

**BOARD MEMBERS**

Arnold L. Martin, Chairman  
Brian Haren, Vice-Chairman  
John H. Culbreth, Sr.  
Danny England  
Jim Oliver

**STAFF**

Chanelle Blaine, Zoning Administrator  
Howard Johnson, Planning & Zoning Coordinator

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**AGENDA**  
**FAYETTE COUNTY PLANNING COMMISSION MEETING**  
**140 STONEWALL AVENUE WEST**  
**March 3, 2022**  
**7:00 pm**

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

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1. Consideration of the Minutes of the meeting held on February 3, 2022.

**NEW BUSINESS:**

2. Consideration of the Minor Final Plat of the Luis Arango. The property will consist of one (1) lot zoned R-50 Conditional and is located in Land Lots 59, 60 and 69 of the 5<sup>th</sup> District and fronts on State Route 85 South.

**PUBLIC HEARING**

3. Consideration of Petition No. 1318-22 Mark Wurster, Owner, and David Barber, Marksmen Construction, Inc., Agent, request to rezone 1.35 acres from R-45 conditional to R-45 conditional to delete a condition of rezoning to reduce a 30-foot setback, 20 feet of which shall be a natural buffer along the south side property line to 15 feet to install a septic replacement area and to construct a single-family residence closer to the side property line. This request pertains only to Lot 5 of Olde Oak Unit Three Subdivision and is located in Land Lot 203 of the 5<sup>th</sup> District and fronts on Olde Oak Drive.

To: Fayette County Planning Commission  
From: Channele Blaine, Zoning Administrator  
Date: February 21, 2022  
Subject: Minor Final Plat to be considered on March 3, 2022

**MINOR FINAL PLAT**

Luis Arango

**OWNER/APPLICANT**

Luis Arango

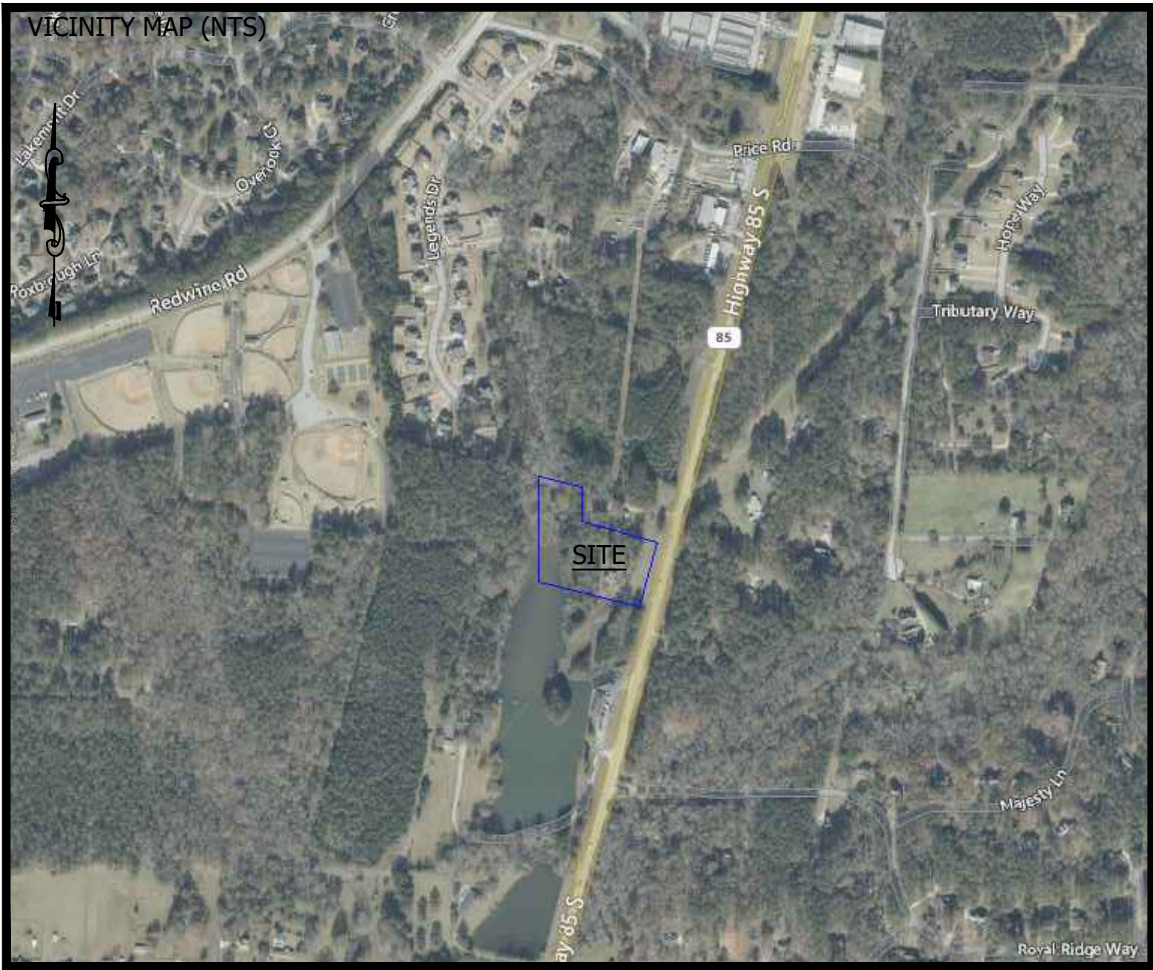
Recommend **APPROVAL** for the Final Plat.

MINOR FINAL PLAT FOR  
LUIS ARANGO

LOCATED IN LAND LOTS 59, 60, & 69 OF THE 5TH DISTRICT OF FAYETTE COUNTY, GEORGIA

GENERAL NOTES:

- OWNER/DEVELOPER:  
LUIS ARANGO  
149 N. 85 PARKWAY, SUITE B  
FAYETTEVILLE, GA 30214  
PHONE: (404) 323-7397  
EMAIL: luis@arangoinsulation.com  
  
24 HR. CONTACT:  
STEVEN L. JONES  
TAYLOR ENGLISH DUMA LLP  
1600 PARKWOOD CIRCLE, SUITE 200  
ATLANTA, GA 30339  
PHONE: (678) 426-4628  
MOBILE: (404) 218-275  
EMAIL: sjones@taylorenghish.com
- SURVEYOR:  
SCANLON ENGINEERING SERVICES, INC  
221 E. BANK STREET  
GRIFFIN, GA 30223  
CONTACT: MARK A. BUCKNER  
PHONE: 678-967-2051
- SITE DATA:  
TAX PARCEL ID: 0510 002A & 0510 061  
SITE AREA: 4.160 ACRES (181,217 SF)  
CONTIGUOUS AREA: 0.835 ACRES (36,355 SF)  
TOTAL LOTS: 1
- ZONING INFORMATION  
CURRENT ZONING: REZONING PETITION NUMBER 1304-21 A&B R-50 CONITIONAL APPROVED ON 5/27/2021  
SETBACKS:  
MIN. FRONT YARD: 100' MAJOR THOROUGHFARE  
MIN. SIDE YARD: 20'  
MIN. REAR YARD: 30'  
MINIMUM LOT AREA: 1.0 ACRE (COUNTY WATER PROVIDED)  
MAXIMUM BUILDING HEIGHT: 35'  
MINIMUM FLOOR AREA: 2,100 SF  
MINIMUM LOT WIDTH: 150'
- THERE ARE EXISTING STRUCTURES ON THIS SITE THAT WILL REMAIN.
- THERE ARE EXISTING EASEMENTS ON THIS PROPERTY.
- SEWAGE DISPOSAL PROVIDED BY INDIVIDUAL ON-SITE SEWAGE DISPOSAL SYSTEMS.
- POTABLE WATER SERVICE PROVIDED BY FAYETTE COUNTY WATER SYSTEM.
- FAYETTE COUNTY DOES NOT ACCEPT OWNERSHIP, MAINTENANCE OR RESPONSIBILITY FOR ANY DRAINAGE EASEMENT OR OVERALL DRAINAGE PLAN, OR THE LACK OF ONE, INDICATED ON THIS PLAT.
- NO PORTION OF THIS SITE LIES WITHIN A FLOOD HAZARD AREA PER FIRM PANEL MAP 13113C0112E, DATED 9/26/2008.
- THERE ARE EXISTING STATE WATERS ON THIS SITE.
- PER NATIONAL WETLANDS INVENTORY THE SITE CONTAINS JURISDICTIONAL WETLANDS. ANY JURISDICTIONAL WETLANDS ON THIS SITE ARE UNDER THE JURISDICTION OF THE U.S. ARMY CORPS OF ENGINEERS. PROPERTY OWNERS MAY BE SUBJECT TO PENALTY BY LAW FOR DISTURBANCE TO THESE JURISDICTIONAL WETLAND AREAS WITHOUT PROPER AUTHORIZATION. (CONTAINED WITHIN LAKE).
- THIS SITE IS NOT IN A GROUNDWATER RECHARGE AREA.
- PRELIMINARY PLAT FOR EVA GARDENS APPROVED 10/21/2021.



