AGENDA
FAYETTE COUNTY PLANNING COMMISSION MEETING
140 STONEWALL AVENUE WEST
May 2, 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 April 18, 2019.

PUBLIC HEARING

2. Consideration of Petition No. 1283-19, Joe B. Brock, Daniel B. Brock, and James G. Brock, Jr., Owners, and Rod Wrightcorp, Agent, request to rezone 8.756 acres from A-R to R-70. This property is located in Land Lot 3 of the 5th District, and fronts on Harris Road.

3. Consideration of Petition No. 1284-19, Michael M. Vuocolo, Owner, and Rod Wrightcorp, Agent, request to rezone 21.275 acres from A-R to R-70. This property is located in Land Lot 2 of the 5th District, and fronts on Harris Road.

OLD BUSINESS

4. Discussion of the State Route 54 West Corridor
REQUESTED ACTION:  A-R to R-70

PROPOSED USE:  Residential Subdivision

EXISTING USE:  Single-Family Residential

LOCATION:  Harris Road

DISTRICT/LAND LOT(S):  5th District, Land Lot(s) 3

OWNER:  Joe B. Brock, Daniel B. Brock, and James G. Brock, Jr.

AGENT:  Rodwrightcorp

PLANNING COMMISSION PUBLIC HEARING:  May 2, 2019

BOARD OF COMMISSIONERS PUBLIC HEARING:  May 23, 2019

________________________________________

APPLICANT'S INTENT

Applicant proposes to develop a Residential Subdivision consisting of four (4) lots on 8.756 acres.

________________________________________

STAFF RECOMMENDATION

APPROVAL

1.  1283-19
INVESTIGATION

A. PROPERTY SITE

The subject property is an 8.756 acre tract fronting on Harris Road in Land Lot 3 of the 5th District. Harris Road is classified as a Local road on the Fayette County Thoroughfare Plan. The subject property contains a single-family residence.

B. SURROUNDING ZONING AND USES

The general situation is an 8.756 acre tract that is zoned A-R. In the vicinity of the subject property is land which is zoned PUD 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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<tr>
<th>Direction</th>
<th>Acreage</th>
<th>Zoning</th>
<th>Use</th>
<th>Comprehensive Plan</th>
</tr>
</thead>
<tbody>
<tr>
<td>North</td>
<td>12.7</td>
<td>A-R</td>
<td>Undeveloped</td>
<td>Rural Residential – 2 (1 Unit/ 2 Acres)</td>
</tr>
<tr>
<td>South (across Harris Road)</td>
<td>3 lots - one plus acres</td>
<td>PUD-PRD</td>
<td>Whitewater Creek Subdivision – Single-Family Residential</td>
<td>Rural Residential – 2 (1 Unit/ 2 Acres)</td>
</tr>
<tr>
<td>East</td>
<td>4.2</td>
<td>A-R</td>
<td>Single-Family Residential</td>
<td>Rural Residential – 2 (1 Unit/ 2 Acres)</td>
</tr>
<tr>
<td>West</td>
<td>49.0</td>
<td>A-R (1284-19 – 21 acres A-R to R-70)</td>
<td>Undeveloped</td>
<td>Rural Residential – 2 (1 Unit/ 2 Acres)</td>
</tr>
</tbody>
</table>

C. COMPREHENSIVE PLAN

The subject property lies within an area designated for Rural Residential -2 (1 Unit/ 2 Acres). This request conforms to the Fayette County Comprehensive Plan.

D. ZONING/REGULATORY REVIEW

The applicant seeks to rezone A-R from to R-70 for the purpose of developing a Residential Subdivision.

**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.

2. 1283-19
F. REVIEW OF CONCEPT PLAN

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

G. DEPARTMENTAL COMMENTS

Water System

Water Available on Redwine Road

Public Works/Engineering

1. Harris Road is a County local. The provided survey shows an existing 60-ft ROW, which is appropriate for this road. No additional dedication is required.
2. Access to Harris Road for these lots will be predominately from Redwine Road and Harp Road. There is a stop sign at both ends of Harris Road.
3. There are no existing traffic data for Harris Road, but staff considers it a low volume road based on field observations. The rezoning could result in the number of lots increasing from one to four. The three extra lots would add approximately 29 trips per day.
4. Minimum sight distances will have to be provided for the proposed new road intersection. Engineering has not field checked at this time.

