AGENDA
FAYETTE COUNTY PLANNING COMMISSION MEETING
140 STONEWALL AVENUE WEST
March 7, 2019
7:00 pm

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

1. Consideration of Minutes of the Planning Commission meeting held on Thursday February 21, 2019.

2. Consideration of a Final Plat of Goza Road Subdivision. The property will consist of four (4) residential lots zoned R-80, is located in Land Lot(s) 227 & 228 of the 4th District and front(s) on Goza Road S.R. 85.

PUBLIC HEARING

3. Consideration of Petition No. RP-071-19, Brent Payne, Owner, request to revise the Minor Subdivision Plat of Brent Payne by adding seven (7) acres of property from an existing tract to the existing 5.349 acre lot. This property is located in Land Lot 59 of the 7th District and fronts on Willow Road.

4. Consideration of Petition No. 1280-19, Kevin M. McFarland, Deborah J. McFarland, and Felix Enriquez, Owners, and Jerry Peterson, AIA, Agent, request to rezone 16.74 acres from A-R to O-I. Applicant is developing an Event Venue. This property is located in Land Lot 127 of the 5th District, and fronts on State Route 54 West.

5. Consideration of Petition No. 1281-19, Jacky Matthews, Owner, and Jerry Peterson, AIA, Agent, request to rezone 28.99 acres from A-R to R-50. Applicant is developing a Residential Subdivision consisting of 16 lots. This property is located in Land Lot 89 of the 7th District, and fronts on Dogwood Trail.
PETITION NUMBER: RP-071-19

REQUESTED ACTION: Request approval to revise the Minor Subdivision Plat of Brent Payne to by adding seven (7) acres of property from an adjacent tract to the existing 5.349 acre lot.

EXISTING USE: Single-Family Residential

ZONING DISTRICT: A-R

LOCATION: 134 Willow Road

LAND LOT/DISTRICT: Land Lot 59 of the 7th District

APPLICANT: Brent Payne

INVESTIGATION

The Minor Subdivision Plat of Brent Payne was recorded on October 6, 2015.

Subdivision Regulations

Sec. 104-595. - Approval of subdivisions.

(2) Final plat or minor subdivision plat

j. Revision to a recorded final plat.

Revision to a recorded final plat. A revision to a recorded final plat shall show the name, phase (if any), date of the recorded subdivision plat being revised, and the exact citation with regard to the clerk of superior court records and the book and page number wherein said plat is recorded. See section 104-596 for requirements to be indicated on the revised final plat, as applicable. In addition, proposed revisions to a recorded final plat that substantially changes the street and/or utility layout, unless initiated by the county, shall require a revised preliminary plat in accordance with this section. Proposed revisions to a recorded final plat of any existing residential or agricultural-residential subdivisions which add property to, increases the number of platted lots, or changes the principal use on a lot will be considered in public hearings before the planning commission and the board of commissioners. The legal notice shall be advertised at least seven calendar days prior to the public hearing before the planning commission, but not more than 45 calendar days, nor less than 15 calendar days prior to the public hearing before the board of commissioners. In the event that the timeframes above cannot be met with one advertisement, the notice shall be published twice. As applicable, a revised final plat shall comply with the revised preliminary plat and shall be approved by the planning commission.
Final Plat

Should this request be approved, a revised Final Plat must be submitted, approved, and recorded.

Department Comments

Planning and Zoning: The request meets the dimensional requirements of the A-R zoning district.

Water System: No conflict

Environmental Health Dept.: No objection

STAFF ANALYSIS

Staff recommends APPROVAL of this request so the Final Plat procedure can begin.
APPLICATION TO REVISE A RECORDED PLAT
(PUBLIC HEARING)

PETITION NO: RP- 071 - 19

NAME OF RECORDED PLAT: Brent A. Payne - Joe B. Thomas

OWNER OF PROPERTY: Same as above living trust

MAILING ADDRESS: 134 Willow Road, Fayetteville GA 30215

PHONE: 678 920 1545

E-MAIL: brent@hmcgroup247.com

AGENT FOR OWNER: N/A

MAILING ADDRESS:

PHONE:

E-MAIL:

LOCATION: LAND LOT(S) 59 DISTRICT 7 ROAD Willow

LEGAL DESCRIPTION ATTACHED: _______ ZONING: AR

FIFTEEN COPIES OF CONCEPT PLAN ATTACHED: __________

TOTAL NUMBER OF LOTS: 1 TOTAL NUMBER OF ACRES: 12.229

DATE OF PLANNING COMMISSION HEARING: March 7, 2019

DATE OF COUNTY COMMISSIONERS HEARING: March 28, 2019

REASON FOR REVISION: Adding 7 + or - acres to existing 5 + or - acres. Please see plat for description. There is no intent to build additional home site, we intend to add a barn for equipment storage.
I respectfully submit this application and certify that the above information is correct and true to the best of my knowledge. I further certify that I am the owner or the specifically authorized agent of the above-referenced property.