OWNER'S ACKNOWLEDGMENT

I, THE UNDERSIGNED, CERTIFY THAT AS THE LEGAL OWNER OF THE SUBJECT PROPERTY, I HEREBY AUTHORIZE THE SUBMITTAL OF THIS MINOR FINAL PLAT FOR MY PROPERTY.

OWNER

Date

MINOR FINAL PLAT APPROVALS:

APPROVED BY FAYETTE COUNTY ENVIRONMENTAL HEALTH DEPARTMENT:

Environmental Health Specialist

Date

APPROVED BY FAYETTE COUNTY ENVIRONMENTAL MANAGEMENT DEPARTMENT:

Environmental Management Director

Date

APPROVED BY FAYETTE COUNTY ZONING ADMINISTRATOR:

Zoning Administrator

Date

APPROVED BY FAYETTE COUNTY ENGINEER:

County Engineer

Date

APPROVED BY FAYETTE COUNTY PLANNING COMMISSION:

Secretary

Date

APPROVED BY FAYETTE FIRE MARSHALL:

Fire Marshall

Date

As required by subsection (d) of O.C.G.A. Section 15-6-67, this plat has been prepared by a a land surveyor and approved by all applicable local jurisdictions for recording as evidenced by approval certificates, signatures, stamps, or statements hereon. Such approvals or affirmations should be confirmed with the appropriate governmental bodies by any purchaser or user of this plat as to intended use of any parcel. Furthermore, the undersigned land surveyor certifies that this plat complies with the minimum technical standards for property surveys in Georgia as set forth in the rules and regulations of the Georgia Board of Registration for Professional Engineers and Land Surveyors and as set forth in O.C.G.A. Section 15-6-67.

I HEREBY CERTIFY THAT THIS PLAT IS TRUE AND CORRECT AND WAS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY BY ME OR UNDER MY SUPERVISION; THAT ALL MONUMENTS AND INFRASTRUCTURE SHOWN HEREON ACTUALLY EXIST OR ARE MARKED AS "FUTURE"; AND THEIR LOCATION, SIZE, TYPE AND MATERIAL ARE CORRECTLY SHOWN.

Mark A. Buckner GA RLS 2422

Date

SHEET INDEX

SHEET 1

COVER SHEET

SHEET 2

SITE

SES

ENGINEERING  
PLANNING  
SURVEYING

"THIS DRAWING IS THE PROPERTY OF SCANLON ENGINEERING SERVICES, INC. IT IS TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED HEREIN, AND IS NOT TO BE USED ON OTHER PROJECTS OR EXTENSIONS TO THIS PROJECT, OR REPRODUCED IN WHOLE OR IN PART, EXCEPT BY AGREEMENT IN WRITING AND WITH APPROPRIATE COMPENSATION."

MINOR FINAL PLAT FOR

LUIS ARANGO

LOCATED IN LAND LOTS 59, 60, & 69 OF THE 5th DISTRICT,  
FAYETTE COUNTY, GEORGIA

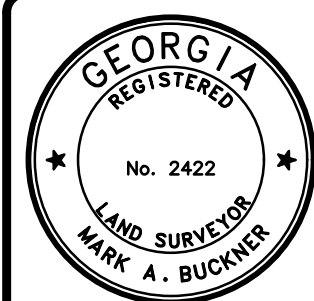
SCANLON ENGINEERING SERVICES, INC.

221 EAST BANK STREET  
GRIFFIN, GEORGIA 30223

PHONE: (678) 967-2051 www.scanloneng.com

★ LSF 000859 ★

Rev.	Description	Date
1	---	---
2	---	---
3	---	---
Project #:	R20050133	Date: 1/12/2022
Drawn by:	JWS	Review by: MAB



SHEET DESCRIPTION

MINOR FINAL PLAT

SHEET NUMBER

718C

SHEET 1 OF 2

**SYMBOL LEGEND**

- IRON PIN FOUND
- 1/2" REBAR SET
- CONCRETE MONUMENT FOUND
- UTILITY POLE
- LIGHT POLE
- FIRE HYDRANT
- X—X— WIRE FENCE LINE
- W— WATER LINE
- SS— SANITARY SEWER LINE
- P— OVERHEAD POWER LINE
- PROPERTY LINE
- ADJACENT LOT LINE
- LAND LOT LINE
- ASPHALT AREA
- CONCRETE AREA
- DIRT AREA

**REFERENCES & NOTES**

CURRENT OWNER:  
LUIS ARANGO

DEEDS:  
DB 5384 PG 203

PLATS:  
PB 101 PG 27

**PLAT CERTIFICATION:**

The field data, completed on 3/23/21, upon which this plat is based has a closure precision of one foot in 37,096 feet and an angular error of 03" per angle point and was adjusted using equal angle adjustment. This plat has been calculated for closure and is found to be accurate within one foot in 1,318,382 feet. The linear and angular measurements shown on this plat were obtained using a Geomax Robotic total station.

