70

N/F
BYRON F. HARPER
DB 3619 PG 428
PB 5 PG 195
ZONED: R-70

N/F
JAMES R. MUSE
DB 1118 PG 726
ZONED: R-70



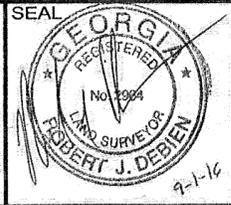
DATE	9/1/16
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SHEET TITLE
FINAL SUBDIVISION PLAT
LL 49, 79 & 80-7TH DIST.
FAYETTE COUNTY, GA

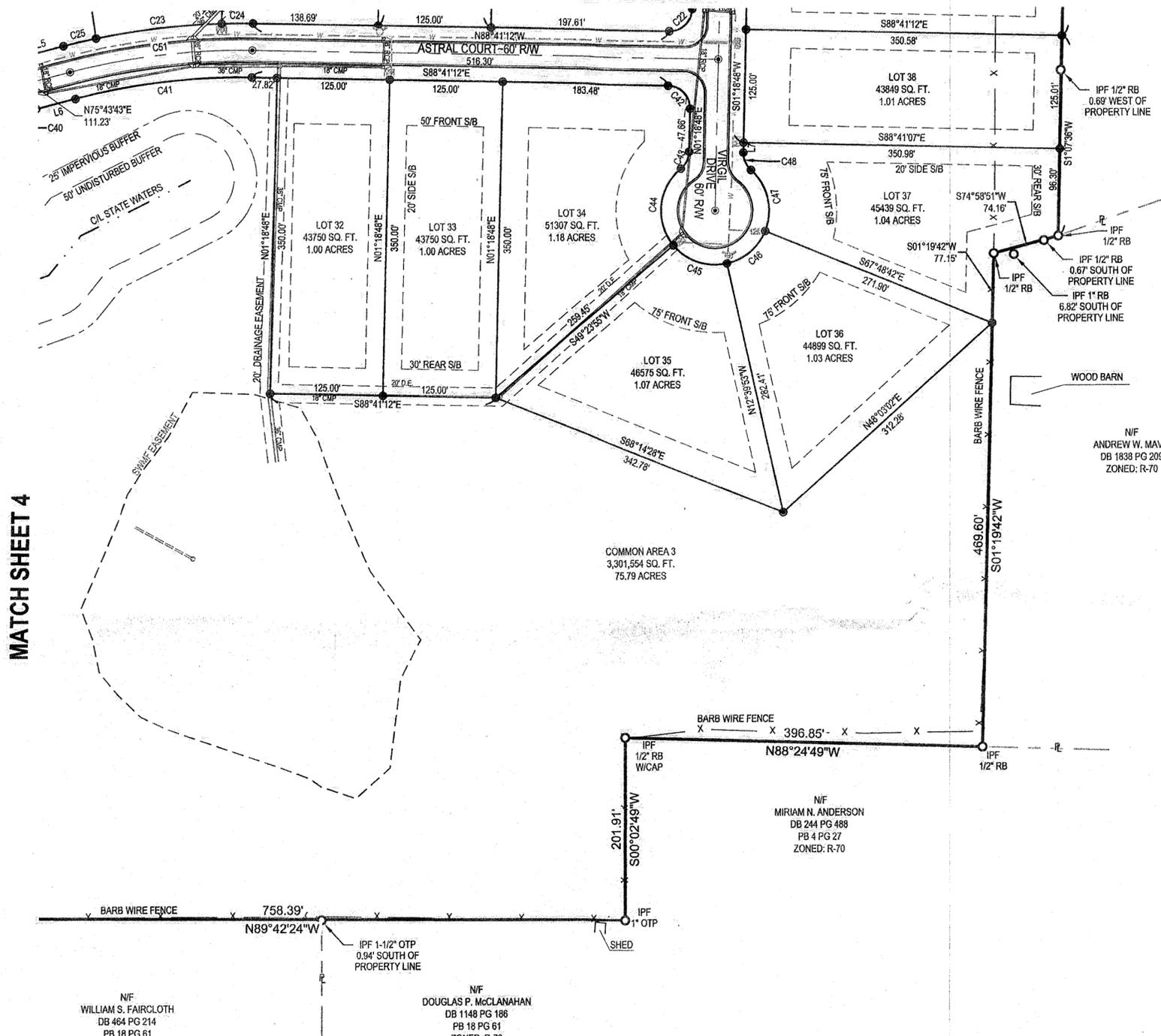


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SHEET
5
OF
7

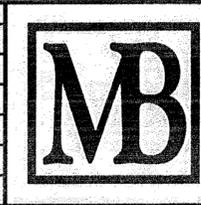
MATCH SHEET 1



MATCH SHEET 4

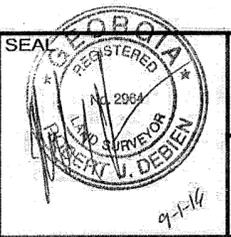
DATE	9/1/16
FILE #	15-113
CONTRACT #	A41.025
DRAWN BY	PC
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SHEET TITLE
FINAL SUBDIVISION PLAT
 LL 49, 79 & 80-7TH DIST.
 FAYETTE COUNTY, GA