January 28, 2019

OWNER/AGENT'S SIGNATURE

January 28, 2019

NOTARY PUBLIC

SIGN FEE

Received from ____________________________ the amount of $_______ to cover the cost of the sign deposit. Applicant will be billed later for the cost of advertising.

Date Paid: ________________  Receipt No. ______________

Cash: ________________  Check No. ______________
REQUESTED ACTION: A-R to O-I

PROPOSED USE: Event Venue

EXISTING USE: House with Venue

LOCATION: State Route 54 West

DISTRICT/LAND LOT(S): 5th District, Land Lot(s) 127

OWNER: Kevin M. McFarland, Deborah J. McFarland & Felix Enriquez

AGENT: Jerry Peterson, AIA

PLANNING COMMISSION PUBLIC HEARING: March 7, 2019

BOARD OF COMMISSIONERS PUBLIC HEARING: March 28,

APPLICANT’S INTENT

Applicant is developing an Event Venue on 16.74 acres.

STAFF RECOMMENDATION

APPROVAL with ONE (1) CONDITION

1.
INVESTIGATION

A. PROPERTY SITE

The subject property is a 16.74 acre tract fronting on State Route 54 West in Land Lot 127 of the 5th District. State Route 54 West is classified as a Major Arterial road on the Fayette County Thoroughfare Plan. The subject property is currently zoned A-R and contains a single-family residence and an A-R Wedding and event facility.

History: The site plan for Daisy Hills Farm A-R Wedding and event facility was approved on October 5, 2017.

B. SURROUNDING ZONING AND USES

The general situation is a 16.74 acres tract that is zoned A-R. In the vicinity of the subject property is land which is zoned A-R, O-I and Residential-Professional (Fayetteville), see the following table and also the attached Zoning Location Map.

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

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<tr>
<th>Direction</th>
<th>Acreage</th>
<th>Zoning</th>
<th>Use</th>
<th>Comprehensive Plan</th>
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<td>A-R</td>
<td>Single-family Residence</td>
<td>Low Density Residential (1 Unit/1 Acre) &amp; SR 54 West Overlay District</td>
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</tbody>
</table>

* Residential-Professional (Fayetteville) The RP residential professional district is established to provide an area in which residential and limited professional, educational, institutional and businesses uses (not including retail sales) can be compatibly mixed.

C. COMPREHENSIVE PLAN

The subject property lies within an area designated as Low Density Residential (1 Unit/1 Acre) & SR 54 West Overlay District. The SR 54 West Overlay District states the following:

Recommendations: The intent of the SR 54 West Overlay District is to offer existing tracts of five +/- acres the option to convert to office uses. Outside of the commercial designation at Tyrone Road and the commercial and office-institutional designation at Sumner Road (south), these parcels would be considered for the Office-Institutional Zoning District. Conditions should be placed on property at the time of rezoning to address unique situations.
The subject property, at 16.74 acres, is larger than five (5) acres. However, approximately eight (8) acres of the subject property contains a lake and watershed protection buffers and setbacks. This rezoning request is to augment the existing A-R Wedding/event facility by allowing the existing residence to be used in a nonresidential manner which is comparable to several rezonings in the SR 54 West Overlay District where an existing residence has been converted into an office use. Given the existing use of the A-R Wedding/event facility and that this request is to utilize the existing residence in an office type use is in keeping with the intent of the SR 54 West Overlay District.