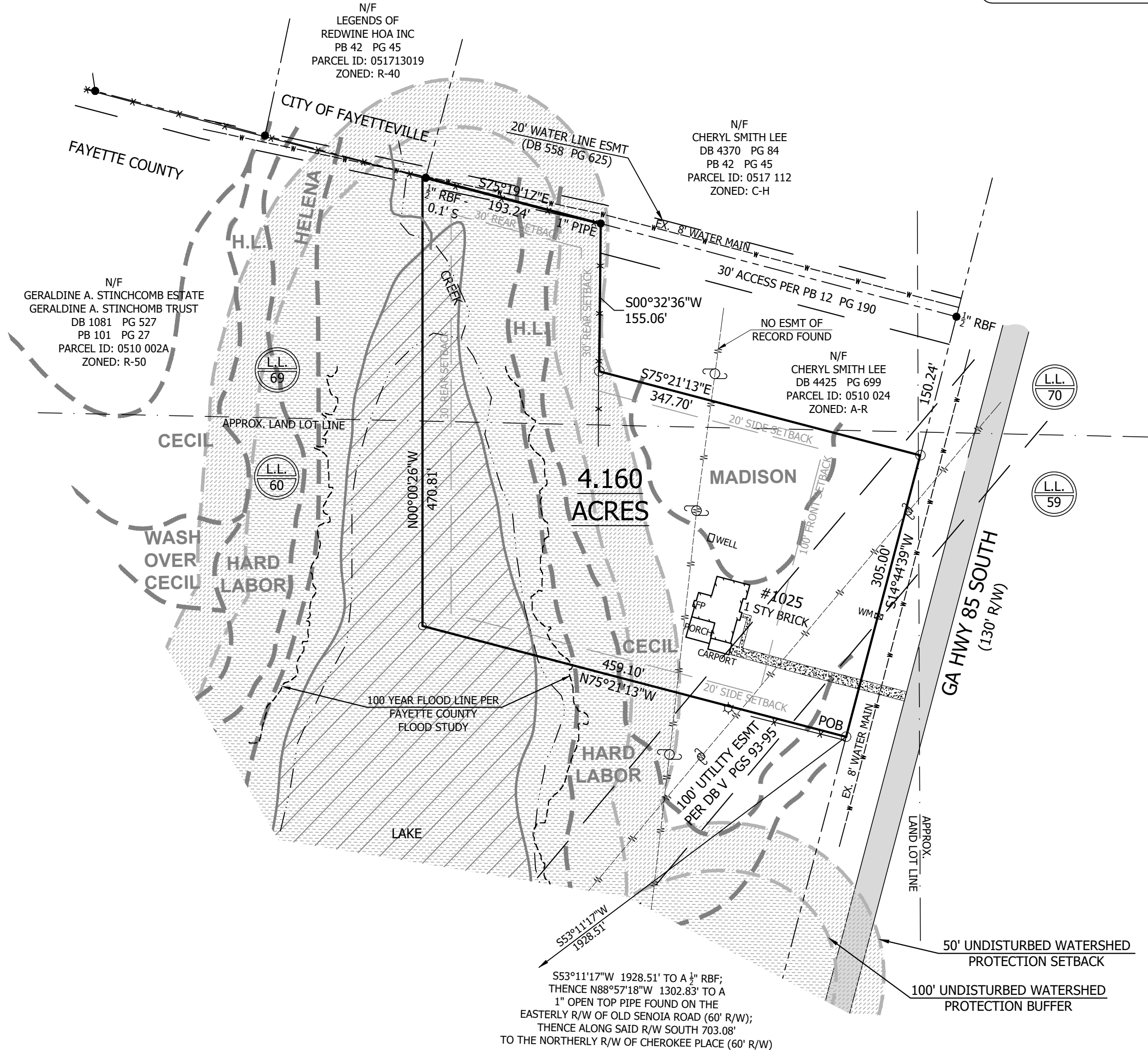


THE UTILITIES SHOWN ON THIS PLAT WERE TAKEN FROM INFORMATION AVAILABLE AT THE TIME OF THE SURVEY AND MAY OR MAY NOT BE ACCURATE AS TO THE EXTENT AND OR LOCATION OF SAID UTILITIES.

THIS SURVEYOR DOES NOT GUARANTEE THAT ALL EASEMENTS WHICH MAY AFFECT THIS PROPERTY ARE SHOWN.

The term "Certification" as used in Rule "180-6-.09(2) and (3)" and relating to professional engineering or land surveying services, as defined in O.C.G.A. 43-15-2(6) and (11), shall mean a signed statement based upon facts and knowledge known to the registrant and is not a guarantee or warranty, either expressed or implied.

This survey complies with both the rules of the Georgia Board of Registration for Professional Engineers and Land Surveyors and the Official Code of Georgia Annotated (OCGA) 15-6-67, in that where a conflict exists between those two sets of specifications, the requirements of law prevail.



As required by subsection (d) of O.C.G.A. Section 15-6-67, this plat has been prepared by a a land surveyor and approved by all applicable local jurisdictions for recording as evidenced by approval certificates, signatures, stamps, or statements hereon. Such approvals or affirmations should be confirmed with the appropriate governmental bodies by any purchaser or user of this plat as to intended use of any parcel. Furthermore, the undersigned land surveyor certifies that this plat complies with the minimum technical standards for property surveys in Georgia as set forth in the rules and regulations of the Georgia Board of Registration for Professional Engineers and Land Surveyors and as set forth in O.C.G.A. Section 15-6-67.

Mark A. Buckner GA RLS 2422 Date

SES

ENGINEERING  
PLANNING  
SURVEYING

"THIS DRAWING IS THE PROPERTY OF SCANLON ENGINEERING SERVICES, INC. IT IS TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED HEREIN, AND IS NOT TO BE USED ON OTHER PROJECTS OR EXTENSIONS TO THIS PROJECT, OR REPRODUCED IN WHOLE OR IN PART, EXCEPT BY AGREEMENT IN WRITING AND WITH APPROPRIATE COMPENSATION."

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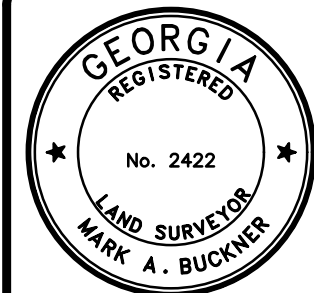
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★ LSF 000859 ★

Rev.	Description	Date
1		
2		
3		
Project #:	R20050133	
Drawn by:	JWS	
Review by:	MAB	
Date:	1/12/2022	



SHEET DESCRIPTION

MINOR FINAL PLAT

SHEET NUMBER

718C

SHEET 2 OF 2

**PETITION NO: 1318-22**

**REQUESTED ACTION:** R-45 Conditional to R-45 Conditional

**PROPOSED USE:** Residential

**EXISTING USE:** Undeveloped

**LOCATION:** Olde Oak Drive

**DISTRICT/LAND LOT(S):** 5th District, Land Lot(s) 203

**OWNER:** Mark Wurster

**AGENT:** David Barber

**PLANNING COMMISSION PUBLIC HEARING:** March 3, 2022

**BOARD OF COMMISSIONERS PUBLIC HEARING:** March 24, 2022

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**APPLICANT'S INTENT**

Applicant proposes to delete a condition of rezoning to reduce a 30-foot setback, 20 feet of which shall be a natural buffer along the south side property line to 15 feet to install a septic replacement area and to construct a single-family residence closer to the side property line. This request pertains only to Lot 5 of Olde Oak Unit Three Subdivision.

**STAFF RECOMMENDATION**

**APPROVAL**

**1.**

**1318-22**

## INVESTIGATION

### A. PROPERTY SITE

The subject property is Lot 5 of the Olde Oak Unit Three Subdivision. Lot 5 is 1.35 acres in size.

**Rezoning History:** Rezoning Petition 574-86 for R-45 zoning was approved by the Board of Commissioners on March 27, 1986, with the following conditions:

1. To the owner's agreement to the following site development considerations:
  - a. To limit the design speed of all subdivision streets to 25 miles per hour.
  - b. To provide a minimum sight-distance of 400 feet along Corinth Road.
  - c. To provide a 150-foot-long deceleration lane with an additional 50-foot taper at the exit/entrance on Corinth Road.
  - d. That the proposed exit/entrance street on Corinth Road either align with Simpson Road or be offset at least 200 feet from the nearest right-of-way.
  - e. That no more than one lot shall have direct access to Corinth Road.
  - f. That all structures shall be set back a minimum of 80 feet from the right-of-way.
2. To the owner's agreement to provide an 80-foot setback, 50 feet of which shall be a natural buffer supplementally planted where sparsely vegetated, along the rear of lots which adjoin existing residentially developed lots.
3. **To the owner's agreement to provide a 30-foot setback, 20 feet of which shall be a natural buffer, supplementally planted where sparsely vegetated, along the side property line of lots which adjoin existing residentially developed lots.**
4. To the owner's agreement that, if approved, this rezoning shall take effect upon submission of the appropriate boundary descriptions to the Clerk to the Board of Commissioners and the Zoning Administrator.

The Final Plat for Olde Oak Unit Three was recorded on June 22, 1987.