Environmental Management

State Water determination will be required prior to Final Plat approval. Watershed Protection and Floodplain Management applies. Stormwater Management may apply.

Environmental Health Department

No comment.

Fire

Must connect to Fayette County Water System and extend waterline to Harris Road for fire protection. Fire hydrant spacing must be no more than 600ft apart.
STAFF ANALYSIS

This request is based on the petitioner's intent to rezone said property from A-R to R-70 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 Rural Residential -2 (1 Unit/2 Acres). 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.
APPLICATION TO AMEND
TO AMEND THE OFFICIAL ZONING MAP OF FAYETTE COUNTY, GA

PROPERTY OWNERS: (1) Joe Blalock Brock, (2) Daniel Braxton Brock, and (3) James Gordon Brock, Jr.

MAILING ADDRESS: 565 Harris Road, Fayetteville, Georgia 30215
PHONE: (770) 876 3397 E-MAIL: jimbrock100@gmail.com
AGENT FOR OWNERS: Rodwrightcorp
MAILING ADDRESS: P.O. Box 629, Fayetteville, Georgia 30214
PHONE: (770) 294-7990 E-MAIL: thesubdivider@gmail.com

PROPERTY LOCATION: LAND LOT 3 LAND DISTRICT 5 PARCEL 0502 017
LAND LOT _____ LAND DISTRICT _____ PARCEL _____

TOTAL NUMBER OF ACRES REQUESTED TO BE REZONED: 9

EXISTING ZONING DISTRICT: A-R PROPOSED ZONING DISTRICT: R-70

ZONING OF SURROUNDING PROPERTIES: PUD, A-R, and R-40

PRESENT USE OF SUBJECT PROPERTY: Single-Family Residence

PROPOSED USE OF SUBJECT PROPERTY: 4 lots of approximately 2 acres each

LAND USE PLAN DESIGNATION: Rural Residential (1 Unit/2 Acres) (compatible with R-70 zoning)

NAME AND TYPE OF ACCESS ROAD: Harris Road (Local Road)

LOCATION OF NEAREST WATER LINE: Redwine Road

(THIS AREA TO BE COMPLETED BY STAFF): PETITION NUMBER: 1283-19

[ ] 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: __________________________

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:

(1) Joe Blalock Brock, (2) Daniel Braxton Brock; and (3) James Gordon Brock, Jr.

Please Print Names

Property Tax Identification Number(s) of Subject Property: 0502017

(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) 3 of the 5th District, and (if applicable to more than one land district) Land Lot(s) N/A of the N/A District, and said property consists of a total of 9 acres (legal description corresponding to most recent recorded plat for the subject property is attached herewith).

(I) (We) hereby delegate authority to Rodwrightcorp 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.

[Signatures and addresses of property owners and authorized agent]

Signature of Notary Public

Date

Signature of Notary Public

Date

Signature of Notary Public

Date

Signature of Notary Public

Date

Signature of Notary Public

Date

4

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

(1) Joe Blalock Brock, (2) Daniel Braxton Brock; and (3) James Gordon Brock, Jr. affirms that he is the owner or the specifically authorized agent of the property described below. Said property is located in a(n) A-R Zoning District.

He/She respectfully petitions the County to rezone the property from its present classification and tenders herewith the sum of $350.00 to cover all expenses of public hearing. He/She petitions the above named to change its classification to R-70.

This property includes: (check one of the following)

[X] 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 ___________ day of ____________________, 20____ at 7:00 P.M.

PUBLIC HEARING to be held by the Board of Commissioners of Fayette County on the ___________ day of ____________________, 20____ at 7:00 P.M.

SWORN TO AND SUBSCRIBED BEFORE ME THIS 29th DAY OF March, 2019.