D. ZONING/REGULATORY REVIEW

The applicant seeks to rezone from A-R to O-I for the purpose of expanding the uses at an A-R Wedding and event facility that is currently approved for this property. A Banquet hall/event facility is a Permitted Use in O-I and is synonymous with an A-R Wedding and event facility type use. At this time no one resides in the single-family residence. The business owner discussed with staff the need to use the existing single-family residence in a nonresidential manner in conjunction with the wedding and event facility. This nonresidential use would include the business office for the wedding/event facility with a pre-event space where, for example, a bridal party could prepare for a wedding (dressing rooms, etc.) Staff informed the business owner that would not be allowed under the A-R zoning as the original vision of the A-R Wedding/event facility was to allow a wedding/event facility in an A-R setting that would be accessory to the principle use of a residence. In preparation for this situation Staff was able to include a banquet hall/event facility in the O-I zoning district in conjunction with other amendments being made to the address bed and breakfasts, wedding and event facilities, and tourist accommodation in October of 2018 (Ordinances 2018-11 and 2018-12).

Concept Plan/Site Plan: The concept plan submitted with the rezoning indicates that an access drive to the residence and parking is proposed. Improvement such as these and utilization of the residence in a nonresidential manner will require that a revised site plan be submitted per Section 8-26 of the Development Regulations demonstrating compliance with the O-I zoning district and all other applicable regulations pertinent to the change in zoning. In reference to the new zoning district, existing storm water facilities and parking encroach into required buffers and also a required landscape area (This was not detected by Staff on the previous site plan for the A-R Wedding and event facility). Staff will recommend a condition that all necessary variances be approved by the Zoning Board of Appeals prior to the submittal of the revised site plan.

E. DEPARTMENTAL COMMENTS

Water System

No Conflict

Public Works/Engineering

The proposed rezoning, and associated use of the existing house, will not impact traffic. Engineering understands use of the Event Venue is independent of this rezoning issue. Access for this parcel is controlled by the GDOT.

Engineering has no other comments with respect to the rezoning request.
Environmental Management

Must meet all development standards for O-I zoning. This includes a Tree Protection Plan, Landscape Plan and Site Plan (revised).

Environmental Health Department

This department has no objection to proposed rezoning from A-R to O-I for use of existing house as event venue (under construction) office and pre-event facility. As discussed with GC at site, it appears that existing home septic system will need at least a new drain line due to potential damage from construction activities and grading for entrance to new event center currently under construction. Department will need a level 3 soils report by a GA Certified Soil Classifier (GC has been in contact with Larry McEver, PE, a septic permit application pack to be submitted to our department, septic system permit issued, house/office septic system installed, and approved septic installation inspection by Health Department prior to use of house as discussed onsite.

Fire

Approved

Fayetteville

No issues with the request to rezone to O&I.
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 developing Event Venue. Per Section 110-300 of the Fayette County Zoning Ordinance, Staff makes the following evaluations:

1. The intent of the SR 54 West Overlay District is to offer existing tracts of five +/- acres the option to convert to office uses. The subject property, at 16.74 acres, is larger than five (5) acres. However, approximately eight (8) acres of the subject property contains a lake and watershed protection buffers and setbacks. This rezoning request is to augment the existing A-R Wedding/event facility by allowing the existing residence to be used in a nonresidential manner which is comparable to several rezonings in the SR 54 West Overlay District where an existing residence has been converted into an office use. Given the existing use of the A-R Wedding/event facility and that this request is to utilize the existing residence in an office type use is in keeping with the intent of the SR 54 West Overlay District.

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 with a mix of single-family residential and office-institutional uses 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. That all necessary variances be approved by the Zoning Board of Appeals prior to the submittal of the revised site plan necessary for utilization of the existing residence in a nonresidential manner including instillation of proposed access drive and parking.
Land Use Plan

- Environmentally Sensitive Areas
- Low Density Residential
- SR 54 West Overlay District
- Fayetteville
- Thistle Lane

Subject Property
ZONING REQUEST
FOR
THE VENUE AT DAISY HILL

AN EVENT CENTER
16.74 ACRES
JANUARY 2019

CHADWICK GEORGIA
OWNER/CONTRACTOR
APPLICATION TO AMEND
TO AMEND THE OFFICIAL ZONING MAP OF FAYETTE COUNTY, GA

PROPERTY OWNERS: Felix and Tammy Enriquez, Kevin M. and Deborah J. McFarland Chad and Brandy Floyd