PROJECT
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CLIENT NAME
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 270 N. JEFF DAVIS DR.
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SHEET **6** OF **7**

Parcel Line Table

Line #	Length	Direction
L1	15.50	S18°53'50"W
L2	26.06	S18°53'50"W
L3	15.75	N71°03'10"E
L4	20.73	N62°58'58"W
L5	46.43	N75°43'43"E
L6	46.43	N75°43'43"E
L7	11.25	S1°18'48"W

Curve Table

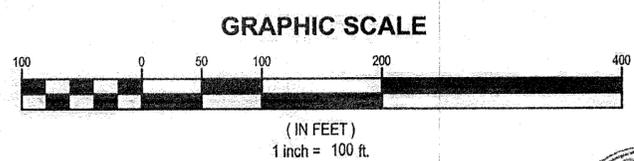
Curve #	Length	Radius	Chord Direction	Chord Length
C1	214.10	752.53	S10° 44' 48"W	213.38
C2	209.77	752.53	S5° 23' 23"E	209.10
C3	60.02	752.53	S15° 39' 38"E	60.00
C4	100.86	752.53	S21° 47' 06"E	100.79
C5	174.44	230.00	S83° 51' 12"E	170.29
C6	98.22	170.00	S89° 01' 44"E	96.86
C7	30.71	170.00	S67° 18' 03"E	30.67
C8	109.08	280.00	N76° 07' 07"W	108.39
C9	13.85	280.00	N63° 32' 31"W	13.84
C10	103.79	220.00	N75° 38' 26"W	102.83
C11	9.17	280.00	N88° 13' 03"W	9.17
C12	39.07	25.00	S46° 04' 43"W	35.21
C13	39.47	25.00	N43° 55' 17"W	35.50
C14	129.18	530.00	S83° 51' 42"W	128.86
C15	162.35	470.00	S80° 56' 54"W	161.54
C16	53.90	530.00	S73° 57' 58"W	53.87
C17	66.63	220.00	N79° 43' 46"E	66.38
C18	109.86	220.00	S77° 17' 19"E	108.72
C19	118.52	280.00	N86° 14' 20"E	117.63
C20	91.15	280.00	S72° 18' 33"E	90.75
C21	14.95	280.00	N72° 34' 58"E	14.95
C22	39.27	25.00	N46° 18' 48"E	35.36
C23	140.15	780.00	S83° 36' 43"W	139.96
C24	34.77	780.00	N89° 57' 49"W	34.77

Curve Table

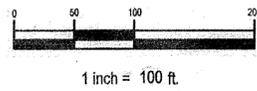
Curve #	Length	Radius	Chord Direction	Chord Length
C25	37.25	780.00	S77° 05' 48"W	37.25
C26	110.70	486.02	N84° 13' 16"E	110.46
C27	112.77	911.24	S81° 14' 30"W	112.70
C28	23.94	25.00	S35° 33' 05"E	23.03
C29	47.06	60.00	N30° 35' 24"W	45.86
C30	77.67	60.00	S89° 51' 24"W	72.36
C31	55.76	60.00	S26° 08' 54"W	53.78
C32	55.76	60.00	S27° 06' 05"E	53.78
C33	55.84	60.00	S80° 23' 09"E	53.84
C34	19.23	25.00	N85° 00' 51"W	18.76
C35	21.68	25.00	S79° 25' 54"E	21.00
C36	36.53	60.00	N72° 02' 00"W	35.97
C37	61.95	60.00	S60° 56' 48"W	59.23
C38	57.76	60.00	S3° 47' 24"W	55.56
C39	136.31	60.00	S88° 52' 11"E	108.83
C40	21.68	25.00	S50° 53' 19"W	21.00
C41	195.85	720.00	S83° 31' 16"W	195.24
C42	39.27	25.00	N43° 41' 12"W	35.36
C43	21.68	25.00	N26° 09' 12"E	21.00
C44	94.76	60.00	S5° 44' 53"W	85.22
C45	66.15	60.00	S71° 04' 51"E	62.85
C46	57.76	60.00	N49° 45' 25"E	55.56
C47	73.87	60.00	N13° 05' 38"W	69.30
C48	21.68	25.00	S23° 31' 35"E	21.00