NOTARY PUBLIC

APPLICANT'S SIGNATURE

REZONING APPLICATION, FAYETTE COUNTY, GA
After recording, return to: John C. McGinn, P.C.
510 Northlake Drive
Peachtree City, Ga. 30269

STATE OF GEORGIA
COUNTY OF FAYETTE

EXECUTOR'S DEED

THIS INDENTURE is made as of November 30, 2006, between James Gordon Brock, Jr. and Joe Blalock Brock, as executors of the last will and testament of Kathleen Blalock Brock (hereinafter referred to as the "Deceased"), late of Fayette County, Georgia (hereinafter referred to as "Grantor") and to James Gordon Brock, Jr. as to a Life Estate or so long as he resides within caption property, with remainder to Joe Blalock Brock, Daniel Braxton Brock, and James Gordon Brock, Jr. (hereinafter referred to as "Grantee") ("Grantor" and "Grantee" to include their respective heirs, successors, executors, administrators, legal representatives and assigns where the context requires or permits).

WITNESSETH

GRANTOR (acting under and by virtue of the power and authority contained in Item IV of the will of the Deceased, it having been duly probated and recorded in the Court of Probate of Fayette County, Georgia), for and in consideration of the sum of Ten Dollars ($10) in hand paid at and before the sealing and delivery of these presents (the receipt of which is hereby acknowledged), has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell and
convey unto Grantee, all that tract or parcel of land lying and being in Land Lot 3 of the 5th District of Fayette County, Georgia (hereinafter referred to as the "Land"), as more particularly described in the attached Exhibit "A", which Exhibit is incorporated herein.

TO HAVE AND TO HOLD the Land with all and singular the rights, members and appurtenances thereof, to the same being, belonging, or in anywise appertaining, to the only proper use, benefit and behoof of Grantee forever, in as full and ample a manner as the same was held, possessed and enjoyed, or might have been held, possessed and enjoyed, by the Deceased.

EXECUTED under seal as of the date above.

signed, sealed and delivered in the presence of:

Elizabeth Steed
Unofficial Witness

James Gordon Brock, Jr. (SEAL)
Under the will of Kathleen Blalock Brock

Joc Blalock Brock (SEAL)
Under the will of Kathleen Blalock Brock

Michelle E. Zeller (SEAL)
Book: 3162 Page: 354 Seq: 2
Exhibit "A"

Parcel One: All that tract or parcel of land lying and being in Land Lot 3 of the 5th District of Fayette County, Georgia, as per plat of survey dated April 23, 1970, prepared by William H. Alexander, Jr., Registered Land Surveyor, recorded in Plat Book 5, Page 155, Fayette County Records, and being more particularly described as follows:

Beginning at an iron pin at the southwest corner of Land Lot 3; thence running north 1 degree 25 minutes east, along the west line of Land Lot 3 four hundred eighteen (418) feet to an iron pin; thence running due east six hundred twenty six (626) feet to an iron pin; thence running south 1 degree 25 minutes west, four hundred eighteen (418) feet to a point on the south line of Land Lot 3; thence running west, within the right of way of Harris Road, along the south line of Land Lot 3, six hundred twenty six (626) feet to the point of beginning.

Parcel Two: All that tract or parcel of land lying and being in Land Lot 3 of the 5th District of Fayette County, Georgia, and being more particularly described as follows:

Beginning at an iron pin on the West Land Lot line of Land Lot 3, 426.9' North of the Southwest corner of Land Lot 3; thence N 01 degree 37 minutes 17 seconds E a distance of 209.00' to an iron pin found; thence S 89 degrees 47 minutes 45 seconds E a distance of 626.00'; thence S 01 degree 37 minutes 17 seconds W a distance of 209.00' to an iron pin found; thence N 89 degrees 47 minutes 45 seconds W a distance of 626.00' to the point of beginning, as shown on plat of survey by Lummis Hall & Associates, Inc., dated April 12, 1991. Said tract contains 3.003 acres.

The tracts described are contiguous tracts. Any portion of the first tract lying and being within the right of way of Harris Road is excluded.
AGREEMENT TO DEDICATE PROPERTY FOR FUTURE RIGHT-OF-WAY

(1) Joe Bialock Brock, (2) Daniel Braxton Brock,
I/We, and (3) James Gordon Brock, Jr. ____________, said property owner(s) of subject property requested to be rezoned, hereby agree to dedicate, at no cost to Fayette County, ______________feet of right-of-way along ______________________ as measured from the centerline of the road.