MAILING ADDRESS: 1048 HWY 54 W, Fayetteville, GA 30215

PHONE: 770 856 8875 E-MAIL: felix.enriquez@icloud.com

AGENT FOR OWNERS: JERRY PETERSON

MAILING ADDRESS: 616 WINGSPREAD PEACHTREE CITY GA 30269

PHONE: 770 487 9124 E-MAIL: j.petersonplan@aoi.com

PROPERTY LOCATION: LAND LOT 127

LAND DISTRICT 5th

PARCEL 0521 002

TOTAL NUMBER OF ACRES REQUESTED TO BE REZONED: 16.74

EXISTING ZONING DISTRICT: Agricultural Residential

PROPOSED ZONING DISTRICT: Office and Institutional

ZONING OF SURROUNDING PROPERTIES: AR and O&I

PRESENT USE OF SUBJECT PROPERTY: House with Venue construction

PROPOSED USE OF SUBJECT PROPERTY: Event Venue

LAND USE PLAN DESIGNATION: _______________________

NAME AND TYPE OF ACCESS ROAD: Highway 54 W

LOCATION OF NEAREST WATER LINE: HWY 54

(This Area to be Completed by Staff): PETITION NUMBER: _______________________

[ ] Application Insufficient due to lack of:

by Staff: ________________________ Date: ________________________

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

by Staff: ________________________ Date: ________________________

DATE OF PLANNING COMMISSION HEARING: ________________________

DATE OF COUNTY COMMISSIONERS HEARING: ________________________

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

Date Paid: ________________________ Receipt Number: ________________________
NAME: JERRY PETERSON

ADDRESS: 616 WINGSFORD, PECHESTER CIIY, GA 30269

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

JERRY PETERSON affirms that he is the owner or the specifically authorized agent of the property described below. Said property is located in a(n) AR Zoning District. He/She respectfully petitions the County to rezone the property from its present classification and tenders herewith the sum of $370 to cover all expenses of public hearing. He/She petitions the above named to change its classification to O1.

This property includes: (check one of the following)

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

[ ] Legal description for subject property is as follows:

PUBLIC HEARING to be held by the Planning Commission of Fayette County on the 7th day of MARCH 2019 at 7:00 P.M.

PUBLIC HEARING to be held by the Board of Commissioners of Fayette County on the 28th day of MARCH 2019 at 7:00 P.M.

SWORN TO AND SUBSCRIBED BEFORE ME THIS 5th DAY OF JANUARY 2019.

NOTARY PUBLIC

APPLICANT'S SIGNATURE

REZONING APPLICATION, FAYETTE COUNTY, GA
DISCLOSURE STATEMENT

Please check one:
Campaign contributions -  X  No  ___ Yes (see attached disclosure report)

TITLE 36. LOCAL GOVERNMENT
PROVISIONS APPLICABLE TO COUNTIES AND MUNICIPAL CORPORATIONS
CHAPTER 67A. CONFLICT OF INTEREST IN ZONING ACTIONS
O.C.G.A. § 36-67A-3 (2011)

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

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

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

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

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

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

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

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

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


REZONING APPLICATION, FAYETTE COUNTY, GA
PROPERTY OWNER CONSENT AND AGENT AUTHORIZATION FORM
(Applications require authorization by ALL property owners of subject property).

Name(s) of All Property Owners of Record found on the latest recorded deed for the subject property:

Felix Enriquez, Kevin M McFarland and Deborah J McFarland

Please Print Names

Property Tax Identification Number(s) of Subject Property: 0521 002

(I am) (we are) the sole owner(s) of the above-referenced property requested to be rezoned. Subject property is located in Land Lot(s) 127 of the 5th District, and (if applicable to more than one land district) Land Lot(s) _______ of the _______ District, and said property consists of a total of 16.74 acres (legal description corresponding to most recent recorded plat for the subject property is attached herewith).

(I) (We) hereby delegate authority to JERRY PETERSON to act as (my) (our) Agent in this rezoning. As Agent, they have the authority to agree to any and all conditions of zoning which may be imposed by the Board.

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

Signature of Property Owner 1
125 Isleworth Way Fayetteville, Ga 30215

Signature of Property Owner 2

Signature of Property Owner 3

Signature of Authorized Agent

Signature of Notary Public

Signature of Notary Public

Signature of Notary Public

Date

Date

Date

Date

Date

Address

Address

Address
INTRODUCTION

This is a request to zone the 16.74 acre parcel number 0521 002 for the Venue at Daisy Hill from AR to OI to allow the use of the existing on site home as an office and pre event facility. This use of the house will include activities such as bride preparation and office. The house is being remodeled to accommodate this use. The activity center, which is well under construction, is a 5,362 square foot event center that is proposed to be used for weddings, corporate events and other such uses. The use of the house is an important element for these types of events.
SITE PLAN

ENTRANCE MARKING DETAIL
Scale 1" = 50'

PAVEMENT MARKING NOTES:
- All pavement markings must be installed on the public thoroughfare only.
- Street and traffic signs can only be installed on the public thoroughfare only.
- Markings must be installed to the right of the edge of the pavement.
- Markings must be painted black on a white background.