Curve Table

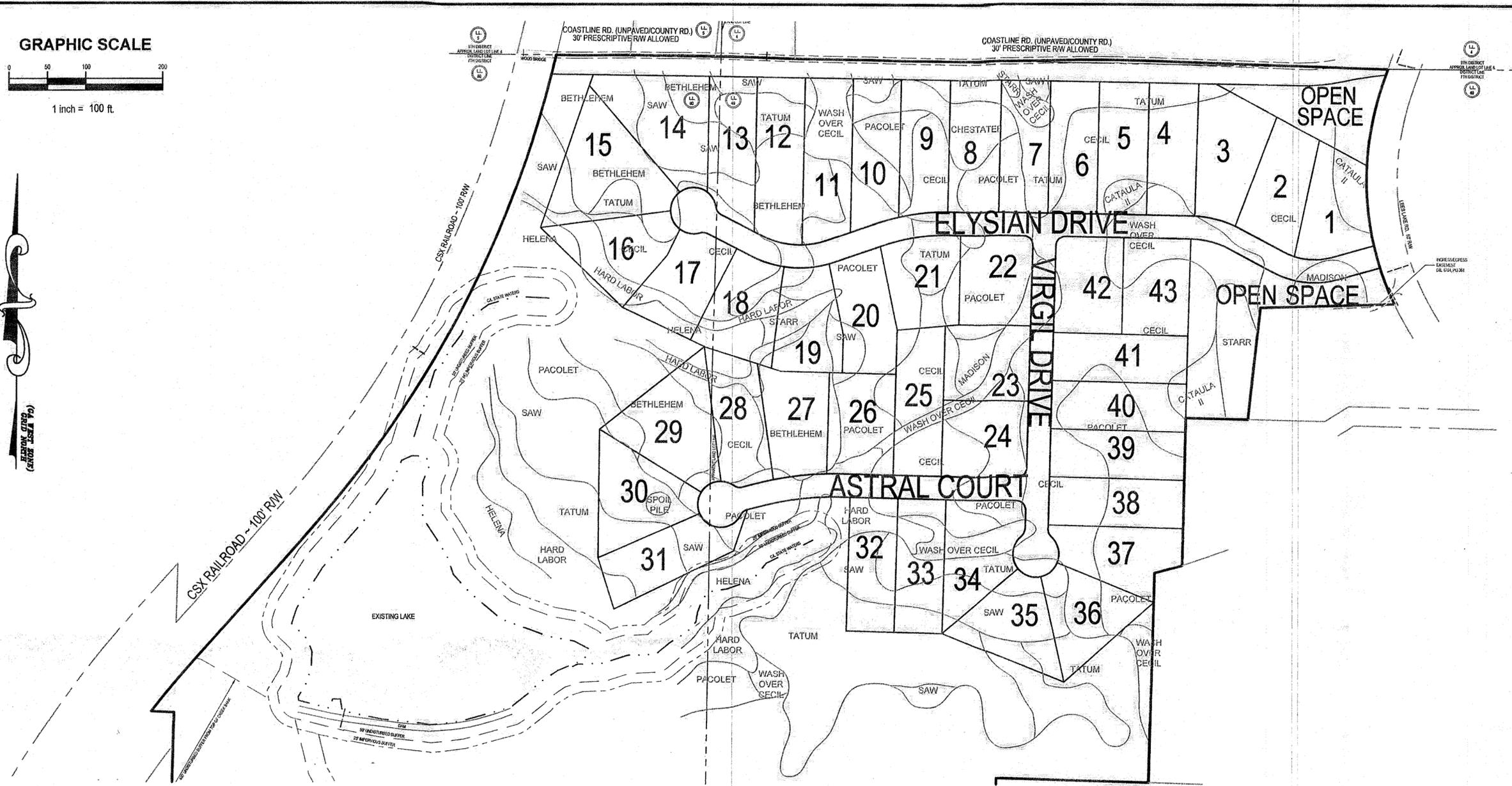
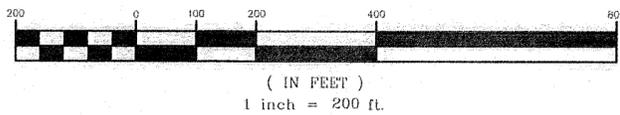
Curve #	Length	Radius	Chord Direction	Chord Length
C49	151.69	200.00	S83° 51' 12"E	148.08
C50	117.94	250.00	N75° 38' 26"W	116.85
C51	204.01	750.00	S83° 31' 16"W	203.38
C52	172.71	500.00	S80° 56' 54"W	171.85
C53	200.56	250.00	S85° 57' 54"E	195.22