Based on the Future Thoroughfare Plan Map streets have one of the following designations and the Fayette County Development Regulations require a minimum street width as specified below:

Local Street (Minor Thoroughfare) 60 foot right-of-way (30' measured from each side of road centerline)
Collector Street (Major Thoroughfare) 80 foot right-of-way (40' measured from each side of road centerline)
Arterial Street (Major Thoroughfare) 100 foot right-of-way (50' measured from each side of road centerline)

Sworn to and subscribed before me this 25th day of March, 2019.

Joe Bialock Brock
SIGNATURE OF PROPERTY OWNER

DERENE DENSON
NOTARY

Sworn to and subscribed before me this 22nd day of March, 2019.

Daniel Braxton Brock 3/22/19
SIGNATURE OF PROPERTY OWNER

NOTARY PUBLIC

REZONING APPLICATION, FAYETTE COUNTY, GA
CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California
County of [Calaveras]

On 3-29-2019 before me, ____________________________, Notary Public, here insert name and title of the officer, personally appeared ____________________________, Name(s) of Signer(s), who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature ____________________________
Signature of Notary Public

Place Notary Seal and/or Stamp Above

OPTIONAL

Completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document
Title or Type of Document: Property Owner/Consent - Agent with Form
Document Date: ____________________________ Number of Pages: __________

Signer(s) Other Than Named Above: ____________________________

Capacity(ies) Claimed by Signer(s)
Signer's Name: ____________________________ Signer's Name: ____________________________

☐ Corporate Officer - Title(s): ____________________________ ☐ Corporate Officer - Title(s): ____________________________
☐ Partner - ☐ Limited ☐ General ☐ Partner - ☐ Limited ☐ General
☐ Individual ☐ Attorney in Fact ☐ Individual ☐ Attorney in Fact
☐ Trustee ☐ Guardian of Conservator ☐ Trustee ☐ Guardian of Conservator
☐ Other: ____________________________ ☐ Other: ____________________________

Signer is Representing: ____________________________

©2017 National Notary Association
This certificate is attached to a 1 page document dealing with/entitled agreement for future right of way and dated 3.28.2019

California JURAT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of Calaveras

Subscribed and sworn to (or affirmed) before me on this 25th day of March, 2019, by Daniel Braxton Brock, proved to me on the basis of satisfactory evidence to be the person(s) who appeared before me.

Signature ____________________________ (Seal)

RACHEL LANDRETH
COMM. # 2225299
NOTARY PUBLIC - CALIFORNIA
CALAVERAS COUNTY

Rev. 2014-2015
DISCLOSURE STATEMENT

Please check one:
Campaign contributions - ___ 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.

REQUESTED ACTION:  A-R to R-70

PROPOSED USE:  Residential Subdivision

EXISTING USE:  Undeveloped

LOCATION:  Redwine Road & Harris Road

DISTRICT/LAND LOT(S):  5th District, Land Lot(s) 2

OWNER:  Michael M. Vuocolo

AGENT:  Rodwrightcorp

PLANNING COMMISSION PUBLIC HEARING:  May 2, 2019

BOARD OF COMMISSIONERS PUBLIC HEARING:  May 23, 2019

__________________________________________________________

APPLICANT'S INTENT

Applicant proposes to develop a Residential Subdivision consisting of 10 lots on 21.275 acres.

__________________________________________________________

STAFF RECOMMENDATION

APPROVAL

1.  1284-19
INVESTIGATION

A. PROPERTY SITE

The subject property is a 21.275 acre tract fronting on Redwine Road and Harris Road in Land Lot 2 of the 5th District. Redwine Road is classified as a Minor Arterial and Harris Road is classified as a Local road on the Fayette County Thoroughfare Plan. The subject property is undeveloped.

B. SURROUNDING ZONING AND USES

The general situation is a 21.275 acre tract that is zoned A-R. In the vicinity of the subject property is land which is zoned PUD 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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<td>East</td>
<td>8.76</td>
<td>A-R (1283-19 A-R to R-70)</td>
<td>Single-Family Residential</td>
<td>Rural Residential – 2 (1 Unit/2 Acres)</td>
</tr>
<tr>
<td>West (across Redwine Road)</td>
<td>9.90 31.0</td>
<td>A-R</td>
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C. COMPREHENSIVE PLAN

The subject property lies within an area designated for Rural Residential -2 (1 Unit/2 Acres). This request conforms to the Fayette County Comprehensive Plan.