## **B. SURROUNDING ZONING AND USES**

The general situation is Lot 5 of Olde Oak Unit 3 Subdivision is zoned R-45 Conditional. In the vicinity of the subject property is land which is zoned R-45, R-40, & 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:

<b>Direction</b>	<b>Acreage</b>	<b>Zoning</b>	<b>Use</b>	<b>Comprehensive Plan</b>
North	7.72	R-45	Single-family Residential	Low Density Residential (1 Unit/1 Acre)
South	3.7 4.0	A-R A-R	Single-family Residential	Low Density Residential (1 Unit/1 Acre)
East	1.16 1.36	R-40	Single-family Residential	Low Density Residential (1 Unit/1 Acre)
West	1.18	R-45	Single-family Residential	Low Density Residential (1 Unit/1 Acre)

## **C. COMPREHENSIVE PLAN**

The subject property lies within an area designated for Low Density Residential (1 Unit/1 Acre). This request conforms to the Fayette County Comprehensive Plan.

## **D. ZONING/REGULATORY REVIEW**

The subject property is currently undeveloped, and the owner is in the process of requesting a building permit to construct a single-family residence. The owner would like to use the 30-foot setback area for septic replacement and to move the house closer, 20 feet from the side property line (see attached plat and concept). The 30-foot setback, 20 feet of which shall be a natural buffer is a condition of rezoning (see 3. above). The R-45 zoning district requires a 15-foot side yard setback. The applicant purchased the property in 2016.

### **Prior Conditions of Rezoning**

As indicated under History above, the prior rezoning petition has conditions that are applicable to the subject property. It is the intent of this rezoning petition to eliminate condition (3). The existing condition with Staff comments are as follows:

- 3. To the owner's agreement to provide a 30-foot setback, 20 feet of which shall be a natural buffer, supplementally planted where sparsely vegetated, along the side property line of lots which adjoin existing residentially developed lots.** (It is Staff's opinion that a condition requiring a 30-foot setback, 20 feet of which being a natural buffer, supplementally planted where sparsely vegetated along the side property line is unnecessary. The property to the south is zoned A-R with a rear setback of 75 feet, and the current 15-foot side setback for the subject property is more than adequate unoccupied open space. Increased setbacks and buffers were routinely put in place in the past, but Staff has since stopped the practice.

### **Platting**

Should this request be approved, the owner/developer must submit a Minor Revision as required by Section 104-595 (2) (i) per the Fayette County Subdivision Regulations, as applicable.

## **F. DEPARTMENTAL COMMENTS**

### **Water System**

FCWS has no objection to the proposed rezoning. Water is available at this location, served by a 6" PVC watermain.

### **Public Works/Engineering**

No engineering comments related to this request.

### **Environmental Management**

Follow Site and Grading Plan for Olde Oak unit 3 Lot 5 For Dave Barber.

Including:

- Clearing limits
- Driveway culvert must meet Fayette County ordinance
- Erosion and sediment control BMPs.
- Flood Plain ordinances apply no Land Disturbance within flood plain.

### **Environmental Health Department**

This property had a revised permit issued on 11/17/2021. Based on the site plan, the proposed amendment should have no effect on septic system initial and replacement area.

### **STAFF ANALYSIS**

This request is based on the petitioner's intent to rezone said property from R-45 Conditional to R-45 Conditional for the purpose of developing Residential. 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). 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 WITH CONDITIONS**.

### **RECOMMENDED CONDITIONS**

If this petition is approved by the Board of Commissioners, it should be approved R-45 **CONDITIONAL** for Lot 5 of Olde Oak Unit Three Subdivision only 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. To the owner's agreement to the following site development considerations:
  - g. To limit the design speed of all subdivision streets to 25 miles per hour.
  - h. To provide a minimum sight-distance of 400 feet along Corinth Road.
  - i. To provide a 150-foot-long deceleration lane with an additional 50-foot taper at the exit/entrance on Corinth Road.
  - j. That the proposed exit/entrance street on Corinth Road either align with Simpson Road or be offset at least 200 feet from the nearest right-of-way.
  - k. That no more than one lot shall have direct access to Corinth Road.
  - l. That all structures shall be set back a minimum of 80 feet from the right-of-way.
2. To the owner's agreement to provide an 80-foot setback, 50 feet of which shall be a natural buffer supplementally planted where sparsely vegetated, along the rear of lots which adjoin existing residentially developed lots.
3. To the owner's agreement that, if approved, this rezoning shall take effect upon submission of the appropriate boundary descriptions to the Clerk to the Board of Commissioners and the Zoning Administrator.

January 27, 2022

## LETTER OF INTENT

To whom it may concern,

The purpose of this rezoning application is to remove condition #3 as stated in resolution number 86-574 dated on March 27, 1986. Petitioner would further like to have side set back revert to R45 zoning of 15'.

If condition #3 is removed this area could be used for septic replacement area in addition to possibly move house 20' from side property line instead of 50' as currently shown.

David Barber



Marksmen Construction, Inc.

STATE OF GEORGIA  
COUNTY OF FAYETTE

R E S O L U T I O N

NO. 86 - 574

WHEREAS, Mr. Charles Bussey, agent, for Evergreen Communities, owner, having come before the Fayette County Board of Commissioners on the 27th day of March, 1986, requesting an amendment to the Fayette County Zoning Map pursuant to "The Zoning Ordinance of Fayette County, Georgia, 1980"; and

WHEREAS, said request being as follows: To rezone 102 acres on Corinth Road, in Land Lot 203 of the 5th District, Fayette County, Georgia, from A-R to R-40 and R-45 for the purpose of developing a single-family residential subdivision; and

WHEREAS, the Fayette County Board of Commissioners having duly convened and considered said request;

BE IT RESOLVED that the decision of the Fayette County Board of Commissioners, that said request be approved R-40 and R-45 with conditions subject to the owner's agreement to the following enumerated conditions. Where these conditions conflict with the provisions of the Zoning Ordinance, these conditions shall supersede.

1. To the owner's agreement to the following site development considerations:
  - a. To limit the design speed of all subdivision streets to 25 miles per hour.
  - b. To provide a minimum sight-distance of 400 feet along Corinth Road.
  - c. To provide a 150-foot long deceleration lane with an additional 50-foot taper at the exit/entrance on Corinth Road.
  - d. That the proposed exit/entrance street on Corinth Road either align with Simpson Road or be offset at least 200 feet from the nearest right-of-way.
  - e. That no more than one lot shall have direct access to Corinth Road.
  - f. That all structures shall be set back a minimum of 80 feet from the right-of-way of Corinth Road.
2. To the owner's agreement to provide an 80-foot setback, 50

feet of which shall be a natural buffer, supplementally planted where sparsely vegetated, along the rear of lots which adjoin existing residentially developed lots.

3. To the owner's agreement to provide a 30-foot setback, 20 feet of which shall be a natural buffer, supplementally planted where sparsely vegetated, along the side property line of lots which adjoin existing residentially developed lots.
4. To the owner's agreement that, if approved, this rezoning shall take effect upon submission of the appropriate boundary descriptions to the Clerk of the Board of Commissioners and the Zoning Administrator.

This decision is based on the recommendation of the Fayette County Planning Commission and County Planner.

SO RESOLVED, this 27th day of March, 1986.