STREET & TRAFFIC SIGNS:
- All street and traffic signs are to be installed on the public thoroughfare only.
- All signs must be installed to the right of the edge of the pavement.
- All signs must be painted black on a white background.

GENERAL NOTES:
- All construction plans must be submitted to the City of Alpharetta for approval before any construction begins.
- All construction plans must be submitted to the City of Alpharetta for approval before any construction begins.
- All construction plans must be submitted to the City of Alpharetta for approval before any construction begins.

OWNER/DEVELOPER:
DAISY HILL FARMS

GEORGIA 811

CONTRACTOR:
PARAMOUNT

DRAWN BY:

SCALE:
1" = 50'

DATE:

G3
EXISTING ZONING
TOPOGRAPHY
REQUESTED ACTION: A-R to R-50

PROPOSED USE: Residential Subdivision

EXISTING USE: Single Family Residential

LOCATION: 286 Dogwood Trail

DISTRICT/LAND LOT(S): 7th District, Land Lot(s) 89

OWNER: Jacky Matthews

AGENT: Jerry Peterson, AIA

PLANNING COMMISSION PUBLIC HEARING: March 7, 2019

BOARD OF COMMISSIONERS PUBLIC HEARING: March 28, 2019

____________________________________________________________

APPLICANT'S INTENT

Applicant proposes to develop a Single-Family Residential Subdivision consisting of 16 lots on 28.99 acres.

STAFF RECOMMENDATION

APPROVAL

1. 1281-19
INVESTIGATION

A. PROPERTY SITE

The subject property is a 28.99 acre tract fronting on Dogwood Trail in Land Lot 89 of the 7th District. Dogwood Trail is classified as a Collector road on the Fayette County Thoroughfare Plan. The subject property contains a single-family residence and is currently zoned A-R.

B. SURROUNDING ZONING AND USES

The general situation is a 28.99 acre tract that is zoned A-R. In the vicinity of the subject property is land which is zoned R-70 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:

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<th>Direction</th>
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<th>Zoning</th>
<th>Use</th>
<th>Comprehensive Plan</th>
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<td>A-R</td>
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C. COMPREHENSIVE PLAN

The subject property lies within an area designated for Low Density Residential (1 Unit/1 Acre) and Environmentally Sensitive Areas (floodplain). This request conforms to the Fayette County Comprehensive Plan.
D. ZONING/REGULATORY REVIEW

The applicant seeks to rezone A-R from to R-50 for the purpose of developing a Residential Subdivision. The concept plan indicates that all existing structures are to be removed.

Platting

Should this request be approved, the applicant is reminded that before any lots can be sold or building permits issued for the proposed subdivision, the subject property must be platted per the Fayette County Subdivision Regulations, as applicable.

Access

The Concept Plan submitted indicates one (1) access from Dogwood Trail.

E. 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, as applicable.

F. DEPARTMENTAL COMMENTS

Water System

Water Available

Public Works/Engineering

Engineering comments on the proposed Jacky Matthews 28.99-acre rezoning on Dogwood Trail.

1. The Fayette County Thoroughfare Plan classifies Dogwood Road as a collector. As such, a Right-of-Way dedication shall be provided, as needed, to provide a uniform R/W width of 40 feet as measured from the existing centerline of Dogwood Road to the parcel’s front property line.

2. Access to Dogwood Trail for these lots will be predominately from SR 74 and Tyrone Road. There is a traffic signal at Dogwood Trail and SR 74. The intersection of Dogwood Trail and Tyrone Road is stop-controlled on Dogwood.
3. According to GDOT on-line traffic data, Dogwood Trail has an annual average daily traffic count of 3,230 vpd. The project, with 16 lots, would add approximately 151 trips per day. This would increase the existing traffic on Dogwood Trail by 4.7%. (With the existing AR zoning, the property could have up to 5 lots, so the traffic impacts would be roughly 1/3rd of the proposed concept.)