GRAPHIC SCALE



GRAPHIC SCALE



SOIL SUITABILITY LEGEND

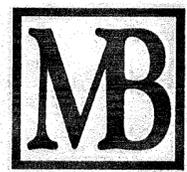
- A1 Soils are typically suitable for conventional absorption field with proper design, installation and maintenance.
- A2 Soils consist of over wash over natural soils. Residual soil is suitable for conventional absorption field installation at recommended trench depth. Storm water runoff must be diverted from this area if it is used for absorption field.
- B2 Soils are generally have sufficient depth over bedrock to accommodate shallow installation of conventional absorption fields. It is possible that some rock could be encountered that may affect installation. Test pits are recommended in the proposed primary drain field area to evaluate the nature and extent of the rock. This may allow for deeper trench recommendation. "Tank-in First" procedure is another option, where field lines are installed before house construction to assure rock will not limit absorption field performance.
- C1 Soils are unsuitable for conventional absorption fields due to perched water table conditions. Soils are generally suitable for alternative absorption fields with treatment system producing Class 1 effluent.
- C2 Soils are unsuitable for conventional absorption fields due to seasonal high water table conditions. Soils are generally suitable for alternative absorption fields with treatment system producing Class 1 effluent.
- F2 Soils are unsuitable for on-site wastewater disposal due to seasonal high water table.
- F4 Soils are located in a landscape position that renders them unsuitable for on-site wastewater disposal due to flooding and/or storm water drainage patterns.
- I1 Soils are unsuitable for conventional absorption fields due to shallow bedrock. Excavation of observation pits with a backhoe may allow these soils to be reclassified in a different suitability category. These soils are generally suitable for alternative absorption fields with treatment system producing Class 1 effluent.
- K1 Soils generally have sufficient depth over bedrock to accommodate conventional absorption fields. Minor inclusions of large stones and partially weathered rock may occur but should not affect installation or performance. Hand auger borings have been advanced to 6 feet in this map unit.
- N3 Soils contain somewhat shallow parent material and partially weathered rock. Hand auger borings have been advanced to 6 feet and parent material is generally suitable for conventional absorption field installation.

SOIL INTERPRETIVE DATA

Soil Units	Depth to Bedrock(in)	Depth to Seasonal High Water Table (in)	Slope Gradient (percent)	Recommended Trench Depth (in)	Estimated Perc Rate (min/in)	Recommended Hydraulic Loading Rate (gal/day/sq.ft.)	Soil Suit. Code
Cataula II	>72	24-30 (PWT)	2-6	12-18	---	0.10	C1
Bethlehem	66-72+	>72	2-15	30-42	45	---	N3
Cecil	>72	>72	2-15	36-48	60	---	A1
Chestate	>72	>72	2-10	30-48	45	---	K1
Hard Labor	>72	30-36	2-10	18-24	75	0.12	C2
Helena	>72	18-22	2-6	---	---	---	F2
Madison	>72	>72	2-12	30-48	45	---	A1
Pacolet	>72	>72	2-12	30-48	45	---	A1
Saw	24-40	>40	2-15	12-18	75	0.12	I1
Starr	>72	54-72+	2-6	---	---	---	F4
Tatum	48-66	>66	2-15	24-30	45	---	B2
Wash Over Cecil	>72	>72	2-6	40-48	60	---	A2

INFORMATION PROVIDED TAKEN FROM LEVEL 3 SOIL MAP PREPARED BY APPLIED ENVIRONMENTAL SCIENCES PWT = Perched Water Table

DATE	9/1/16	AA1025 PLAT.DWG	REVISIONS
FILE #	15-113		
CONTRACT #	A41.025		
DRAWN BY	PC		
CHECKED BY	RJD		
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SHEET TITLE
FINAL SUBDIVISION PLAT
 LL 49, 79 & 80-7TH DIST. FAYETTE COUNTY, GA



PROJECT
 ELYSIAN FIELDS
 CLIENT NAME
 FLAND LAND, LLC
 270 N. JEFF DAVIS DR.
 FAYETTEVILLE, GA 30214

Moore Bass
 CONSULTING
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SHEET
 7
 OF
 7
 LS 1179

**APPLICATION OF UNDUE HARDSHIP UNDER
THE FAYETTE COUNTY SUBDIVISION REGULATIONS**

Sec. 8-510. Legal status.

- (b) **Variance or Appeal.** In cases of undue hardship under this Ordinance, the property owner may petition the Planning Commission for a Variance or an Appeal from the decision of any of the aforementioned appropriate departments with regard to interpretation, administration, and enforcement. If the Planning Commission does not grant the variance or appeal, the property owner may then appeal to the Board of Commissioners.

Petition No.: _____

Name of Petitioner: Fland Land, LLC

Address: 270 North Jeff Davis Drive

City, State, Zip Code: Fayetteville, GA 30214

Telephone Number: (770) 461-0478

Subdivision Name: Elysian Fields

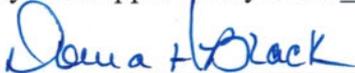
Fronts on: Lee's Lake Rd

Land Lot(s): 49, 79, 80

District(s):
7th

Zoning District: CS – Conservation Subdivision

Date Preliminary Plat Approved by P.C.: 9-3-15

Signature: 

Title: Land Manager for Fland Land, LLC

Planning Commission Hearing Date: Dec 2, 2016

Request: We respectfully request a variance to Development Regulation Sec. 104-598 requiring the installation of power prior to the recording of the final plat:

“Sec. 104-598. Minimum requirements.

(k) Utilities. The subdivider shall provide all applicable utilities to the subdivision in accordance with all applicable county requirements. The utilities shall be located as

- The final plat is well into the final review process with only a few items remaining. (a specific list of any remaining items can be provided at the time of the hearing.)
- We have over \$4 million dollars invested in land and development costs.
- Until the plat is recorded, we cannot begin to recoup our costs through lot sales.
- Having a completed, approved subdivision sitting waiting for power installation costs over \$900 per day.
- Home construction can begin without power, but cannot get near a certificate of occupancy without it, so there is no risk of having a homeowner without power.
- We anticipate completion of the power installation in approximately 8 weeks.
- If the plat is not recorded by the end of the year, next year's tax collection will be based on raw land value, rather than finished lot value – a loss for the County.