BOARD OF COMMISSIONERS

OF

FAYETTE COUNTY

ATTEST:

Margaret Malone  
MARGARET MALONE, CLERK

Dennis Berkelbaugh  
DENNIS BERKELBAUGH, CHAIRMAN

**1318-22  
Zoning**

**Olde Oak Drive**

R-45

**SUBJECT  
PROPERTY**

A-R

R-40

**1318-22**  
**Land Use Plan**

**Olde Oak Drive**

**SUBJECT  
PROPERTY**

**ENVIRONMENTALLY  
SENSITIVE AREAS  
LOW DENSITY RESIDENTIAL**

**1318-22  
Aerials**

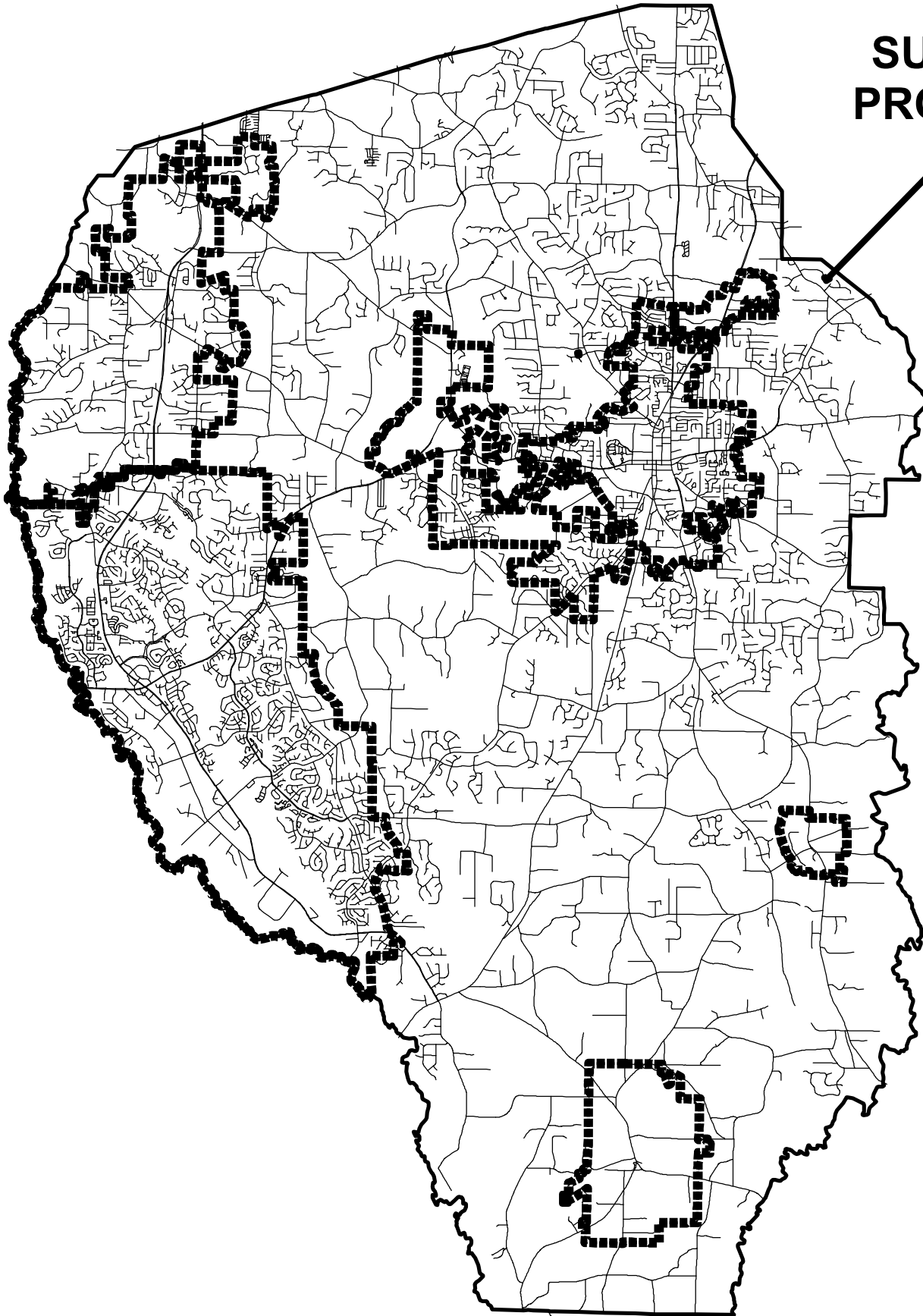
**Olde Oak Drive**

**SUBJECT  
PROPERTY**

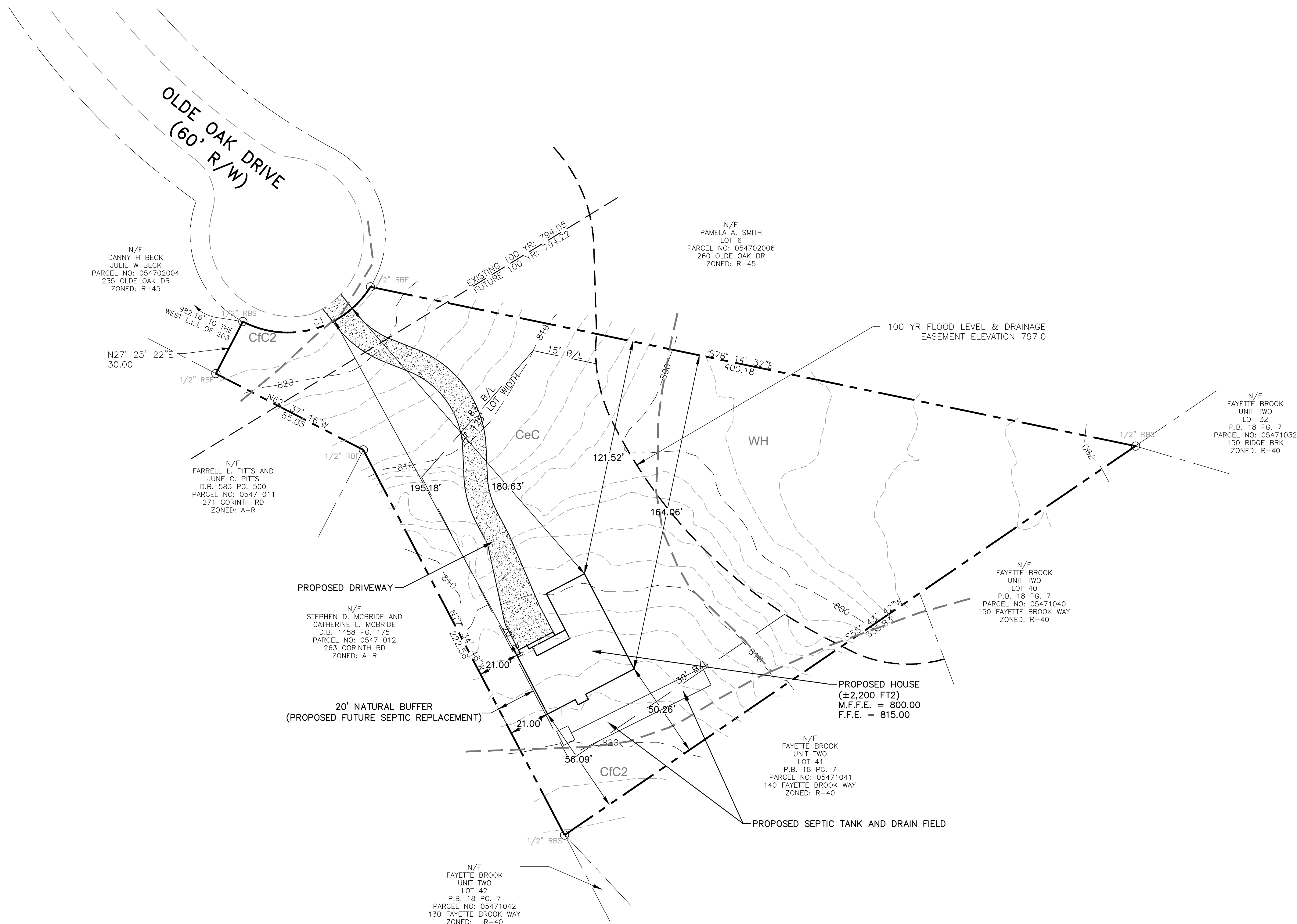


**1318-22**  
**County Proximity**

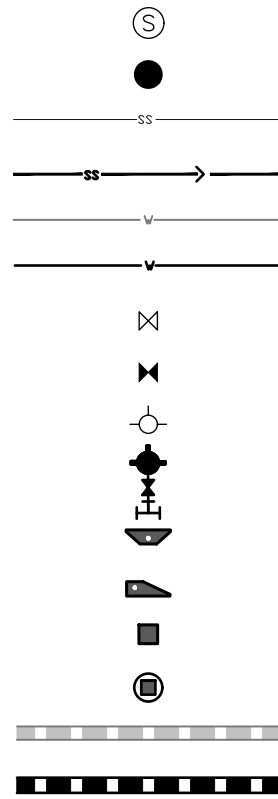
**SUBJECT  
PROPERTY**



Jun 28, 2022 -- 11:09am -- C:\BACKUP\HA\Projects\Jobs\MARKSMEN PROPERTIES INC\OLDE OAK\LOT 5\CONSTRUCTION PLANS\Sheet FILES\Concept Plan.dwg