4. The percent increase in traffic is less than 8%. Engineering is not recommending a Traffic Impact Study be provided. The traffic signal to the west is GDOT’s and the additional traffic from the development should have minimal impact on its operation. To the east, the intersection of Dogwood Trail and Tyrone Road is part of the Tyrone Road Corridor Study (SPLOST Project No. 17TAQ) and has some existing geometry concerns. Over a 24-hour period, the project is expected to add 38 additional vehicles (~ a 2.4% increase) on Dogwood that turn left or right onto Tyrone Road, and that’s not enough to consider mitigation work at the intersection.

5. Minimum sight distances, as required by the Development Regulations, shall be provided for the proposed new road intersection. That information is provided by the Developer, and checked by Engineering, at the Preliminary Plat stage. There are many sight-distance limitations in this area along Dogwood that may restrict (or prohibit) new road placement.

6. The Applicant is advised that platted lots shall have a minimum contiguous area that is outside floodplain and County Watershed buffers and setbacks.

7. Public Works is open to consideration of a landscape island as show in the concept plan. It may be an effective method of traffic calming. The geometry standards and related details would be worked out at the preliminary plat stage. The landscape area within the island would be owned and maintained by the HOA (i.e., the County right-of-way).

**Environmental Management**

All state and federal permitting approvals must be received prior to approval of construction plans.

- **Wetlands** A wetland determination report will be required prior to approval of development plans.

- **Floodplain** Per FEMA FIRM panel 13113C0079E the property does contain Zone AE area of special flood hazard.

- **Watershed** The watershed buffer on Flat Creek is 100 ft. from wrested vegetation and the watershed setback is 50 ft. from the buffer. Additionally, the watershed buffer on the unnamed tributary to Flat Creek and the pond in the northeast section of the property is 50 ft. from wrested vegetation and the watershed setback is 25 ft. from the buffer. A state buffer variance will be required prior to any path being constructed within the pond buffer.
**Stormwater:** Post-development stormwater management requirements will apply (*Article XIV, Fayette County Development Regulations*). All stormwater infrastructure may not be located within any area of special flood hazard. Army Corp of Engineering permitting will be required for installation of infrastructure in the unnamed tributary.

**Environmental Health Department**

Department has no comment regarding the rezoning request. This proposal appears to meet our department's definition as a subdivision. Our department recommends at least a reconnaissance soil study for planning purposes. A completed subdivision analysis record, fee and level 3 (red stamped if performed by soil scientist) soil survey along with the certificate of liability insurance will need to be submitted to our department to initiate our department's required subdivision approval review.

**Fire**

Approved

**STAFF ANALYSIS**

This request is based on the petitioner's intent to rezone said property from A-R to R-50 for the purpose of developing Residential Subdivision. Per Section 110-300 of the Fayette County Zoning Ordinance, Staff makes the following evaluations:

1. The subject property lies within an area designated for Low Density Residential (1 Unit/1 Acre) and Environmentally Sensitive Areas (floodplain). This request conforms to 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 support this petition.

Based on the foregoing Investigation and Staff Analysis, Staff recommends **APPROVAL**.
R-50 ZONING REQUEST
28.99 ACRES
DOGWOOD TRAIL

CHADWICK HOMES
DEVELOPER/BUILDER

PETERSON PLANNING
INTRODUCTION

This request is to zone the 28.99 acre parcel 0720 003 on Dogwood Trail from AR to R-50 to develop a 16 lot neighborhood of one acre lots. The current Land Use Plan is for one acre lots. The property is bounded on the north by Dogwood Trail (80’ ROW) and on the west by Flat Creek. There is a small pond in the northeast corner with drainage flowing west into Flat Creek. The pond will become a community park with soft trails around it. There are buffers along the drainage from pond, and a 100 year flood plain along Flat Creek.

The Concept Plan illustrates about 2.0 acres for the single street, 5.6 acres for community open space, leaving 21.3 acres for residential lots. The 16 lots thus are .55 du/ac gross and .75 du/ac net. Lots are generally 150’ wide and 300’ deep. Detention is located on common property on the west side of property adjacent to the flood plain.