D. ZONING/REGULATORY REVIEW

The applicant seeks to rezone from A-R to R-70 for the purpose of developing a Residential Subdivision.
**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.

**Right-of-Way**

The Concept Plan indicates 80 feet of right-of-way along Redwine Road. Redwine Road is classified as a Minor Arterial and requires 100 feet of right-of-way. Dedication of 10 feet of additional right-of-way at no cost to the County is required by Sec. 104.598 of the Subdivision Regulations.

**F. REVIEW OF CONCEPT PLAN**

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

**G. DEPARTMENTAL COMMENTS**

**Water System**

Water Available on Redwine Road

**Public Works/Engineering**

1. Harris Road is a County local. The provided survey shows an existing 60-ft ROW, which is appropriate for this road. No additional dedication is required.
2. Redwine Road is an arterial. A ROW dedication shall be made that provides 50 feet of ROW as measured from the exiting Road centerline to the parcel’s property line.
3. Access to Harris Road for these lots will be predominately from Redwine Road and Harp Road. There is a stop sign at both ends of Harris Road.
4. There are no existing traffic data for Harris Road, but staff considers it a low volume road based on field observations. The rezoning could result in the number of lots increasing from one to ten. The nine extra additional lots would add approximately 86 trips per day.
5. Minimum sight distances will have to be provided for the proposed lots and associated driveways. Engineering has not field checked at this time.
Environmental Management

Watershed Ordinance applies
Stormwater Management may apply
Floodplain management applies

Environmental Health Department

No comment

Fire

Must connect to Fayette County water system and extend the waterline to Harris road for fire protection. Fire hydrant spacing must be no more than 600ft apart.

STAFF ANALYSIS

This request is based on the petitioner's intent to rezone said property from A-R to R-70 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 Rural Residential - 2 (1 Unit/ 2 Acres). 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.
1284-19
Land Use Plan

ENVIRONMENTALLY SENSITIVE AREAS

REDWINE ROAD

RURAL RESIDENTIAL

SUBJECT PROPERTY

HARRIS ROAD

WHITETWATER CREEK SUBDIVISION
March 29, 2019

TO WHOM IT MAY CONCERN:

Please accept this as my letter of intent to rezone the property located at 1564 Redwine Road (21.275 acres) from AR to R-70. The subdivision name will be Hilltop Estates.

We appreciate your consideration of this matter.

Sincerely,

Rod Wright
President
770-294-7990
APPLICATION TO AMEND
TO AMEND THE OFFICIAL ZONING MAP OF FAYETTE COUNTY, GA

PROPERTY OWNERS: Michael M. Vuocolo

MAILING ADDRESS: P.O. Box 1240, Fayetteville, Georgia 30214

PHONE: (404) 312-5919 E-MAIL: thenimrod@hotmail.com

AGENT FOR OWNERS: Rodwrightcorp

MAILING ADDRESS: P.O. Box 620, Fayetteville, Georgia 30214

PHONE: (770) 294-7990 E-MAIL: thesubdivider@gmail.com

PROPERTY LOCATION: LAND LOT 2 LAND LOT ______ LAND DISTRICT 5 LAND DISTRICT ______ PARCEL ______ PARCEL ______

TOTAL NUMBER OF ACRES REQUESTED TO BE REZONED: 21.275

EXISTING ZONING DISTRICT: A-R PROPOSED ZONING DISTRICT: R-70

ZONING OF SURROUNDING PROPERTIES: PUD, A-R, and R-40

PRESENT USE OF SUBJECT PROPERTY: Undeveloped

PROPOSED USE OF SUBJECT PROPERTY: 10 single-family lots of approx. 2 acres each

LAND USE PLAN DESIGNATION: Rural Residential (1 Unit/2 Acres) (compatible with R-70 zoning)

NAME AND TYPE OF ACCESS ROAD: Redwine Road (Minor Arterial) and Harris Road (Local Road)

LOCATION OF NEAREST WATER LINE: Redwine Road

(THE AREA TO BE COMPLETED BY STAFF): PETITION NUMBER: 1284-19

[ ] Application Insufficient due to lack of:

by Staff: ____________________________ Date: ____________________________

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

by Staff: ____________________________ Date: 3/29/2019

DATE OF PLANNING COMMISSION HEARING: May 2, 2019

DATE OF COUNTY COMMISSIONERS HEARING: May 23, 2019

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: ____________________________
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:

Michael M. Vuocolo

Please Print Names

Property Tax Identification Number(s) of Subject Property: (part of) 0501 016
(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) 2 of the 5th District, and (if applicable to more than one land district) Land Lot(s) N/A of the N/A District, and said property consists of a total of 21.275 acres (legal description corresponding to most recent recorded plat for the subject property is attached herewith).