PLAN VIEW  
HORZ: SCALE: 1" = 30'



LEGEND

- EXIST. SAN. SEWER MANHOLE
- PROPOSED SAN. SEWER MANHOLE
- EXIST. SAN. SEWER LINE
- PROPOSED SAN. SEWER LINE
- EXIST. WATERLINE
- PROPOSED WATERLINE
- EXIST. GATE VALVE
- PROPOSED GATE VALVE
- EXIST. FIRE HYDRANT
- PROPOSED FIRE HYDRANT
- PROPOSED DOUBLE WING CATCH BASIN
- PROPOSED SINGLE WING CATCH BASIN
- PROPOSED JUNCTION BOX
- PROPOSED RAISED LID DROP INLET
- EXIST. STORM DRAIN LINE
- PROPOSED STORM DRAIN LINE

**HOVEY & ASSOCIATES INC.**  
ENGINEERING CONSULTANTS  
130 HOWARD LANE SUITE B  
FAYETTEVILLE, GA 30215  
PHONE: 770-460-2200  
EMAIL: dghovey@bellsouth.net

PREPARED FOR:  
**MARKSMEN PROPERTIES, INC.**  
180 WALTER WAY, SUITE 114  
FAYETTEVILLE, GA 30214

24 HOUR CONTACT:  
NAME: DAVE BARBER  
PHONE: 678-300-0954  
EMAIL: DAVEBARBER82@GMAIL.COM

HOVEY & ASSOCIATES, INC.  
LIC. #PEF003647 ACTIVE

SCALE: HORIZONTAL 1" = 30'  
VERTICAL N/A

REVISED BY	DATE	DESCRIPTION

NO.	DATE	DESCRIPTION
7		
6		
5		
4		
3		
2		
1		

DRAWN BY:  
**M. GRAY**

DESIGNED BY:  
**D. HOVEY**

CHECKED BY:  
**D. HOVEY**

ISSUE DATE  
**01/28/2022**

PROJECT NUMBER  
**2022-06**

**GEORGIA811**  
www.Georgia811.com

**CONCEPT PLAN**  
FOR  
**MARKSMEN PROPERTIES, INC.**  
**OLDE OAK UNIT THREE - LOT 5**  
**LAND LOT 203 - 5th DISTRICT**  
**FAYETTE COUNTY**

**SITE CONCEPT PLAN**

SHEET  
**C1.1**

© H&A 2016

**APPLICATION TO AMEND  
TO AMEND THE OFFICIAL ZONING MAP OF FAYETTE COUNTY, GA**

OWNERS: MARK WURSTEN

MAILING ADDRESS: 180 Walter way Ste 114 Fayetteville Ga 30214

PHONE: 770-461-7661

E-MAIL: KYANBROUGH@MarkesmurProperties.com

AGENT FOR OWNERS: DOUG BARBER

MAILING ADDRESS: 180 Walter way Ste 114 Fayetteville Ga 30214

PHONE: 678-300-0959

E-MAIL: DOUGBARBER82@gmail.com

PROPERTY LOCATION: LAND LOT 203  
LAND LOT \_\_\_\_\_

LAND DISTRICT 5<sup>th</sup>  
LAND DISTRICT \_\_\_\_\_

PARCEL 054702005  
PARCEL \_\_\_\_\_

TOTAL NUMBER OF ACRES REQUESTED TO BE REZONED: 1.35 acres

EXISTING ZONING DISTRICT: R-45 cond.

PROPOSED ZONING DISTRICT: R-45 cond

ZONING OF SURROUNDING PROPERTIES: R-45, A-R, + R-40

PRESENT USE OF SUBJECT PROPERTY: Single Family Residence

PROPOSED USE OF SUBJECT PROPERTY: Single Family Residence

LAND USE PLAN DESIGNATION: \_\_\_\_\_

NAME AND TYPE OF ACCESS ROAD: Old Oak Drive

LOCATION OF NEAREST WATER LINE: on Property

(THIS AREA TO BE COMPLETED BY STAFF): PETITION NUMBER: 1318-22

[ ] Application Insufficient due to lack of: \_\_\_\_\_

by Staff: \_\_\_\_\_

Date: \_\_\_\_\_

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

by Staff: [Signature]

Date: 1/27/2022

DATE OF PLANNING COMMISSION HEARING: March 3, 2022

DATE OF COUNTY COMMISSIONERS HEARING: March 24, 2022

Received from Dave Barber a check in the amount of \$ 350.00 for application filing fee, and \$ 30.00 for deposit on frame for public hearing sign(s).

Date Paid: 1/27/2022

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:

MARK WILKINSON

Please Print Names

Property Tax Identification Number(s) of Subject Property: \_\_\_\_\_

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

(I) (We) hereby delegate authority to DAVID BOUBIN 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]

Signature of Property Owner 1

1800 Walton way ste 114 Fayetteville Ga 30214  
Address

Signature of Property Owner 2

Address

Signature of Property Owner 3

Address

[Signature]  
Signature of Authorized Agent

1800 Walton way ste 114 Fayetteville Ga 30214  
Address

[Signature]

Signature of Notary Public

1/27/22  
Date

Signature of Notary Public

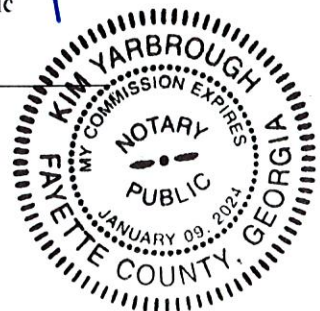
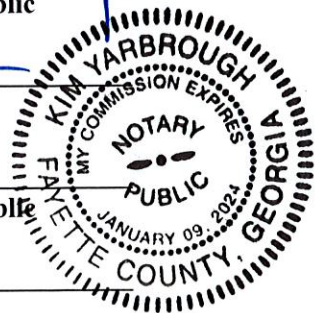
Date

Signature of Notary Public

Date

[Signature]  
Signature of Notary Public

1/27/22  
Date



NAME: \_\_\_\_\_ PETITION NUMBER: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

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

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

This property includes: (check one of the following)

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

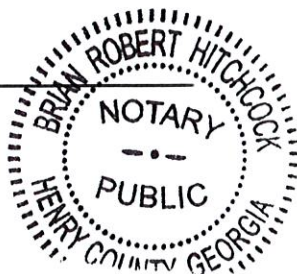
☐ Legal description for subject property is as follows:

PUBLIC HEARING to be held by the Planning Commission of Fayette County on the \_\_\_\_\_ 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 \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_,

  
NOTARY PUBLIC



  
APPLICANT'S SIGNATURE

## DEVELOPMENTS OF REGIONAL IMPACT (DRI)

### Rezoning Applicant:

- A. Please review the attached "Developments of Regional Impact Tiers and Development Thresholds" established by the Georgia Department of Community Affairs (DCA) to determine if the proposed project meets or exceeds these thresholds. If the proposed project does not meet the established thresholds (is less than those listed) then skip to section C. below and complete.
- B. If the project does meet or exceed the established thresholds for the type of development proposed, the Georgia Department of Community Affairs (DCA) "Developments of Regional Impact: Request for Review Form" is available online at the following website address: [www.dca.state.ga.us/DRI/](http://www.dca.state.ga.us/DRI/).
- C. I have reviewed and understand the attached "Thresholds: Developments of Regional Impact".
- [ ☒ ] The proposed project related to this rezoning request DOES NOT meet or exceed the established DRI thresholds .
- [ ☐ ] The proposed project related to this rezoning request DOES meet or exceed the established DRI thresholds and documentation regarding the required DRI Request for Review Form is attached.