Thanks you for your consideration of this request.



Donna Black
Fland Land, LLC

PETITION NO: TA-001-16

REQUESTED ACTION: To amend Article V, Section 110-169, d, Animal hospital, kennel, and/or veterinary clinic to reduce the 300 foot setback for all structures, pens, runs, or enclosures from any A-R or residential zoning district to 100 feet.

PETITIONER: Rebecca Tate

PLANNING COMMISSION PUBLIC HEARING: Thursday, December 1, 2016

BOARD OF COMMISSIONERS PUBLIC HEARING: Thursday, January 12, 2016

PETITIONER'S REQUEST

A citizen may petition to amend the text of the Zoning ordinance per the following section:

Sec. 110-296. - Application for amendment.

Any citizen filing an application to amend the text or the official zoning map may obtain an application from the planning and zoning department, applications to amend the text or the official zoning map shall be submitted on forms, as applicable, provided by the planning and zoning department.

Currently, Article V, Section 110-169, d, reads as follows:

Animal hospital, kennel, and/or veterinary clinic. Allowed in A-R, C-C, C-H, and M-1 zoning districts. All structures, pens, runs, or enclosures shall not be located closer than 300 feet from any A-R or residential zoning district.

The petitioner has proposed the following text amendment to Article V, Section 110-169, d, to read as follows:

Animal Hospital, kennel and/or veterinary clinic. Allowed in A-R, C-C, C-H, and M-1 zoning districts. In all cases where any animal hospital, kennel and/or veterinary clinic is constructed in any of the aforementioned zoning districts on less than twelve (12) acres of property, all structures, pens, runs, or enclosures shall not be located within 300 feet from any A-R or residential zoning district.

In cases that any Animal Hospital, kennel and/or veterinary clinic is constructed on greater than twelve (12) acres of property and the property is classified as agricultural, all structures, pens, runs, or enclosures shall not be located within 100 feet from any residential zoning district.

The petitioner has also submitted the following:

Reason for seeking Amendment:

With the current wording of the ordinance being a 300 foot setback on all sides of the property lines, this makes a great deal of the property unusable for the property owner and places the property owner under a hardship based upon the lay out of the property. With the current wording of the ordinance and the 300 foot setback, the property owner is losing a total of 90,000 square feet of land. With one acre of land being 43,560 square feet, the property owner loses a total of 2.06 acres of land based on the current wording of the ordinance. When people typically talk about footage, they do not think about 300 feet as being that much, but to put 300 feet in perspective, that is the total length of a football field and is a great distance. I do understand why the current wording of the ordinance was set at three hundred feet with the current subdivisions that are being built on no more than one to two acres of land and not wanting this type of business right next door so to speak however; I do not think that the three hundred foot setback should apply in all cases. If a property owner is on twelve acres or more and the land is classified as agricultural then typically all land owners adjacent to the property own ten plus acres and is classified as agricultural as well therefore; no property owners residence is as close in proximity to the property lines as in your typical subdivision. For example in my case with the 100 foot setback from the property line, no areas used for the business would be within approximately 700 feet of the next closest residence. With the proposed rewording of the ordinance the property owner would only lose a total of 10,000 square feet of property, making more of the property usable for the property owner. With the 100 foot setback and the acreage requirement there would be more than ample room for safety and nuisance concerns and the business would still fall within any noise or nuisance ordinances that are currently established by the county.

With our current situation, we have over 15 acres of property in which we are trying to fit a business with the stipulation of the 300 foot setback from all property lines. On the north side of the property we have approximately 400 feet of setback from the property line. On the Southside of the property we have approximately 330 feet of setback from the property line. On the west side of the property we have approximately 600 feet of setback from the property line. On the east side of the property we have approximately 102 feet of setback from the property line. Also on the east side of the property where we have the 100 feet of setback, the closest residence to our property on this side is approximately 700 feet from the property line.

I have done some research of other ordinances in areas similar to Brooks and Fayette County Georgia and have found that the current ordinance containing the 300 foot setback from the property lines is a much greater distance than is required in other areas. Below are the results I found from my research in regards to the other county's or cities.

Coweta County has the 300 foot setback rule, with an exclusion for properties that are 10 acres or greater. If a property has 10 acres or greater than the property is considered under the Rural Home Occupations and list the setback from the property lines as 100 feet unless the home occupation is a towing company. If the home occupation is a towing company than no tow vehicles are allowed to be parked with 300 feet of the property lines. All other businesses including Kennels are required to have the 100 foot setback from the property lines

Fulton County has specific regulations for home occupations in the agricultural district that states specifically in regards to kennels, veterinary hospital, veterinary clinic, provided buildings housing animals are fully enclosed shall be at least 100 feet from all property lines.

Clayton County states specifically, it shall be unlawful for any private kennel to be located nearer than 100 feet to the nearest property line.

Henry County does not state any requirements for a setback from the property lines and does allow private kennels as a home occupation.