(I) (We) hereby delegate authority to Rodwrightcorp 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

1564 Redwood Rd.
Fayetteville GA 30214
Address

Signature of Property Owner 2

Address

Signature of Property Owner 3

Address

Signature of Authorized Agent

180 Woolsey Park Dr.
Fayetteville GA 30215
Address

Signature of Notary Public

VICKI L. KASHANI
Notary Public, Georgia
Coweta County
My Commission Expires March 09, 2021

Date 3-25-19

Signature of Notary Public

Date

Signature of Notary Public

Date

Signature of Notary Public

Date 3-22-19

Date

VICKI L. KASHANI
Notary Public, Georgia
Coweta County
My Commission Expires March 09, 2021
NAME: Rodwrightcorp  
ADDRESS: 1564 Redwine Road, Fayetteville, Georgia 30214  

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

Michael M. Vuoco affirms that he is the owner or the specifically authorized agent of the property described below. Said property is located in a(n) A-R Zoning District. He/She respectfully petitions the County to rezone the property from its present classification and tenders herewith the sum of $45.00 to cover all expenses of public hearing. He/She petitions the above named to change its classification to R-70.

This property includes: (check one of the following)

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

[X] Legal description for subject property is as follows:

SeeAttached

PUBLIC HEARING to be held by the Planning Commission of Fayette County on the _____________ day of ____________________, 20______ at 7:00 P.M.

PUBLIC HEARING to be held by the Board of Commissioners of Fayette County on the _____________ day of ____________________, 20______ at 7:00 P.M.

SWORN TO AND SUBSCRIBED BEFORE ME THIS 22nd DAY OF March, 20____.

VICKI L. KASHANI  
Notary Public, Georgia  
Coweta County  
My Commission Expires March 29, 2021

VICKI L. KASHANI  
APPLICANT'S SIGNATURE

REZONING APPLICATION, FAYETTE COUNTY, GA
STATE OF GEORGIA

FAYETTE County.

This INDENTURE, Made this 25th day of May in the year of our Lord

One Thousand, Nine Hundred and seventy-eight, between MARTHA REDWINE ROUNDBREE, Individually, and as Trustee under the Last Will and Testament of

Hill Parks Redwine, Deceased

of the County of Fayette and State of Georgia of the first part, and

MICHAEL M. VUCCOLU

of the County of DeKalb and State of Georgia, of the second part.

WITNESSETH That the said part Y of the first part, for and in consideration of the sum of TEN ($10.00) and OTHER VALUABLE CONSIDERATIONS * * * * * DOLLARS IN hand paid to the said part Y of the second part, before the signing and delivery of these presents, the receipt whereof is hereby acknowledged, has given, bargained, sold, and conveyed, and by these presents does grant, bargain, sell and convey unto the said part Y of the second part, himself, his heirs and assigns forever a one-half undivided interest in and to All that tract or parcel of land lying and being in Land Lot 2 of the 5th District of Fayette County, Georgia, and being more particularly described as follows:

BEGINNING at the intersection of the Centerline of Harris Road and the eastern land lot line of Land Lot 2 of the 5th District; thence running North 83 degrees 12 minutes 6 seconds West a distance of .57.42 feet; thence running North 80 degrees 0 minutes 23 seconds West a distance of 273.97 feet; thence running North 80 degrees 52 minutes 48 seconds East a distance of 343.52 feet; thence running North 0 degrees 57 minutes 53 seconds West a distance of 278 feet; thence running North 81 degrees 6 minutes 40 seconds West a distance of .95 feet; thence running North 84 degrees 27 minutes 5. seconds West a distance of 78.08 feet; thence running North 87 degrees 12 minutes 48 seconds West a distance of 432.24 feet to a point on the Easterly right-of-way line of a public road known as Redwine Road; thence running North 87 degrees 59 minutes 59 seconds West a distance of 1,264.25 feet; thence running North 87 degrees 59 minutes 59 seconds East a distance of 1,622.22 feet to a point on the East land lot line of Land Lot 1; thence running South 0 degrees 35 minutes 0 seconds East a distance of 1,510.60 feet to a point; thence running South 0 degrees 35 minutes 0 seconds East a distance of 1512 feet to the point of beginning, all as shown on a plat of survey prepared by Southeastern Engineers and Surveyors, Inc., dated March 28, 1978.