Signed this 27 day of January, 2022.

  
\_\_\_\_\_  
APPLICANT'S SIGNATURE

Kristie King  
Fayette County Tax Commissioner  
P. O. Box 70  
Fayetteville, GA 30214

Phone: (770) 461-3652 Fax: (770) 461-8443



Tax Payer: WURSTER MARK  
Map Code: 054702005 REAL  
Description: LOT 5 OLDE OAK III  
Location: OLDE OAK  
Bill No: 2021-45239  
District: 01 COUNTY

Building Value	Land Value	Acres	Fair Market Value	Due Date			Payment Good Through	Exemptions	
0	45,000	0.0000	45,000	11/15/2021			11/15/2021		
Entity		Adjusted FMV	Net Assessment	Exemptions	Taxable Value	Millage Rate	Gross Tax	Credit	Net Tax
COUNTY M&O		45,000.00	18,000.00	0.00	18,000.00	6.000	108.00	0.00	72.61
COUNTY SALES TAX CREDIT		45,000.00	18,000.00	0.00	18,000.00	-1.966	0.00	-35.39	0.00
EMERGENCY MEDICAL SERVICE		45,000.00	18,000.00	0.00	18,000.00	.456	8.21	0.00	8.21
911 SERVICES		45,000.00	18,000.00	0.00	18,000.00	.210	3.78	0.00	3.78
COUNTY SCHOOL M&O		45,000.00	18,000.00	0.00	18,000.00	19.334	348.01	0.00	348.01
COUNTY SCHOOL BOND		45,000.00	18,000.00	0.00	18,000.00	1.100	19.80	0.00	19.80
COUNTY FIRE		45,000.00	18,000.00	0.00	18,000.00	3.070	55.26	0.00	55.26
TOTALS						28.204	543.06	-35.39	507.67



BILL NUMBER BARCODE



PAY BY THE DUE DATE TO AVOID PENALTY AND INTEREST CHARGES:

INTEREST WILL ACCRUE EACH MONTH AT AN ANNUAL RATE EQUAL TO 3% PLUS THE FEDERAL PRIME RATE PUBLISHED AS OF JANUARY 1, EACH YEAR.  
A 5% PENALTY WILL BE ADDED 120 DAYS AFTER THE DUE DATE AND AT EACH 120 DAY MARK UNTIL A 20% CAP IS REACHED.

Bill No: 2021-45239

Current Due	507.67
Penalty	0.00
Interest	0.00
Other Fees	0.00
Previous Payment	0.00
Back Taxes	0.00
<b>TOTAL DUE</b>	<b>507.67</b>

Doc ID: 010064060001 Type: WD  
Recorded: 01/12/2017 at 10:25:00 AM  
Fee Amt: \$10.00 Page 1 of 1  
Transfer Tax: \$0.00  
Fayette, Ga. Clerk Superior Court  
Sheila Studdard Clerk of Court  
BK 4558 PG 666

Please return to:  
Lawson & Beck, LLC  
1125 Commerce Drive, Suite 300  
Peachtree City, GA 30269  
File # 16-LAW-2978

STATE OF GEORGIA  
COUNTY OF FAYETTE

### LIMITED WARRANTY DEED

THIS INDENTURE made this 29th day of December, 2016 between

Pete Love

as party or parties of the first part, hereinafter called Grantor, and

Mark Wurster

as party or parties of the second part, hereinafter called Grantee (the words "Grantor" and "Grantee" to include their respective heirs, successors and assigns where the context requires or permits).

WITNESSETH that: Grantor, for and in consideration of the sum of TEN DOLLARS and other good and valuable consideration (\$10.00) in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, has granted, bargained, sold, aliened, conveyed and confirmed, and by these presents does grant, bargain, sell, alien, convey and confirm unto the said Grantee, the following described property:

ALL THAT TRACT or parcel of land lying and being in Land Lot 203 of the 5th District of Fayette County, Georgia, being Lot 5 of Olde Oak Subdivision, Unit Three, as shown on that certain plat of said subdivision recorded in Plat Book 18, Page 22, Fayette County, Georgia records, said plat being incorporated herein and made a part hereof by reference.

Subject to restrictive covenants and easements of record.

TO HAVE AND TO HOLD the said tract or parcel of 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 the said Grantee forever in FEE SIMPLE.

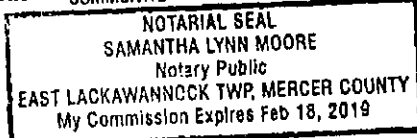
AND THE SAID Grantor will warrant and forever defend the right and title to the above described property unto the said Grantee against the claims of all persons claiming by through or under Grantor.

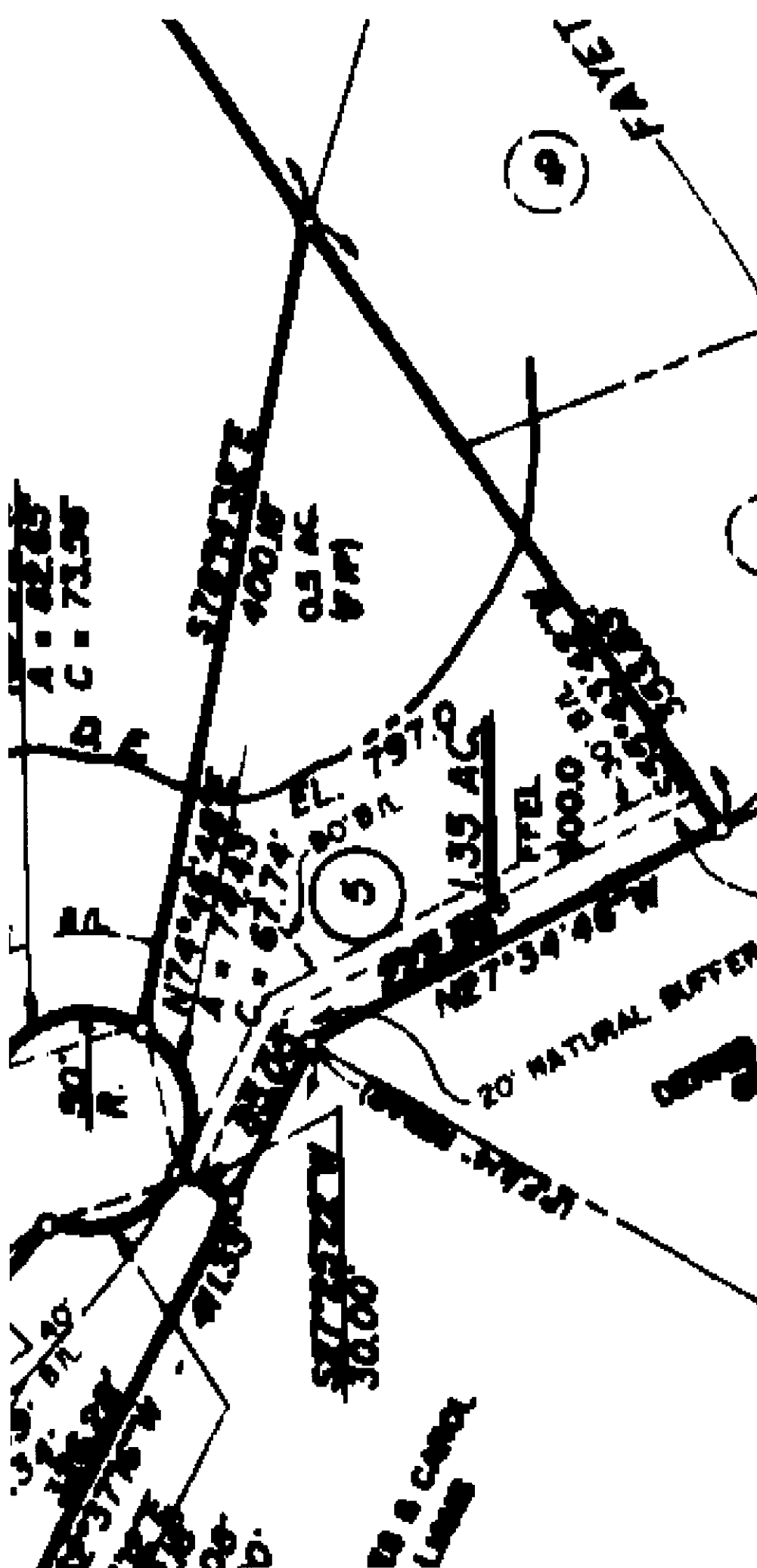
IN WITNESS WHEREOF, Grantor has hereunto set grantor's hand and seal this first day and year first above written.