The City of Johns Creek has specific regulations for home occupations in the agricultural district that states specifically in regards to kennels, veterinary hospital, veterinary clinic, provided buildings housing animals are fully enclosed shall be at least 100 feet from all property lines.

STAFF ANALYSIS

The petitioner is currently running a pet boarding/pet sitting facility (Royal Bed & Biscuit) at 311 Friendship Church Road. The petitioner is also involved in pet rescue. The Zoning Ordinance defines a kennels as follows:

Kennel means an establishment for the boarding, breeding and/or sale of animals for commercial gain that may in addition provide grooming and/or training services, and a pet rescue operation where the animals are primarily housed or kept outside of the principal residence in accessory structures, pens, or enclosures. A hobby breeder, as defined herein, shall not be considered a kennel.

The petitioner's property is zoned A-R and consists of approximately 15.36 acres. The County became aware of this situation through citizen complaints of noise and increased traffic and at that time the Zoning Administrator requested that the petitioner have the property surveyed to determine compliance of the kennel. The dogs are frequently kept in a fenced area behind the residence (Labeled Pool Area on attached survey). This area and the residence are less than 300 feet from the rear property line and the western property line which does not comply with the current zoning requirements. Per the submitted survey, it also appears that a small portion of the fenced area does not meet the requested 100 foot setback.

Based on the submitted survey there is an area between the residence and pond that meets the 300 foot setback from all of the property lines. However a major portion of this area is within the watershed setback and buffer. The petitioner could apply for a variance from the watershed regulations per, ARTICLE VII. - WATERSHED PROTECTION, Sec. 104-185. - Variance procedures to construct a kennel facility in this area. If a variance is not approved, another option is to lower the elevation of the pond to reduce the watershed setback and buffer. In either case, a survey would be required to verify that all regulations are met.

STAFF RECOMMENDATION

Conditional Uses as a whole were adopted into the Zoning Ordinance in the early 1990's. This would be the time the 300 foot setback for an animal hospital, kennel and/or veterinary clinic was established. The purpose of the 300 foot setback is to mitigate the potential noise a facility can create as noise dissipates over distance. The petitioner has researched ordinances from other jurisdictions with a 100 foot setback (see above) and some of these stated regulations require a full enclosed building. Fayette County does not require a fully enclosed building but does require the 300 foot setback whether the facility is enclosed or open. Staff feels the current regulations are reasonable and recommends that petition TA-001-16 to amend the Zoning Ordinance text be **DENIED**.

From: Robert Kurbes
Sent: Wednesday, November 16, 2016 9:45 AM
To: Pete Frisina
Subject: Re: Zoning Ordinance Amendment

Pete,

No objections to proposed amending of the zoning ordinance.

FYI, Our department has an open trash and debris complaint at this address and we have been trying to contact the owner without success. Currently awaiting response to certified letter mailed to address in question.

Robert F. Kurbes
Environmental Health County Manager
Fayette County Health Department
We Inform, We Prevent, We Protect
140 Stonewall Avenue, West
Suite 200
Fayetteville, GA 30214
770-305-5147
Robert.Kurbes@dph.ga.gov
Follow us on Twitter <http://www.twitter.com/D4publichealth>
and Facebook <http://www.facebook.com/District4Health>
Visit our website <http://www.district4health.org>

From: Pete Frisina
Sent: Tuesday, November 15, 2016 12:44:37 PM
To: Vanessa Birrell; Robert Kurbes; Rani Rathburn; Steve Tafoya; Jimmy Hall
Subject: Zoning Ordinance Amendment

All,

Sorry for the late e-mail, but we have a citizen who has petitioned to amend the Zoning Ordinance (see attached) to reduce the setback for a kennel from 300 feet to 100 feet. If you have any comments about the amendment or kennels in general please forward those to me by 11/22/16. If you have any questions please contact me.

Thanks,

Peter Frisina, AICP
Fayette County Division of Community Services
140 Stonewall Avenue West
Fayetteville, GA 30214
(770) 305-5160

TO AMEND THE TEXT OF THE ZONING ORDINANCE OF FAYETTE COUNTY, GA

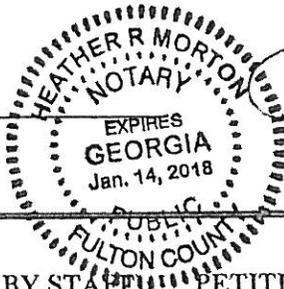
APPLICANT: Rebecca Tate

MAILING ADDRESS: 311 Friendship Church Road Brooks, GA. 30205

PHONE: 770-856-9962 FAX: None

E-MAIL: rlinfo@bellsouth.net

Heather R Morton
NOTARY PUBLIC



Rebecca Tate
APPLICANT'S SIGNATURE

(THIS AREA TO BE COMPLETED BY STAFF) PETITION NUMBER: TA-001-16

Application Insufficient due to lack of: _____

by Staff: _____ Date: Nov. 1, 2016

Application and all required supporting documentation is Sufficient and Complete

by Staff: [Signature] Date: Nov. 1, 2016

DATE OF PLANNING COMMISSION HEARING: Dec. 1, 2016

DATE OF COUNTY COMMISSIONERS HEARING: Jan. 12, 2017

Received from Mrs. Rebecca Tate a check in the amount of \$ _____ for _____ ad.
application filing fee. Will be billed by for legal ad.