To HAVE AND TO HOLD the said bargained premises, together with all and singular the rights, members, and appurtenances thereunto, to the same being, belonging, or in anywise appertaining, to the only proper use, benefit and enjoyment of the said part Y of the second part, his heirs and assigns, forever, in fee simple.

And the said part Y of the first part, for her heirs, executors, and administrators, will and forever defend the right and title of the above described premises unto the said part Y of the second part, his heirs and assigns, against the claims of all persons, whatsoever.

In witness whereof, the said part Y of the first part has hereunto set his hand and seal, the day and year first above written.

WITNESSES

[Names]

RECORDED 26-1978

CLERK SUPERIOR COURT

FILE No. 5-26-1978

RECORDED 5-28-1978

CLERK SUPERIOR COURT

FAYETTE County, Georgia

Real Estate Transfer Tax

Bk 180 Pg 768 Seq. 768
AGREEMENT TO DEDICATE PROPERTY FOR FUTURE RIGHT-OF-WAY

I/We, Michael M. Vuocolo, said property owner(s) of subject property requested to be rezoned, hereby agree to dedicate, at no cost to Fayette County, Sixty (60) and one-hundred (100) feet of right-of-way along Redwine Road (Minor Arterial) and Harris Road (Local Road), respectively, as measured from the centerline of the road.

Based on the Future Thoroughfare Plan Map streets have one of the following designations and the Fayette County Development Regulations require a minimum street width as specified below:

<table>
<thead>
<tr>
<th>Street Type</th>
<th>Minimum Street Width</th>
</tr>
</thead>
<tbody>
<tr>
<td>Local Street (Minor Thoroughfare)</td>
<td>60 foot right-of-way (30' measured from each side of road centerline)</td>
</tr>
<tr>
<td>Collector Street (Major Thoroughfare)</td>
<td>80 foot right-of-way (40' measured from each side of road centerline)</td>
</tr>
<tr>
<td>Arterial Street (Major Thoroughfare)</td>
<td>100 foot right-of-way (50' measured from each side of road centerline)</td>
</tr>
</tbody>
</table>

Sworn to and subscribed before me this 25th day of March, 2019.

[Signature]

SIGNATURE OF PROPERTY OWNER

[Signature]

SIGNATURE OF PROPERTY OWNER

[Stamp]

NOTARY PUBLIC

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.

The field data upon which this plat is based is a closure of precision of one foot is estimated. Feet are an angular distance. There is no consideration for subsidence or settlement. The plat is not intended to be used for legal purposes. It is for informational purposes only.

This property is subject to all right of ways and easements shown or not shown, record of record, or unrecorded. The surveyor assumes no responsibility for the completeness of this data.

Surveyor's Declaration:

The undersigned attest that this plat is true and correct and was surveyed by the undersigned on the date of survey. The plat is not intended to be used for legal purposes. It is for informational purposes only.

Surveyors Certification:

As required by the provisions of T.C.A. Section 15-4-37, this plat has been designed and approved by the surveyor and is true and correct.

Legend:

- H - House
- D - Drainage Pond
- W - Water
- P - Pond
- E - Easement
- S - Street
- R - Rail
- C - Creek
- G - Gas Line
- V - Vacant Lot
- A - Access

Graphic Scale = Feet

Date: 4-1-19

DRAWN BY: TLM
PROJECT NO: 019002
21.275 ACRE BOUNDARY
SASSMAN & WRIGHT, LLC
LAND-LAW, PLLC, STATE OF GEORGIA
Certified Surveying and Mapping
FAYETTE COUNTY, GEORGIA
SCALE: 1" = 100'
DATE: 4-1-19