Signed, Sealed and delivered in the presence of:

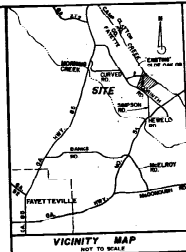
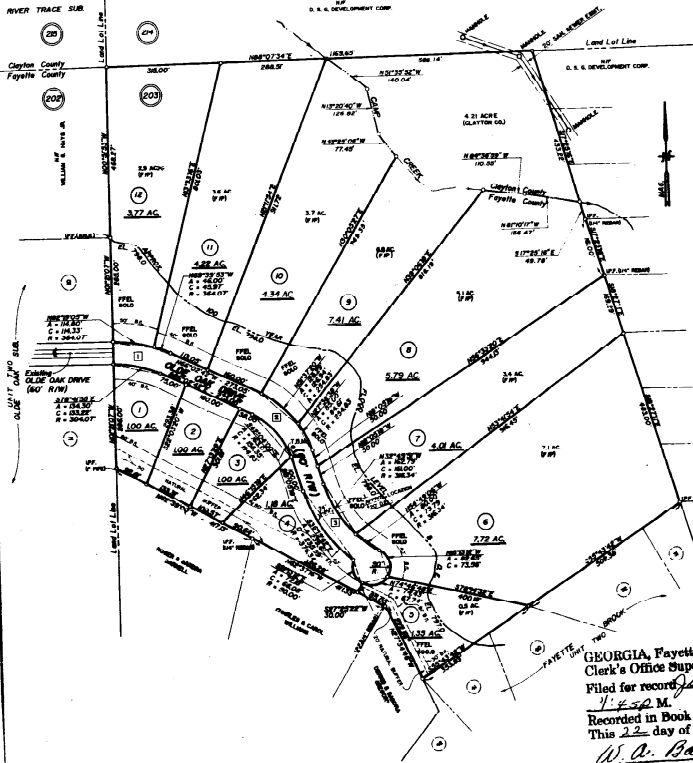
*Sherry L. Beck*  
Official Witness  
*Samantha Lynn Moore*  
Notary Public COMMONWEALTH OF PENNSYLVANIA

*Pete Love*  
Pete Love





RIVER TRACE SUB

Clayton County  
Fayette CountyUNIT 205 SUB  
CLAYTON COUNTYB.P.  
D. & S. DEVELOPMENT CORP.

**NOTES**

1. TOTAL NUMBER OF LOTS IS 12.
2. SUB PLAT BEING SET AT ALL LOT CORNERS.
3. D.E. - DIMENSIONAL EASEMENT.
4. SEE PLAT FOR DIMENSIONS OF LOTS.
5. SEE PLAT FOR DIMENSIONS OF LOTS.
6. F.P. - FLOOD PLAIN.
7. F.P. - FLOOD PLAIN.
8. F.P. - FLOOD PLAIN.
9. F.P. - FLOOD PLAIN.
10. F.P. - FLOOD PLAIN.
11. F.P. - FLOOD PLAIN.
12. F.P. - FLOOD PLAIN.

APPROVED BY FAYETTE COUNTY PLANNING COMMISSION  
DATE 6-19-1987 SIGNED: *[Signature]*  
COUNTY CLERK

6 CURVE DATA

NO.	DELTA	ARC	TAN	CHS.
1	33.67°	147.22'	73.00'	17.00'
2	47.97°	224.87'	114.00'	27.00'
3	64.00°	304.50'	152.00'	37.00'



GEORGIA, Fayette County  
Clerk's Office Superior Court  
Filed for record June 22 19 87  
1:45 P.M.  
Recorded in Book 18 Page 22  
This 22 day of June 19 87  
*W. A. Ballard*  
Clerk

**GENERAL ACKNOWLEDGMENT**  
WE, THE UNDERSIGNED OWNERS OF THE PROPERTY SHOWN ON THIS PLAT HEREBY  
OFFER TO DEDICATE AND/OR RESERVE THE PUBLIC USE AND THE RIGHT OF WAY,  
LANDSCAPE AND OTHER INTERESTS OF THE  
COUNTY OF *Fayette*  
APPROVED BY COUNTY ENGINEER, FAYETTE COUNTY, GA.  
DATE *June 18* 1987 SIGNED: *[Signature]*  
COUNTY ENGINEER  
APPROVED BY FAYETTE COUNTY PLANNING COMMISSION  
DATE *June 19* 1987 SIGNED: *[Signature]*  
COUNTY PLANNING COMMISSION  
APPROVED BY DEPARTMENT OF PUBLIC HEALTH, FAYETTE COUNTY, GA.  
DATE *June 19* 1987 SIGNED: *[Signature]*  
COUNTY DEPARTMENT OF PUBLIC HEALTH  
APPROVED BY FAYETTE COUNTY PLANNING COMMISSION  
DATE *June 19* 1987 SIGNED: *[Signature]*  
COUNTY PLANNING COMMISSION

**GENERAL ACKNOWLEDGMENT**  
I, COUNTY CLERK, HAVE REVIEWED THE PLAT AND HAVE PREPARED THIS  
CERTIFICATE THAT ALL REQUIREMENTS ARE CORRECT AND HAVE PREPARED THIS  
ACTUAL PLAT OF THE PROPERTY SHOWN ON THIS PLAT. THIS PLAT IS  
CORRECT AND CORRECTLY SHOWN, AND THAT THE PROPERTY WILL BE  
DEVELOPED AS SHOWN ON THIS PLAT.

OWNER/DEVELOPER  
B.L. THORN  
404 DOUBLE TRACE LANE  
FAYETTEVILLE, GEORGIA 30269  
404/487 - 9704

FINAL PLAT  
FOR  
OLD OAK  
UNIT TRACT 205 3.00 DISTRICT  
FAYETTE & CLAYTON COUNTY GEORGIA

Engineer  
*[Signature]*  
BENCHMARK  
CORPORATION  
1000 Peachtree Street, N.E.  
Atlanta, Georgia 30309  
Phone 404/522-1111  
Fax 404/522-1112