Date Paid: _____ Receipt Number: _____

**THE BUREAU OF FIRE PREVENTION
WILL NEITHER APPROVE NOR DENY
REQUESTS THAT FALL OUTSIDE THE
SCOPE OF I.S.O. REQUIREMENTS.**

[Signature]
11/15/16

From: MARION HINDMAN <dochind@bellsouth.net>
Sent: Sunday, November 20, 2016 4:18 PM
To: Pete Frisina
Subject: kennel on Friendship Church Road in Brooks

Dear Sir,

We are senior citizens and have lived on Friendship Church Road in Brooks for over forty years. In those forty years we have never complained about or been concerned about any of our neighbors, and spend a lot of our retirement time helping people in our neighborhood. We are very concerned about the kennel that is operating on our road. The traffic has probably tripled on the dirt road, and the cars and buses carrying dogs to the kennel almost always run the stop sign and speeding is rampant. We called and complained about the speeding and the deputies came out and talked to the people running the kennel and that has improved slightly....they still drive too fast for the road conditions. We don't think this kennel should be operating in a neighborhood like ours. The speeding and amount of traffic is a huge concern, as well as the barking of dogs twenty four hours a day, and the foul smelling garbage piled up on the edge of the road. We respectfully ask your consideration in this matter.

Marion and Lana Hindman
254 Friendship Church Road
Brooks, Georgia 30205

TO AMEND THE TEXT OF THE ZONING ORDINANCE OF FAYETTE COUNTY, GA

APPLICANT: Rebecca Tate

MAILING ADDRESS: 311 Friendship Church Road Brooks, GA. 30205

PHONE: 770-856-9962 FAX: None

E-MAIL: rinfo@bellsouth.net

Heather R Morton
NOTARY PUBLIC



Rebecca Tate
APPLICANT'S SIGNATURE

(THIS AREA TO BE COMPLETED BY STAFF) PETITION NUMBER: TA-001-16

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by Staff: _____ Date: Nov. 1, 2016

Application and all required supporting documentation is Sufficient and Complete

by Staff: [Signature] Date: Nov. 1, 2016

DATE OF PLANNING COMMISSION HEARING: Dec. 1, 2016

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Received from Mrs. Rebecca Tate a check in the amount of \$ _____ for application filing fee. Will be billed for legal ad.

Date Paid: _____ Receipt Number: _____

CURRENT TEXT PROVISION: (Please type and attach additional sheets if necessary)

To amend Article _____, Section(s) _____

See Attachment

PROPOSED WORDING OF TEXT AMENDMENT: (Please type and attach additional sheets if necessary)

To amend Article _____, Section(s) _____

See Attachment

REASON FOR SEEKING AMENDMENT: (Please type and attach additional sheets if necessary)

See Attachment

To Amend Article: V

Section: 110-169 d

Current Text Provision

Animal Hospital, kennel and/or veterinary clinic. Allowed in A-R, C-C, C-H, and M-1 Zoning districts. All structures, pens, runs, or enclosures shall not be located within 300 feet from any A-R or residential zoning district.

To Amend Article: V

Section: 110-169 d

Proposed Wording of Text Amendment

Animal Hospital, kennel and/or veterinary clinic. Allowed in A-R, C-C, C-H, and M-1 Zoning districts. In all cases where any animal hospital, kennel and/or veterinary clinic is constructed in any of the aforementioned zoning districts on less than twelve (12) acres of property, all structures, pens, runs, or enclosures shall not be located within 300 feet from any A-R or residential zoning district.

In cases that any Animal Hospital, kennel and/or veterinary clinic is constructed on greater than twelve (12) acres of property and the property is classified as agricultural, all structures, pens, runs, or enclosures shall not be located within 100 feet from any residential zoning district.

Reason for seeking Amendment:

With the current wording of the ordinance being a 300 foot setback on all sides of the property lines, this makes a great deal of the property unusable for the property owner and places the property owner under a hardship based upon the lay out of the property. With the current wording of the ordinance and the 300 foot set back, the property owner is losing a total of 90,000 square feet of land. With one acre of land being 43,560 square feet, the property owner loses a total of 2.06 acres of land based on the current wording of the ordinance. When people typically talk about footage, they do not think about 300 feet as being that much, but to put 300 feet in perspective, that is the total length of a football field and is a great distance.