Chadwick Homes, who have a long history of home building in Fayette County, is the Developer and Builder. The homes will be in the $400,000 range. There will be a community association for long term maintenance and ownership of the common areas. There will be a single public street.
APPLICATION TO AMEND
TO AMEND THE OFFICIAL ZONING MAP OF FAYETTE COUNTY, GA

PROPERTY OWNERS: JACKY MATTHEWS

MAILING ADDRESS: 328 DOGWOOD TRAIL, TYRONE, GA 30290

PHONE: 770 486-1966 E-MAIL: jacky.matthews@bellsouth.net

AGENT FOR OWNERS: JERRY PETERSON

MAILING ADDRESS: 616 WINGSPREAD, PEACHTREE CITY, GA 30269

PHONE: 770 487-9124 E-MAIL: jpetersonplane@aol.com

PROPERTY LOCATION: LAND LOT 89
          LAND LOT 7
          LAND DISTRICT 1
          LAND DISTRICT 7
          PARCEL 0710 003
          PARCEL 0710 003

TOTAL NUMBER OF ACRES REQUESTED TO BE REZONED: 28.99

EXISTING ZONING DISTRICT: AR
PROPOSED ZONING DISTRICT: R-50

ZONING OF SURROUNDING PROPERTIES: AR

PRESENT USE OF SUBJECT PROPERTY: ONE HOUSE

PROPOSED USE OF SUBJECT PROPERTY: 16 ONE ACRE LOTS

LAND USE PLAN DESIGNATION: ONE ACRE LOTS

NAME AND TYPE OF ACCESS ROAD: DOGWOOD TRAIL
COLLECTOR RD, EUROW

LOCATION OF NEAREST WATER LINE: DOGWOOD TRAIL


(THIS AREA TO BE COMPLETED BY STAFF): PETITION NUMBER: 1281-19

[ ] Application Insufficient due to lack of:

by Staff: __________________________ Date: ________________

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

by Staff: __________________________ Date: ________________

DATE OF PLANNING COMMISSION HEARING: __________________________

DATE OF COUNTY COMMISSIONERS HEARING: __________________________

Received from __________________________ a check in the amount of $ ____________ for
application filing fee, and $ ______________ for deposit on frame for public hearing sign(s).

Date Paid: __________________________ Receipt Number: __________________________

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REZONING APPLICATION, FAYETTE COUNTY, GA
PROPERTY OWNER CONSENT AND AGENT AUTHORIZATION FORM
(Applications require authorization by ALL property owners of subject property).

Name(s) of All Property Owners of Record found on the latest recorded deed for the subject property:

__JACKY MATTHEWS__

Please Print Names

Property Tax Identification Number(s) of Subject Property: __0720 003__

(I am) (we are) the sole owner(s) of the above-referenced property requested to be rezoned. Subject property is located in Land Lot(s) __89_____ of the ___ District, and (if applicable to more than one land district) Land Lot(s) ____________ of the ___ District, and said property consists of a total of __28.99 acres (legal description corresponding to most recent recorded plat for the subject property is attached herewith).

(I) (We) hereby delegate authority to __JERRY PETERSON__ to act as (my) (our) Agent in this rezoning. As Agent, they have the authority to agree to any and all conditions of zoning which may be imposed by the Board.

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

Signature of Property Owner 1

Signature of Property Owner 2

Signature of Property Owner 3

Signature of Authorized Agent

Signature of Notary Public

Date

Date

Date

Date

REZONING APPLICATION, FAYETTE COUNTY, GA
NAME: 

ADDRESS: 

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

JERRY PATTERSON affirms that he is the owner or the specifically authorized agent of the property described below. Said property is located in a(n) AR Zoning District. He/She respectfully petitions the County to rezone the property from its present classification and tenders herewith the sum of $ 470 to cover all expenses of public hearing. He/She petitions the above named to change its classification to R-50.

This property includes: (check one of the following)

☑ See attached legal description on recorded deed for subject property or

[ ] Legal description for subject property is as follows:

PUBLIC HEARING to be held by the Planning Commission of Fayette County on the 7 day of MARCH, 2019 at 7:00 P.M.

PUBLIC HEARING to be held by the Board of Commissioners of Fayette County on the 28 day of MARCH, 2019 at 7:00 P.M.

SWORN TO AND SUBSCRIBED BEFORE ME THIS 28th DAY OF JANUARY, 2019.

Brenda K. Gordon
NOTARY PUBLIC

REZONING APPLICATION, FAYETTE COUNTY, GA
TOPOGRAPHY