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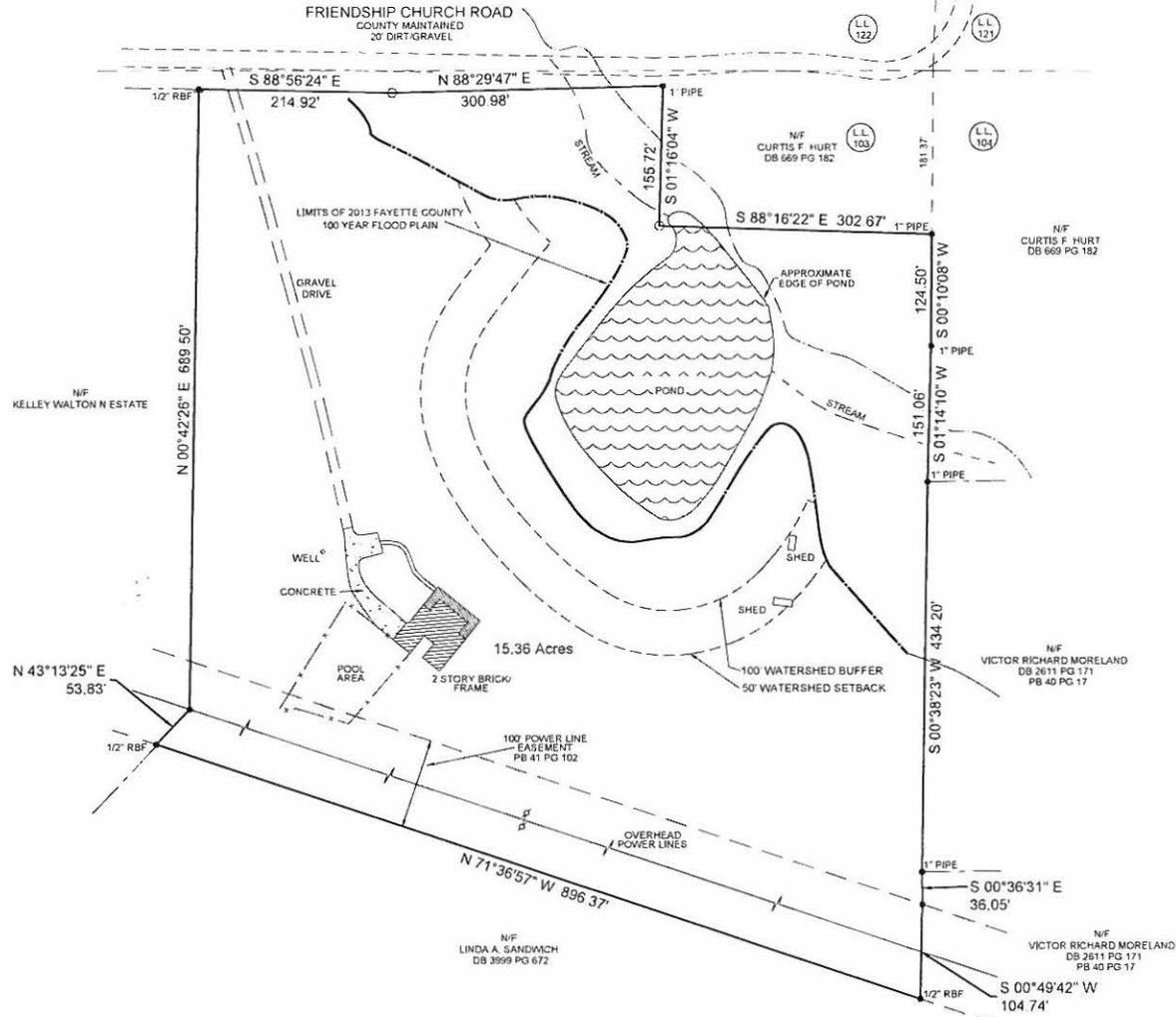
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LEGEND
 RBF=REBAR FOUND
 RSS=REBAR SET
 CTP=CRIMP TOP PIPE
 LL=LAND LOT
 LLL=LAND LOT LINE
 R=PROPERTY LINE
 CO=CONSTRUCTION ENTRANCE
 EP=EDGE OF PAVEMENT
 P.O.B.=POINT OF BEGINNING
 B/L=BUILDING SETBACK LINE
 D.E.=DRAINAGE EASEMENT
 N/F=NOW OR FORMERLY
 F.W.P.D.=FIELD WORK PERFORMED DATE
 O.F.=OUT OF FLOOD PLAIN
 DB=DIED BOOK
 PG=PAGE
 PB=PLAT BOOK
 (##)=HOUSE NUMBER

CLOSURE STATEMENT
 THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 32 150 FEET AND AN ANGULAR ERROR OF 00° 00' 02" PER ANGLE POINT AND HAS BEEN ADJUSTED USING THE COMPASS RULE METHOD

THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 100 101 FEET

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



Job No. SA19-184	
Drawn By R.D.C.	Reviewed By S.A.G.
Issue Date 08/31/16	
F.W.P.D. 08/18/16	
Revisions	Date



Prepared For
REBECCA TATE

Property Location
 Land Lot 103 Of The 4th Land District
 Fayette County, Georgia

S.A. GASKINS & ASSOCIATES, LLC
 surveyors planners development consultants
 P.O. BOX 321 BROOKS, GA 30205
 618-618-5067
 sagaskns@bellsouth.net